



**Board of Riley County
Commissioners
Regular Meeting
Agenda
April 03, 2023**

115 North 4th Street
Manhattan, KS 66502
www.rileycountyks.gov

Cindy Kabriel
785-565-6200

Commission Chambers

8:30 AM

[District 2 – Greg McKinley, Member](#)

[District 3 – Kathryn Focke, Chair](#)

[District 1 – John Ford, Vice Chair](#)

8:30 AM

Call to Order

Pledge of Allegiance

Public Comment

1. Public Comments

Commission Comments

2. Commission Comments

Business Meeting

3. Agreement with Schultz Construction for the North County EMS Station
4. Bid Recommendation - 2023 Asphalt Seal Oil
5. Proclamation to recognize Child Abuse Awareness Month (April)
6. National County Government Month Proclamation April 2023
7. Sign Riley County Personnel Action Form(s)

Review Minutes

8. Board of Riley County Commissioners - Regular Meeting - Mar 30, 2023 6:00 PM

Review Tentative Agenda

9. Tentative Agenda

Press Conference Topics

10. Discuss Press Conference

9:00 AM

Clancy Holeman, Counselor/Director of Administrative Services

11. Administrative Work Session
12. Pending County Projects County Counselor

9:20 AM

Craig Cox, Deputy County Counselor

13. Contract for Attorney Fees

9:30 AM

Press Conference

14. RCPD Update - Greg Steere (3-5 minutes)

- 15. Proclamation for National County Government Month - Kathryn Focke and Vivienne Leyva (3-5 minutes)
- 16. Proclamation for Child Abuse Awareness Month - Kathryn Focke and Heather Ritchey (3-5 minutes)

9:45 AM Craig Cox, Deputy County Counselor

- 17. Animal Control within Riley County

10:00 AM Russel Stukey, Emergency Management Director

- 18. Staff time report for the month of March 2023

10:15 AM Amanda Webb, Planning/Special Projects Director

- 19. Manhattan Area Habitat for Humanity / Housing presentation & discussion

11:00 AM Amanda Webb, Planning/Special Projects Director

- 20. Authorize Chairwoman to sign contract for temporary soil evaluation services

Adjournment

In order to comply with provisions of the Americans with Disabilities Act (ADA), Riley County will make reasonable efforts to accommodate the needs of persons with disabilities. Please contact the Division of Human Resources at (785) 537-6303 (voice and TTY) for assistance.



PUBLIC WORKS
Contract

John Ellermann
Public Works
Director/County Engineer
6215 Tuttle Creek Blvd
Manhattan, KS 66503
Phone: 785-537-6330

COMMISSION AGENDA REPORT

FROM: John Ellermann, Public Works Director

MEETING: April 3, 2023

SUBJECT: Agreement with Schultz Construction for the North County EMS Station

PRESENTER: John Ellermann, PublicWorks Director

BACKGROUND

Bids for the North County EMS Station were opened on March 2, 2023. Four companies submitted bids with Schultz Construction presenting the low bid. On March 9, 2023 the Board approved the low bid from Schultz Construction for \$799,000.

Attached for your approval is the contract with Schultz Construction Inc. in the amount of \$799,000 for the construction of the North County EMS Station.

Staff recommends approval.

POSSIBLE MOTION(S)

Move to approve the contract with Schultz Construction

Move to deny the contract with Schultz Construction

Enclosures:

- EMS A101-2017 - Final Schultz (Signed).03-27-23 (PDF)



AIA® Document A101® – 2017

Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum

AGREEMENT made as of the day of March in the year Two Thousand Twenty Three (2023)

(In words, indicate day, month and year.)

BETWEEN the Owner:

(Name, legal status, address and other information)

Board of Riley County Commissioners
110 Courthouse Plaza
Manhattan, KS 66502

and the Contractor:

(Name, legal status, address and other information)

Schultz Construction, Inc.
4345 Rory Circle
Manhattan, KS 66502

for the following Project:

(Name, location and detailed description)

North Riley County EMS Station
506 East Barton Street
Leonardville, KS 66449

The Architect:

(Name, legal status, address and other information)

Anderson Knight Architects LLC
2505 Anderson Avenue, Suite 201
Manhattan, KS 66502

The Owner and Contractor agree as follows.

ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

The parties should complete A101®–2017, Exhibit A, Insurance and Bonds, contemporaneously with this Agreement. AIA Document A201®–2017, General Conditions of the Contract for Construction, is adopted in this document by reference. Do not use with other general conditions unless this document is modified.

Attachment: EMS A101-2017 - Final Schultz (Signed).03-27-23 (13286 : Contract with Schultz Construction)

Init.

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User Notes:

TABLE OF ARTICLES

1	THE CONTRACT DOCUMENTS
2	THE WORK OF THIS CONTRACT
3	DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION
4	CONTRACT SUM
5	PAYMENTS
6	DISPUTE RESOLUTION
7	TERMINATION OR SUSPENSION
8	MISCELLANEOUS PROVISIONS
9	ENUMERATION OF CONTRACT DOCUMENTS

EXHIBIT A INSURANCE AND BONDS

ARTICLE 1 THE CONTRACT DOCUMENTS

The Contract Documents consist of this Agreement, Conditions of the Contract (General, Supplementary, and other Conditions), Drawings, Specifications, Addenda issued prior to execution of this Agreement, other documents listed in this Agreement, and Modifications issued after execution of this Agreement, all of which form the Contract, and are as fully a part of the Contract as if attached to this Agreement or repeated herein. The Contract represents the entire and integrated agreement between the parties hereto and supersedes prior negotiations, representations, or agreements, either written or oral. An enumeration of the Contract Documents, other than a Modification, appears in Article 9.

ARTICLE 2 THE WORK OF THIS CONTRACT

The Contractor shall fully execute the Work described in the Contract Documents, except as specifically indicated in the Contract Documents to be the responsibility of others.

ARTICLE 3 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION

§ 3.1 The date of commencement of the Work shall be:

(Check one of the following boxes.)

- ☐ The date of this Agreement.
- ☒ A date set forth in a notice to proceed issued by the Owner.
- ☐ Established as follows:
(Insert a date or a means to determine the date of commencement of the Work.)

If a date of commencement of the Work is not selected, then the date of commencement shall be the date of this Agreement.

§ 3.2 The Contract Time shall be measured from the date of commencement of the Work.

§ 3.3 Substantial Completion

§ 3.3.1 Subject to adjustments of the Contract Time as provided in the Contract Documents, the Contractor shall achieve Substantial Completion of the entire Work:

(Check one of the following boxes and complete the necessary information.)

Init.

☒ Not later than two hundred forty (240) calendar days from the date of commencement of the Work.
It is understood that the lead time for the back-up generator is forty seven (47) weeks.

☐ By the following date:

§ 3.3.2 Subject to adjustments of the Contract Time as provided in the Contract Documents, if portions of the Work are to be completed prior to Substantial Completion of the entire Work, the Contractor shall achieve Substantial Completion of such portions by the following dates:

Portion of Work

Substantial Completion Date

§ 3.3.3 If the Contractor fails to achieve Substantial Completion as provided in this Section 3.3, liquidated damages, if any, shall be assessed as set forth in Section 4.5.

ARTICLE 4 CONTRACT SUM

§ 4.1 The Owner shall pay the Contractor the Contract Sum in current funds for the Contractor's performance of the Contract. The Contract Sum shall be seven hundred ninety nine thousand dollars (\$ 799,000.00), subject to additions and deductions as provided in the Contract Documents.

§ 4.2 Alternates

§ 4.2.1 Alternates, if any, included in the Contract Sum:

Item	Price
N/A	

§ 4.2.2 Subject to the conditions noted below, the following alternates may be accepted by the Owner following execution of this Agreement. Upon acceptance, the Owner shall issue a Modification to this Agreement.
(Insert below each alternate and the conditions that must be met for the Owner to accept the alternate.)

Item	Price	Conditions for Acceptance
N/A		

§ 4.3 Allowances, if any, included in the Contract Sum:
(Identify each allowance.)

Item	Price
N/A	

§ 4.4 Unit prices, if any:
(Identify the item and state the unit price and quantity limitations, if any, to which the unit price will be applicable.)

Item	Units and Limitations	Price per Unit (\$0.00)
N/A		

§ 4.5 Liquidated damages, if any:
(Insert terms and conditions for liquidated damages, if any.)

N/A

§ 4.6 Other:
(Insert provisions for bonus or other incentives, if any, that might result in a change to the Contract Sum.)

N/A

Init.

ARTICLE 5 PAYMENTS

§ 5.1 Progress Payments

§ 5.1.1 Based upon Applications for Payment submitted to the Architect by the Contractor and Certificates for Payment issued by the Architect, the Owner shall make progress payments on account of the Contract Sum to the Contractor as provided below and elsewhere in the Contract Documents.

§ 5.1.2 The period covered by each Application for Payment shall be one calendar month ending on the last day of the month.

§ 5.1.3 Provided that an Application for Payment is received by the Architect not later than the fifteenth (15th) day of a month, the Owner shall make payment of the amount certified to the Contractor not later than the fifteenth day of the following month. If an Application for Payment is received by the Architect after the application date fixed above, payment of the amount certified shall be made by the Owner not later than thirty (30) days after the Architect receives the Application for Payment.

(Federal, state or local laws may require payment within a certain period of time.)

§ 5.1.4 Each Application for Payment shall be based on the most recent schedule of values submitted by the Contractor in accordance with the Contract Documents. The schedule of values shall allocate the entire Contract Sum among the various portions of the Work. The schedule of values shall be prepared in such form, and supported by such data to substantiate its accuracy, as the Architect may require. This schedule of values shall be used as a basis for reviewing the Contractor's Applications for Payment.

§ 5.1.5 Applications for Payment shall show the percentage of completion of each portion of the Work as of the end of the period covered by the Application for Payment.

§ 5.1.6 In accordance with AIA Document A201™–2017, General Conditions of the Contract for Construction, and subject to other provisions of the Contract Documents, the amount of each progress payment shall be computed as follows:

§ 5.1.6.1 The amount of each progress payment shall first include:

- .1 That portion of the Contract Sum properly allocable to completed Work;
- .2 That portion of the Contract Sum properly allocable to materials and equipment delivered and suitably stored at the site for subsequent incorporation in the completed construction, or, if approved in advance by the Owner, suitably stored off the site at a location agreed upon in writing; and
- .3 That portion of Construction Change Directives that the Architect determines, in the Architect's professional judgment, to be reasonably justified.

§ 5.1.6.2 The amount of each progress payment shall then be reduced by:

- .1 The aggregate of any amounts previously paid by the Owner;
- .2 The amount, if any, for Work that remains uncorrected and for which the Architect has previously withheld a Certificate for Payment as provided in Article 9 of AIA Document A201–2017;
- .3 Any amount for which the Contractor does not intend to pay a Subcontractor or material supplier, unless the Work has been performed by others the Contractor intends to pay;
- .4 For Work performed or defects discovered since the last payment application, any amount for which the Architect may withhold payment, or nullify a Certificate of Payment in whole or in part, as provided in Article 9 of AIA Document A201–2017; and
- .5 Retainage withheld pursuant to Section 5.1.7.

§ 5.1.7 Retainage

§ 5.1.7.1 For each progress payment made prior to Substantial Completion of the Work, the Owner may withhold the following amount, as retainage, from the payment otherwise due:

(Insert a percentage or amount to be withheld as retainage from each Application for Payment. The amount of retainage may be limited by governing law.)

Five percent (5%)

§ 5.1.7.1.1 The following items are not subject to retainage:

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User Notes:

(Insert any items not subject to the withholding of retainage, such as general conditions, insurance, etc.)

N/A

§ 5.1.7.2 Reduction or limitation of retainage, if any, shall be as follows:

(If the retainage established in Section 5.1.7.1 is to be modified prior to Substantial Completion of the entire Work, including modifications for Substantial Completion of portions of the Work as provided in Section 3.3.2, insert provisions for such modifications.)

N/A

§ 5.1.7.3 Except as set forth in this Section 5.1.7.3, upon Substantial Completion of the Work, the Contractor may submit an Application for Payment that includes the retainage withheld from prior Applications for Payment pursuant to this Section 5.1.7. The Application for Payment submitted at Substantial Completion shall not include retainage as follows:

(Insert any other conditions for release of retainage upon Substantial Completion.)

§ 5.1.8 If final completion of the Work is materially delayed through no fault of the Contractor, the Owner shall pay the Contractor any additional amounts in accordance with Article 9 of AIA Document A201–2017.

§ 5.1.9 Except with the Owner's prior approval, the Contractor shall not make advance payments to suppliers for materials or equipment which have not been delivered and stored at the site.

§ 5.2 Final Payment

§ 5.2.1 Final payment, constituting the entire unpaid balance of the Contract Sum, shall be made by the Owner to the Contractor when

- .1 the Contractor has fully performed the Contract except for the Contractor's responsibility to correct Work as provided in Article 12 of AIA Document A201–2017, and to satisfy other requirements, if any, which extend beyond final payment; and
- .2 a final Certificate for Payment has been issued by the Architect.

§ 5.2.2 The Owner's final payment to the Contractor shall be made no later than 30 days after the issuance of the Architect's final Certificate for Payment, or as follows:

§ 5.3 Interest

Payments due and unpaid under the Contract shall bear interest from the date payment is due at the rate stated below, or in the absence thereof, at the legal rate prevailing from time to time at the place where the Project is located.

(Insert rate of interest agreed upon, if any.)

%

ARTICLE 6 DISPUTE RESOLUTION

§ 6.1 Initial Decision Maker

The Architect will serve as the Initial Decision Maker pursuant to Article 15 of AIA Document A201–2017, unless the parties appoint below another individual, not a party to this Agreement, to serve as the Initial Decision Maker.

(If the parties mutually agree, insert the name, address and other contact information of the Initial Decision Maker, if other than the Architect.)

§ 6.2 Binding Dispute Resolution

For any Claim subject to, but not resolved by, mediation pursuant to Article 15 of AIA Document A201–2017, the method of binding dispute resolution shall be as follows:

(Check the appropriate box.)

☐ Arbitration pursuant to Section 15.4 of AIA Document A201–2017

☒ Litigation in a court of competent jurisdiction

☐ Other *(Specify)*

If the Owner and Contractor do not select a method of binding dispute resolution, or do not subsequently agree in writing to a binding dispute resolution method other than litigation, Claims will be resolved by litigation in a court of competent jurisdiction.

ARTICLE 7 TERMINATION OR SUSPENSION

§ 7.1 The Contract may be terminated by the Owner or the Contractor as provided in Article 14 of AIA Document A201–2017.

§ 7.1.1 If the Contract is terminated for the Owner's convenience in accordance with Article 14 of AIA Document A201–2017, then the Owner shall pay the Contractor a termination fee as follows:

(Insert the amount of, or method for determining, the fee, if any, payable to the Contractor following a termination for the Owner's convenience.)

Reference the "Contractual Provisions Attachment" for termination payment calculation.

§ 7.2 The Work may be suspended by the Owner as provided in Article 14 of AIA Document A201–2017.

ARTICLE 8 MISCELLANEOUS PROVISIONS

§ 8.1 Where reference is made in this Agreement to a provision of AIA Document A201–2017 or another Contract Document, the reference refers to that provision as amended or supplemented by other provisions of the Contract Documents.

§ 8.2 The Owner's representative:

(Name, address, email address, and other information)

John Ellermann, P.E.
Public Works Director/County Engineer
Riley County Public Works Department
6215 Tuttle Creek Blvd
Manhattan, KS 66503

§ 8.3 The Contractor's representative:

(Name, address, email address, and other information)

Brett Ballou, President
Schultz Construction, Inc.
4345 Rory Circle
Manhattan, KS 66502

§ 8.4 Neither the Owner's nor the Contractor's representative shall be changed without ten days' prior notice to the other party.

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User Notes:

§ 8.5 Insurance and Bonds

§ 8.5.1 The Owner and the Contractor shall purchase and maintain insurance as set forth in AIA Document A101™–2017, Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum, Exhibit A, Insurance and Bonds, and elsewhere in the Contract Documents.

§ 8.5.2 The Contractor shall provide bonds as set forth in AIA Document A101™–2017 Exhibit A, and elsewhere in the Contract Documents.

§ 8.6 Notice in electronic format, pursuant to Article 1 of AIA Document A201–2017, may be given as set forth below:

Email to Owner's representative: John Ellermann; jellermann@rileycountyks.gov

Email to Contractor's representative: Brett Ballou; bballou@schultzconst.com

(Paragraphs deleted)

ARTICLE 9 ENUMERATION OF CONTRACT DOCUMENTS

§ 9.1 This Agreement is comprised of the following documents:

- .1 AIA Document A101™–2017, Standard Form of Agreement Between Owner and Contractor

(Paragraph deleted)

- .2 AIA Document A201™–2017, General Conditions of the Contract for Construction

(Paragraphs deleted)

- .5 Drawings

Number

Title

Date

See attached Exhibit A for Drawing List

- .6 Specifications

Section

Title

Date

Pages

See attached Exhibit B for Table of Contents

- .7 Addenda, if any:

Number

Date

Pages

One

February 23, 2023

2

Two

February 28, 2023

8

Portions of Addenda relating to bidding or proposal requirements are not part of the Contract Documents unless the bidding or proposal requirements are also enumerated in this Article 9.

- .8 Other Exhibits:

(Paragraphs deleted)

[X] Supplementary and other Conditions of the Contract:

Document

Title

Date

Pages

Exhibit C

Contractual Provisions Attachment

2-3-23

8

(Paragraphs deleted)

- .9 Other documents, if any, listed below:

(List here any additional documents that are intended to form part of the Contract Documents. AIA Document A201™–2017 provides that the advertisement or invitation to bid, Instructions to Bidders, sample forms, the Contractor's bid or proposal, portions of Addenda relating to bidding or proposal

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requirements, and other information furnished by the Owner in anticipation of receiving bids or proposals, are not part of the Contract Documents unless enumerated in this Agreement. Any such documents should be listed here only if intended to be part of the Contract Documents.)

Advertisement for Bids
Instructions to Bidders
Contractor's Bid Form (attached)

This Agreement entered into as of the day and year first written above.

OWNER (Signature)

Board of Riley County Commissioners of Riley
County, Kansas
Kathryn Focke, Chairwoman
(Printed name and title)


CONTRACTOR (Signature)

Schultz Construction, Inc.
Brett Ballou, President
(Printed name and title)

Attachment: EMS A101-2017 - Final Schultz (Signed).03-27-23 (13286 : Contract with Schultz Construction)

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User Notes:

DRAWING LIST

SHEET NUMBER	SHEET NAME
01 - GENERAL	
G1.01	COVER SHEET
G1.02	GENERAL INFORMATION
G1.03	ADA COMPLIANCE
G2.01	CODE FLOOR PLAN
03 - CIVIL	
C1.01	SITE PLAN
C2.01	GRADING PLAN
C3.01	HORIZONTAL & VERTICAL CONTROL PLAN
C4.01	PAVEMENT JOINTING PLAN
C5.01	MISCELLANEOUS DETAILS
C5.02	STORM SEWER DETAILS
C6.01	SOIL EROSION & SEDIMENT CONTROL PLAN
C6.02	SOIL EROSION & SEDIMENT CONTROL DETAILS
C6.03	SOIL EROSION & SEDIMENT CONTROL DETAILS
05 - STRUCTURAL	
S0.01	GENERAL NOTES
S1.01	1ST FLOOR FRAMING PLAN
S1.02	ROOF FRAMING PLAN
S2.01	1ST FLOOR SHEARWALL PLAN
S3.01	CONCRETE DETAILS
S4.01	CONSTRUCTION DETAILS
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A2.01	REFLECTED CEILING PLAN
A3.01	ROOF PLAN
A4.01	EXTERIOR ELEVATIONS
A4.02	EXTERIOR ELEVATIONS
A5.01	BUILDING SECTIONS
A5.02	SECTIONS & DETAILS
A5.03	SECTIONS & DETAILS
A6.01	INTERIOR ELEVATIONS
07 - MEP	
MEP1.01	MEP COVER PAGE
MEP2.01	MECHANICAL SPECIFICATIONS
MEP2.02	ELECTRICAL SPECIFICATIONS
08 - MECHANICAL	
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M2.01	HVAC SCHEDULES
M3.01	HVAC DETAILS
09 - PLUMBING	
P1.01	PLUMBING FLOOR PLAN
P2.01	WASTE & VENT FLOOR PLAN
P3.01	PLUMBING SCHEDULES
P4.01	PLUMBING DETAILS
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E2.01	POWER FLOOR PLAN
E3.01	ELECTRICAL SCHEDULES & DETAILS

EXHIBIT B

**SECTION 00 0110
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Attachment: EMS A101-2017 - Final Schultz (Signed).03-27-23 (13286 : Contract with Schultz Construction)

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END OF SECTION

Attachment: EMS A101-2017 - Final Schultz (Signed).03-27-23 (13286 : Contract with Schultz Construction)

Attachment to "Contract" Between Riley County (hereinafter "County"), and
Schultz Construction, Inc. (hereinafter "Contractor").

CONTRACTUAL PROVISIONS ATTACHMENT

The undersigned parties agree that the following provisions are hereby incorporated into the contract to which it is attached and made a part thereof, said contract being dated the ____ day of _____, 2023.

1. **TERMS HEREIN CONTROLLING PROVISIONS.** It is expressly agreed that the terms of each and every provision in this attachment shall prevail and control over the terms of any other conflicting provision in the contract and any other document relating to and a part of the contract in which this attachment is incorporated. All terms hereof survive termination of the contract.
2. **AGREEMENT WITH KANSAS LAW.** It is agreed by and between the undersigned that all disputes and matters whatsoever arising under, in connection with or incident to the contract shall be litigated, if at all, in and before a state Court located in the State of Kansas, County of Riley, or if in Federal Court, at a Federal Court located in Topeka, Kansas, to the exclusion of the Courts of any other states or country. All contractual promises shall be subject to, governed by, and construed according to the laws of the State of Kansas, without reference to its conflict of laws principles. Both parties submit to venue and jurisdiction in these courts. In the event an action or claim arises outside of the exclusive jurisdiction specified herein which names County as a party, Contractor agrees to initiate, consent to and/or cooperate with any and all efforts to remove the matter to the exclusive jurisdiction named herein and otherwise to take any and all reasonable actions to achieve County's objectives of this provision.
3. **COMPLIANCE WITH APPLICABLE LAWS, SERVICE STANDARDS AND REQUIRED PROCEDURES.**
 - 3.1. **Service Standards and Procedures.** Contractor shall perform the services set forth in the Contract in compliance with applicable standards and procedures specified in the Contract.
 - 3.2. **Compliance With Law.** Contractor shall comply with all applicable local, state and federal laws and regulations, in carrying out the Contract, regardless of whether those legal requirements are specifically referenced in the Contract.

Attachment: EMS A101-2017 - Final Schultz (Signed).03-27-23 (13286 : Contract with Schultz Construction)

4. **CASH BASIS AND BUDGET LAWS.** The right of the County to enter into the Contract is subject to the provisions of the Cash Basis Law (K.S.A. 10-1112 and 10-1113), the Budget Law (K.S.A. 79-2935), and other laws of the State of Kansas. The Contract shall be construed and interpreted so as to ensure that the County shall at all times stay in conformity with such laws, and as a condition of the Contract the County reserves the right to unilaterally terminate the Contract at any time if, in the opinion of its legal counsel, the Contract may be deemed to violate the terms of such laws. Any Contract for a term of more than one year shall be interpreted by the parties to provide County the sole option to renew that Contract before the end of each one year term.

5. **TERMINATION DUE TO LACK OF FUNDING APPROPRIATION.** If, in the judgment of the Riley County Commissioners, after consultation with their Budget and Finance Officer or other county officials, sufficient funds are not appropriated to continue the function performed in the contract and for the payment of the charges hereunder, County may terminate the contract at the end of its current fiscal year. Termination shall be effective 30 days after County mails written notice to Contractor. In the event of such termination, County agrees to give written notice of termination to contractor. The termination of the contract pursuant to this paragraph shall not cause any penalty to be charged to the County or the Contractor.

6. **ANTI-DISCRIMINATION CLAUSE.**
 - 6.1. In carrying out the Contract, Contractor shall comply with K.S.A. 44-1001 *et seq.*
 - 6.2. Contractor shall observe the provisions of the Kansas act against discrimination and the Kansas age discrimination in employment act, and shall not discriminate against any person in the performance of work under the Contract because of race, religion, color, sex, disability, national origin, ancestry, or age.
 - 6.3. In all solicitations or advertisements for employees, Contractor shall include the phrase "equal opportunity employer" or a similar phrase to be approved by the Kansas Human Rights Commission.
 - 6.4. If Contractor fails to comply with the provisions of K.S.A. 44-1031, requiring reports to be submitted to the Kansas Human Rights Commission when requested by that Commission, Contractor shall be deemed to have breached the Contract and it may be canceled, terminated or suspended, in whole or in part, by County.
 - 6.5. If Contractor is found guilty of a violation of the Kansas act against discrimination under a decision or order of the Kansas Human Rights Commission which has become final, Contractor shall be deemed to have breached the Contract and it may be canceled, terminated or suspended, in whole or in part by County.
 - 6.6. Contractor shall include the provisions of paragraphs 7.1 through 7.4 inclusively of this section in every subcontract or purchase order so that such provisions will

be binding upon such subcontractor of Contractor.

- 6.7. Parties to the contract understand that this paragraph number 7 is not applicable if Contractor employs fewer than four employees or if Contractor's contracts with the County cumulatively total \$5,000 or less during the County's fiscal year.
7. **ACCEPTANCE OF CONTRACT.** The contract shall not be considered accepted, approved or otherwise effective until the required approvals and certifications have been given and this Contractual Provisions Attachment is signed by the Board of County Commissioners of Riley County, Kansas.
8. **ARBITRATION, DAMAGES, WARRANTIES.** Notwithstanding any language to the contrary, no interpretation shall be allowed to find the County has agreed to binding arbitration, or the payment of damages or penalties upon the occurrence of a contingency. Further, the County does not agree to pay attorney fees and late payment charges; and no provisions will be given effect that attempts to exclude, modify, disclaim or otherwise attempt to limit implied warranties of merchantability and fitness for a particular purpose.
9. **REPRESENTATIVE'S AUTHORITY TO CONTRACT/REQUIRED DOCUMENTATION.** By signing the Contract, the representative of Contractor thereby represents that such person is duly authorized by Contractor to execute the document on behalf of Contractor and Contractor agrees to be bound by the provisions thereof. Contractor shall furnish evidence of authority to transact business in Kansas, in the form of a certificate signed by the Kansas Secretary of State.
10. **RESPONSIBILITY FOR TAXES.** The County shall not be responsible for, nor indemnify Contractor for, any federal, state or local taxes that may be imposed or levied upon the subject matter of the contract.
11. **NO INSURANCE PROVIDED BY COUNTY.** The County shall not be required to purchase, any insurance against loss or damage to any personal property to which the contract relates, nor shall the contract require the County to establish a "self-insurance" fund to protect against any such loss or damage. Subject to any applicable provisions of the Kansas Tort Claims Act (K.S.A. 75-6101 *et seq.*), Contractor shall bear the risk of any loss or damage to any personal property to which Contractor holds title.
12. **TERM AND TERMINATION.**
- 12.1. **Term.** This Contractual Provisions Attachment shall be effective as of its date of execution by the parties and shall remain in effect during the term of the Contract, or until terminated either for convenience, breach or default, as set out herein. Thirty (30) days written notice to the breaching party is required.

- 12.2. **Termination for Cause.** If Contractor shall fail to fulfill in a timely and proper manner its obligations under the Contract, or if Contractor shall violate any of the terms, covenants, conditions, or stipulations of the Contract, County shall thereupon have the right to terminate the Contract by promptly giving written notice to Contractor of such termination and specifying the reasons for the termination and the effective date thereof. A breach shall include, but not be limited to, failure to comply with any or all items contained in the Contract and any appendices, exhibits or amendments thereto, if any.
- 12.3. Notwithstanding the above, Contractor shall not be relieved of liability to County by virtue of any breach of the Contract by Contractor.
- 12.4. **Termination for Convenience.** County may terminate the Contract in whole or in part, upon thirty (30) days written notice to Contractor, stating the effective date of the termination for convenience.
- 12.5. **Payment Calculation Upon Termination.** In the event of termination under the Contract by either party, any amount owed Contractor will be calculated based solely upon payment for fair value of acceptable services provided by Contractor to the point of termination, which fair value is not the subject of a good faith dispute. That determination of fair value of acceptable services shall be made solely by County.
13. **INDEPENDENT CONTRACTOR RELATIONSHIP.** It is agreed that the legal relationship between Contractor and County is of a contractual nature. Both parties assert and believe that Contractor is acting as an independent contractor in providing the services and performing the duties required by County hereunder. Contractor is at all times acting as an independent contractor and not as an officer, agent, or employee of County. As an independent contractor, Contractor, and employees of Contractor, will not be within the protection or coverage of County's worker's compensation insurance, nor shall Contractor, and employees of Contractor, be entitled to any current or future benefits provided to employees of County. Further, County shall not be responsible for withholding of social security, federal, and/or state income tax, or unemployment compensation from payments made by County to Contractor. Contractor shall supply all labor, equipment, supplies and materials necessary to complete the required services, at Contractor's sole expense.
14. **PERSONNEL.**
- 14.1. **Qualified Personnel.** Contractor represents that it has, or shall secure at its own expense, all personnel required in performing the services under the Contract. Such personnel shall not be employees of or have any other contractual relationship with County. All personnel engaged in the work shall be fully qualified according to the laws of the State of Kansas and the provisions of this Contract.

- 14.2. **Minimum Wages.** Contractor will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act.
- 14.3. **Employee Conflict of Interest.** Contractor shall establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

15. **PROHIBITION OF CONFLICTS OF INTEREST.**

- 15.1. **Interest of Public Officials and Others.** No officer or employee of Riley County, no member of its governing body, and no other public official who exercises any functions or responsibilities in the review or approval of the undertaking or carrying out of the Contract shall participate in any decision relating to the Contract which affects such person's personal interest or the interest of any corporation, partnership, or association in which such person is directly or indirectly interested; nor shall any officer or employee of Riley County or any member of its governing body or other public official have any interest, direct or indirect, in the Contract or the proceeds thereof.
- 15.2. **Interest of Contractor.** Contractor covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of services required to be performed under the Contract.
- 15.3. **Notice to Bidders.** Requests for proposal or invitations for bid issued by Contractor to implement the Contract will provide notice to prospective bidders that Riley County's conflict of interest provision is applicable and that prospective bidders who develop or draft specifications, requirements, statements of work and/or RFPs for a proposed procurement shall be excluded from bidding or submitting a proposal to compete for the award of such procurement.
16. **ASSIGNMENT.** Neither the Contract nor any rights or obligations hereunder shall be assigned or otherwise transferred by either party without the prior written consent of the other.
17. **SUBCONTRACTING.** None of the work or services covered by the Contract shall be subcontracted without the prior written approval of County. All approved subcontracts must conform to all terms set forth in the Contract and the Contractual Provisions Attachment.

18. RECORDS, REPORTS AND INSPECTION.

- 18.1. **Documentation of Costs.** All costs incurred by Contractor for which Contractor purports to be entitled to reimbursement under the express terms of the Contract shall be supported by properly executed payrolls, time records, invoices, contracts or vouchers, or other official documentation evidencing in proper detail the nature and propriety of charges. All checks, payrolls, invoices, contracts, vouchers, orders or other accounting documents pertaining in whole or in part to the Contract shall be clearly identified and readily accessible to both parties to the Contract.
- 18.2. **Maintenance of Records.** Except as otherwise authorized by County, Contractor shall retain such documentation for a period of three (3) years after receipt of any applicable final expenditure report under the Contract, unless action, including but not limited to litigation or audit resolution proceedings, necessitate maintenance of records beyond this three (3) year period.
- 18.3. **Contractor's Purchasing Procedure.** Contractor certifies that it does not practice any form of discrimination based on race, ethnic origin, gender or religion or disability in its purchasing procedures. Contractor agrees to make available a written description of its purchasing procedures if requested by County.

19. METHOD OF BILLING AND PAYMENT.

- 19.1. **Billing Procedures.** Contractor agrees that billings and payments under the Contract shall be processed in accordance with established budgeting, purchasing and accounting procedures of Riley County, Kansas. Subject to the maximum amount of compensation prescribed herein, payment shall be made after receipt of billing, and the amount of payment shall not exceed the maximum amount allowed by the Contract.
- 19.2. **Support Documentation.** Billing shall be supported with documentation required by County including, but not necessarily limited to, that documentation described in paragraph 18, above.
- 19.3. **Reimbursement Restrictions.** Payments shall be made to Contractor only for items and services provided to support the Contract purpose when such items and services are specifically authorized by the Contract. County reserves the right to disallow reimbursement for any item or service billed by Contractor if County believes that such item or service was not provided to support the Contract purpose, or was not authorized by the Contract.
- 19.4. **Pre-disbursement Requirements.** Contractor must provide to County the documentation required pursuant to the Contract prior to any disbursements being made by County to Contractor.

- 19.5. **Mailing Address.** Payments shall be mailed to Contractor's address as set forth herein.
20. **LICENSES AND PERMITS.** Contractor shall maintain all licenses, permits, certifications, bonds, and insurance required by federal, state or local authority for carrying out the Contract. Contractor shall notify County immediately if any required license, permit, bond or insurance is canceled, suspended or is otherwise ineffective. Such cancellation, suspension, or other ineffectiveness may form the basis for immediate revocation or cancellation of the Contract by County, in County's sole discretion.
21. **PUBLIC DOCUMENTS.** It is agreed that the Contract, and all subsequent agreed amendments or addenda thereto are public documents which will be filed with the Riley County Clerk, and will be open to public inspection.
22. **LIMITATION OF LIABILITY.** It is agreed that notwithstanding any language in the Contract to the contrary, County waives no defense, immunity or limitation of liability otherwise available to County under the terms of the Kansas Tort Claims Act or other applicable law.
23. **MERGER/SALE/TRANSFER OF CONTRACTOR ASSETS.** Contractor will notify County in writing at least thirty (30) calendar days in advance of Contractor's merger with any other business entity, or of any sale or other transfer of Contractor's assets to any other business entity. In the event of any such merger, sale or other transfer of Contractor assets, Contractor will reasonably cooperate with County in assuring that provision of all products and services under this Contract are not disrupted before, during and after such merger, sale or other transfer of Contractor assets. After such merger, sale or other transfer of Contractor assets, Contractor will reasonably cooperate with County in providing any documents or information necessary to establish any prior payments made by County to Contractor under this Contract.
24. **SURVIVABILITY.** All terms of this Contractual Provisions Attachment shall survive termination of the Contract.

Contractor

Schultz Construction, Inc.

CountyBOARD OF COUNTY COMMISSIONERS
OF RILEY COUNTY, KANSASBy: 
Name: Brett Ballou, PresidentBy: _____
Kathryn Focke, Chairwoman03/27/23

Date_____
Date

(seal)

ATTEST:

Rich Vargo, County Clerk

Approved as to Form

By: _____
Clancy Holeman
Riley County Counselor

Date: _____

Attachment: EMS A101-2017 - Final Schultz (Signed).03-27-23 (13286 : Contract with Schultz Construction)

Additions and Deletions Report for AIA® Document A101® – 2017

This Additions and Deletions Report, as defined on page 1 of the associated document, reproduces below all text the author has added to the standard form AIA document in order to complete it, as well as any text the author may have added to or deleted from the original AIA text. Added text is shown underlined. Deleted text is indicated with a horizontal line through the original AIA text.

Note: This Additions and Deletions Report is provided for information purposes only and is not incorporated into or constitute any part of the associated AIA document. This Additions and Deletions Report and its associated document were generated simultaneously by AIA software at 09:35:39 ET on 03/23/2023.

PAGE 1

AGREEMENT made as of the day of March in the year Two Thousand Twenty Three (2023)

...

Board of Riley County Commissioners
110 Courthouse Plaza
Manhattan, KS 66502

...

Schultz Construction, Inc.
4345 Rory Circle
Manhattan, KS 66502

...

North Riley County EMS Station
506 East Barton Street
Leonardville, KS 66449

...

Anderson Knight Architects LLC
2505 Anderson Avenue, Suite 201
Manhattan, KS 66502

PAGE 2

☒ [X] A date set forth in a notice to proceed issued by the Owner.
PAGE 3

☒ [X] Not later than two hundred forty (240) calendar days from the date of commencement of the Work.
It is understood that the lead time for the back-up generator is forty seven (47) weeks.

...

§ 4.1 The Owner shall pay the Contractor the Contract Sum in current funds for the Contractor's performance of the Contract. The Contract Sum shall be seven hundred ninety nine thousand dollars (\$ 799,000.00), subject to additions and deductions as provided in the Contract Documents.

...

N/A

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To report copyright violations, e-mail docinfo@aiacontracts.com.

User Notes:

...

N/A

...

N/A

...

N/A

...

N/A

...

N/A

PAGE 4

§ 5.1.2 The period covered by each Application for Payment shall be one calendar month ending on the last day of the month, or as follows:

month.

§ 5.1.3 Provided that an Application for Payment is received by the Architect not later than the fifteenth (15th) day of a month, the Owner shall make payment of the amount certified to the Contractor not later than the fifteenth day of the following month. If an Application for Payment is received by the Architect after the application date fixed above, payment of the amount certified shall be made by the Owner not later than thirty (30) days after the Architect receives the Application for Payment.

...

Five percent (5%)

PAGE 5

N/A

...

N/A

PAGE 6

[☒] Litigation in a court of competent jurisdiction

...

Reference the "Contractual Provisions Attachment" for termination payment calculation.

...

John Ellermann, P.E.
Public Works Director/County Engineer
Riley County Public Works Department
6215 Tuttle Creek Blvd

Manhattan, KS 66503

...

Brett Ballou, President
Schultz Construction, Inc.
4345 Rory Circle
Manhattan, KS 66502

PAGE 7

§ 8.6 Notice in electronic format, pursuant to Article 1 of AIA Document A201–2017, may be given in accordance with AIA Document E203™–2013, Building Information Modeling and Digital Data Exhibit, if completed, or as otherwise set forth below:

(If other than in accordance with AIA Document E203–2013, insert requirements for delivering notice in electronic format such as name, title, and email address of the recipient and whether and how the system will be required to generate a read receipt for the transmission.)

Email to Owner's representative: John Ellermann; jellermann@rileycountyks.gov

Email to Contractor's representative: Brett Ballou; bballou@schultzconst.com

§ 8.7 Other provisions:

...

2 — AIA Document A101™–2017, Exhibit A, Insurance and Bonds

3 — AIA Document

2 — AIA Document A201™–2017, General Conditions of the Contract for Construction

4 — AIA Document E203™–2013, Building Information Modeling and Digital Data Exhibit, dated as indicated below:

(Insert the date of the E203–2013 incorporated into this Agreement.)

...

See attached Exhibit A for Drawing List

...

See attached Exhibit B for Table of Contents

...

One
Two

February 23, 2023

2

February 28, 2023

8

...

(Check all boxes that apply and include appropriate information identifying the exhibit where required.)

[] — AIA Document E204™–2017, Sustainable Projects Exhibit, dated as indicated below:
 (Insert the date of the E204–2017 incorporated into this Agreement.)

~~[]~~ ~~The Sustainability Plan:~~~~X~~ ~~]~~ Supplementary and other Conditions of the Contract:

Title	Date	Pages
-------	------	-------

<u>Document</u>	<u>Title</u>	<u>Date</u>	<u>Pages</u>
<u>Exhibit C</u>	<u>Contractual Provisions Attachment</u>	<u>2-3-23</u>	<u>8</u>

~~[]~~ Supplementary and other Conditions of the Contract:

<u>Document</u>	<u>Title</u>	<u>Date</u>	<u>Pages</u>
-----------------	--------------	-------------	--------------

(List here any additional documents that are intended to form part of the Contract Documents. AIA Document A201™-2017 provides that the advertisement or invitation to bid, Instructions to Bidders, sample forms, the Contractor's bid or proposal, portions of Addenda relating to bidding or proposal requirements, and other information furnished by the Owner in anticipation of receiving bids or proposals, are not part of the Contract Documents unless enumerated in this Agreement. Any such documents should be listed here only if intended to be part of the Contract Documents.)

Advertisement for Bids
Instructions to Bidders
Contractor's Bid Form (attached)

PAGE 8

Board of Riley County Commissioners of Riley
County, Kansas
Kathryn Focke, Chairwoman

Schultz Construction, Inc.
Brett Ballou, President

Certification of Document's Authenticity**AIA® Document D401™ – 2003**

I, Dan Knight, hereby certify, to the best of my knowledge, information and belief, that I created the attached final document simultaneously with its associated Additions and Deletions Report and this certification at 09:35:39 ET on 03/23/2023 under Order No. 2114416217 from AIA Contract Documents software and that in preparing the attached final document I made no changes to the original text of AIA® Document A101™ – 2017, Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum, other than those additions and deletions shown in the associated Additions and Deletions Report.


(Signed)

Principal
(Title)

3-23-23
(Dated)



PUBLIC WORKS
Bid

John Ellermann
Public Works
Director/County Engineer
6215 Tuttle Creek Blvd
Manhattan, KS 66503
Phone: 785-537-6330

COMMISSION AGENDA REPORT

FROM: Shannon Sterling, Administrative Assistant II
MEETING: April 3, 2023
SUBJECT: Bid Recommendation - 2023 Asphalt Seal Oil
PRESENTER: John Ellermann, PE, Director of Public Works

Attached for your approval is the staff recommendation and Cost Comparisons for the Asphalt Seal Oil Bids.

POSSIBLE MOTION(S)

Move to approve the staff recommendation for the bid submitted by Ergon Asphalt & Emulsions, Inc. of Solomon, KS to supply CHFRS-2P asphalt seal oil for the low bid amount of \$2.89 per gallon.

Move to deny.

Move to table.

Enclosures:

- Asphalt Seal Oil_Bid Recommendation (PDF)

MEMORANDUM

DATE: March 27, 2023

TO: Riley County Board of Commissioners

FROM: John Ellermann

SUBJECT: BID AWARD – Asphalt Seal Oil

In consideration of the information below, staff recommends the Riley County Board of Commissioners accept the bid submitted by Ergon Asphalt & Emulsions of Solomon, KS to supply CHFRS-2P asphalt seal oil for the low bid amount of \$2.89 per gallon.

<u>COMPANY</u>	<u>CHFRS-2P</u>	<u>Total Cost Comparison</u>	
Ergon Asphalt & Emulsions 630 S. Donmyer Rd Solomon, KS 67480	\$ 2.89 Per gallon \$ 100.00 Demurrage 1 hr. \$ 80.00 Pump Charge \$ 550.00 Return Charge	70,000 gal 10 x \$100 4 x \$80 2 x \$550	\$ 202,300 \$ 1,000 \$ 320 <u>\$ 1,100</u> \$ 204,720
Coastal Energy Corp. P O Box 218 Willow Springs, MO	\$ 2.95 Per gallon \$ 100.00 Demurrage 2 hr. \$ 125.00 Pump Charge \$1,550.00 Return Charge	70,000 gal 10 x \$100 4 x \$125 2 x \$1550	\$ 206,500 \$ 1,000 \$ 500 <u>\$ 3,100</u> \$ 211,100
Vance Brothers Inc. P O Box 300107 Kansas City, MO 64130	\$ 2.96 Per gallon \$ 70.00 Demurrage 2 hr. \$ 75.00 Pump Charge \$ 605.00 Return Charge	70,000 gal 10 x \$70 4 x \$75 2 x \$605	\$ 207,200 \$ 700 \$ 300 <u>\$ 1,210</u> \$ 209,410

Vance Brothers Inc. – 2022 Bid \$ 2.86 Per gallon CHFRS-2P

Attachment: Asphalt Seal Oil_Bid Recommendation (13289 : Bid Recommendation - Asphalt Seal Oil)



HEALTH DEPARTMENT
Proclamation

Julie Gibbs
Health Department
Director
2030 Tecumseh Rd
Manhattan, KS 66502
Phone: 785-776-4779

COMMISSION AGENDA REPORT

FROM: Heather Ritchey
MEETING: April 3, 2023
SUBJECT: Proclamation to recognize Child Abuse Awareness Month (April)
PRESENTER: Heather Ritchey

POSSIBLE MOTION(S)

Move to approve

Move to deny

Move to modify

Move to table

No action required.

The Board agreed by consensus to

Enclosures:

- CAP proclamation 2023.doc (DOCX)



Child Abuse Prevention Month 2023 Proclamation

WHEREAS, our children are our most valuable resources and will shape the future of Riley County; and

WHEREAS, childhood trauma, including abuse and neglect, is a serious problem affecting every segment of our community, and finding solutions requires input and action from everyone; and

WHEREAS, childhood trauma can have long-term psychological, emotional, and physical effects that have lasting consequences for victims of abuse; and

WHEREAS, protective factors are conditions that reduce or eliminate risk and promote the social, emotional, and developmental well-being of children; and

WHEREAS, effective child abuse prevention activities succeed because of the partnerships created between child welfare professionals, education, health, community- and faith-based organizations, businesses, law enforcement agencies, and families; and

WHEREAS, communities must make every effort to promote programs and activities that build strong children and families; and

WHEREAS, we acknowledge that we must work together as a community in partnership to build awareness about child abuse and contribute to promote the social and emotional well-being of children and families in a safe, stable, and nurturing environment; and

WHEREAS, prevention remains the best defense for our children and families.

THEREFORE, we, the Board of County Commissioners of Riley County, Kansas, do hereby proclaim April 2023 as

Child Abuse Prevention Month

In WITNESS WHEREOF, we have here unto set our hands and caused the seal of the Riley County, Kansas, to be affixed this 3rd day of April, 2023.

**The Board of County
Commissioners of Riley County,
Kansas**

CHAIR

Health Department Clinics
2030 Tecumseh Road
Manhattan KS 66502
P: 785-776-4779
F: 785-565-6565

Family & Child Resource Center
2101 Claflin Road
Manhattan KS 66502
P: 785-776-4779
F: 785-587-2879



MEMBER

MEMBER

ATTEST:

RICH VARGO,
Riley County Clerk

Attachment: CAP proclamation 2023.doc (13291 : Child Abuse Awareness Month Proclamation)

Health Department Clinics
2030 Tecumseh Road
Manhattan KS 66502
P: 785-776-4779
F: 785-565-6565

Family & Child Resource Center
2101 Claflin Road
Manhattan KS 66502
P: 785-776-4779
F: 785-587-2879



COUNTY CLERK & ELECTIONS
Proclamation

Rich Vargo
County Clerk
110 Courthouse Plaza
Manhattan, KS 66502
Phone: 785-565-6200

COMMISSION AGENDA REPORT

FROM: Riley County Government
MEETING: April 3, 2023
SUBJECT: National County Government Month Proclamation April 2023
PRESENTER: Vivienne Leyva

POSSIBLE MOTION(S)

Move to approve the proclaim April 2023 National County Government Month.

Move to deny

Move to modify

Move to table

No action required.

The Board agreed by consensus to

Enclosures:

- 2023 Proclamation National County Government Month (PDF)

NATIONAL COUNTY GOVERNMENT MONTH PROCLAMATION - APRIL 2023

"COUNTIES RISE"

WHEREAS, the nation's 3,069 counties serving more than 330 million Americans provide essential services to create healthy, safe and vibrant communities; and

WHEREAS, counties fulfill a vast range of responsibilities and deliver services that touch nearly every aspect of our residents' lives; and

WHEREAS, *Riley County* and all counties take pride in our responsibility to protect and enhance the health, wellbeing and safety of our residents in efficient and cost-effective ways; and

WHEREAS, under the leadership of National Association of Counties President Denise Winfrey, NACo is highlighting how "Counties RISE!," demonstrating exemplary Resiliency, Inclusion, Solvency, and Empowerment; and

WHEREAS, each year since 1991 the National Association of Counties has encouraged counties across the country to elevate awareness of county responsibilities, programs and services; and

WHEREAS, the 582 Riley County Employees provide services to residents of Riley County ranging from emergency services including protection from wildfires to planning and development, treasury, and District Court. Employees and elected officials perform these duties in a manner that demonstrates a commitment to strong ethics, integrity, fiscal responsibility, and equality.

NOW, THEREFORE, BE IT RESOLVED THAT WE, Board of County Commission, do hereby proclaim April 2023 as National County Government Month and encourage all county officials, employees, schools and residents to participate in county government celebration activities.

BOARD OF COUNTY COMMISSIONERS
OF RILEY COUNTY KANSAS

Chairwoman

Member

Member

ATTEST:

Rich Vargo, Riley County Clerk

Attachment: 2023 Proclamation National County Government Month (13294 : Proclamation)



COUNTY CLERK & ELECTIONS
Personnel

Rich Vargo
County Clerk
110 Courthouse Plaza
Manhattan, KS 66502
Phone: 785-565-6200

COMMISSION AGENDA REPORT

FROM: Elizabeth Ward, Human Resources Director

MEETING: April 3, 2023

SUBJECT: Sign Riley County Personnel Action Form(s)

PRESENTER: Elizabeth Ward, Human Resources Director

Enclosures:

- 2023-03 PW C brunner PAF (DOCX)

RILEY COUNTY EMPLOYEE ACTION FORM

Company Code: 166733

Full Legal Name: Christian Brunner**Status Change Date:** March 29, 2023**Status Change:** New Hire**Date of Hire:** 04/03/2023**Seniority:** NA**Position:** Traffic Control Technician**Position Type:** Regular Full Time**Pay Grade:** 5**Pay Type:** Hourly**Base Rate:** \$19.03**Annualized Pay:** \$39,582.40**Funds Codes:** 1-County General, 40-Public Works,**Supervisor:** Alvin Perez**Department Head:** John Ellermann

BoCC Chairwoman _____

Date: _____

BoCC Member _____

Date: _____

BoCC Member _____

Date: _____

Attachment: 2023-03 PW C brunner PAF (13293 : Personnel Action Form (Green Sheet))



**Board of Riley County
Commissioners
Regular Meeting
TENTATIVE Agenda
April 06, 2023**

115 North 4th Street
Manhattan, KS 66502
www.rileycountyks.gov

Cindy Kabriel
785-565-6200

Commission Chambers

8:30 AM

[District 2 – Greg McKinley, Member](#)

[District 3 – Kathryn Focke, Chair](#)

[District 1 – John Ford, Vice Chair](#)

8:30 AM

Call to Order

Pledge of Allegiance

Public Comment

Commission Comments

Business Meeting

1. Approve payroll/accounts payables (when completed)

Review Minutes

Review Tentative Agenda

Press Conference Topics

9:00 AM

Amanda Webb, Planning/Special Projects Director

2. Finalize the Comprehensive Update Consultant Request for Qualifications

9:15 AM

Michael Boller, Noxious Weed Director

3. Staff update

9:30 AM

Anna Burson, Appraiser

4. Staff update

10:00 AM

Amanda Webb, Planning/Special Projects Director

5. Staff update

10:15 AM

Clancy Holeman, Counselor/Director of Administrative Services

6. Administrative Work Session

Adjournment

Announcement

Attachment: 04-06-23 tentative agenda (12826 : Tentative Agenda)

A Special Law Enforcement Agency Meeting will be held today at 12:00 (noon) p.m. in the City Commission Meeting Room, City Hall, 1101 Poyntz Avenue.

In order to comply with provisions of the Americans with Disabilities Act (ADA), Riley County will make reasonable efforts to accommodate the needs of persons with disabilities. Please contact the Division of Human Resources at (785) 537-6303 (voice and TTY) for assistance.

Attachment: 04-06-23 tentative agenda (12826 : Tentative Agenda)



**Board of Riley County
Commissioners
Regular Meeting
TENTATIVE Agenda
April 10, 2023**

115 North 4th Street
Manhattan, KS 66502
www.rileycountyks.gov

Cindy Kabriel
785-565-6200

Commission Chambers

8:30 AM

[District 2 – Greg McKinley, Member](#)

[District 3 – Kathryn Focke, Chair](#)

[District 1 – John Ford, Vice Chair](#)

8:30 AM

Call to Order

Pledge of Allegiance

Public Comment

Commission Comments

Business Meeting

Review Minutes

Review Tentative Agenda

Press Conference Topics

9:00 AM

Rich Vargo, County Clerk

1. Year to date budget and expenditure reports

9:15 AM

Katharine Hensler, Museum Director

2. Staff update

9:30 AM

Press Conference

9:50 AM

Clancy Holeman, Counselor/Director of Administrative Services

3. Administrative Work Session

10:10 AM

John Ellermann, Public Works Director/County Engineer

4. Project update

10:25 AM

Break

10:30 AM

Clancy Holeman, Counselor/Director of Administrative Services

5. Virtual Legislative Conference

Adjournment

Attachment: 04-10-23 tentative agenda (12826 : Tentative Agenda)

Announcements

Riley County Planning Board/Board of Zoning Appeals meeting will be held tonight at 7:30 p.m. in the Commission Chambers, Courthouse Plaza East Building, 115 N. 4th Street.

A commissioner will be on In Focus live at 9:05 a.m. Tuesday, April 11, 2023 (JF).

In order to comply with provisions of the Americans with Disabilities Act (ADA), Riley County will make reasonable efforts to accommodate the needs of persons with disabilities. Please contact the Division of Human Resources at (785) 537-6303 (voice and TTY) for assistance.



**COUNTY
COUNSELOR/ADMINISTRATIVE
SERVICES**
Staff Update

Clancy Holeman
Counselor/Director of
Administrative Services
115 North 4th Street
Manhattan, KS 66502
Phone: 785-565-6844

STAFF REPORT

FROM: Clancy Holeman, Riley County Counselor

MEETING: April 3, 2023

SUBJECT: Pending County Projects County Counselor

PRESENTER: Clancy Holeman

Enclosures:

- FINAL Commission List 04.03.2023 (DOCX)

PENDING COUNTY PROJECTS ▪ October, 2022 and through March 29, 2023 Submitted by Clancy Holeman, Riley County Counselor

NOTE: The below lists are not intended to be a comprehensive list of all “pending” Commission or projects of other County Departments underway. Instead, the below lists represent an ongoing “snapshot” of the current status of selected pending projects which have either consumed significant staff time or involve county issues of widespread significance. Additional entries show selected project work for individual county departments. The sequence of entries below is not intended to reflect the priority assigned to any work described. *All entries more than 6 months old have been removed. Bold type entries are the most recent.*

COMMISSION LIST

I. Projects By Category:

American Rescue Plan: Discussion with staff about possibly engaging consultant to assist County with federal/state requirements in future use of County’s \$14M allocation of ARPA funds. Similar concept to staff’s use of consultant with prior CARES funding. Unlike CARES funding, a primary focus of ARPA funding is infrastructure. (8-31-21) Discussions with staff and potential consultant. (9-17-21) Attend and participate in KAC webinar on ARPA and potential Health Department fund uses. (9-24-21) Communicate with consultant on agreed terms of service. (9-26-21) Finalize Professional Services Agreement with Consultant; draw Commission Agenda Report and submit for BOCC review and possible approval 9-30-21. (9-28-21) Obtain BOCC approval of Professional Services Agreement. (9-30-21) Staff meets with Consultant for first time regarding ARPA distribution rules. (9-30-21) Draft letter to congressional office (for discussion by BOCC in public meeting on 10-28-21) in support of S 3011—giving more flexibility to counties nationwide in their use of ARPA funds. (10-27-21)

Board of Riley County Commissioners: Initial meeting of CPE staff working group on CPE building security. (8-3-22) Consult with Craig on tax foreclosure issue. (8-5-22) Draw letters of support for TVT and WTC applications for state/federal funding. (8- 11-22) Zoom with staff working group on CPE security issues. (8-19-22) Participate in Executive Session appeal of disciplinary action. (8-22-22) Attend BOCC public meetings: (8-18-22; 8-22-22;8-26-22) Attend KAC legislative policy committee meeting. (8-31-22) Attend BOCC public meetings (9-1-22; 9-5-22; 9-8-22; 9-12-22) Work on contract issue. (9-13-22;9-14-22) Attend BOCC public meetings. (9-16-22;9-20-22) Work on contract issue (9-15- 22;9-16-22; 9-19-22;9-20-22; 9-21-22) Assist with January 1, 2023 .20% countywide retailers’ sales tax approved by voters November, 2021. (9-19-22) Work on fence view request. (9-14-22;9-20-22) Work on multiple separate contract issues: (9-15-22; 9-16-22;9-19-22;9-20-22;9-21-22) Work on personnel matter for executive session. (10- 13-22) Work on resolution of support for riverbank development by private group. (10-13-22) Attend BOCC meetings. (10-21-22; 10-24-22) Work on personnel matter for upcoming executive session. (10-24-22;10-25-22; 10-26-22) Attend BOCC meetings. (10-27-22; 10-31-22) Amend and upload resolution of support for Riverfront MHK. (10-27-22)/ Work with title company to finalize assembly of seller documents for closing on Leonardville site for ambulance station. (10-28-22) Work staff of Clerk’s office to obtain potential dates for upcoming executive sessions. (10-27-22) Prepare for oral arguments in Lyon County District Court scheduled for 11-10-22; appeal regarding First Christian Church historical designation by state. (10-31-22;11-1-22;11-2-22) Attend District Court Case Management conference in Riley Count District Court on pending appeal of County’s approval of update to Prairiewood’s preliminary and final plans. (11-1-22) Participate in BOCC public meetings. (11-3-22; 11-7-22; 11-10-22; 11-14-22; 11-17-22) Present closing documents for BOCC signature on purchase of Leonardville site of North County Ambulance station. (11-14-22) Deliver signed closing documents on same purchase to title company. (11-17-22) Work on information for annual audit. (11-17-22) Attend regular BOCC public meeting. (11-21-22) Work on item for annual legislative conference and prepare to present it to BOCC during public meeting 11-28, 2022. (11-20-22; 11-22-22) Attend regular BOCC public meeting. Obtain

BOCC approval of draft legislative conference. Obtain BOCC approval of draft lease renewal document for Aggieville substation. (11-28-22) Work with Cindy K. to place executive session on Thursday agenda, during my administrative time. (11-29-22) Review my text changes I proposed to the draft minutes from the November 21st BOCC public meeting. (11-29-22) Work on “Prairiewood” neighboring landowner appeal to Riley County District Court of BOCC’s method of approval of updates to preliminary and final development plans. (11-25-22; 11-27-22; 11-28-22; 11-29-22) Work on journalizing court’s decision in BOCC appeal to Lyon County District Court of Kansas Historic Sites Board of Review’s placement of First Christian Church on Kansas Register of Historic Places. (11-29-22) Work on Prairiewood Holdings, LLC appeal to Riley County District Court: phone call with opposing counsel; I propose slight revision to “case management order” provided for review; Work on record on appeal, preparing it for filing with District Court; and work on record on appeal’s certification. (11-30-22) Work with IT/GIS on technology for executive session on department head performance evaluations by BOCC scheduled for 12-1-22 public meeting. (11-30-22) Attend BOCC public meetings. 12-1-22;12-5-22) Legal research on fence view request. Discuss with attorney for applicant. Obtain permission to return call from applicant and provide limited information on status of request and that working with his attorney. (12-1-22; 12-5-22) Return phone call from applicant and obtain property access information from him, if viewers are sent out to examine any fence constructed by either party. Leave message with applicant’s attorney’s office staff to call me back. (12-5-22) Prepare for BOCC public meeting of 12-8-22. (12-7-22) Attend and participate in BOCC meeting. Assist with executive session. (12-8-22) Provide information to Mary Carson on reimbursement agreements for small cities based on formula approved by BOCC during December 1, 2022 regular public meeting, as presented on behalf of Budget and Planning Committee. (12-8-22) Legal research on question raised by cemetery district. (12-8-22) Legal research and opinion developed on issue requested by BOCC member. (12-11-22) Work on materials circulating among members of CPE building security working group. Purpose is to develop a CAR to circulate for working group input. Then presentation to BOCC during January. (12-12-22) Continue work on immediately preceding item. (12-13-22) Work on real property issue. (12-13-22) Work on pending litigation issue. (12-13-22) Advise Budget and Planning members of upcoming discussion of potential reimbursement agreements to small cities. (12-13-22) Further work on materials circulating among members of CPE building security working group. (12-14-22) Consult with Deputy County Counselor on upcoming annexation issue. (12-14-22) Attend and participate in BOCC public meetings. (12-15-22;12-19-22; 12-26-22; 12-29-22) Legal advice provided during public meeting. (12-19-22) Initial review of “RAISE” federal grant opportunities as described in email from U.S. Dept. of Transportation. (12-21-22) Respond to citizen inquiry regarding RCPD daily operation. Refer to RCPD and counsel to Law Board. (12-26-22) Work on annexation request forwarded by City of Manhattan. (12-21-22; 12-27-22) Discuss with Treasurer further work to develop sales tax reimbursement agreements for small cities. (12-27-22) Inquiry from our outside counsel on proposed agreements. I return call and leave voicemail with planned further discussion. (12-28-22) Obtain BOCC approval of publication notice setting date and time for public hearing on MCW annexation request—Saturday, January 14, 9 a.m., in BOCC chambers; Obtain BOCC approval of coroner services contract amendment and extension. (12-29-22) Consult with Deputy Counselor on scheduled annexation hearing. (1-3-23) Review animal control issues. (1-27-23) Prepare for upcoming work session week of 1-30-23. (1-27-23) Attend and participate in BOCC public meetings (1-26-23; 1-30-23) Attend and participate in BOCC public meetings. (2-2-23;2-6-23) Forward KORA request to this department’s staff for response. (2-6-23) Work on reimbursement agreements for small cities. (2-7-23) Review and route incoming litigation documents to relevant parties, including our insurer and insurer-provided counsel. Prepare CAR and discuss with Budget and Planning Committee, for approval of form of small cities’ sales tax reimbursement agreement. (2-8-23) Review and approve as to form upcoming resolution for G.O. bond issuance on Public Works road project. (2-21-23) Work on hiring process for Deputy Position at retirement of incumbent scheduled for 9-30-23. (2-16-23;2-21-23; 2-22-23) Prepare for BOCC public meeting scheduled for 2-23-23. (2-21-23;2-22-23) Attend and participate in BOCC public meetings of February 23rd, February 27th, March 2nd, March 6th, 2023, March 9, 2023. Legal research on issues related to upcoming scheduled Township Officer Meeting. (2-23-23;2-24-23;2-27-23;2-28-23) Mail to counsel for respective small cities sales tax loss reimbursement agreements. (3-3-23) Prepare for annual township officers meeting scheduled for 3-8-23. (3-7-23) Return call from member of Tatarax Homeowners Association

regarding Lot 70. (3-7-23) Schedule executive session for March 9, 2023 meeting. (3-7-23) Attend and participate in annual Township Officers' meeting. (3-8-23) Conversation with after phone call from City of Ogden. Discuss timeframe for return of the agreement to Riley County. (3-13-23) Work on environmental issue. (3-13-23;3-14-23) Voicemail left with bond counsel on short term financing question different project. (3-14-23) Work to schedule 2 agenda items for Thursday, March 16th public meeting. (3-14-23). Assist Departments and counsel with pending litigation claim. (3-14-23; 3-15-23) Exchange of information on pending litigation with outside counsel. (3-16-23;3-17-23) Staffing with multiple county office representatives on real property ownership issue.(3-17-23) Meeting with township official as result of Township Officers Meeting Contract discussion.(3-17-23) Prepare for BOCC public meeting scheduled 3-20-23 (3-19-23) Attend and participate in BOCC public meetings 3-16-23; 3-20-23) At request of county staff deponent in pending litigation matter, arrange to attend deposition preparation meeting. (3-22-23) At request of architect, review and approve as to form draft construction agreement for North County ambulance station in Leonardville. (3-22-23) ***Work on defense of appeal to District Court by Prairiewood Holdings, LLC. (3-26-23) Attend and participate in BOCC regular public meeting. (3-23-23; 3-27-23) Sit in on deposition preparation of county witness, at request of county witness, conducted by county's insurance-provided outside counsel on pending litigation.(3-27-23) Communication from insurance-provided outside counsel on different pending litigation. (3-28-23) Discuss with Deputy Counselor last week's City/County/County meeting. (3-28-23)***

“Constitutional Protection of County Home Rule”: Accepted KAC invitation to present to County Commissioners Association, KAC affiliate member, information on Home Rule, during final day of KAC annual meeting in Overland Park, October 20th. Accepted KAC invitation to work with KAC Executive Director on recording of KAC podcast on “Constitutional Protection of County Home Rule”; recording scheduled for September 10, 2021. Podcast recorded with KAC 9-10-21. Work on presentation to County Commissioners scheduled for 10-20-21 (10- 15-21; 10-16-21; 10-17-21; 10-19-21) Convene presentation by Mike Heim on constitutional protection of county home rule during KAC annual meeting. (10-20-21) Presentation on constitutional protection of county home rule to County Commissioners Association of Kansas, during KAC annual meeting. (10-20-21)

County Counselors Association of Kansas:

County Jail Inmate Medical Care:

Countywide Emergency Radio Communications System Upgrade: The upgrade is complete. But now the “program” phase has been completed, additional work from this department will be provided, as necessary, during the “maintenance” and “warranty” periods now underway. Discussion with contract administrator for vendor (L3Harris) scheduled for August 27, 2021. Discussion held with vendor contract administrator. Discussion with EM Director (8-30-21). Working toward final documents of “program” phase. Conversation with EM Director. (9-24-21) Conversation with L3Harris contract administrator, moving this matter toward likely resolution by the BOCC on 9-30-21. (9-24-21) Review appropriately continues among EM, KSU and Emergency Dispatch personnel regarding close out of this phase of the project. (9-24-21) Draw Commission Agenda Report and place on 9-30-21 agenda for BOCC review and approval of contract documents. (9-28-21) Discuss final contract documents for agenda separately with EM Director and L3Harris Contract Administrator. (9-29-21) Obtain BOCC approval of Amendment 1 to Master Service Agreement. (9-30-21)

“Dark Store”:

District Court: Voicemail from Wareham manager on use of facility for jury trials. (8-8-22) Message left with Judge Bannister regarding foregoing matter. Provide cell number to court. (8-12-22) Phone call with owner regarding District Court fee for using Wareham between now and November 1, 2022. (8-31-22)

Federal Rules on Vaccination Mandate:

First Christian Church: Now this property is “listed” as a “historic site,” there are state law restrictions applicable whenever a “project” is undertaken involving potential repair, damage or destruction of the site or its structure. Asbestos removal is likely the next “project.” I will provide any necessary notice of that “project” to the State Preservation Officer. I presented a CAR to the Board 8/12/21 and discussed with the BOCC the primary controlling statute. Legal research 8-24-2021. BOCC decides during open meeting to cancel pending contract offer to remove asbestos from Church for approximately \$18,000. Majority of BOCC states premature to remove asbestos before later decision by BOCC what is planned for Church now it’s “listed.” Gary Rosewicz, Assistant County Engineer, will notify the company offering to remove asbestos of this cancellation. (8-30-21) Confirmed with Gary Rosewicz, he notified company. (9-1-21). I filed petition for judicial review, in Riley County District Court, of state Historic Sites Board of Review designation of the First Christian Church as a historic site. (9-3-21). Contacting attorney for Historic Sites Board of Review. (9-19-21) Discussion with attorney for Historic Sites Board of Review. (9-23-21) Conduct legal research related to pending issues. (9-24-21) Received entry of appearance from Topeka law firm representing defendants. (9-24-21) Received District Court Clerk’s extension of time to file answer to County’s petition for judicial review, at Defendants’ request. Granted as a matter of right by state statute. Deadline for Defendants to answer is extended to October 12, 2021. Legal research. (9-24-21) Advise Public Works on question regarding asbestos removal. (9-26-21) Agree to Defendant’s attorney’s request for additional time to submit record of hearing to Court. (Week of 9-29-2021) Case management order filed. County’s brief in support of appeal due March 31, 2022. Riley County District Court Judges recuse themselves from case and transfer to Lyon County District Court. (1-25-22) Work with Clerk of the Riley County District Court and Lyon County District Court to process my unopposed motion for extension of time to file County’s initial brief. Motion granted and new deadline to file County’s initial brief is April 29, 2022. (3-18-22;3-21-22;3-25-22;3-28-22;3-29-22) Legal research for County’s appeal brief due in district court April 29, 2022. (4-15-22;4-18-22; 4-19-22) Legal research and prepare county brief on appeal. (4-20-22; 4-21-22;4-22-22; 4-25-22;4-26-22-4-27-22;4-28-22-4-29-22) File County brief electronically with District Court. (4-29-22) Contact opposing counsel on pending appeal. (5-31-22) Work on aspect of pending appeal. (6-5-22) Contacted by opposing counsel for continuance of Respondents’ deadline to file their responsive brief—I do not oppose. (6-15-22) Respondents’ unopposed motion for continuance of their deadline to file brief until August 1, 2022, filed with Court. (6-16-22) Work with District Court Judge’s staff on scheduling of status conference. (7-14-22) Schedule status conference at request of District Court judge—will occur July 19, 2022. (7-15-22) Participate in status conference with opposing counsel and District Court Judge assigned this Riley County’s Appeal. Opposing counsel believes her responsive brief will be provided by August 1, 2022. At that time, Court will review Riley County’s Petition and opposing counsel’s response. Then Court will schedule zoom oral schedule oral arguments. In the meantime, I will provide Court by mail a thumb drive “Attachment H,” which is a video of the hearing by the Historic Sites Board of Review listing the property as historic. I cite that “Attachment H” throughout my brief in support of the county’s petition. (7-19-22) Respondent’s brief filed in District Court. (8-1-22) Prepare to possibly file Reply brief by review of video of hearing before HSB. (8-5-22) Mail Court portion of record on appeal. (8-12-22) Legal research for reply brief. (8-14-22;8-15-22;8-16-22;8-17-22) Legal research for reply brief. (8-18-22;8-19-22; 8-20-22;8-21-22;8-22-22) File reply brief with District Court. (8-22-22) Work with opposing counsel and Court to schedule oral arguments by counsel. (8-30-22; 8-31-22) Oral argument of counsel before Lyon County District Court. (11-10-22) Lyon County District Court announces its decision by zoom. Court vacates placement of 1st Christian Church on Kansas Register of Historic Places as illegal act; But because Church was validly placed on National Register of Historic Places, and state law requires all properties on National Register are placed on Kansas Register, the Church remains on the Kansas Register of Historic Places. (11-15-22) Discuss text of journal entry proposed by counsel for Respondents. (12-9-22; 12-11-22) Request transcript of Court’s ruling. Arrange for generation of check based on invoice from court reporter. (12-20-22) Work on pending appeal by neighboring property owner. (12-27-22; 12-28-22; 12-29-22) Review transcript and notify opposing counsel I will provide revised version of her proposed journal entry—in order to conform the journal entry to the text of the transcript. (1-4-23) Provide opposing counsel proposed

revised journal entry. (1-29-23) Following exchange of respective journal entries in February, 2023, counsel review proposed changes and agree on final version for filing with court. (2-28-23; 3-3-23; 3-5-23)

Human Resources: Prepare necessary motion for non-elected department head performance reviews upcoming. (11-29-22)

Indigent Legal Services: Discuss at staff level potential 2022 contract. (9-21-21) Separate issue: Discuss with county and District Court staff coding of interpreter expense. (9-21-21) Attorney contracts for 2022 were created and emailed to current attorneys under contract. (11-3-21) Notice to Riley County Bar Association of at least one attorney vacancy effective January 1, 2022. (11-4-21) Proposed 2022 contracts have been provided to all current lawyers under contracts. None returned as of 11-23-21. No indigent legal service contracts are in place for calendar year 2022. Work on various issues related to this service. (2-10-23;2-13-23;2-14-23-2-15-23;2-16-23;2-19-23;2-20-23;2-21-23;2-22-23;2-24-23;2-26-23;2-27-23;2-28-23;3-1-23;3-2-23;3-3-23; 3-4-23;3-6-23; 3-7-23;3-8-23) Work on various issues related to this service. (3-19-23) ***Work at staff level on compensation for this service. (3-28-23) schedule next staff level discussion of compensation for this service. Discuss with Deputy Counselor compensation for this service. (3-29-23)***

Intergovernmental Luncheon Meeting: Attend and describe Riley County state legislative platform for 2023. (11-28-2022)

KAC Annual Meeting (October 17, 2022): Request registration for 2022 annual meeting. (6-3-22)

Legislation: Work on HCR 5022; prepare for legislative hearing scheduled for 1-20-22. (1-16-22; 1-17-22; 1-18-22). Prepare CAR for BOCC meeting 1-20-22. (1-18-22) Legal research regarding law board. (1-18-21) Testify before House Federal and State Affairs Committee on HCR 5022. (1-20-22) Evaluate possible ROW legislation. (1-21-22) Evaluate different possible legislation affecting two county departments. (1-21-22) Present BOCC work session on SB 325 regarding solar and wind energy facilities only on parcels zoned for industrial uses. (1-27-22) Submit neutral written testimony to House Agriculture Secretary on HB 2531 for hearing scheduled for February 9, 2022. (February 8, 2022) Contract lobbyist advises hearing has been continued to Monday, 2-14-22. (February 9, 2022) Review, analyze and discuss SB 119 pending in House; with member of legislative delegation; contract lobbyist; Riley County Appraiser. (2-7-22; 2-8-22; 2-9-22; 2-10-22). Watch portion of House floor debate on HCR 5022. Discussion with contract lobbyist. (2-22-22) Discuss with contract lobbyist potential in-session annual legislative conference update. (2-25-22) Discuss with member of delegation SB 119 as it stands in House. (2-25-22) Determine if members of delegation are available for follow up zoom legislative conference April 4 or April 7, 2022. (2-28-22) Review SB 538 at request of contract lobbyist. (3-2-22) Schedule follow up zoom only legislative conference for April 7, 2022. (3-2-22) CAR and agenda for April 7, 2022, follow up legislative conference provided delegation. (3-31-22) Review KAC legislative update. (4-5-22) Prepare for April 7, 2022, follow up legislative conference. Assist with presentation to BOCC of follow up legislative conference—1 delegation member present in BOCC chambers and 2 delegation members present by zoom. (4-7-22) Work with Treasurer on legislative issue. (5-10-22; 5-11-22; 5-12-22) Present during public meeting CAR on letter of support for motor vehicle registration and title bill available for action when legislature returns May 23-2022. (5-16-22) Email support letter to individual members of Senate Leadership. (5-18-22) Communicate with delegation member. (7-4-22) Prepare legislative requests for upcoming KAC legislative policy committee meetings. (7-18-22; 7-19-22) Schedule potential appearances before KAC legislative policy committee for 2023 legislative session requests. (7-23-22) Present 4 county legislative requests to the KAC legislative policy committee, via zoom. (7-27-22) Work on dates for Annual Legislative Conference—invitation emailed delegation asking their preference between Monday, December 5th and Thursday, December 8th, noon to 2 pm—lunch provided. (10-26-22) Invitations out to state delegation for December 12, 2022 legislative conference, along with copy of agenda. (12-1-22) Reminders out to legislative delegation of 12-12-22 legislative conference. (12-8-22) Preparation for legislative conference. (12-11-22) Attend and participate in legislative conference. (12-12-22) Discuss

legislative issue with County Appraiser. Review information and advise. (12-27-22) Discuss with 2 other county's county counselors possibility of linking up both our respective legislative delegations and lobbyists for cooperative action on potential "nuisance abatement" statute during 2023 legislative session. (12-29-22) Discuss with County Clerk and legislative delegation member the RNR statute. (1-3-23) Drive to Topeka and pick up lobbyist badge for 2023 state legislative session. (1-3-23) Week of January 23, 2023: Work on "vacant lot" house bill (HB 2083) and discuss with our legislative delegation; Work on RNR statute modification bill (HB 2002) and provide BOCC written testimony in support. Review legislative issues identified by contract lobbyist. (1-27-23.) Work on Nuisance Abatement legislation proposal on Riley County platform. (1-25-23; 1-26-23; 1-27-23) Work on SB 90 and HB 2148—Treasurers' Association auto tag fee bill. (1-26-23; 1-27-23) Review proposed schedule for temporary financing of High Plains Road project. (1-28-23) Review testimony from County Clerk's association on HB & HB involving election matters. (2-6-23) Work on SB 162 (nuisance abatement) (2-9-23; 2-10-23) Complete testimony in support and deliver required 75 paper copies to lobbyist for routing to Senate Local Government committee secretary. (2-10-23) Provide Riley County state legislative delegation, contract lobbyist, and KAC Riley County's testimony in support of SB 162. (2-10-23) Route to Rep. Mike Dodson County Appraiser's input on: HB2232 (Appraiser Qualifications); HB 2319 (tax exemption on business property in competition with property owned or operated by government); HB 2201 (requiring 5 years valuations listed on CVNs); HB 2200 (exemption on homestead, retired, military); HB 2220 (5yr property tax exemption on startups); HB 2231 (tax exemptions for daycare); HB2056, HB 2057, HB 2237 (no position from appraisers' association or Appraiser). Provide BOCC testimony and our SB 162 to another county at that other county's request—they are struggling with a number of "nuisance" real properties. (2-10-23) Work on SB 1623 and prepare for upcoming legislative hearing. (2-13-23) Attend and participate in legislative hearing on SB 162 before Senate Local Government Committee. (2-14-23) Zoom with Treasurer and County Clerk on SB 248. (3-1-23) Work on SB 248 & 252 analysis for relay to KAC and legislative delegation. (3-2-23; 3-3-23; 3-7-23; 3-8-23) Work on analyzing SB 228 (amendment of multiple statutory provisions on jail administration) in response to legislative delegation member's question; after requesting and receiving impact opinion from RCPD on any change county might support for reimbursement of jail inmate medical costs. Communicate with legislator. (3-8-23; 3-13-23; 3-14-23) Communicate with contract lobbyist to work on scheduling "virtual" follow up legislative conference with delegation. Work with Cindy K. (3-15-23). Analyze and prepare for discussion of potential litigation in upcoming executive session. (3-15-23) Discuss legislative matter with member of delegation. (3-15-23) Communicate with legislative delegation to schedule virtual follow up legislative conference either April 10, 2023 or April 17, 2023. (3-16-23) Communicate with contract lobbyists. (3-17-23) Communicate with responding delegation members about their preferred dates. (3-18-23; 3-19-23) Review communication from delegation member on pending bills. (3-19-23) Communicate with County Appraiser on proposed SCR freezing real property tax values at no more than 3% increase annually. (3-19-23) Work with PIO and County Appraiser on public statement regarding legislative item. (3-20-23; 3-21-23) Respond to staff communication on apparent status of SB 248 (exemption for "food" in existing and future local sales taxes) and HB 2002 (RNR notice costs paid by the state). (3-22-23) Work with PIO and County Appraiser on possible press release regarding SCR 1610. (3-21-23; 3-22-23) ***Prepare for March 27, 2023 Intergovernmental Luncheon and legislative update to present. (3-26-23) Attend and participate in Intergovernmental Luncheon—statutory update. (3-27-23) Work with PIO and County Appraiser on possible press release regarding SCR 1610. (3-27-23)***

Leonardville North County EMS Station: Call and leave message for City of Leonardville's attorney. (9-14-22) Assist EMS with project. (9-19-22)

Legislation: Work at county staff level on SB 248; SB 252. (3-1-23; 3-2-23; 3-3-23)

National Opioid Litigation Settlement: *Notice of Deadline to "opt in" to latest round of national opioid class action litigation settlements is April 18, 2023. (3-27-23)*

NG-911 Committee (Road naming): Attend and participate in committee meeting. (2-14-23)

Proposed Construction of EMS/EM/RCFD Emergency Services Headquarters: Schedule work session for discussion of design issue related to facility. (1-27-23)

Riley County Annual Legislative Conference: Discussion with County Treasurer regarding statewide Treasurer's association pending legislation to increase fees but thereby reduce ad valorem property tax support of state function (motor vehicle registration). (11-30-22) Discussion with County Register of Deeds to schedule meeting week of December 5th to review documentation of long-term revenue loss to Riley County caused by legislature's past elimination of the mortgage registration fee. (12-1-22) Work preparing for 12-12-22 legislative conference. (12-8-22; 12-11-22) Discuss legislative conference information with County Appraiser. (12-8-22) Discuss legislative conference information in meeting with County Register of Deeds. (12-9-22)

Rural Economic Development Advisory Board:

Staff Budget and Planning Committee: Participate in committee meeting. (9-13-22)

White Canyon Benefit District: White Canyon benefit district's residents' request, made during this date's public commission meeting, asking whether Riley County willing to supplement the cost of the benefit district's proposed private road improvement project. No dollar figure provided by benefit district residents. County staff instructed to provide BOCC at upcoming meeting most recent Riley County Public Works' "estimate" of "northern route" as an option to current benefit district project proposed. (8-30-21)

II. Projects by Department:

Administrative Services/County Counselor: Work on matters related to departmental transition. (1-25-2023; 1-26-2023; 1-27-2023) Interviews of applicants for Deputy County Counselor position in transition scheduled to take place 9-29-23.-23. (3-2-23;3-3-23)

Riley County Appraiser's Office: Answer Dept. Head inquiry on exemption process. (8-5-22) Conversation with Department Head on issue. (8-23-22). Work with Department head on legal issue. (9-14-22) Work on 2 separate issues involving property tax liability. (11-17-22;11-18-22) Review materials provided by Department Head. Schedule discussion with me, Craig and Department Head. (11-29-22) Assist with legal issue. (12-1-22) (Discuss with County Appraiser separate legal issue. (12-2-2) Assist Department Head with legal issue and prepare for executive session on same. (12-1-22; 12-7-22) Discuss legislative conference matter with Department Head. (12-7-22) Department Head notifies of property taxpayer verbally abusive to staff. Advisee. (12-13-22) Discuss legislative issue with Department Head. (12-28-22) Discuss real property issue with Department Head and setting up staff meeting to discuss further. (12-29-22) Discuss KORA issue with Department Head and advise. (1-3-23) Review info from County Appraiser on upcoming property tax appeal. Provide additional background information to Appraiser. (1-28-23) Advise on exemption matters. (2-8-23) Meet with County Appraiser on exemption issue. (3-6-23) Meet with County Appraiser and taxpayer representatives on same exemption issue. (3-7-23) Discuss with different taxpayer representative different exemption issue. 3-7-23) Review different pending exemption request material, at request of Department Head. (3-13-23) Advise Department Head on assessment issues. (3-20-23)

Riley County Attorney: Work on contract for services. (2-22-23) Work on immediately preceding contract with Department Head. (2-27-23;2-28-23;3-1-23;3-2-23)

Riley County Clerk: Assist with KORA issue. (10-14-22; 10-18-22) Assist with certification of records for pending district court appeal. (11-28-22) Review form of license application and its requirements at request of Clerk's staff. (12-7-22) Review revised license application provided today by Clerk's Office staff. Approve "as to form." (12-8-22) Review and respond to bond counsel question on term sheet for short term

financing. (2-6-23)

Riley County Community Corrections: Finalize Drug Court documents with Department Head. (11-4-22)

Riley County Emergency Management: Contacted by EM regarding a 911 service issue. Discuss with EM Director. I call resident and leave message with adult in home. (12-1-22) Return 12-5-22 call from resident. I describe to resident options as I understand and staff (EM and 911) work to this point and 911's referral of issue to state's 911 coordinating council—in hopes they can obtain solution for resident from A T & T landline provider (resident reports no cell service available his location). Encourage resident to try a number available to reach 911 as short-term solution while 911's involvement with state coordinating council. Encourage resident to call me with result of his use of that landline number to reach 911. Make arrangements to speak with resident by end of this week with any results of my conversations with 911. Talk with 911 and Tyler brings me up to speed on where this is with 911 coordinating council. (12-6-22) Call back resident and inform Tyler of 911 has been told should hear back "soon" from 911 coordinating council. I relay that information by phone to resident. He verifies his test of direct line call to 911 did work today. Understands that is an interim solution while coordinating council effort plays out. Encouraged him to call me back and check on progress of state coordinating council effort, within next 2 weeks, or whenever he wants to do so. (12-6-22) Contacted by PIO for information. Provide. Review info. (12-6-22) Follow up from 911 and PIO on interim solution is working based on test by resident. (12-7-22) Meet with Department Head on proposed EM personnel policies and Standard Operating Guidelines. (12-9-22) New information provided by Department Head on foregoing resident's report of continued issue with 911 contact, based on info he received from his land line provider. (1-4-23) Department Head inquires about process for development of SOGs. Consult with HR who advises Department Head. (1-4-23) Request for contract assistance. (1-30-23) Information provided on scheduling training opportunity on FLSA. (1-30-23) Information provided on CPE building security. (1-30-23) Discuss litigation matter with Department Head. (2-8-23)

Riley County Emergency Medical Services: City Commission has asked counsel for both entities to develop a document allowing County use and potential improvements to alley providing access to lot purchased by County for North County ambulance station. I send email to counsel for City of Leonardville advising of this and inviting him to call me to discuss. (12-7-22) City Attorney responds and confirms parties understand what's necessary. Consultation with Craig. (12-8-22) Discuss with Department Head arrangement for site visit on 12-21-22. (12-20-22) Site visit with Department Head and Deputy County Counselor to be rescheduled. (12-21-22) Work on North County ambulance station design project. Discuss with Department Head. (1-29-23) Respond to communication from outside counsel on pending matter. (3-19-23) Prepare Declaration of Local Disaster Emergency; Obtain signatures of Vice-Chairman & County Clerk; File with County Clerk; Deliver to Baldwin Fisher for transmittal to KDEM. (3-20-23) Discussion with Department Head and confirm he wants existing Declaration of Local Disaster Emergency to expire by its terms this Monday, March 27, 2023 at 12:01 a.m. (3-22-23) ***Advise BOCC during public meeting of March 26, 2023 of immediately foregoing decision on Declaration of Local Disaster Emergency. (3-26-23)***

Riley County Extension:

Riley County Fire District No. 1:

Riley County GIS:

Riley County Health Department: Work with department staff member on question about insurance coverage for staff. I ask County's insurance broker for information. (12-12-22) Follow up on question I previously asked county's insurance provider December 12. (12-28-22) Discussion with insurance agent on insurance coverage from a department's staff. Recontact staff member and advise agent will be contacting them for more detail—encourage staff member to check back with me next week if necessary. (12-28-22)

Riley County Historical Museum:

Riley County Human Resources: Assist with employment law issue. (10-18-22) Attend meeting of planning committee for discussion about completed event for 2022. (10-25-22) Work on agenda documentation issue. (11-18-22) Discuss with Clerk's office staff contract termination issue. (12-2-22) Follow up conversation regarding immediately preceding contract termination issue—advice provided. (12-2-22) Work on performance evaluations and complete by 12-7-22 (12-5-22;12-6-22; 12-7-22) Work on payroll approval issue. (12-12-22) Discuss with staff confirming contract termination issue resolved. (12-29-22) Work with HR Manager to assist separate Department Heads on distinct personnel matters. (1-4-23) Discuss with HR Manager and advise on personnel issue. (2-6-23) Assist with contract matter involving a different department. (2-21-23) Review contract and approve as to form. (3-18-23) Schedule discussion on two HR issues. (3-22-23) ***Discuss with HR Manager solicitation on county property by local business. (3-29-23)***

Riley County Information Technology/GIS: Participate in staff working group discussion of network security improvement. (12-19-22)

Riley County Planning & Development: Prairiewood, District Court Appeal of Liquid Art Winery BOCC approved preliminary and final development plans. Case management conference (11-1-22) Work on Record on Appeal for preceding litigation. (11-2-22; 11-3-22; 11-15-22;11-17-22) Phone conversation with USDA contact about possible funding for a project. (11-18-22) Work on Record on Appeal for District Court, as required by statute in foregoing Prairiewood matter. (11-20-22; 11-22-22) Discuss issue with after phone call from County Sanitarian. (12-5-22) Discuss immediately preceding issue with Department Head (12-6-22) Phone conference with Department Head and County Sanitarian on previous issue. Possible solution reached based on input from Department Head and Sanitarian. County Sanitarian will speak with property owner. (12-7-22) Review new form proposed by P & D staff for land use regulations. Route issue to Craig for his review. (12-8-22) Discuss benefit district issue with Department Head and Deputy County Counselor. (12-20-22) Review information on preceding provided by Department Head. Further discussion on same issue. (12-20-22) Attend pretrial in District Court on Prairiewood appeal. (2-6-23) Approve draft pretrial order presented by opposing counsel; advise county staff witnesses of revised trial date. (2-7-23) Meeting with staff member to prepare for Prairiewood appeal. (2-28-23) Participate in zoom meeting with staff regarding upcoming Keats public meeting scheduled for 3-9-23, 7 p.m. (2-23-23) Analyze potential Memorandum of Understanding. (3-15-23) Discuss with Department Head benefit district question. (3-15-23) Work on Prairiewood District Court Appeal. (3-17-23) Communicate with Department Head and Craig about meeting next week to discuss issue relating to transition of EHS. (3-18-23) Discuss with Planning and Development Director possible contract for assistance with soil testing, given current lack of EHS. Meet with Director and Deputy Counselor on this subject in conference room, later same day. (3-22-23) ***Discuss potential contract development for soil inspections with temporary EHS assistance. Work toward potential contract (3-28-23) Work toward same potential contract. Discuss with Department Head. (3-29-23) Work on appellate argument in Prairiewood appeal to District Court. (3-29-23)***

Riley County Public Information Officer:

Riley County Public Works: Discussion with Department Head and staff to finalize our proposed changes to transfer station agreement with operator. (11-7-22) Work with Department on placing evaluation of RFQ responses before BOCC as "Construction Management at Risk" for 11-17-22 public meeting. (11-15-22) Work on litigation issue. (11-17-22) Work on KORA issue. (11-17-22; 11-18-22) Advise Department Head on CMAR process. (11-18-22) Review potential dates for CMAR phase. (11-18-22) Assist with scheduling of negotiation meeting for contract renewal. (11-28-22) Contacted by PW staff about new owner of county park real property and continued county lease of parking space. Provide my contact information to new owner. (12-6-22) Follow up with Department Staff about proposed meeting in their conference room this Friday. (12-

7-22) Meeting with Head of Department and Assistant County Engineer to prepare for upcoming discussion with transfer station operator. (12-9-22) Learn of potential grant opportunity for road projects. Provide information to Department. (12-11-22) Discuss former with Department staff member. (12-12-22) Meeting with Department Head and Assistant County Engineer to prepare for upcoming discussion with transfer station operator. (12-13-22) Work on immediately preceding item on information from provided by operator. (12-14-22) Work with Department Head on Construction Management at Risk selection process. (12-14-22) Participate in transfer station contract negotiation with Department Head, Assistant County Engineer, Operator and Operator's counsel and principals. (12-16-22) Staff discussion of issue related to preceding negotiation. (12-19-22) Teams meeting with Budget and Finance, Department Head and Assistant County Engineer regarding contract issue. (12-28-22) Continue work toward transfer station operation agreement. (1-29-23) Advise Dept. Head after review of MOU related to bridge project. (1-29-23) Refer to Department Head City of Ogden question about sharing bridge maintenance responsibility. Referred for Department Head response back to me. (2-22-23) Meeting with outside counsel at their request regarding overflow channel maintenance proposal (2-23-23) Work toward meeting to renew transfer station operation agreement. (3-6-23;3-7-23;3-8-23) Work on Public Safety Headquarters Building project. (3-7-23) Provide counsel for transfer station operator County's position on remaining issues for putting agreement in place. Repeat offer of dates/times to zoom or teams meeting on subject for week of 3-13-23. (3-10-23) Counsel for operator advises week of 3-13-23 won't work for operator of transfer station. Proposes following week days and times. I commit will check on "county side" of negotiation and get back to counsel for operator. I relay proposed days/times week of 3-20-23 to Director and Assistant County Engineer, along with my availability. (3-13-23) Discuss contract matter question as result of Township Officers' annual meeting. (3-15-23) Work on scheduling next zoom with staff and transfer station operator—contract negotiation. Discussion with staff. (3-17-23) Work on Transfer Station agreement renewal issues.(3-18-23) Zoom negotiation with transfer station operator and department head. Separate conversation with county insurer afterward (3-21-23) Schedule 3-23 conversation with county insurer and department head on transfer station contract negotiation.(3-22-23) Conversation with attorney for transfer station operator about COLA in the proposed agreement and how it should work. (3-22-23) Conversation with City of Ogden Counsel about Cimmaron Bridge inspection and maintenance of overflow channel. (3-22-23) Discuss with our insurer transfer station insurance issue relevant to our negotiation for renewed contract with operator. (3-22-23) ***Discuss with insurer and Department Head insurance issue relevant to negotiation for renewed contract with operator. (3-26-23) Discussion with Department Head another Department Head and Division leader regarding scheduling of initial discussion at such staff level about environmental status of building. (3-28-23)***

Riley County Register of Deeds: Review information on recording fee. (11-18-22) Discuss legislative conference issue with Department Head. (12-6-22; 12-7-22) Advise on legal issue. (2-12-23) Communicate with Department head on deed issue. (3-17-23) ***Discuss with Deputy Counselor correction deed prepared for filing. (3-28-23)***

Riley County Treasurer: Meeting with Treasurer to review legislative proposal developed by statewide Treasurers' association regarding license tag fees----to prepare for my discussion of this item during December 12th legislative conference. (11-30-22) Discuss with Department Head process for Opioid Settlement Fund payments routed from Attorney General's Office. Discuss with Assistant Attorney General supervising such distributions. (12-21-22)

RILEY COUNTY POLICE DEPARTMENT—Administered by Law Enforcement Agency ("Law Board"): Prepare 2023 proposed lease on "Aggieville Substation" for consideration by BOCC at upcoming public meeting. (11-22-22) Approved by BOCC. (11-28-22) Conversation with jail staff about medical care legal obligation regarding former inmate. Advise. Schedule Team Meetings for later this p.m. to discuss with jail staff and Budget and Finance Officer. Meeting held: advise regarding liability/no liability for medical care on specific facts.(3-22-23)

III. Projects by Professional Association, Internal and External Committees/working groups, CLE,

Attachment: FINAL Commission List 04.03.2023 (13295 : Clancy's Commission List)

& Other Administrative Matters:

Ad Hoc Staff Committees/Work Groups on Multiple Subjects: Staff committee discussion of issue in recent tax sale. Clerk and staff, Treasurer, Appraiser and staff (3-6-23)

Administrative Matters: Work on annual performance reviews. (12-1-22; 12-2-22; 12-3-22; 12-4-22; 12-5-22; 12-6-22; 12-7-22) Work with Clerk staff to reschedule administrative time on upcoming BOCC agenda. (12-7-22) Register for free webinar during lunch hour December 14, 2022; “Practical Law” updates from Westlaw—our computerized legal research provider. (12-7-22) Forward to Office Manager Clerk’s Office info on end-of-year vendor payments by check. (12-8-22) Discuss with Craig any updates to contact info. (12-13-22) Advise staff I’ll be into office after attending 8:30 a.m. meeting at Public Works. (12-13-22) Discuss with Craig teams meeting later this a.m. with Department Heads of Appraiser’s office and Planning and Development. (12-13-22) Review and Approve A/P and Accounts Payable documents. (1-30-23) Advise on chairs mistakenly moved out of CPE by CASA. (2-6-23) Work on arranging for office space for any attorney hired for vacancy of incumbent Deputy. Work on temporary location of conference room table for same purpose. Work with IT on technology need in space for same purpose. (3-15-23) Review and delete spam emails quarantined (3-19-23) Review communication from Federal District Court on amendments to local rules. (3-19-23)

Continuing Legal Education:

County Counselor Association of Kansas: Attend semiannual CLE program during KAC annual meeting. (10-18-22) Contact presenter and confirm presenter availability for mid-year zoom CLE meeting of membership. Advise KAC general counsel presenter on employment law developments will attend. (February, 2023)

Department Head Committee: Attend and participate in department Head Committee Meeting. Remind Department Heads of next Monday’s Legislative Conference, that they are all invited; and it is an opportunity to interact for the first time with new members of our delegation. Also described I will be inviting all delegation members to contact Department Heads throughout the legislative session when they have any questions about this county’s daily operation or of counties generally. (12-7-22) Attend and participate in Committee Meeting. (12-21-22) Attend and participate in committee meeting. (2-15-23) Attend and participate in committee meeting. (3-1-23)

Intergovernmental Luncheon: *Attend meeting. (2-27-23)*

Kansas Association of Counties: Attend annual meeting. (10-17-22 to 10-19-22).

Staff Budget and Planning Committee: Attend meeting. (10-25-22) Work with B & P on development of contracts for transfers to small cities for loss of funds as countywide ½ cent sales tax sunsets 12/31/22. (11-15-22) Review material for BOCC presentation to be made by Budget and Planning during the next BOCC public meeting. (11-28-22) Attend and participate in Committee meeting. (11-29-22) Ask Shilo for her opinion on draft of agreement. (2-7-23)

Staff Riley County Employee Day Planning Committee: Tour with members of staff committee proposed venue for event. (9-14-22) Discuss future scheduling of committee meetings with members. (2-21-23) Attend and participate in committee meeting. (2-21-23) Discussion with County Appraiser regarding current property tax exemption status of potential venue. (2-22-23) Discussion with County Appraiser staff regarding contact information for same potential venue. (2-22-23) Discuss with venue representative potential use of facility for event. (3-6-23). Discuss with different venue’s representative potential use of facility for event. (3-7-23) Messages left at possible venue with my contact information. (3-17-23; 3-18-23) Communicate with possible venue and contact person. Advise will not be using facility and why. (3-20-23) Attend and participate in

committee meeting. (3-21-23)

Staff Road Renaming Committee: Respond to committee member's relay of landowner's proposed rename of private road. (12-7-22)



**COUNTY
COUNSELOR/ADMINISTRATIVE
SERVICES**
Contract

Clancy Holeman
Counselor/Director of
Administrative Services
115 North 4th Street
Manhattan, KS 66502
Phone: 785-565-6844

COMMISSION AGENDA REPORT

FROM: Jana Chingway, Senior Legal Assistant

MEETING: April 3, 2023

SUBJECT: Contract for Attorney Fees

PRESENTER: Craig Cox, Deputy Riley County Counselor

BACKGROUND

Tax foreclosure statutes require the appointment of an attorney to represent defendants who are minors, incompetent persons or are otherwise under legal disability and to provide representation for defendants who are now or have been in the military service.

DISCUSSION

This attorney provides a service that is essential for a successful tax foreclosure case. We have asked Summer Ott Dierks of Dierks Law Firm to provide this service.

Additionally, she will conduct an independent investigation to attempt contacting those tax payers with no known address. This investigation, along with our office's separate investigation, guarantee that every reasonable effort has been made to locate the tax payer.

FISCAL IMPACT

The guardian ad litem and active military service representation is budgeted for \$750.00 (5 hours at \$150.00 per hour).

RECOMMENDATION(S)

Counsel recommends signing the contract as presented.

POSSIBLE MOTION(S)

- A. "Move to approve Contract for Attorney Fees as submitted."
- B. "Move to deny Contract for Attorney Fees as submitted."
- C. "Move to approve Contract for Attorney Fees after the following changes are made..."

Enclosures:

- GUARDIAN AD LITEM MILITARY ATTORNEY CONTRACT (DOC)

CONTRACT FOR ATTORNEY'S FEES

THIS AGREEMENT, made and entered into this _____ day of _____, 2023, by and between the Board of County Commissioners of Riley County, Kansas, hereinafter referred to as "County" and attorney Summer Ott Dierks, Dierks Law Firm, Manhattan, Riley County, Kansas, hereinafter referred to as "Attorney."

WITNESSETH, that for the consideration, hereinafter mentioned, to be paid by the County to the Attorney and the services to be provided the County by the Attorney, the parties have mutually agreed as follows:

ARTICLE 1. Attorney agrees to perform guardian ad litem representation for defendants who are minors, incompetent persons or are otherwise under legal disability; and further agrees to provide representation for defendants who are now or have been in the military service of the United States of America as defined by the Service Members Civil Relief Act, as such services are required in the County's tax foreclosure case entitled Board of Commissioners of Riley County, Kansas v. Madelene Austin, et al., Riley County Case Number RL2023 CV 000015.

ARTICLE 2. For Attorney's Guardian Ad Litem and Service Members Civil Relief representation, the County shall pay the Attorney \$750 attorney's fees which is calculated at 5 hours of representation at \$150.00 per hour. If Attorney's representation exceeds 5 hours, Attorney may request additional fees from the Board of County Commissioners upon presentation of an itemized time record.

IN WITNESS WHEREOF, the County and Attorney, respectively have caused this

contract to be duly executed, the day and year first herein written; copies of which, for all intents and purposes, shall be considered the original.

**BOARD OF COMMISSIONERS
OF RILEY COUNTY, KANSAS**

Kathryn Focke, Chairwoman

John Ford, Vice Chairman

Greg McKinley, Member

ATTEST:

Rich Vargo, County Clerk

(SEAL)

Attachment: GUARDIAN AD LITEM MILITARY ATTORNEY CONTRACT (13287 : Contract for Attorney Fees)

Approved as to form:

Craig D. Cox
Deputy Riley County Counselor

By: _____
Summer Ott Dierks
Dierks Law Firm
227 Blue Earth Place, Suite 209
Manhattan, KS 66502

Attachment: GUARDIAN AD LITEM MILITARY ATTORNEY CONTRACT (13287 : Contract for Attorney Fees)



**COUNTY
COUNSELOR/ADMINISTRATIVE
SERVICES**
Update

Clancy Holeman
Counselor/Director of
Administrative Services
115 North 4th Street
Manhattan, KS 66502
Phone: 785-565-6844

COMMISSION AGENDA REPORT

FROM: Jana Chingway, Senior Legal Assistant
MEETING: April 3, 2023
SUBJECT: Animal Control within Riley County
PRESENTER: Craig Cox, Deputy County Counselor

BACKGROUND

The current animal control resolution was adopted March 3, 1988.

The proposed animal control resolution was developed between September, 2008 through November 2009, by an animal control committee representing the animal shelter, City of Manhattan (staff and City attorney), Riley County Police Department, Riley County staff and County Counselor, Health Department, farmers and rural residents.

At the time the proposed resolution was developed, animal control officers (ACO) were responding to animal incidents in the County and enforcing the 1988 resolution.

The proposed resolution assumed the ACO's would be responding to incidents and enforcing the resolution.

DISCUSSION

At the City/County/County meeting of March 23, 2023, City animal control staff announced the City had stopped responding to animal incidents in the County a few years ago and were not enforcing the 1988 animal control resolution.

I was not notified about this change in enforcement. This announcement is not only surprising, but adversely affects the validity of any County animal control resolution by making such policy unenforceable.

FISCAL IMPACT

None.

RECOMMENDATION(S)

To continue discussion of Riley County animal control policy.

POSSIBLE MOTION(S)

No motion is needed today. Counsel presents this to the Board for informational purposes and to obtain consensus from the Board on how to proceed on this matter.

Enclosures:

- RESOLUTION Table of Contents (PDF)

RESOLUTION NO. _____

**A RESOLUTION PROVIDING FOR THE CONTROL OF ANIMALS WITHIN RILEY
COUNTY, KANSAS IN THE UNINCORPORATED AREAS OF RILEY COUNTY**

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RESOLUTION NO. _____

**A RESOLUTION PROVIDING FOR THE CONTROL OF ANIMALS WITHIN RILEY
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**EMERGENCY
MANAGEMENT/FIRE**
Staff Update

Russel Stukey
Emergency Management
Director
115 North 4th Street
Manhattan, KS 66502
Phone: 785-537-6333

STAFF REPORT

FROM: Russel Stukey EM/RCFD #1

MEETING: April 3, 2023

SUBJECT: Staff time report for the month of March 2023

PRESENTER: Russel Stukey

Enclosures:

- 3, 2023 March staff time (DOCX)



Monthly staff time report to BOCC, for the month of February 2023

911

- Constantly working on radio system management, analyzing opportunities to lower the annual operating costs of the 911 system
- Analyzing how the new back up dispatch center will affect 911 fund
- Researching AT&T charges for 911 service with Laurie, Tyler and Cory

Emergency Management

- Attended department head meetings
- Attended several commission meetings
- Working with Cory in IT on county phone system paging and panic button options
- Reviewing proposed floor plans for Public Safety Headquarters and submitting comments
- Researching fiber connectivity for Public Safety HQ
- Monitored weather forecast
- Employee training committee meetings
- Chaired NEKSHSC in Topeka
- Providing information to Architect for new Public Safety HQ building
- Hosted and attended Red Cross shelter class
- Participate in Emergency Services Director (ESD) monthly meeting
- Attended FEMA 0305 Command and General staff training in Salina
- Attend BOCC meeting in the City of Riley Thursday evening.

Items awaiting legal review:

Mobile Command Post upgrade RFP documents

Assistant Director Laurie Harrison activity EM/911

Kansas Emergency Management Association (KEMA):

Serve as treasurer

Attend conference planning meeting

Public Notification, Everbridge, Integrated Public Alert and Warning System (IPAWS):

Conduct monthly siren test, Everbridge test, IPAWS test

Facilitate Everbridge working group meeting

Provided Everbridge training to RCPD dispatchers

Emergency Management fund:

Pay invoices

Track expenses and income

911 fund:

Pay invoices

Track expenses and income

Exercises:

Northeast Regional Homeland Security Council:


Riley County Emergency Management
Riley County Fire District #1

115 N. 4th Street
 Manhattan, Kansas 66501
 Phone: 785-537-6331
 Fax: 785-537-6331
www.rileycountyks.gov

Serve as a project manager for Everbridge and CRMCS

Serve as KEMA representative

Volunteer Management:

Facilitate WARN (storm spotters) meeting

Facilitate CERT (emergency volunteers) meeting

Community Outreach:

Staff booth at Manhattan Town Center

Misc:

Attend ORION damage assessment training

Organize/attend CRMCS admin refresher training

Provide checkin/accountability using CRMCS system at cityofmhk staff training day

Attend 911 address meeting

Attend wildland urban interface class in Wabaunsee county

Attend Integrated Weather Team meeting in Topeka

EM Planner Baldwin Fisher

Kansas Emergency Management Association (KEMA):

Plans:

Make Emergency Operations Plan revisions vs KDEM guidance

Exercises:

Begin planning with HD/PHEP for ESF 8 working group for EOY Healthcare exercise

Misc:

Attend Integrated Weather Team meeting in Topeka

Finalize KCEM submission requirements

Provide checkin/accountability using CRMCS system at cityofmhk staff training day

Facilitate CERT (emergency volunteers) meeting

Attend ORION damage assessment training

Fire

- Working with Travelers Insurance staff to prepare for Salzman lawsuit
- Met with workers comp representative
- Worked on fire station bid solicitation announcements
- Attended county fire trainings
- Attended several department head meetings
- Continue to accept and process applications for volunteer firefighters
- Working with HR on several personnel issues
- Covered emergency calls
- Attended BOCC meeting discussing county roads vs. township roads
- Death in the family took a couple of days off
- Participated in county officials luncheon
- Public Safety HQ IT meeting with RCPD



- Randolph controlled burn training
- Help work on brush truck repairs/upgrades
- Attend Fire/EMS training in Topeka
- Advertised opened and reviewed bids on two fire station
- Participated in the Color Code personality assessment for EM/Fire staff presented by Elizabeth Ward RC HR Dept.

Items awaiting legal review:

- a. University Park proposed fire station property legal description and agreement with UP board to swap property when new fire station is completed
- b. First responder agreement with the City of Randolph, Mercy Hospital Ambulance service (now Riley County EMS) and RCFD #1
- c. RCFD#1 policy/SOG review

Items awaiting HR review:

- a. RCFD#1 policy/SOG review

Admin. Asst. M. Horstmeier

After a discussion with HR, I have started to compile documents to provide them with documentation for the firefighters that we do not have the same start date on. This documentation will hopefully allow HR and RCFD#1 to have consistent records finally.

Deputy Chief Martens and myself were able to meet and discuss the possible new workflow for our hiring process. We made a few changes to the draft version that I created and are hoping to present it to HR soon.

We have begun to remove old burns from the GIS controlled burn map. I was able to remove all the older burns through January 2023. We will continue to keep the 2 previous months burns for quick reference. At the beginning of each month, I exported the burn data directly from the map and saved it on our Y drive for reference. That data is used to create the Prescribed burn report that is sent to the state. Hopefully, this will help the map not look so busy with burns.

The Prescribed burn report is completed up to the current date. I will add the additional burn to the report once the month has concluded and send it to Kansas State for their records. I also have an updated version of the burn permit list to send to dispatch at the beginning of next week.

I compiled the total list of calls for RCFD#1 for 2022 and recorded the total number of incidents that each station went to last year for the BOCC. This data was cross-referenced in order to get a complete picture of how many calls each station went to, not just within their jurisdiction, but also for aid and out of jurisdiction. Also, this data shows what type of calls were most prevalent, and which were less so.

The department completed color code training with HR. This helped to better view our working relationships, and how we can communicate more effectively with each other. Hopefully, this will help our department to become more productive in the future.

**Deputy Chief Doug Russell**

- Responding to multiple large incidents
- Dealing with personnel issues.
- County led trainings.
- B116 Refurb done.
- Transmission failure on B116 it is getting fixed currently.
- Gearing up for Wildland Fire season.
- Stocking our Spare Brush Truck B120
- Multiple truck repairs
- Getting items rounded up for an auction.
- Working on Monthly Truck and Equipment checks

Deputy Chief John Martens

- Responding to emergency calls with an increase in call volume during spring fire season
- Processing new firefighter applications
- Started planning for a future community preparedness education outreach with Laurie Harrison with the purpose of addressing wildfire hazards and mitigation best practices
- Updated the Volunteer Firefighter position description, pending HR review
- Coordinated and confirmed annual hose testing dates with hose testing company set for May 20,21
- Fire inspections completed and pre-plan update sessions scheduled
- Applied for SAFER grant (Staffing for Adequate Fire and Emergency Response). Funding requests were specific to recruitment and retention activities and awards will be made in May-June timeframe to those selected
- Applied for \$5,000 in Grant funding through Volunteer Fire Assistance (VFA) Program. Funds are specifically for wildland firefighting tools and equipment through a program with the Kansas Forest Service.
- Working with DC Russell on a new format for monthly apparatus checks and preventative maintenance checklists for volunteer firefighters
- Planned and designed a door-hanger marketing campaign with PIO to target new membership
- Hosted first Recruitment & Retention committee kickoff meeting with RCFD#1 Volunteers to develop new ways to grow and maintain firefighters across the fire district.
 - A Recruitment & Retention Plan will be developed over the next few months addressing station-specific key activities, opportunities, and ideas to create sustainable staffing both now and in years to come.
 - Provided the group with industry reports indicating volunteer fire service trends, studies, and findings relating to recruitment and retention


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Riley County Fire District #1

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- Completed and passed Fire & Life & Safety Educator Level 1 and 2 through Alabama Fire College hosted at Fort Riley Fire & Emergency Services
- Further development of the new Support Staff role for volunteers
- Hosted & attended CPR class at Randolph for Firefighters
- Reached out to nearby agencies to gauge the interest level in hosting a future online/hybrid Firefighter I class through KU to better equip and train local firefighters
- Optimizing current software (Emergency Reporting) to better serve our department through improved training library, inspection forms, truck checks, QR Codes, etc.
- Handling personnel issues
- Provided safety & fire code recommendations to Planning and Development for future county occupancies and businesses
- In progress- Small Unmanned Aircraft Systems- Part 107 Operators license and planning upcoming drone program through funded donation
- In progress- Working on Fire Officer I Class through KU Fire & Rescue Training Institute

Month End	January	February	March	Q1
New Applications	6	1	4	11
Rejected / Withdrawn Candidates	0	0	0	0
Interviews Conducted	1	2	6	9
Hired Candidates		1	1	2
Probationary Firefighters	8	8	5	7
Trained Firefighters	111	107	99	106
Total Active Members	119	117	107	114
Terminations			10	10
Resignations	2	3	1	6
Retirements			0	0

Submitted by:
 Russel Stuke, Emergency Services Director

Attachment: 3, 2023 March staff time (13297 : March staff time report)



PLANNING & DEVELOPMENT
Presentation

Amanda Webb
Planning/Special Projects
Director
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COMMISSION AGENDA REPORT

FROM: Amanda Webb, Planning Director

MEETING: April 3, 2023

SUBJECT: Manhattan Area Habitat for Humanity / Housing presentation & discussion

PRESENTER: Josh Brewer, Director, Manhattan Area Habitat for Humanity

Please see attached discussion materials.

Enclosures:

- Evidence_Brief_1_Access_to_Homeownership-Research (PDF)
- Evidence Brief 5_How does housing impact health (PDF)
- USRM_Evidenc_Brief_Civil_Social_Engagement-Guide (PDF)
- 2023 Riley County Health Ranking (PDF)
- HMA Report_FINAL ADOPTED PLAN AW (PDF)



Who has access to homeownership?

Homeownership can transform lives. It creates long-lasting and life-changing impact on families and communities, from providing a source of wealth and asset-building to influencing health and educational outcomes and contributing to positive community development. The first step in bringing homeownership to more families, however, is to understand who currently has access to homeownership and what factors play a role.

This evidence brief will:

- Summarize research on trends in homeownership and barriers to achieving it.
- Provide an overview of the racial gap in homeownership, including key drivers.
- Share how Habitat for Humanity increases access to homeownership.

Trends in homeownership rates

Since 1965, the U.S. homeownership rate has fluctuated from a low of 62.9% in 1965 to a high of 69.2% in 2004, landing at 65.3% in the first quarter of 2020.¹ The 2019 Consumer Financial Literacy Survey shows that half of U.S. adults face barriers to homeownership (Figure 1).² Several key barriers contribute to constraining access to homeownership, especially affordable homeownership.

Key barriers to accessing affordable homeownership

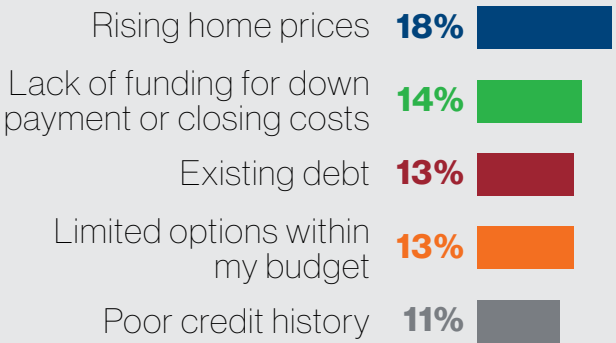
The existing housing inventory does not meet current demand, particularly for lower-priced homes.

- The demand for housing outstrips the current supply, especially at lower price tiers. In 2018, the U.S. Department of Housing and Urban Development estimated a need for 2.5 million additional housing units to meet long-term housing demand.³
- The rising costs of land, labor and materials limit homebuilding and target most new construction at higher price points. Construction costs, fueled largely by labor shortages and material costs, have risen by more than 20% since 2004.⁴ In more than 80% of counties in the U.S., land values for residential construction have soared.⁵
- Sales of existing homes failed to fill the void, with 46% of for-sale inventory in the highest-priced tier of homes by value and only 23% in the bottom tier.⁵

How Habitat responds

- Habitat affiliates expand housing inventory in their communities that is affordable to low- and moderate-income households by building new homes and rehabilitating and repairing existing homes, providing much-needed affordable housing stock neglected by standard residential construction.
- In some markets, Habitat affiliates offer permanent affordability strategies, such as shared-equity homeownership, in order to preserve the community's affordable housing stock.
- Habitat advocates at all levels of government for programs and policies that fund and stimulate new development and preservation of affordable housing.

FIGURE 1: TOP FIVE BARRIERS TO HOMEOWNERSHIP



Home prices have been increasing rapidly, especially for less expensive homes, and median household incomes have not kept pace.

- Prices for more affordable homes (those affordable at 75% of the metro area median income and below) increased at nearly twice the rate of expensive homes (those affordable at 125% of metro AMI and above).⁵
- The rate of inflation of the median home price for existing single-family homes outpaced that of the median household income.⁵

How Habitat responds

- Habitat partners with volunteers and Habitat homeowners, and relies on efficient building methods, modest house sizes and nonprofit loans to keep costs low and make Habitat homes affordable for low- to moderate-income families.
- As a rule, Habitat homes are priced at fair market value, which is the price of the home if it were sold under prevailing market conditions.
- Habitat advocates for public policies on land acquisition, use and development to lower the cost of homebuilding.

Down payments, closing costs and increases in mortgage interest rates can put the cost of purchasing a home out of reach for many U.S. households.

- Down payment and closing costs can be 3% to 25% of the price of a home, putting homeownership out of reach of some households.⁶ A 2018 Urban Institute study found that 68% of renters identify saving for a down payment as the greatest barrier to homeownership.⁷
- Lower down payments can be initially more affordable but increase monthly costs over the life of the mortgage.⁷
- Rising interest rates and the resulting increase in financing costs reduce the ability for potential buyers to qualify for mortgages that enable them to afford properties meeting their needs.⁷

How Habitat responds

- Habitat requires lower down payments, if any, and closing costs than standard lending practices, and these can often be paid through flexible payment arrangements.
- Habitat offers low- or no-interest mortgages, making financing costs significantly lower than market rates, and helps rural families access affordable loan products like the U.S. Department of Agriculture's 502 Direct Loan program.
- Habitat advocates for policies that increase and broaden access to safe and sound credit for underserved populations and help close the homeownership gap for Black households and other communities of color.

Lending standards have been tightening since the Great Recession (2007-09), and strict credit standards prevent many potential homebuyers from purchasing a house.

- The tightening of lending standards after the Great Recession was a key factor in declining homeownership rates, preventing potential homebuyers from obtaining mortgages. For low- to moderate-income homebuyers, the share of mortgage loan originations decreased by 25% in the years after the Great Recession.⁸

How Habitat responds

- Habitat is committed to selecting families based on four criteria: level of need, residing in the affiliate's service area, willingness to partner with Habitat, and ability to repay an affordable mortgage.
- Habitat's lending standards and terms are less subject to market fluctuations, with more flexibility that reflects the lived experiences of its homeowners. This means Habitat may consider nontraditional inputs for establishing creditworthiness (e.g., rental history and utility bills), consistently serve families with lower credit histories, and in a few circumstances, work with families who lack a credit history to help them build one, creating opportunities for wealth building.





Foreclosures

Foreclosure can have serious implications for a family’s health (e.g., depression, anxiety, increased alcohol use and suicide)⁹ and ability to build wealth. The dramatic increase in foreclosures during the Great Recession eroded homeownership gains, adversely affecting Black and Hispanic/Latinx homeowners. Underwriting standards and loan structure explain much of the greater likelihood of foreclosure among Black and Hispanic/ Latinx borrowers.¹⁰

Foreclosure rates were lower among borrowers with safer and more affordable mortgages, regardless of race and ethnicity. Only 9.6% of low- to moderate-income and minority homeowners who were offered low down payments and affordable mortgages under the Community Advantage Program defaulted on their mortgage at the height of the subprime crisis in 2009, compared with 47.7% for subprime adjustable-rate mortgages and 22.1% for subprime fixed-rate mortgages.¹¹

How Habitat responds

- By providing low down payments and affordable mortgages in the pursuit of serving homeowners, Habitat helps homeowners avoid subprime mortgages and the foreclosure risks associated with them.
- Habitat advocates for policies and resources such as housing counseling and short-term mortgage assistance to help prevent foreclosure for all homeowners.

The racial homeownership gap

The homeownership rates for Black and Hispanic/Latinx households continue to trail that of white households. As of the first quarter of 2020, the homeownership rate of white households exceeded that of Black and Hispanic/Latinx households by 25-30 percentage points (Figure 2).¹² This gap has persisted even despite homeownership gains by Black and Hispanic/ Latinx households before the Great Recession. In fact, the homeownership rate for Black households has yet to recover to its pre-recession levels, unlike those of white and Hispanic/Latinx households.

In addition to the key barriers faced by all potential homebuyers, racial and ethnic minorities confront other factors that constrain homeownership. Many of these factors are the result of historic structural barriers that racial and ethnic minorities faced over time that have compounded to produce these inequities.^{13, 14}

For further information on historic housing policies and their impact on homeownership, see [habitat.org/sites/default/files/documents/Racial-Disparities-and-Housing-Policy-.pdf](https://www.habitat.org/sites/default/files/documents/Racial-Disparities-and-Housing-Policy-.pdf).

Key barriers to accessing affordable homeownership

Higher income and wealth are associated with higher homeownership rates, but Black households’ income and wealth distributions are notably lower than those of white households.

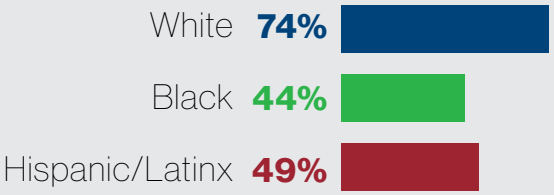
- Racial differences in the income distribution exist where almost 33% of Black households earn below \$25,000, as compared with 16% of white households. Furthermore, only 7.2% of Black households make at least \$150,000, compared with 17.7% of white households.¹⁵ If Black and white households had similar income distributions, the Black homeownership rate would increase by 9 percentage points.¹⁶
- Low-income white households have a higher homeownership rate (50.8%) than low-income Black households (24.1%), which contributes to wealth disparities. According to the 2016 Survey of Consumer Finances, low-income Black households – those with incomes in the 20th percentile group – had a median wealth of \$3,040, as compared with a median wealth of \$11,860 for white households with a similar income.¹⁶
- Disparities in parental wealth and homeownership help to explain 12-13% of the Black-white homeownership gap among young adults, pointing to the importance of intergenerational transfers of wealth.¹⁷
- Income reduction and loss have a greater effect on Black and Hispanic/Latinx households than on white households. A 1% reduction in income lowers the homeownership probability by 18% and 19%, respectively, compared with a 6% decline for white households.¹⁸

Greater access to credit promotes higher homeownership rates, but Black households are less likely to have sufficient credit to qualify for homeownership.

- Over 50% of white households have a FICO credit score higher than 700; only 20.6% of Black households have a similar credit score. This is compounded by fewer Black households (69%) having credit histories, sufficient credit and a credit score than white households (82.1%). If the same credit score distribution is applied to white and Black households, Black homeownership rates would rise by 10.6 percentage points.¹⁶



FIGURE 2: U.S. HOMEOWNERSHIP RATES





Systematic inequities, including discriminatory housing policies and institutional barriers, hamper homeownership rates for households of color.

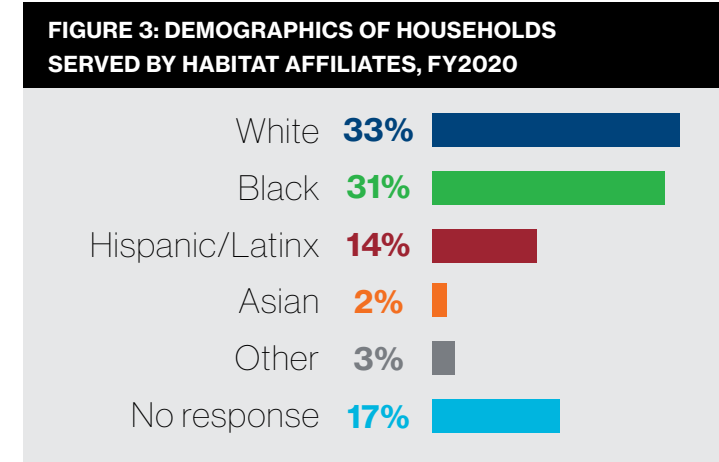
- As much as 17% of the homeownership gap cannot be explained by sociodemographic factors (e.g., income, age, family size, marital status, gender), and researchers hypothesize that the remaining gap may be explained by information networks, limited access to credit, discriminatory housing policies (e.g., redlining, racially restrictive covenants and zoning policies), and other institutional barriers.^{13, 16, 18}
- Prospective Black and Hispanic/Latinx buyers still face disparate treatment by real estate agents: more stringent financial requirements for showings, steering to minority neighborhoods, and fewer showings.¹⁹
- Between 1976 and 2016, despite the passage of laws aimed at reducing discrimination in private lending, the racial gaps in loan denial remained persistent: Black and Hispanic/Latinx borrowers had a higher probability of being denied a loan and of receiving a high-cost mortgage as compared with their white counterparts.²⁰

How Habitat responds

Habitat serves a diverse base of homeowners, providing more equitable access to housing (Figure 3).

Additionally, Habitat for Humanity advocates for anti-racist housing and land-use policies at the local, state and federal levels that seek to increase racial equity in homeownership.

For further information on Habitat's policy solutions to address the racial gap in homeownership, see habitat.org/sites/default/files/documents/Racial-Disparities-and-Housing-Policy-.pdf.



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everyone

needs a place to call home

A Habitat for Humanity U.S. Research and Measurement Team evidence brief



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How does housing impact health?

Social determinants of health are factors that encompass how people are born, grow, live, work and age and that affect their health outcomes. The social determinants of health include aspects that range from socioeconomic status to the neighborhood and physical environment and are recognized by multiple health care and other organizations as necessary for improving overall health and reducing health disparities. The U.S. Centers for Disease Control and Prevention, or CDC, identified housing as an important social determinant of health, highlighting the link between where people live and their health. The CDC recognized that people with low incomes and communities of color tend to reside in places with more health risks – greater exposure to health hazards within the home and the community, such as lead, mold and toxic pollutants – and face housing cost burdens that encourage housing instability, which can jeopardize the ability to meet their basic needs. Identifying the home as a potential health hazard, the U.S. Department of Housing and Urban Development, or HUD, defined eight Healthy Homes principles necessary to maintain a healthy home: keep it dry, clean, safe, well-ventilated, pest- and contaminant-free, well-maintained, and thermally controlled. People with low incomes, however, must often choose between a healthy home that meets at least this basic standard and one that they can afford.

This evidence brief:

- Summarizes research on key factors to improving health through housing in populations with low incomes.
- Highlights the key barriers that Black and Hispanic/Latino populations confront in improving health.
- Illustrates how the work of Habitat for Humanity contributes to positive health outcomes.

Health benefits of improved housing for households with low incomes

Poor housing conditions and the lack of affordable housing are associated with negative health outcomes. Households with a housing cost burden – those spending more than 30% of their income on housing – often face difficult spending decisions and sacrifice purchasing food and health care to afford housing. In fact, severely cost-burdened households – those spending more than 50% of their income on housing – devote 57% less of their total expenditures to health care than non-cost-burdened households at similar income levels.¹ Children of cost-burdened households reported poorer health than children in households without high housing costs.²

Homeowners with low incomes tend to own older homes or homes in relatively poor condition and in communities that have more environmental pollutants and lack access to healthy foods.³⁻⁵ Substandard housing conditions contribute to adverse respiratory outcomes and lead poisoning and increase the risk of injury, especially among children and the elderly. Approximately 21% of childhood asthma cases are due to exposure to indoor moisture and mold in homes, and children of households with low incomes suffer from asthma at twice the

rate of households with high incomes.⁶ To combat the negative health effects of unaffordable and inadequate housing, households with low incomes require stable and affordable housing, housing free of physical hazards, and neighborhoods with health-promoting amenities.



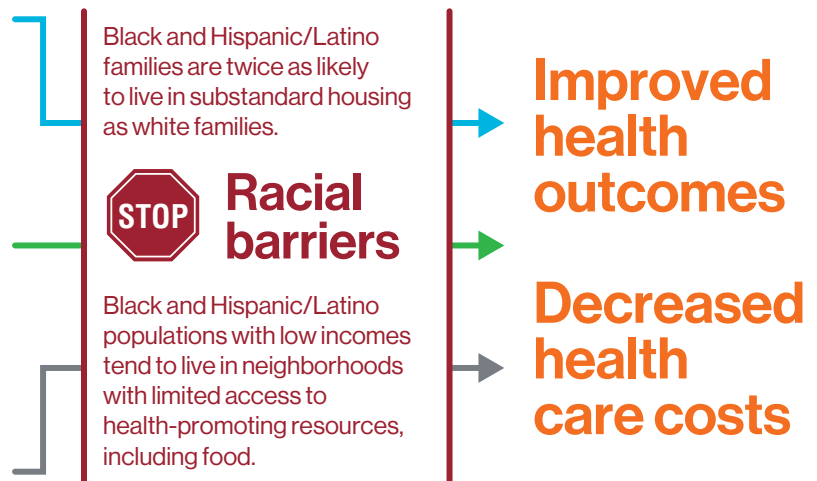
Stable and
affordable housing



Housing free of
physical hazards



Neighborhoods that
have access to
health-promoting
amenities



Key factors for health-promoting housing

Providing access to stable and affordable housing improves health and reduces health care costs.

- Households with low incomes move at more than twice the rate of households with higher incomes, primarily because of foreclosures, evictions or a need for cheaper housing.⁷
- Frequent involuntary moves or increasing housing cost burdens are associated with worse self-reported health outcomes, declining mental health, higher suicide rates, a higher likelihood of postponing medical services for financial reasons, and cost-related nonadherence to health care and prescription advice.⁸⁻¹² In fact, children who experience multiple moves — three or more times within a year — are more likely to report moderate to severe chronic conditions than children who have never moved.¹³
- Among households with low incomes, moving into more affordable (and stable) housing was associated with 18% fewer emergency department visits and 20% more primary care visits, which combined equate to a 12% (\$580) decrease in Medicaid health care expenditures from the previous year.¹⁴

Removing physical hazards and improving the safety of homes leads to better health for children and the elderly.

- Removing asthma triggers, such as pests and mold, from homes, coupled with community case management, resulted in lower health care use and improved quality of life, leading to \$3,800 reductions in three-year medical costs for children.¹⁵
- Children growing up in poor-quality housing — as measured by structural quality, clutter and cleanliness, hazards, indoor climate, and privacy/crowding — experience higher symptoms of depression, anxiety and aggression from elementary school through young adulthood when compared with children in higher-quality housing.¹⁶
- Repairs and modifications to homes, coupled with home visits by a health care provider, resulted in a 30% improvement in the ability of older adults with low incomes to perform daily activities, such as walking within the homes, bathing and dressing, eating, and

using the bathroom.¹⁷ Improving home safety resulted in a 19% reduction in the rate of falling and a 12% reduction in the number of individuals who fell.¹⁸ Fall-related injuries can lead to hospitalization, which on average costs \$30,000 per hospital stay — a cost that rises with a patient's age.¹⁹

Locating homes in low-poverty neighborhoods or neighborhoods with access to healthy foods can improve physical health and healthy eating.

- Among women who moved from high- to low-poverty neighborhoods using HUD's Moving to Opportunity vouchers, the prevalence rate of extreme obesity reduced by 19% and that of diabetes dropped by 22% after 10 to 16 years of moving, compared with women who did not have access to the vouchers.²⁰
- Supermarkets, especially large chain stores, tend to offer more affordable healthy foods than grocery stores, which tend to be smaller “mom and pop” stores. Low-income neighborhoods have half as many supermarkets but four times the number of grocery stores as compared with wealthier neighborhoods.²¹
- Locating a home within a one-mile radius of a supermarket can lead to a 15% increase in the likelihood of fruit and vegetable consumption, particularly for households with low incomes lacking sufficient transportation options.²²

Among households with low incomes, moving into more affordable (and stable) housing was associated with 18% fewer emergency department visits and 20% more primary care visits, which combined equate to a 12% (\$580) decrease in Medicaid health care expenditures from the previous year.

The racial health gap

Housing also contributes to existing racial and ethnic health disparities, as Black and Hispanic/Latino populations are especially vulnerable to the roles that poor housing conditions and neighborhood quality play in health outcomes. The prevalence of housing- and neighborhood-related health conditions, such as asthma, respiratory infections, lead poisoning, diabetes and obesity, remain higher among Black and Hispanic/Latino populations than among white populations. In fact, Black children are 1.5 times more likely to have asthma,

and Puerto Rican children are nearly twice as likely.²³ Repeated hospitalizations for asthma among children are strongly correlated with crowded housing conditions, high-minority neighborhoods and high-poverty communities, continuing legacies of discriminatory housing policies.²⁴ Homeownership confers some health advantages, but because Black homeowners are more likely to own in the same neighborhoods in which they rent, this health advantage is significantly diminished for this population.²⁵

Key place-based barriers to improving racial disparities in health

Black and Hispanic/Latino populations with low incomes tend to live in the least-desirable neighborhoods, which are plagued by environmental pollutants, lack access to healthy foods and quality health care, and have fewer recreational facilities.

- Black households with low incomes live in more environmentally hazardous neighborhoods that have up to 3.3 times the average toxic concentration levels of the average all-white neighborhood. Furthermore, Black households earning up to \$60,000 live in neighborhoods that on average have higher toxic concentration levels than the average neighborhood where white households with incomes below \$10,000 live.²⁶
- The environmental risk of being exposed to pollutants increases as the percentage of Hispanic/Latino households increases within a community.²⁷
- Access to supermarkets increases the consumption of fruit and vegetables, particularly for Black households, where fruit and vegetable consumption increases by 32% as compared with 11% among white households. However, Black neighborhoods have only one-third to one-half the number of supermarkets of white neighborhoods of comparable socioeconomic status, but two to four times more fast food restaurants and convenience stores, which stock less healthy foods.²⁸

- Black households residing in predominantly Black neighborhoods receive lower quality health care than white households, regardless of socioeconomic status. Hospitals in predominantly Black neighborhoods have fewer technological resources and fewer specialists, and those primarily serving Black patients have more negligent adverse events. Physicians in medical settings primarily serving Black patients also tend to be less competent.²⁸
- Although parks are equitably distributed across poor and minority areas, parks located in predominantly Black and Hispanic/Latino neighborhoods are three times and nine times more likely, respectively, to not have recreational facilities than white neighborhoods.²⁹

Black households earning up to \$60,000 live in neighborhoods that on average have higher toxic concentration levels than the average neighborhood where white households with incomes below \$10,000 live.



Black and Hispanic/Latino populations are more likely to live in substandard housing conditions that create unhealthy environments.

- Substandard housing conditions, such as exposure to dampness, mold, toxic gases and lead hazards, increase the risk of adverse respiratory outcomes and lead poisoning.
- Black and Hispanic/Latino populations are more than twice as likely to live in substandard housing than white populations.³⁰

How Habitat for Humanity responds

- Habitat is committed to providing stable and affordable homes for families. Habitat ensures mortgage payments consume no more than 30% of a homeowner's income and meets this goal by offering financial packages composed of low- or zero-interest loans and forgivable loans. Habitat works with families to help sustain homeownership by providing flexible mortgage restructuring options and other financial support to homeowners when they lose income.
- Central to Habitat's mission is our work in providing safe and decent homes for families – homes that safeguard a family's health, are free from physical hazards, and are designed to be accessible. This is our minimum threshold for housing quality, and maintaining this standard – and often going above it – enables Habitat to work with families to build or improve housing that reduces negative health outcomes and supports a healthy home environment.
- Habitat's repair programs offer longtime homeowners the opportunity to affordably address acute housing maintenance problems and improve the quality of their homes. This work ranges from exterior maintenance issues to more structural problems requiring significant repairs, such as roofing repairs to address mold or bacteria growth, or HVAC system repairs that result in improved air quality and reduced respiratory syndromes.
- Habitat's work focusing on serving older populations, such as our Aging in Place and Housing Plus programs, provides home repairs and community support services to improve housing quality and keep elderly homeowners healthy and in their homes longer.
- Some affiliates conduct environmental assessments before home construction and include remediations

to mitigate any environmental hazards and ensure that the location of the home is not detrimental to the health of the homeowners.

- Neighborhood revitalization programs at Habitat affiliates help drive community-level change that can improve health outcomes, including focusing on promoting or increasing access to healthy foods and providing recreational and green spaces.
- Habitat advocates at all levels of government for programs and policies that support new construction and rehabilitation of affordable homes; increase access to affordable mortgages; optimize land use regulations for affordable homes; promote investment and homeowner and renter stability in revitalizing neighborhoods; and increase affordability in healthy, well-resourced communities. These policies help homeowners and renters reduce their housing cost burdens and free up financial resources to invest in their health and wellness.
- Habitat also advocates to expand public resources for programs that help lower-income households make needed home repairs and access healthy homes.

Habitat's Aging in Place program aims to improve the quality of life through home repairs and modifications that foster a safe, livable and lasting environment so that older adults can age in their homes and communities. An aspect of the work incorporates the evidence-based Community Aging in Place - Advancing Better Living for Elders, or CAPABLE, model developed by Johns Hopkins School of Nursing to support aging-in-place services for low-income adults. CAPABLE combines nursing and occupational therapy with home repair services and has proved to increase independent living, reduce symptoms of depression, and improve motivation, leading to reduced medical costs.

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everyone

needs a place to call home

A Habitat for Humanity U.S. Research and Measurement Team evidence brief



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How does homeownership contribute to social and civic engagement?

People with low incomes have generally been less civically engaged than the population at large.¹ Because of this, they have less political and social influence and less ability to advocate for policies and issues affecting them. Homeownership motivates increased civic engagement regardless of income level,^{2,3} so increasing opportunities for homeownership among people with low incomes will increase their political and social involvement.^{4,5}

Social engagement is defined as “being actively involved in meaningful activities that are cognitively stimulating or socially integrating,”⁴ though it may be otherwise known as being neighborly within one’s community via participation in social events, volunteering or donating resources.⁵

Civic engagement includes activities that contribute to collective action, concern and improvement of others by developing knowledge, skills and initiative to improve quality of life in the community via political and nonpolitical methods.^{1,5}

Community resilience is the presence, creation and use of community resources by community members to thrive when exposed to change, uncertainty, unpredictability and surprise.⁶

This evidence brief:

- Summarizes research on housing-related factors that support social and civic engagement in populations with low incomes.
- Highlights factors that affect social and civic engagement among Black and Hispanic/Latino populations.
- Illustrates how the work of Habitat for Humanity contributes to social and civic engagement.

Social and civic engagement are essential to representation in the democratic process

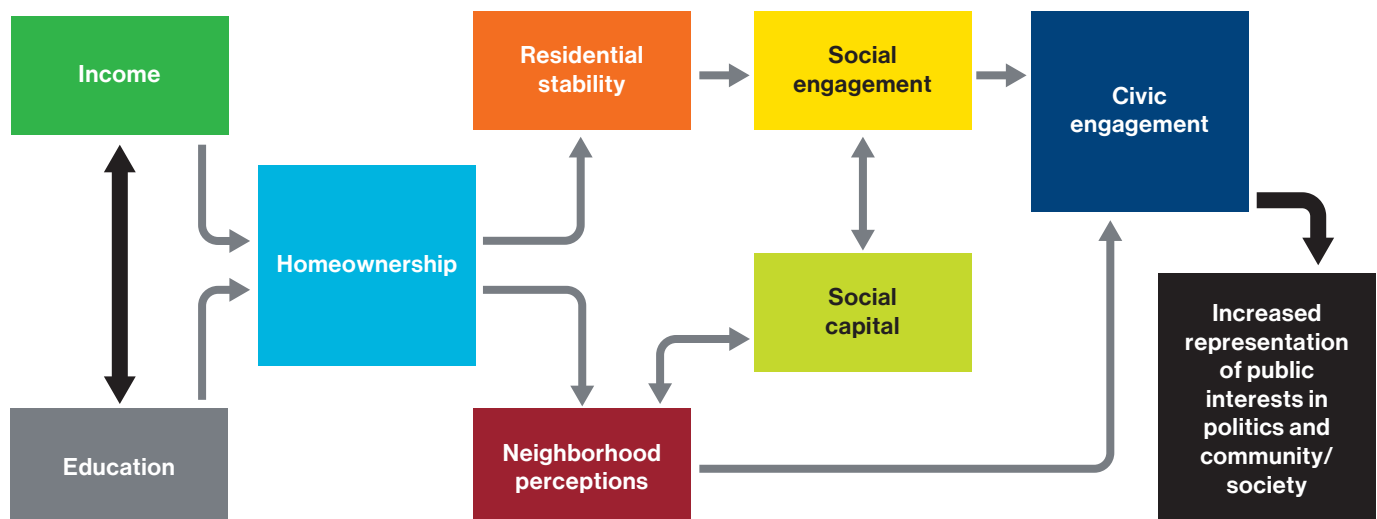
Democracy is based on lively debate of issues relevant to all people, as well as on consistent engagement in elections and other civic actions that serve the interests of the people.⁷ Social and civic engagement form the building blocks of a socially responsible society and represent how citizens engage in the democratic process.⁸⁻¹⁰ Populations with low incomes have historically low civic engagement, which is linked to low community resilience.⁶ Given that people with low incomes often live in disadvantaged or disinvested communities, the consequences of low civic engagement can lead to further disinvestment and continued deterioration of social, financial and physical resources and infrastructure.^{7,10,11}

Social engagement is a precursor to civic engagement. Socially engaging activities like volunteerism facilitate a sense of pride and belonging in one's community, forming

one's social identity and developing fulfillment.^{12,13} That community pride and sense of belonging foster connection to the community and increase the likelihood of becoming civically engaged, particularly in local elections.^{10,14,15}

Increased civic engagement, whether through voting, signing petitions or writing elected officials, improves representation of public opinion in political processes, optimizing the democratic process that has historically underrepresented people with low incomes.^{9,10,15,16} People who have higher incomes and more advanced education are more likely to be homeowners and are subsequently more actively civically and socially engaged, as seen in Figure 1.^{7,9,15,16} Homeownership also aids in increasing social and civic engagement^{5,10,14-16} regardless of a person's income level or the length of time that person resides in their home.^{10,14}

Figure 1: Pathway to increased representation of public interests via social and civic engagement

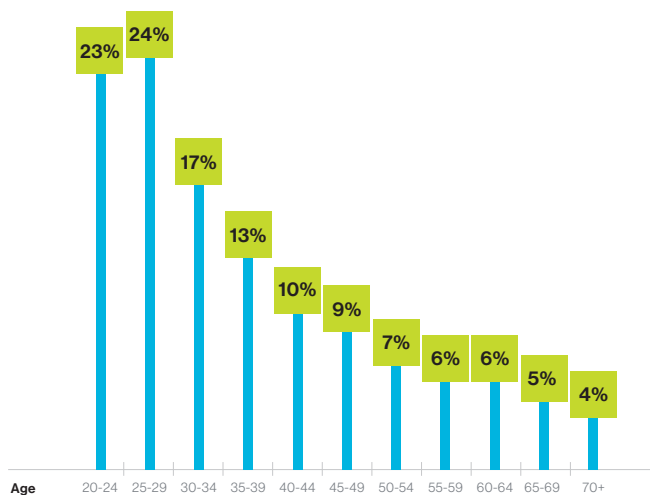


Key housing-related factors to support social and civic engagement

Supporting residential stability increases social and civic engagement.

- Residential stability among homeowners is related to improved life satisfaction, increased civic participation and educational outcomes for children, along with better physical and mental health.^{17,18}
- Residential stability is an important predictor of participating in local elections, though homeownership alone was also related to civic engagement, particularly in local elections and in community groups, after accounting for residential stability.¹⁴ Homeownership is related to greater social engagement, with homeowners more than twice as likely to join a neighborhood group than renters.¹⁰
- Homeownership is associated with increased residential stability, as renters move at about five times the rate of homeowners¹⁸⁻²⁰ and stay in their residences on average one-quarter the duration of homeowners.^{4,10} Homeowners therefore have more opportunities to build social capital within their neighborhood and community. Across rental and owned properties, the mover rate declines with age, with those 70 and older being the least likely to move (Figure 2).¹⁹

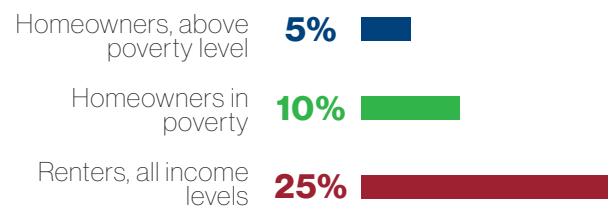
Figure 2: Percentage of people changing residence by age group, 2015¹⁹



Source: U.S. Census Bureau, Current Population Survey, 2015

- As seen in Figure 3, homeowners living in poverty were twice as likely to move as homeowners living above the poverty line.¹⁹ This may be due to being cost-burdened by a mortgage or being unable to afford the necessary repairs to maintain their home. Even so, homeowners living in poverty remain 55% less likely to move compared with renters, demonstrating the increased residential stability,¹⁹ though this reduced mobility may also be due to negative accumulated equity in the home caused by being overburdened by the mortgage or to being unable to sell because of a need for significant repairs and/or falling house prices.²¹

Figure 3: Odds of moving year over year by residence type and income level



Homeowners have more opportunity to build social capital through social engagement, which strengthens their motivation to maintain and improve the neighborhood.

Social capital is the degree to which residents of an area have access to resources through their social networks, such as having a friend or neighbor to call for help if they have a flat tire.²² Social capital is built by making connections in one's social network through one's social engagement activities. The depth and consistency of one's engagement in community activities determines the amount of social capital a person is able to build and maintain with neighbors and community members.^{2,19,22,23}

- Even after accounting for residential mobility, homeowners with low and moderate incomes have 21% more social connections that contribute to increased social capital compared with long-term renters in their neighborhood and greater community, regardless of how long they have owned their home.^{2,22}

- Homeowners' lower residential mobility may increase their connection to their community and to their neighbors.^{4,19} This attachment to the people within the neighborhood likewise strengthens homeowners' attachment to and positive perceptions of their neighborhood.²⁴
- The interpersonal bonds composing social capital enable neighbors and community members to rally around common causes, increasing the potential for civic engagement through appointment or election to local office or through petitions for policies to improve neighborhood conditions.^{2,9,10,25}
- Organized, group-based civic engagement builds social capital and collective efficacy, or the belief that a community can regulate itself.²⁶ Maintaining social engagement supports the quality of life in older adults and reduces loneliness, so aging within one's community enables the maintenance of social ties and opportunities for civic involvement.^{12,13}

Homeownership helps to build collective efficacy within the community, which enables collective action via civic engagement.

- After controlling for residential stability, homeownership has a positive impact on collective efficacy through greater neighborhood involvement due to personal and financial investments in the community.²⁷
- Social capital and collective efficacy are interrelated and based upon building bonds and trust within one's community.^{26,27} Collective efficacy is likewise interrelated with residential stability, so reducing forced moves through foreclosure or eviction has a positive impact on collective efficacy.²⁸
- Homeownership and collective efficacy reduce homeowners' perceptions of disorder and crime²⁷ and contribute to their confidence in their neighborhood. This collective efficacy enables homeowners with low incomes to advocate for their personal and community interests.

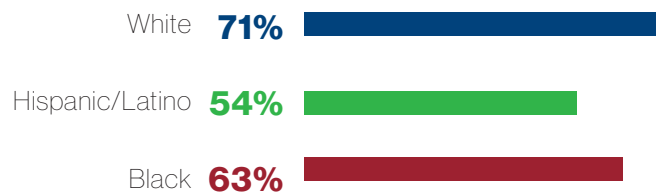


Homeownership can mitigate some racial gaps in civic engagement.

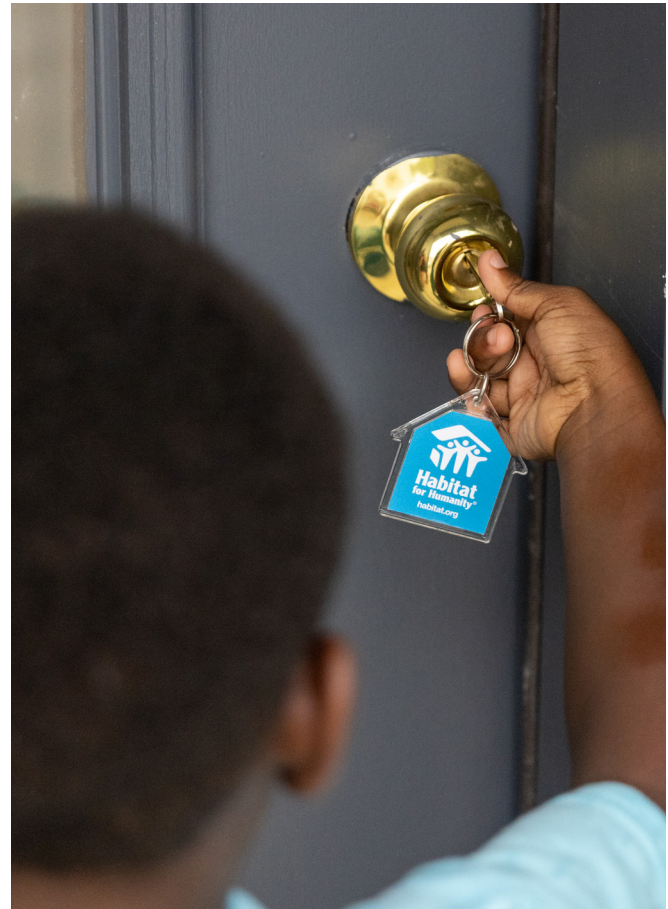
Black and Hispanic/Latino populations have been marginalized since the country's inception. The effects of marginalization persist in the form of the racial/ethnic wealth gap, lower educational opportunities and lower homeownership, all of which hinder social and civic participation.^{16,29} Increasing opportunities for homeownership for Black and Hispanic/Latino populations and making low-cost repairs to maintain the current properties of those populations can increase residential stability, which fosters social and civic engagement among these groups.^{30,31}

- When levels of education, income and employment are equal, Black populations are equally civically engaged compared with their white counterparts. However, when Black and Hispanic/Latino populations have lower educational, income and employment opportunities – often as a result of structural racism – their rates of civic engagement are significantly lower compared with white populations (Figure 4).^{7,15,16}

Figure 4: Percentage of civically engaged adults by race/ethnicity³¹



- Notably, increasing access to homeownership for Black and Hispanic/Latino adults can increase civic participation by 8% among these groups. Addressing systemic inequalities, such as improving access to higher education, would increase civic participation by 33%.^{15,16}
- According to a Kaiser Family Foundation poll,³² Black and Hispanic/Latino adults vote at greater than expected rates compared with their homeownership rates, partially because they are more likely to live in disinvested neighborhoods that require collective action to maintain and improve.^{15,16,32}
- Black and Hispanic/Latino populations are asked to engage in political activities less frequently than white populations and report greater distrust of the



government because of racial injustices (59% and 56%, compared with 65% among white populations).^{7,16}

Reasons for distrust in the government include disparate treatment of votes and disenfranchisement via suppressive voting tactics, invalidation of ballots, naturalization requirements, and laws preventing those with felonies from voting.⁷ As a result, Black and Hispanic/Latino adults are more likely to participate in civic activities outside of election processes. For example, Black adults were twice as likely to participate in a neighborhood group, a form of instrumental civic engagement, compared with their white counterparts.¹⁰

- Increased residential stability of Black and Hispanic/Latino households through homeownership and home repair programs enables these marginalized groups to remain in their homes for longer, increasing their ability to build social capital and mitigating barriers to social and civic engagement resulting from low income, low educational attainment and less lucrative employment.^{14,16,29}

Habitat's **Advancing Black Homeownership** initiative deepens our commitment to increasing homeownership opportunities for Black individuals and families and addresses the systemic racial biases that have hindered access to homeownership for generations. It aims to help end the social and economic disparity many Black people and communities of color continue to face.

How Habitat for Humanity responds

- Habitat is committed to increasing and maintaining homeownership for individuals with low incomes by ensuring that mortgage payments consume no more than 30% of a homeowner's income and by offering financial packages composed of low- or zero-interest loans and forgivable loans. Habitat provides flexible mortgage restructuring options and other financial support to homeowners when they lose income to ensure that they can stay in the communities in which they are socially invested.
- Affiliates facilitate social engagement and the creation of neighborhood-level social capital by sponsoring community events, holding home dedication/ribbon-cutting ceremonies for newly purchased homes, and founding homeowners' associations for neighborhoods built by the affiliate, known as cluster building. Affiliates also invite neighbors to participate in home dedication or ribbon-cutting ceremonies to expedite relationship-building for households purchasing homes built or rehabilitated in existing neighborhoods.
- Homeowners living in Habitat-facilitated cluster-built neighborhoods have shared lived experiences, such as navigating the Habitat homeownership process, sweat equity and homeownership education, which may facilitate social engagement and social capital-building. They may become involved in their homeowners' association, which is one form of civic engagement.
- By addressing acute housing maintenance problems and improving the quality of their homes, Habitat's repair programs enable homeowners to stay in their homes, where they are already socially engaged and have built social capital, without risking their health or well-being.
- Habitat's Aging in Place and Housing Plus programs aim to improve quality of life for older populations through home repairs and modifications that foster a safe and livable environment so that older adults can age in their homes and within their communities.
- Neighborhood revitalization programs at Habitat affiliates, which partner with Habitat homeowners' neighbors and local organizations and include building and repairing homes within existing communities, renovating and reopening closed schools, and beautification projects, help build collective efficacy among homeowners, which may lead to collective action in the form of civic engagement to maintain and continue to improve the community.
- Habitat advocates at all levels of government for programs and policies that support new construction and rehabilitation of affordable homes, increase access to affordable mortgages, optimize land use regulations for affordable homes, and promote investment and homeowner and renter stability in revitalizing neighborhoods. These policies help homeowners and renters reduce their housing cost burdens and free up time and effort to volunteer or otherwise become involved in the improvement of their neighborhood or community.
- Habitat also advocates to expand public resources for programs that help lower-income households make needed home repairs and remain in the communities where they have created social ties and are personally invested.
- Purposefully stabilizing households in neighborhoods and communities via homeownership programs and thoughtfully investing in Black homebuyers and homeowners, as Habitat does, enables homeowners to overcome structural and institutional barriers to civic engagement and to expand their social network to facilitate civic engagement.

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A Habitat for Humanity U.S. Research and Measurement Team evidence brief



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Riley County

10

Health Factors Rank

10

Health Outcomes Rank

Population: 72,208



19.d

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2023

Empty cells: Shaded cells indicate measures were new additions (@), omitted due to methodology change (#), or are unavailable due to low reliability.

Δ: Source data have not been updated since the 2022 County Health Rankings Release.

N/A: State is not ranked against counties.

	2019	2020	2021	2022	2023	Kansas 2023
Number of Counties Ranked	102	104	104	104	104	104
Health Outcomes- Rank	5	5	4	9	10	N/A
Length of Life- Rank	2	3	3	2	2	N/A
Premature death (years of potential life lost, per 100,000) ^Δ	4506	4804	4971	5013	5013	7458
Quality of Life- Rank	32	24	18	30	29	N/A
% Reporting poor or fair health, adults [#]			16	17	14	13
Average number of poor physical health days, adults [#]			4	4	3	3
Average number of poor mental health days, adults [#]			4	4	4	4
% Low birthweight, <2,500 grams ^Δ	6.1	6.3	6.5	6.4	6.4	7.2
Health Factors- Rank	21	13	3	7	10	N/A
Health Behaviors- Rank	29	17	3	3	24	N/A
% Smokers, adults [#]			17	16	18	17
% Obese, adults age 20 and older [#]				30	34	36
Food environment index, 0 (worst) to 10 (best)	5.7	5.7	6.5	5.7	5.7	7
% Physically inactive, adults age 20 and older [#]				25	22	21
% Access to exercise opportunities [#]					86	80
% Excessive drinking, adults [#]			17	18	20	20
% Driving deaths with alcohol-involvement ^Δ	22	25	24	27	27	19
Sexually transmitted infection rate, per 100,000 population	683	680	785	737	550	502
Teen birth rate, per 1,000 females age 15-19 ^Δ	13	12	11	10	10	22
Clinical Care- Rank	2	4	2	5	4	N/A
% Uninsured, population under age 65	9	9	8	10	10	10
Primary care physicians rate, per 100,000 population	65	69	68	70	75	79
Dentists rate, per 100,000 population	62	62	62	60	58	62
Mental health providers rate, per 100,000 population	213	235	238	268	289	224
Preventable hospital stays rate, per 100,000 Medicare enrollees	2356	2769	2455	2554	1708	2708
% Mammography screening, Medicare females age 65-74	51	51	50	52	51	42
% Flu vaccinations, Medicare enrollees	57	58	61	58	62	51
Social & Economic Factors- Rank	33	31	28	60	24	N/A
% High school completion, adults age 25 and older [@]			96	96	96	92
% With some college, adults age 25-44	84	82	81	83	82	71
% Unemployed, population age 16 and older	3	2.9	2.8	5	2.8	3.2
% Children in poverty	14	13	13	18	12	14
Income inequality ratio, 80th to 20th percentile	4.7	4.8	5	4.8	5	4.4
% Children in single-parent households [#]			24	27	27	21
Membership associations rate, per 10,000 population	11.5	11.5	11.4	12.1	11.6	13.2
Injury death rate, per 100,000 population ^Δ	42	40	40	40	40	78
Physical Environment- Rank	88	92	86	54	54	N/A
Average daily density of fine particulate matter	9	9	7.3	8.4	8.1	6.7
Drinking water violations?	Yes	Yes	Yes	No	No	
% Households with severe housing problems	23	21	21	20	20	13
% Driving alone to work	74	74	73	70	68	79
% Long commute - driving alone	11	11	12	13	13	22

Attachment: 2023 Riley County Health Ranking (13288 : Housing discussion)

The annual *County Health Rankings* provide a snapshot of the health of Kansas counties. The *Rankings* are made up of two summary scores: **Health Factors** (which measure issues that can shape the health outcomes) and **Health Outcomes** (which measure length and quality of life). The following tables illustrate the “drivers,” or measures with the greatest impact on ranking position, for this county.

What do these drivers mean?

The drivers indicate the measures with the greatest impact on the ranking position. Drivers labeled with a green plus sign are measures on which the county performed particularly well. Drivers labeled with a red minus sign indicate priority areas which, if improved, could have the greatest impact on improving the rankings of the county.

Health Factors: Drivers with greatest impact on ranking, Riley County, KS - 2023

	Measure	Description	Factor Category	County Value	State Value	Impact on Rankings
1	Injury Deaths	Number of deaths due to injury per 100,000 population.	Social and Economic Environment	40	78	+
2	Some College	Percentage of adults ages 25-44 with some post-secondary education.	Social and Economic Environment	82%	71%	+
3	Adult Obesity	Percentage of the adult population (age 18 and older) that reports a body mass index (BMI) greater than or equal to 30 kg/m2 (age-adjusted).	Health Behaviors	34%	36%	+
4	Adult Smoking	Percentage of adults who are current smokers (age-adjusted).	Health Behaviors	18%	17%	+
5	Severe Housing Problems	Percentage of households with at least 1 of 4 housing problems: overcrowding, high housing costs, lack of kitchen facilities, or lack of plumbing facilities.	Physical Environment	20%	13%	-

Health Outcomes: Drivers with the greatest impact on ranking, Riley County, KS - 2023

	Measure	Description	Factor Category	County Value	State Value	Impact on Rankings
1	Premature Death	Years of potential life lost before age 75 per 100,000 population (age-adjusted).	Length of Life	5013	7458	+
2	Poor Mental Health Days	Average number of mentally unhealthy days reported in past 30 days (age-adjusted).	Quality of Life	4	4	+
3	Low Birthweight	Percentage of live births with low birthweight (< 2,500 grams).	Quality of Life	6.4%	7.2%	+
4	Poor Physical Health Days	Average number of physically unhealthy days reported in past 30 days (age-adjusted).	Quality of Life	3	3	+
5	Poor or Fair Health	Percentage of adults reporting fair or poor health (age-adjusted).	Quality of Life	14%	13%	+

NR: Measure could not be reported for this county.

+ Green Plus: Measure with a positive impact on a county's ranking position.

- Red Minus: Measure with a negative impact on a county's ranking position.

Technical Note: The state values are only provided as a point of reference. They have not been used in the determination of county rankings or top drivers for health outcomes and health factors. Drivers are provided in order of impact on ranking for this year. For more information on the calculation of score and rankings, please visit: <https://bit.ly/2023CHRzScores>. For more information on measure source, ranking weight and year please visit <https://bit.ly/CHRinfo>.

Attachment: 2023 Riley County Health Ranking (13288 : Housing discussion)



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Packet Pg. 92



HOUSING MARKET ANALYSIS

A CROSSROADSMHK INITIATIVE
Manhattan, Kansas



The City Commission approved adoption of the Housing Market Analysis (HMA) as an amendment to the Manhattan Urban Area Comprehensive Plan (MUACP) by Ordinance 7613 on November 1, 2022.

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Chapter 1

Introduction & Summary

Affirmatively Furthering Fair Housing (AFFH) Statement

As a recipient of federal financial assistance, the City of Manhattan assesses and creates policies and programs in all steps of its housing planning and development activities that move beyond discrimination to take meaningful steps to overcome segregation patterns and foster inclusive communities.

U.S. Department of Housing and Urban Development, Title VIII of the Civil Rights Act of 1968, known as the Fair Housing Act

Study Background & Purpose

Manhattan increasingly recognizes **the importance (and challenge) of ensuring the availability of housing suitable for its growing community.**

Housing is a highly complex subject impacted by national macro-economic conditions, regional market forces, the physical characteristics of a place, a community's history, and more. It is also foundational to community prosperity, impacting household stability, the local tax base, employers' ability to attract and retain a competitive workforce, individual health, and neighborhood character. These features of housing make efforts to understand and strengthen local housing markets both highly technical and emotional, often confronting disparate experiences of housing trends and trade-offs in possible policy interventions.

The City understands the importance of housing issues to the community, and initiated the Housing Market Analysis (HMA) in 2021 to:

- Study key trends impacting housing needs;
- Quantify demand for future housing; and
- Identify strategies targeted to housing needs in the community.

As is detailed on the following pages, the HMA blends technical analysis with a variety of community engagement methods designed to diagnose key challenges, identify possible solutions, and facilitate dialogue about community experiences and priorities. Importantly, the HMA also includes focused recommendations about how best to use workforce housing funds generated by the Economic Recovery and Relief sales tax.

Why Conduct the Housing Market Analysis?

2021 and 2022 represented a timely opportunity for a focused study of housing needs.

Economic Recovery and Relief Sales Tax
Manhattan voters passed a ballot measure on November 3, 2020, to adopt a citywide 0.5% Economic Recovery and Relief sales tax. The sales tax proceeds will be used for a number of purposes related to economic development and recovery, including a dedicated 10 percent of proceeds toward “workforce housing” initiatives. (Proceeds will also be used to reduce the ad valorem property tax burden on City taxpayers, to pay for public infrastructure projects related to quality of life and economic development, and initiatives intended to recruit, retain, and grow jobs.) This effort was led by the Manhattan Area Chamber of Commerce.

The sales tax will take effect on January 1, 2023 and remain in effect for 10 years. Over the 10-year period, the tax is expected to generate \$65 million, of which \$6.5 million would be available for workforce housing initiatives.

While the HMA is scoped to look at the full spectrum of housing needs in Manhattan, a critical component of the HMA is defining local workforce housing needs and outlining priority workforce housing initiatives to implement and fund.

Update to the 2000 Housing Study

Manhattan's 2000 housing study served as a valuable tool for the City in responding to growth and guiding development. However, a great deal has changed in the two decades since—market preferences,

What is the Housing Market Analysis (HMA)?

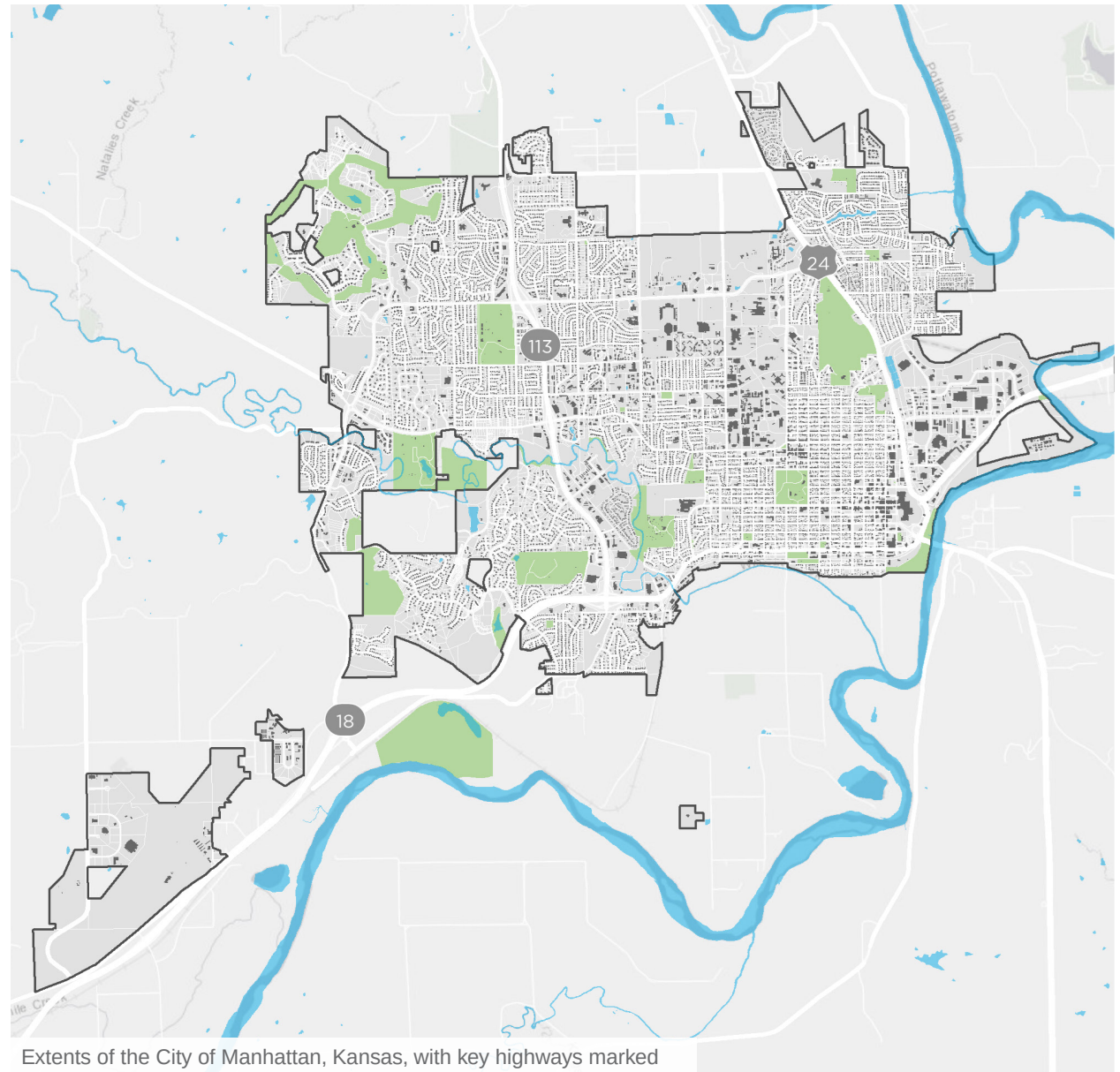
1. Studies key trends impacting housing needs.
2. Quantifies demand for future housing.
3. Identifies strategies targeted to housing needs in the community.

housing conditions, local employment, and demographics have all evolved significantly since that time. The HMA provides an update to the 2000 study that the City and community partners can use to guide their work in the years ahead.

Align the Work of Community Partners

Several community groups in Manhattan have growing interest in identifying housing solutions that meet community needs, including Manhattan Area Habitat for Humanity, Kansas State University, and Ft. Riley. The Community Solutions to Affordable Housing study facilitated conversations about affordable housing and related issues, generating several ideas for potential solutions. The Manhattan Area Chamber of Commerce led the effort to support workforce housing development as a part of the Economic Recovery and Relief sales tax initiative. At the state level, the Kansas Housing Resource Corporation (KHRC) performed the first state-wide housing study in more than twenty years, which highlighted the need for more housing units, and a greater variety of unit types across Kansas and in Manhattan.

These and other community efforts highlight the importance of suitable housing to the Manhattan community. The HMA represented an opportunity to align partners' work under a single umbrella, using shared analyses and an overarching framework of goals.



Extents of the City of Manhattan, Kansas, with key highways marked

Process & Involvement

Housing studies are highly technical and data-driven. Thus, it is important to capture and understand community experiences of the housing market. Additionally, it is impossible to identify strategies best-suited to meet local housing needs without input from community members regarding local values, capacities, barriers, and priorities.

The HMA followed a five-step process, allowing the consultant team to engage in an iterative dialogue with the community. Each step (described in detail on the next page) brought the process closer to a clear understanding of housing needs and priority strategies.

The HMA process blended technical analysis with several community engagement methods that, together, helped paint a complete picture of housing needs and priorities. Community engagement activities were core parts of the study, contributing:

- Local expertise on market dynamics;
- Insight into personal experiences navigating housing market challenges;

- Information about the local housing ecosystem (i.e., capacity and interest in advancing possible housing activities); and,
- Feedback on possible policies, strategies, and programs.

The consulting team employed three main methods to access the diversity of perspectives and experience present in the community, and to solicit feedback that shaped the recommended strategies.

Steering Committee Work Sessions

The consulting team worked closely with a Commission-appointed Steering Committee. The 17-member Steering Committee of local experts provided critical feedback throughout the process and helped prioritize possible strategies. This group is also well-positioned to identify opportunities for collaboration as strategies are implemented.

Stakeholder Roundtables & Interviews

The consulting team held roundtable discussions and interviews with local housing stakeholders to enrich their analytical understanding and identify key issues. These discussions involved more than 40 individuals representing a vast diversity of perspectives including developers, lenders,

major employers, local nonprofits, rental property owners, property managers, service providers, and more. These discussions shed light on Manhattan's unique housing market dynamics, and helped to identify possible strategies.

Community Survey

The consulting team created a survey that invited community input on their housing experiences and priorities. The survey was made available both online and via hard copy (in English, Spanish, and Mandarin) and received more than 1,400 responses. Data from the survey provides invaluable insight into the housing preferences and challenges of Manhattan's population.

Key updates and deliverables were also regularly posted on the City's web pages, keeping the community up-to-date on project progress.

Additional Outreach

In addition to the consulting team's efforts, the Community Development Department engaged in public outreach with individuals and organizations, including the Chamber of Commerce, private developers, and others.



Understand

The Understand phase established the baseline housing conditions in Manhattan, particularly as they relate to market trends and affordability. This included extensive field work, conversations with the Steering Committee and housing stakeholders, and detailed quantitative analysis.



Analyze

The Analyze phase used several methods of demand analysis to project future housing demand for Manhattan. It also evaluated the economic feasibility of possible housing investments—such as new construction and renovation of different housing types—in order to inform potential workforce housing strategies.



Strategize

The Strategize phase built on the foundation of the market and economic analysis to create a set of goals and a holistic strategic framework for housing in Manhattan. While workforce housing initiatives received special focus in this phase, the strategy also includes supporting tools, policies, and long-term considerations suited to meet the full spectrum of housing needs.



Align

Based on feedback and discussion during the Strategize phase, the Align phase outlined priority strategies and implementation steps. This implementation framework identifies roles for the City as well as for community partners in addressing the full range of housing needs in the community.



Findings & Recommendations

Manhattan's housing market truly is unique—the city's economic and geographic context creates dynamics that cannot be addressed by boiler-plate tools and policies.

The Housing Market Analysis process was designed to build understanding of Manhattan's unique dynamics, highlight key needs and opportunities, and identify the responses that are best-suited to respond to Manhattan's specific context. The four steps of the process integrated analysis, community input, and structured dialogue intended to quantify those unique market dynamics as well as identify appropriate policy responses.

This section summarizes key housing needs identified in the HMA, as well as the recommended housing strategies. (These subjects are described in much greater detail in the chapters that follow.)



Key Housing Challenges

Significant Demand Across the Affordability Spectrum

The market analysis applied a combination of methods to project housing demand in Manhattan for the next two decades. The study concluded that there is demand for between 2,800 and 4,400 additional units of housing (800 of which could be met through renovation of the existing housing stock). This demand spans the entire spectrum of

household affordability, including housing needs for low-income households, middle-income or “workforce” households, and higher-income households.

High Cost of New Housing

It is currently exceedingly difficult to develop new housing that is attainable to moderate-income households without some level of support. This is driven, in large part, by national trends and supply shortages that cause escalating material prices and



submit offers on. A balanced market typically has a five to seven month supply. A lack of supply contributes to buyers paying above list prices, multiple offers on a single home, and rapid price increases.

Young Professionals

The Manhattan community strives to cultivate a vibrant workforce; attracting and retaining talented young professionals is one dimension of an overall workforce development strategy. While Manhattan out-performs other communities in the metropolitan area in the growth of its young professional population, it actually lags most of its peer communities in other parts of the country. Expanding the availability of attractive and attainable housing opportunities can help Manhattan better compete and sustain its growing economy.

Older Adults

Seniors (those aged 55 years or more) are, by far, the fastest-growing age cohort in Manhattan. As Manhattan's older adults age into new life stages, their housing needs will change. Some may want to make accessibility improvements to their current homes, some may want to downsize, some may want to live with or closer to younger family members, and some may want to enter community arrangements that offer medical support on-site.

construction delays. Local infrastructure development needs also add to housing costs of new housing in greenfield areas.

Housing Instability

As in the nation overall, very low-income households in Manhattan struggle to make ends meet, often straining to make rent or mortgage payments. This can put families at risk of homelessness, or cause them to move frequently in a manner that disrupts stable employment, harms school attendance, and

creates chronic stress. To the greatest extent possible, helping low-income households mitigate housing instability can allow them to thrive in other areas of their life, including through active participation in the workforce.

Inventory Shortage

As of Spring 2022, Manhattan has a low inventory of available homes currently listed for sale. There is just one month of supply, which creates means that prospective buyers have a limited selection of homes to view and



Shift in Student Demand

Kansas State University has experienced declines in student enrollment since 2014. At the same time, newly-built student-oriented multifamily properties have performed relatively well. And in 2022, K-State instituted a requirement that first-year students live on campus during their first year. The aggregate impact is a shift away from demand for student-oriented housing in single-family



rental arrangements (i.e., converted single-family detached homes). This creates an opportunity and need to transition these properties to meet other types of housing demand.

There is adequate rental housing stock to accommodate increases in enrollment from current levels.

Condition Challenges

Community conversations consistently raised concerns about the physical conditions of some of Manhattan's older housing, including both for-sale and rental housing. There were several dimensions of this concern, sometimes regarding available homeownership opportunities, and sometimes a segment of the community's rental housing. Each of these challenges is difficult to adequately quantify or analyze, yet the prevalence of conversation highlights the need to improve the marketability and condition of housing opportunities currently affected by these challenges.

Recommended Housing Strategies

The HMA Steering Committee, City staff, local housing stakeholders, and the consulting team worked together to identify four overarching housing goals and a series of associated strategies to advance those goals. This Strategic Framework is outlined on the next page, and detailed in Chapters 4 and 5.

Strategic Framework Overview: Recommended Best Practices from other Communities

Goal 1: Workforce Housing	Goal 2: Policy Support	Goal 3: Housing Planning	Goal 4: Maintain & Renovate
Utilize Economic Recovery & Relief sales tax funds to increase and preserve the workforce housing inventory.	Support housing efforts that address housing challenges faced by all housing segments.	Invest in planning aimed at reducing barriers to adding, stabilizing, and securing quality, attainable housing.	Encourage maintenance and improvement to the community's existing housing.
Establish a revolving loan program for new construction, renovation, and redevelopment to create workforce-affordable housing Pursue additional sources of funding to complement revenue from the economic recovery & relief sales tax Expand assistance for first-time homebuyers to support mortgage attainability Support community efforts that facilitate workforce housing development	Provide support to community groups working to establish cooperative models, such as a Community Asset Transition fund, Community Land Trust, Limited Equity Cooperative, or other model. Continue to maximize use of federal funding programs to address key housing challenges Continually identify opportunities to support community partners in successful implementation of housing activities	Strengthen local capacity to guide the creation and preservation of needed housing opportunities Continue to align local policies that facilitate the creation and preservation of needed housing Strengthen relationships and communication with the development community	Establish a Neighborhood Revitalization Program to encourage property improvement and redevelopment in targeted areas In coordination with community partners, continue to provide home repair assistance to low-income homeowners Continue to explore best practices for encouraging maintenance and improvement of existing housing



Chapter 2

Housing Analysis

The Context for Housing in Manhattan

No two communities are alike. **Manhattan has specific features** that impact its ability to create and sustain suitable housing opportunities.

A Landlocked City

Manhattan is largely “landlocked” in its potential for new development. While undeveloped land exists and there is capacity for some development, the flood plains along the Big Blue and Kansas Rivers, the K-State land to the north and northwest, Tallgrass Prairie National Preserve to the south, and Ft. Riley and its associated noise impact area to the west make it infeasible to expand into many of the undeveloped areas around the city. This dynamic makes it difficult to add new supply to the market, which contributes to escalating prices and unattainability. This also heightens the importance of exploring housing typologies in redevelopment areas that can create more new units with less land—moderately dense housing types that also support walkability, as seen in taller structures and mixed-use developments.

Institutional Impacts

Kansas State University, Fort Riley, National Bio and Agro-Defense Facility, and the animal health corridor are major economic drivers, consistently bringing new people to the community—whether as students, sta

faculty, service members, army civilians, contractors, and employees. K-State and Fort Riley also play a significant role in Manhattan’s housing market. The relative impermanence of student and military households, for example, means that renting is the appropriate option for many; indeed, the city has a higher rental rate than the average American community. Even though about half of the city’s housing stock is single-family, a full 57 percent of the city’s households rent (49 percent in the region)—compared to 32 percent in the state and 35 percent in the nation overall.

As a captive audience of first-time renters, students can be at risk of neglectful practices by landlords. Students may not be familiar with their legal rights as renters, may not know what to look for in a lease, and may be willing to accept low-quality housing options in a trade-off for a walkable location near campus and Aggieville.

At the same time, the student housing market historically elevated property value expectations in neighborhoods near campus. Students often rent in larger groups, who in combination may pay a high overall rent for the housing unit, even if only paying under \$500 each per bed. Historically, this meant that older single-family homes had a higher market value as a rental property than as owner-occupied property.

What is “Suitable Housing”?

Suitable housing is a broad concept encompassing all the characteristics that make a home a good fit for a given household: a home’s size, quality, amenities, and condition, whether it is rental or for-sale, location, and, of course, affordability.

An “affordable” monthly housing expense (i.e., rent or mortgage payment plus utilities) is conventionally understood to comprise no more than 30 percent of a household’s gross monthly income. For the median household in Manhattan (earning \$51,000 a year) this equates to a maximum \$1,275 monthly housing expense. A household paying more than 30 percent of its income toward housing costs is considered to be “cost burdened.”

What is “Missing Middle” Housing?

Missing Middle Housing refers to house-scale buildings with multiple units—duplexes, four-unit walkups, and other housing types compatible to single-family homes. Allowing for and supporting Missing Middle Housing can help support neighborhood walkability while also introducing housing types which may be more attainable than conventional single-family detached homes.

However, the market shifted in recent years such that single-family homes increasingly have higher value as owner-occupied properties than as converted rental properties. The softening student market for single-family rental housing can be attributed to a combination of declining enrollment at K-State, and the introduction of new, market-rate student-oriented housing options.

The “live-on” requirement K-State introduced in fall 2022 is expected to further contribute to these market shifts. Yet the escalated costs of construction and “reconverting” a home to a more typical single-family configuration is still a barrier to returning these single-family homes to Manhattan’s supply of homeownership opportunities. It is also important to balance these reconverting efforts with the need to maintain the current supply of affordable housing that is provided by these non-conforming units.

Economic Diversity

Housing has a critical role to play in cultivating a diverse and resilient local economy. Desirable and suitable housing options are essential in attracting and retaining a competitive workforce. Indeed, housing suitability and attainability are growing in importance as economic development priorities.

The presence of K-State and Fort Riley have been both an asset and a challenge for

Manhattan. On the one hand, the relative stability of higher education and military sectors means that they serve as anchors in Manhattan’s local economy, stabilizing it against the ups and downs of the business cycle and of economic shocks (such as from COVID-19). On the other hand, the lack of economic diversity in the local economy historically tied Manhattan’s economic growth potential to these sectors.

The community is taking positive steps to leverage these institutions in a way that diversifies the local economy through the National Bio and Agro-Defense Facility, animal health corridor, and associated businesses. The recent announcement of the planned Scorpion Biological Services facility is an incredible boon to Manhattan’s local economy, and is projected to create 500 new, high-paying jobs over the next seven years.

National Trends Impacting Manhattan’s Housing Context

National economic trends also set an important context for understanding Manhattan’s housing needs.

Escalating Construction Costs

Rising construction costs have made it increasingly difficult to deliver new housing at attainable prices. Awareness of high construction costs has grown amid the supply shortages associated with COVID-19,

Military Family Housing Demand

Fort Riley provides value to the region and the community, serving as one of the largest employers and having a \$1.9 billion dollar economic impact. Its housing demand matches the greater Manhattan housing market with a full spectrum of consumers with different resources, needs, and preferences. Fort Riley currently has 3,826 family housing units on post at an occupancy rate of 96 percent and barracks occupancy at 95 to 96 percent. This implies there are a variety of family unit types including single soldiers, who might fall into the “workforce housing” definition looking for on-post housing. Approximately 1,742 of 5,400 military-affiliated families live in Manhattan proper (1,079 active military / 666 Department of Defense civilians).

Military households represent a small fraction of the 22,000 households living in Manhattan and come with unique characteristics. First, with deployments, permanent change of stations, and short-term training exercises, the population of active military soldiers and their families in our community is constantly shifting. This makes it incredibly difficult to forecast the military’s future housing needs. Additionally, active military personnel receive Basic Allowance for Housing (BAH) from the Department of Defense to assist with housing costs. While this makes housing more attainable on-post, this can also have a negative impact on the cost of housing in communities surrounding military installations.

Manhattan at a Glance

Population	55,400
Households	20,900
Median household size	2.3
Median household income	\$51,000
Population aged 18-24	31%
Vacancy rate	12%
Renter occupancy	57%
Owner occupancy	43%
Median home value	\$232,000
Share of units that are multifamily	35%
Share of units that are single-family	49%

Source: ESRI 2021



yet construction costs rapidly escalated over a much longer period. Between 2001 and 2019, construction costs increased by 100 percent, and by 30 percent from late 2019 to mid-2022. Escalating costs are attributed both to materials and labor. In Manhattan, a shortage of skilled trade workers has led to increased prices.

Low Inventory and Rising Home Prices

The low inventory of available homes is contributing to rising prices and difficulty for first-time homebuyers. The inventory of available homes hit a record low in early 2021 and has not recovered, with a particularly acute shortage in existing homes on the market. This exacerbated a trend of home

price growth that has been in effect for nearly a decade, with real (inflation-adjusted) home prices above the mid-2000s peak and 60 percent above their 2000 level (ZHVI).

Inflation

The consumer price index, an inflation gauge that measures costs across many different items, rose eight percent during the course of this study (September 2021 to August 2022); this is the fastest pace since 1982. These trends are stretching the budgets of low- and moderate-income households, making it increasingly difficult to save for financial priorities like buying a home.

Short-Term Rental Demand

The recent phenomenon of short-term rentals (STR) as a lodging option is impacting every community across the nation. In Manhattan, this model appeals to visitors to K-State, Fort Riley, the Tallgrass Prairie, and other community amenities. It also serves as an additional source of revenue for private property owners.

The MDC regulates STRs as a commercial use and establishes a conditional or limited use process for reviewing and approving prior to operation. However, the MDC has only been in effect since January 1, 2022 and isn't prescriptive in addressing the long-established presence of STRs in Manhattan, though it creates a process to address compatibility and potential external impacts. It is recognized that STRs will be part of an ongoing conversation on housing availability and affordability.

Statewide Trends Impacting Manhattan

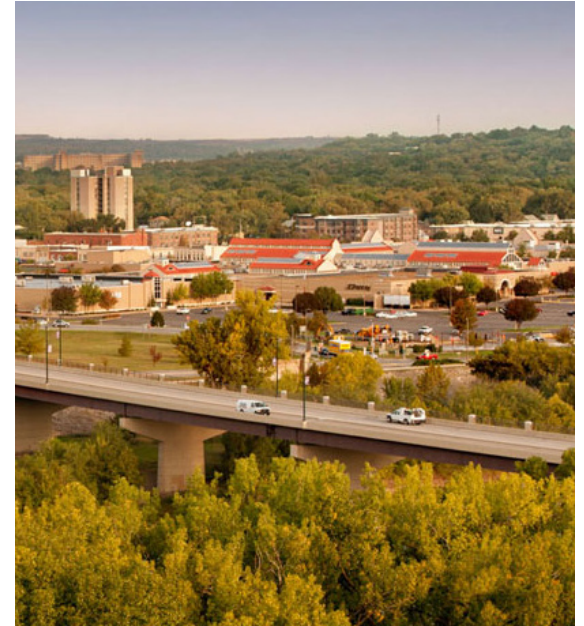
The Kansas Statewide Housing Assessment 2021 ("Assessment") sheds further light on trends impacting the housing context in Manhattan. The assessment is available at <https://kshousingcorp.org/kansas-statewide-housing-needs-assessment-2021/>.

Movement Toward Metropolitan Areas

The state assessment identifies that Kansas's population is converging toward Metropolitan areas, such as Manhattan, drawing largely from smaller counties in the surrounding area. Yet the low production of housing units to meet that growing demand is preventing interested households from finding housing options that meet their needs in communities of their choice. Riley County has the highest housing value to homeowner income ratio (3.93) of any county in the state, reflecting significant affordability challenges for current and prospective residents alike. Riley County similarly had among the highest ratios of median gross rent to renter household income.

Aging Population

The Assessment also identifies that all regions across the state experienced an increase in population over the age of 55, and a decline in the 45-54 age cohort. Just as in the nation as a whole, these trends reflect the aging of the Baby Boomers, and the ongoing need to expand housing options that meet this generation's needs. Options to help these households age in place, downsize, and connect to needed health and social supports are all an important part of the conversation.



Key Housing Market Trends

Understanding housing attainability **and affordability is a more complex** exercise than meets the eye. One must ask several questions: “Attainable to whom? Attainable compared to what? What is available?” This section explores **different dimensions of each of** these questions.

The Spectrum of Attainability

What is affordable to a household is directly impacted by that household’s income, while community-level affordability must consider the community’s full spectrum of household incomes. The chart on page 24 shows the income distribution of households in the Manhattan region and the city of Manhattan

along a spectrum of the area median income. (The chart reflects affordability of those aged 25 years and older a proxy for understanding the non-student population.)

The Cost of Available Housing

The costs of housing—sale prices and rents—have a critical bearing on home attainability in a community. Home prices in the Manhattan area steadily increased over the last two decades, with median sale prices rising from \$117,000 to \$199,000 (or over 70 percent) since 2003. At four percent annually, this rate of home price growth is two and a half times greater (250 percent faster) than the current rate of household income growth (1.5 percent). The price of new homes rose at a particularly rapid rate in recent years—nearly 50 percent since 2012, and a staggering 16 percent, or \$46,000 per home, in just this past year.

Reliable rent data are less broadly available than home sales information, but available data suggest modest rent growth—an estimated rate of just six percent since 2010. The median gross rent in the city is \$910, and \$970 in the region—above the state average, but below the national average (\$1,100). These trends reflect the relatively soft overall rental market, which is associated with declining relative demand due to factors such as K-State’s decreased enrollment over the past seven years.

At the same time, newly built multifamily properties are performing well. After several years’ stabilization (absorption) of new units, properties built since 2010 are at 94.3 percent overall occupancy—a strong indicator of their marketability to the segment of the rental market that can afford the higher rents in new properties.

Housing Availability

Home availability is also an important component of attainability. The number of homes on the market at any given point in time, and the number of homes added to the supply each year, are both important indicators of the options available to a household looking for quality housing. In Manhattan, both indicators point to a declining availability of for-sale homes, which contributes to the price growth experienced in the region.

MLS data for the region show a precipitous decline in active listings since 2018—to levels not seen since the Great Recession in 2008—as well as a longer-term trends of declining days on the market of sold homes. Together, these illustrate how Manhattan’s market became more competitive in recent years as there are fewer options available to prospective buyers, and available options are purchased more quickly.

Sales prices in the past year have also been an average of \$11,000 higher than list prices,

What is Area Median Income?

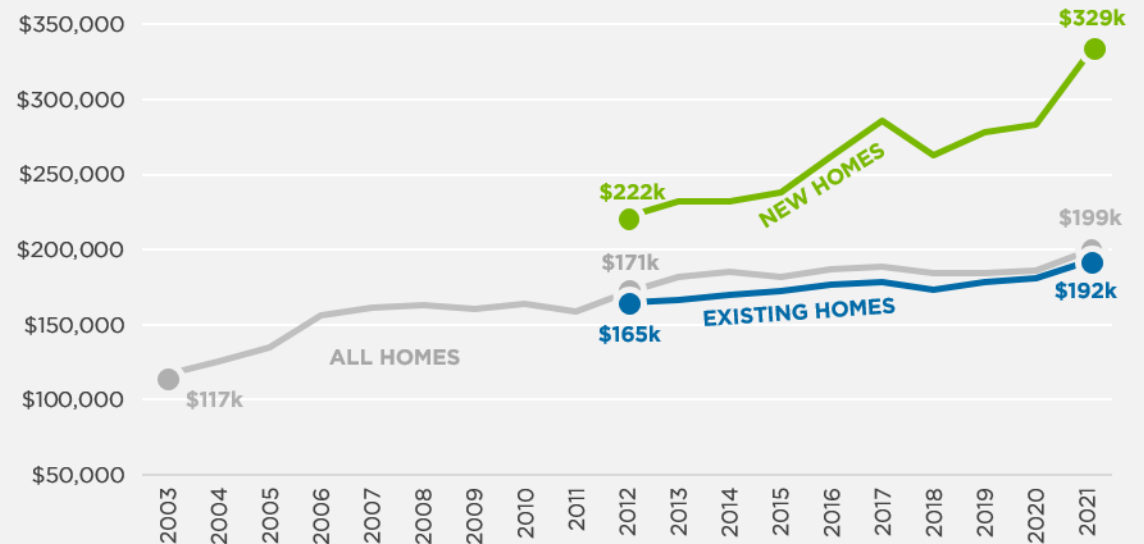
Area median income (AMI) is a regional measure of a community’s median household income. AMI percentages are often used as a way of describing different types of household income levels, and defining maximum affordable rents (including utilities) and home prices for different income categories.

showing how buyers are outbidding one another to get under contract. Competition is especially high for existing homes, with final sales prices \$20,000 higher than list prices. In a market like this, households with extra savings and higher incomes will consistently outbid others, meaning that listings which might be affordable to a low- or moderate-income family are rarely actually available to that family.

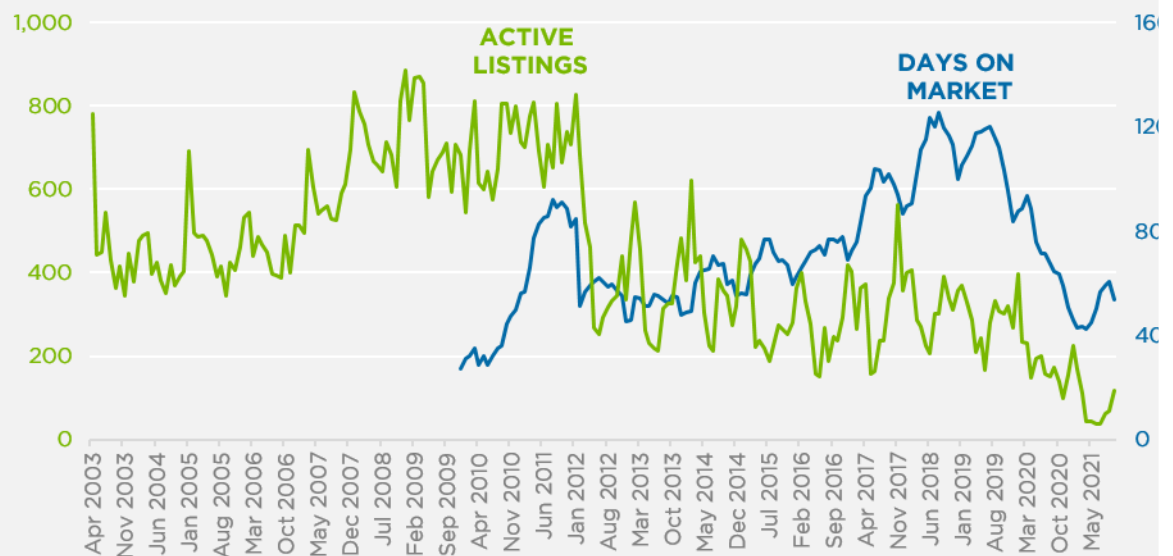
Additionally, building permits in the area did not recover to their pre-recession levels. While the region's rate of new construction has exceeded the rate of household growth, new homes have largely been priced at levels only attainable to higher-income households in the region—particularly since 2015. The lack of new supply that is affordable to a broader segment of the community contributes to rising prices and the competitive market, as well as households living further from school or work, in many cases living outside of the city limits.

These trends point to an urgent need to expand the supply of homeownership opportunities across the affordability spectrum, with special attention paid to creating homes in the workforce-affordable range, where there is the most pent-up demand.

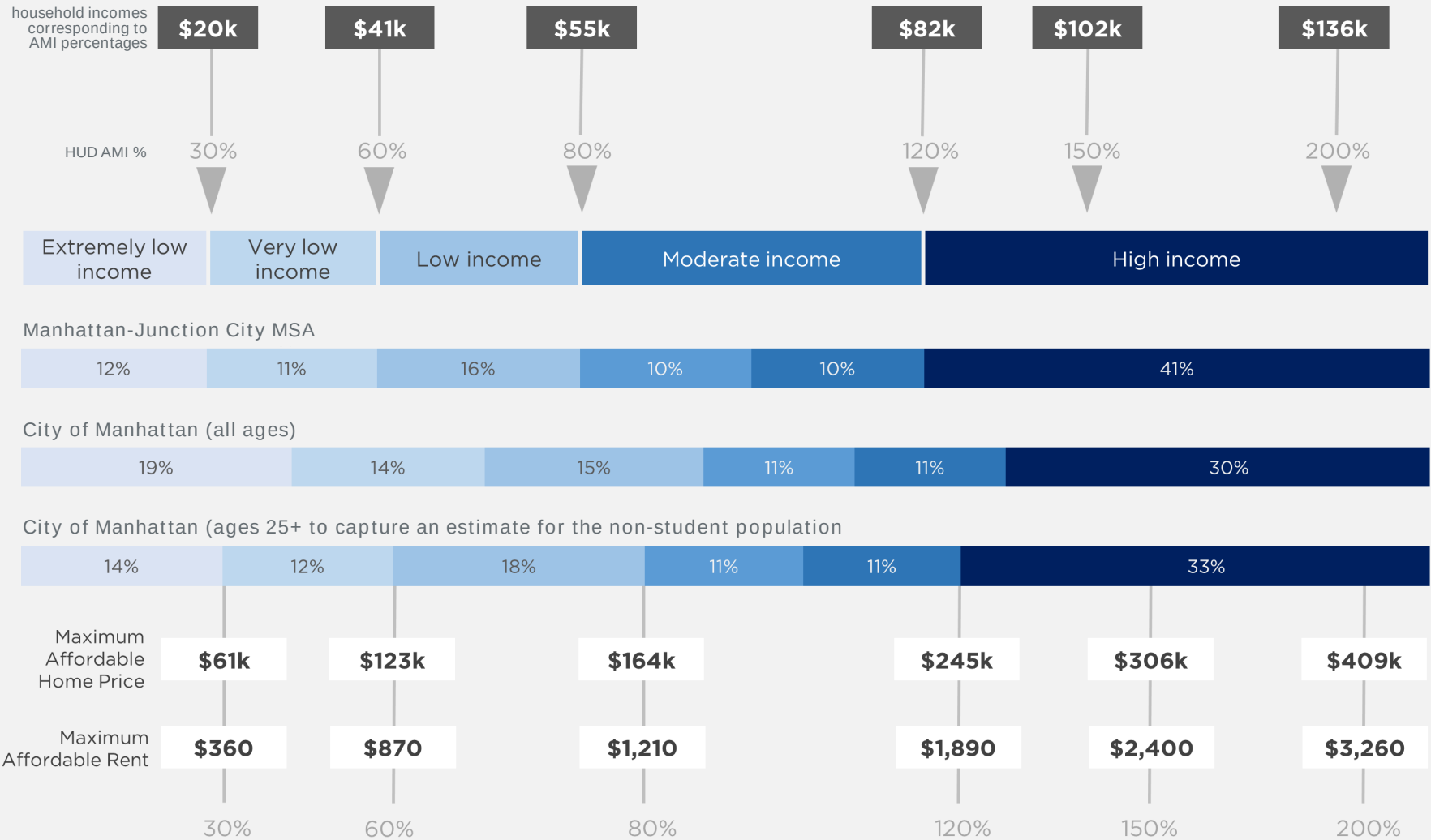
Average Sale Prices



Housing Availability



Spectrum of Affordability



Source: HUD, 2019 American Community Survey (Five-year) Development Strategies, ESRI 2021
 Calculated based on 2-person household incomes. Affordable rents exclude an estimated \$150 in utility expenses to reflect next asking rents.

Manhattan Relative to Other Communities

Housing in Manhattan can also be understood in relationship to other cities. How does Manhattan compare to communities with a similar economic and demographic composition? To nearby communities in Eastern Kansas? Is the city an outlier, or does Manhattan have a similar market to other communities?

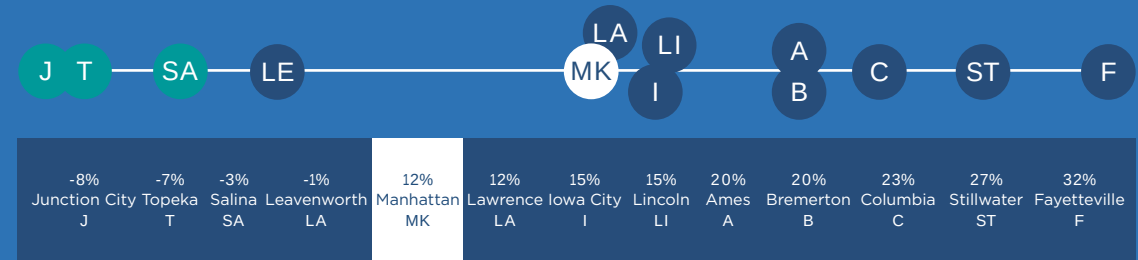
The following analysis compares Manhattan to two types of cities: 1) peer cities with universities, primarily in the Midwest and Great Plains regions, that have a similar size and population; and 2) “regional neighbors” that operate within the same economy as Manhattan.

A comparative analysis of median home values shows that Manhattan’s median value (\$232,000) sits toward the upper end of the spectrum among peers, and far surpasses values in neighboring communities. Manhattan’s home values, which also sit slightly above the region’s median (\$224,000), suggest that Manhattan is, indeed, a more expensive market than one might expect given its regional and economic context.

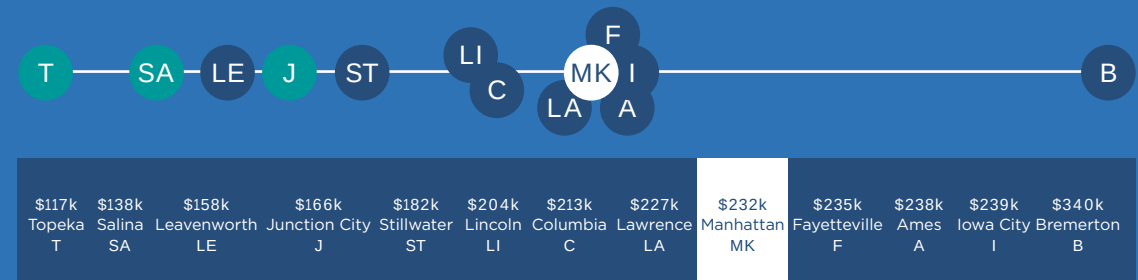
Community leaders identified that attracting and retaining young professionals will be essential for the city’s economic health and ability to attract quality employment

Peer and Regional Comparisons

● peer cities
● regional neighbors



Growth in 25 to 34 year old population



Median home value

Source: ESRI 2021

opportunities. Fortunately, relative to the region, Manhattan has performed fairly well in this capacity. Since 2010, Manhattan has seen modest growth in its “early workforce” (25 to 34 years of age) and “family years” (35 to 49 years of age) groups. The city outpaced the broader region in attracting these groups, with growth rates of 12 percent and 11 percent, respectively (compared to seven percent and six percent in the region).

While Manhattan is far outpacing neighboring communities in attracting young professionals, it is significantly underperforming relative to its peer cities. Creating housing options that are attractive to this demographic will be key to expanding the city’s economic diversity and health. The workforce housing funds made available by the Economic Recovery and Relief sales tax will be a significant asset in this respect.

Understanding Households in Manhattan

According to the Census, a household consists of all people who occupy a housing unit. A person living alone in a housing unit, or a group of unrelated people sharing a housing unit, such as partners or roommates, is also counted as a household.

In communities that have populations of university students and younger military personnel, there tend to be more households composed of non-related individuals. Almost 19 percent of Manhattan's household population are non-relatives, compared to just four percent nationally.

When evaluating housing demand, it can be helpful to segment households in different ways to understand how affordability is impacted by age and household size. Graphics on this and the following pages provide some of this segmented data, including profiles of example households.



0-30% AMI

Household size
One

Occupation(s)
Restaurant worker

Income(s)
\$8 per hour (\$16,250 annually)

Max Affordable Rent
\$300 per month

Attainable Purchase Price
\$49,000



30-60% AMI

Household size
Four
2 parents
2 children

Occupation(s)
School Bus Driver

Income(s)
\$16.26 per hour (\$33,820 annually)

Max Affordable Rent
\$600 per month

Attainable Purchase Price
\$110,000



30-60% AMI

Household size
Five
2 adults
3 children

Occupation(s)
Firefighter

Income(s)
\$18.52 per hour (\$38,510 annually)

Max Affordable Rent
\$810 per month

Attainable Purchase Price
\$120,000



60-80% AMI

Household size
Three
2 adults
1 child

Occupation(s)
Childcare worker
Retail sales associate, part-time

Income(s)
\$10.22 per hour (\$21,260 annually)
\$12.60 per hour (\$13,860 annually)

Max Affordable Rent
\$720 per month

Attainable Purchase Price
\$110,000



120-200% AMI

Household size
Two
2 adults

Occupation(s)
Biological Technicians

Income(s)
\$19.87 per hour (\$82,660 annually)
\$19.87 per hour (\$82,660 annually)

Max Affordable Rent
\$1,920 per month

Attainable Purchase Price
\$300,000



80-120% AMI

Household size
Two
2 adults

Occupation(s)
Waiter/Waitress
Paramedic

Income(s)
\$8.31 per hour (\$19,850 annually)
\$17.78 per hour (\$36,710 annually)

Max Affordable Rent
\$1,260 per month

Attainable Purchase Price
\$190,000



120-200% AMI

Household size
Three
1 adult
2 children

Occupation(s)
Physical Therapist

Income(s)
\$40.39 per hour (\$84,020 annually)

Max Affordable Rent
\$1,950 per month

Attainable Purchase Price
\$320,000

Maximum affordable rents calculated at 30% of gross household income minus \$150 in monthly utility costs. Attainable purchase prices estimated at 3 times household income. Illustrative salary data based on average wage estimates by occupation (BLS) and local listings.

Community Survey Results

The Housing Survey was created to invite community input on housing experiences and priorities.

The survey was launched in late January 2022 and closed in mid-March. It was made available both online and via hard copy, in English, as well as Spanish and Mandarin. Data from the survey provided invaluable insight into each dimension of housing suitability in Manhattan, as well as housing priorities among a sampling of Manhattan residents.

Who took the survey?

There were 1,439 responses in total and 1,132 responses (80 percent) were from City of Manhattan residents. Most of the remaining responses were from residents of the MSA living outside of the city limits. Responses were geographically well-distributed throughout the city.

While university students (i.e., those enrolled in undergraduate or graduate school) make up nearly 35 percent of Manhattan's population, just 10 percent of survey respondents (140) were students. Thus, this survey provides valuable insight into the housing preferences and challenges particularly of the non-student population.

Respondents currently live primarily in single-family homes (71.5 percent of respondents), duplexes (6.8 percent), and

large apartment buildings (6.4 percent). Comparatively, the existing housing stock consists of nearly 41 percent single-family homes, 7.4 percent duplexes, and more than 10 percent large apartment buildings. Nearly 65 percent of respondents own their current homes and 43 percent rent, whereas ACS data indicate that 60 percent of households in the city rent their housing and 40 percent own their homes.

The median respondent had a household income between \$75,000 and \$125,000; this is also the largest income cohort. This means that, on average, survey respondents are modestly more affluent than the average Manhattan household (median income of \$51,000).

Housing Challenges

The survey asked various questions about housing challenges, specific housing condition issues, and other items to better understand what residents were experiencing. Key observations are summarized in the following section and in the charts to the right.

Physical or Condition Issues

Approximately 55 percent of respondents encountered many housing options with significant repair needs. Renters were more likely to encounter this issue—65 percent of renter respondents identified it, compared to

50 percent of owners. 52 percent indicated that they had difficulty finding a home with the design, features, and amenities they expected at their price point. 26 percent had difficulty finding a home upgraded for their needs. A similar percentage of renters and owners reported these difficulties.

Only 21 percent did not encounter any condition or physical issues when trying to find suitable housing in Manhattan. Nearly 25 percent of owners reported not encountering any issues, while only 15 percent of renters did.

These results were also filtered by age and results were consistent across age groups, with the following exceptions: respondents aged 25 to 34 reported difficulties finding a home large enough for their families at a much higher rate than other cohorts; and those aged 55 and up reported a higher rate of not facing any housing condition challenges than the other cohorts.

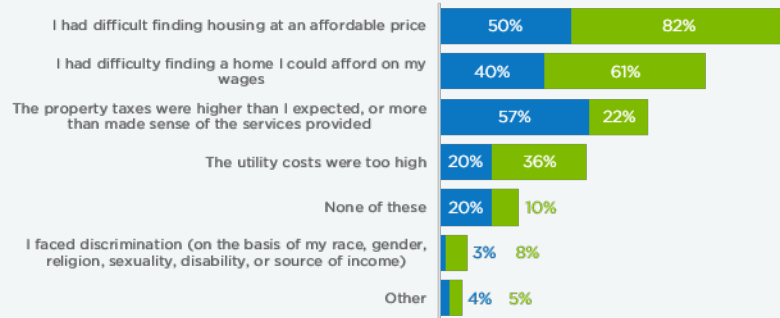
Interior Safety Issues

The top three interior safety issues or repair needs are: leaky, drafty windows and doors (83 percent of respondents); mold and/or water damage (70 percent); and plumbing, electrical, or mechanical systems deficiencies or hazards (66 percent).

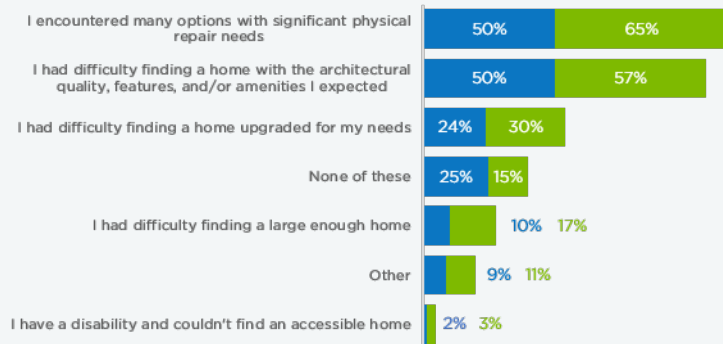
A sizable percentage of respondents also indicated basement units without proper egress windows and insufficient smoke /

Community Survey Results

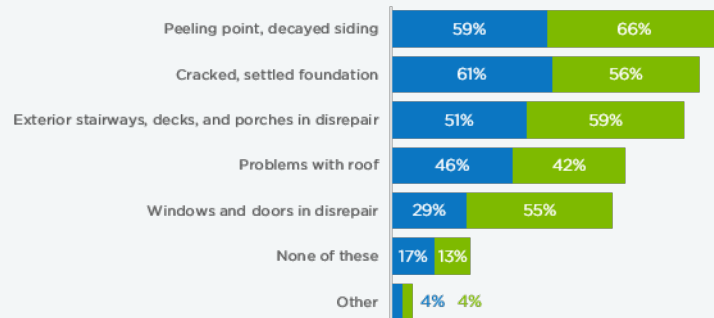
Have you ever encountered any of the following **affordability or access issues** when trying to find suitable housing in Manhattan?



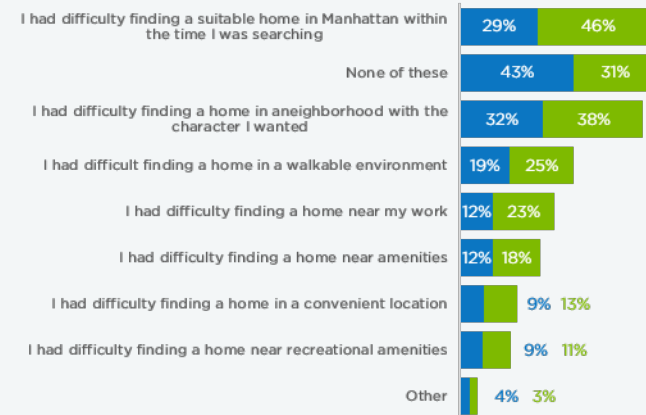
Have you ever encountered any of the following **physical or condition issues** when trying to find suitable housing in Manhattan?



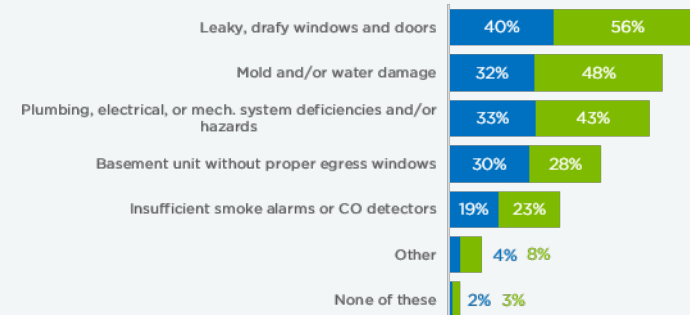
Which of the following **exterior safety issues or repair needs** have you seen/experienced in Manhattan?



Have you ever encountered any of the following **location issues** when trying to find suitable housing in Manhattan?



Which of the following **interior safety issues or repair needs** have you seen/experienced in Manhattan?



carbon monoxide detectors were also shortcomings. The proportions of responses for each issue were relatively similar when broken down by owner and renter, as well as by age cohort.

Exterior Safety Issues

The top three exterior safety issues or repair needs identified are: peeling paint, decayed siding (62 percent of respondents); cracked, settled foundations (60 percent); and, exterior stairways, decks, and porches in disrepair (55 percent).

Windows and door deficiencies, and problems with the roof were also cited by nearly half of respondents. Only 16 percent of respondents indicated that they have not encountered any type of exterior safety issue or repair need. The proportions of responses for each issue were relatively similar when broken down by owner and renter, as well as by age cohort.

Affordability or Access Issues

Despite the relatively high average incomes of respondents, nearly 62 percent indicated that they had difficulty finding housing at an affordable rent or price. Just under 50 percent indicated that they had difficulty finding a home they could afford based on

their wages. Property taxes and utility costs were also commonly selected as affordability challenges. Only 16 percent of respondents indicated they did not encounter affordability or access issues, and five percent indicated they had faced discrimination.

Fifty-three percent of homeowners indicated that property taxes were higher than they expected. Renters indicated that utility costs were too high and were more likely to experience affordability challenges of any kind. The proportion of respondents indicating property taxes are higher than expected increases with each age cohort and housing costs.

Location

The survey also asked if respondents encountered issues and challenges relating to location and housing. The most common response was that respondents did not encounter a location issue (39 percent of respondents). Approximately 35 percent of respondents either had trouble finding a suitable home anywhere in Manhattan when they were searching or had difficulty finding a suitable home in the neighborhood they preferred. Proportionately, renters and those aged 25 to 34 had more difficulty finding a suitable home during their housing search than the other cohorts.

Housing Goals & Needs

Nearly 60 percent of respondents plan to stay where they live currently over the next three to five years. Approximately half of renters want to transition to homeownership, while half want to stay renting. Very few owners indicated that they want to rent in the future. Overall, 25 to 54 year-olds want to own at a much higher rate than rent, and those 55 and older prefer to stay where they currently live.

When asked about what types of housing Manhattan needs, respondents showed a strong preference for single-family homes (70 percent), followed by, in order of response rate, townhomes, cottages or tiny homes, duplexes, and mixed-use.

Respondents were generally consistent about what price ranges of for-sale and rental housing is needed in the Manhattan market. More than 55 percent indicated that for-sale homes priced between \$120,000 and \$180,000 are needed the most. The next largest price ranges are \$70,000 to \$120,000 (50 percent) and \$180,000 to \$250,000 (34 percent). Less than 10 percent of respondents indicated a need for for-sale housing priced over \$250,000.

Fifty-two (52) percent of respondents indicated that rental housing priced between \$400 and \$600 per month is needed the most, followed by \$600 to \$800 per month (48 percent) and less than \$400 (30 percent). Only 11 percent of respondents indicated a need for rental housing price over \$1,000.

These responses differ significantly from what respondents indicated they are currently paying (\$1,435 per month for owners, \$1,045 per month for non-student renters, and \$881 per month for student renters, on average) and from what is available in the market. This indicates that there could be a mismatch between what people expect and what is possible or feasible to provide, given market constraints.

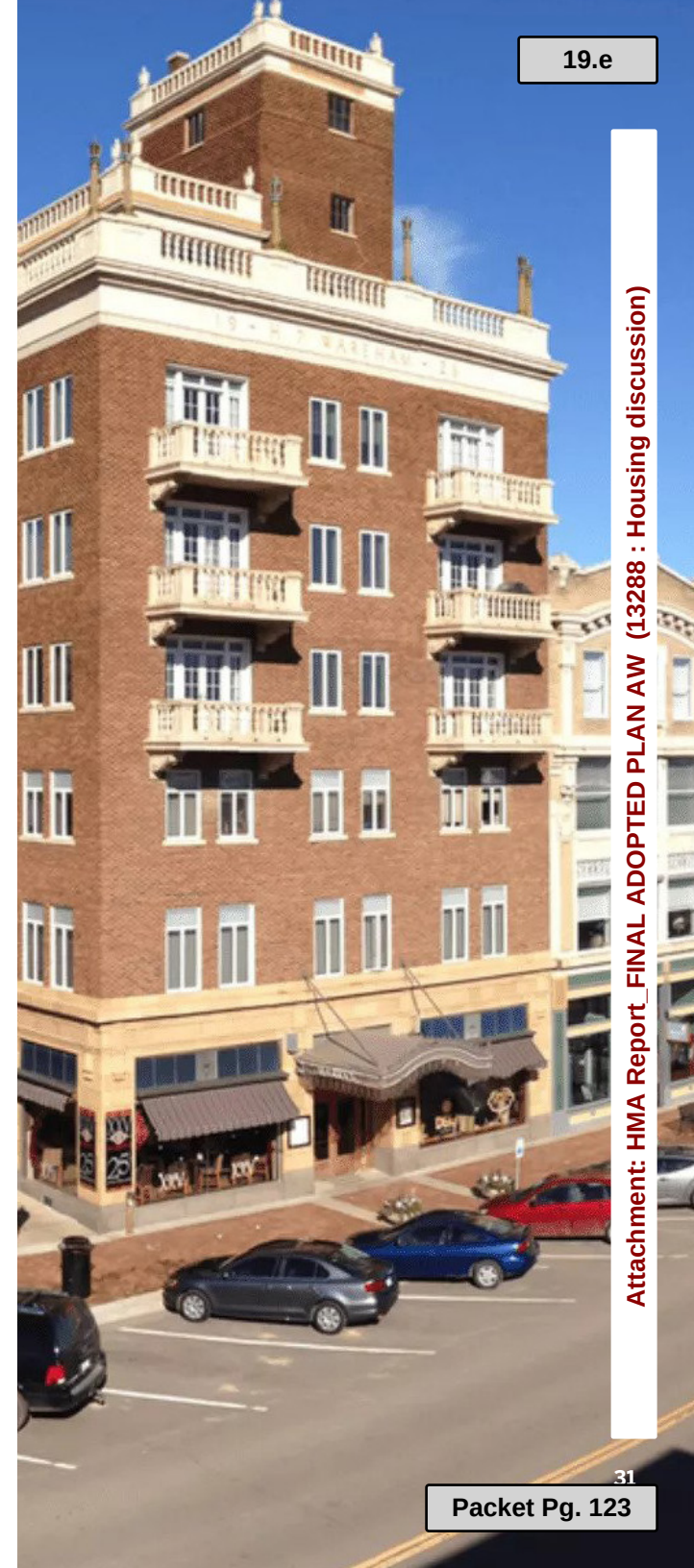
Community Housing Priorities

The final questions asked about housing priorities and what types of housing solutions respondents would support.

The top housing priority is: “Ensure all housing is healthy, fair, and secure.” This includes improving housing quality—especially rental housing—and protecting rights of renters. Almost 60 percent of respondents indicated this is essential. All other options were generally considered important as well.

In terms of housing solutions, more than half of respondents indicated that the following concepts are “very important” or “essential” (in order of positive responses): public development of infrastructure; down payment assistance to owners; grants or low-interest loans to support housing development; mortgage assistance to homeowners; and housing rehabilitation loans. These responses indicate broad community support for potential programs of this type.

Two housing solutions had a relative high response of “not important at all”: higher density housing; and construction financing assistance to builders and developers. These responses may indicate opposition to programs of this type, or possibly less understanding of the role they could play in community housing solutions. In either case, this reflects the importance of education and communication about these solutions as the City continues to explore and implement them.



Future Housing Demand

The demand analysis identifies strong demand across the entire affordability spectrum, including significant needs in the middle-income or “workforce” housing segments.

The market analysis used several methods to paint a holistic picture of housing needs in Manhattan. This chapter summarizes each method of analysis, and details the demand conclusions.

Affordability Method

Affordability analysis uses conventional demand methodology to estimate demand for different income segments, for both owner-occupied and rental housing. This method incorporates data about how much households at different income levels spend toward housing costs, assumptions about prevailing mortgage interest rates, and data about the proportion of owner- and renter-occupied housing units in the community.

Target Market Method

The target market analysis considers consumer profiles of residents in the surrounding region to estimate the potential for and nature of regional in-migration to Manhattan (i.e., number of households, price points, rents, household sizes, and desirable housing products). Using consumer

profile data made available by ESRI, one can quantify the prevalence of different market segments within the broader region. Certain market segments express a preference for housing types that exist and/or could be made available in Manhattan, and therefore could be attracted to live in the city.

Population Growth Method

Population growth analysis simply projects household growth trends forward to estimate the net need for new housing units. This method typically utilizes a range of growth scenarios to establish a range for which the community can plan.

Economic Analysis Method

This method analyzes projections for job growth to estimate future housing needs. State-generated data about the number of new jobs and average wages for growing occupations is used to inform assumptions about the relative growth of different income segments.

The announcement of Scorpion Biological Services new planned facility in Manhattan was made during the course of this study. Available data about the projected jobs were used to refine the economic projections, and were incorporated into the overall demand conclusions.

Senior Demand

Senior demand analysis focuses the affordability and population growth methods on the senior population cohorts. Then, data on aging-in-place, disabilities, and trends for independent living, assisted living, and other care homes are analyzed.

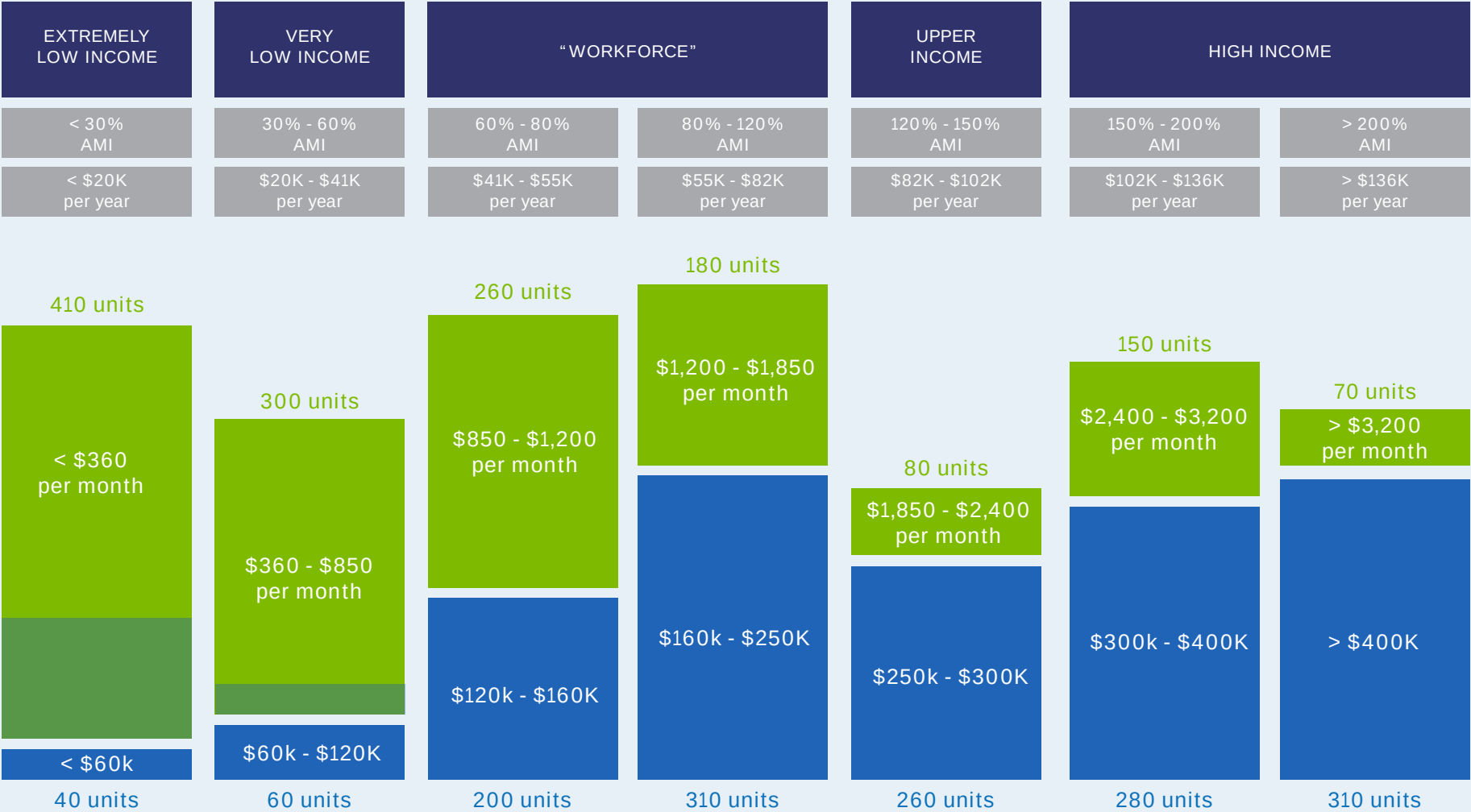
Demand Conclusions

Demand conclusions are reached by triangulating across the five methods described above. The overall housing demand numbers, and the distribution of that demand by income segment and tenure are described in the chart on the next page.

We estimate that Manhattan will need between 2,800 and 4,400 additional units of housing over the next 20 years. Assuming a decrease in overall vacancy from 12 percent to 8 percent, we estimate about 800 units could be met through renovation of existing housing, leaving 2,000 to 3,600 units of net new demand.

As the chart on the facing page indicates, there is significant demand across the entire income spectrum, and for both owner-occupied and rental housing. In the workforce housing range designated by the Steering Committee (i.e., 60 percent to 120 percent of AMI), we estimate the need for approximately 950 units of housing over 20 years.

20-Year Demand Summary (2,000 to 3,600 units of net new demand)



■ Rental units ■ For-Sale units ■ Student-oriented Rental

Source: HUD, Development Strategies. Calculated based on 2-person household incomes. Aordable rents are "net," exclusive of an estimated utility payment (\$150) as a share of housing costs.



Student Demand

As indicated by the chart on the previous page, a significant share of the housing demand in the 0 to 30 percent of AMI category is actually for student-oriented housing. Even though students have very low incomes, they use loans and parent contributions to pay for housing that they could otherwise not afford.

Even though enrollment at K-State has been in decline since 2017, and K-State has enacted a “live-on” requirement for first-year students, newly-built student housing consistently performs well. Assuming aggregate student housing demand does not rise, an estimated 150 units will be needed to accommodate the shifting market, meanwhile creating opportunities for renovation and/or redevelopment of existing student-occupied single-family rental properties.



Extremely Low-Income Demand

The demand analysis suggests ongoing demand for quality housing affordable to those with extremely low incomes (below 30 percent of AMI). The vast majority of this demand is for rental housing.

Housing affordable to extremely low-income households is very difficult to provide at a high level of quality without both capital and operating subsidy. The Manhattan Housing Authority and Manhattan Area Housing Partnership are best positioned to provide this housing through public housing programs, federal and state Low Income Housing Tax Credits, the Housing Choice Voucher Program, and the National Affordable Housing Trust Fund program.

Expanding the availability of this housing type, while offering various supportive services, is an important step to help prevent homelessness.



Affordable Demand

The demand analysis indicates ongoing demand for quality housing affordable to those with low incomes (between 30 percent and 60 percent of area median income). Most of this demand is for rental housing, though some is for owner-occupied housing.

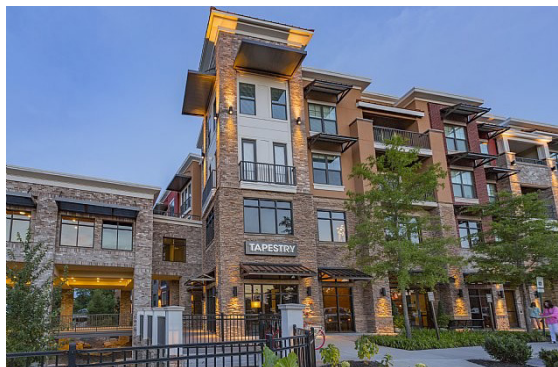
Affordable housing relies on capital subsidy to be created and maintained at a high standard of quality. The Manhattan Housing Authority, the Manhattan Area Housing Partnership, and Habitat for Humanity are best positioned to provide this housing through public housing programs, federal and state Low Income Housing Tax Credits, and the Housing Choice Voucher Program. To the greatest extent possible, this housing should be located in areas served by transit and/or within walking distance of employment.



Workforce Demand

The demand analysis highlights significant demand in the “workforce” range—defined by the Steering Committee as affordable to households with incomes between 60 percent and 120 percent of AMI. Demand in these categories is fairly evenly split between rental and owner-occupied housing. A broad variety of housing types could be attractive to households in this segment—townhomes, duplexes, apartments, and other Missing Middle types.

Due to high costs of construction, housing in most of this range relies on some form of support to be feasibly created. On the supply side, low-cost loans, infrastructure assistance, and land acquisition assistance can be valuable ways for the City and its partners to provide support. On the demand side, first-time buyers often benefit from down payment assistance programs that bring mortgage payments into reach.



Upscale Demand

Finally, the demand analysis suggests ongoing demand for housing affordable to households with incomes at 120 percent of AMI and above.

For the most part, the private market is able to deliver housing affordable to these segments. However, land and infrastructure availability and costs can still serve as barriers to meeting this demand, which creates pent up demand and competition for existing housing (further raising prices). Strategies to maximize the use of available land can help satisfy demand at all price points. This may include modifying policies to allow for more density or a broader variety of housing products.



Senior Demand

Senior housing is an important subset of demand because the senior age cohorts are projected to continue to grow at a higher rate than other cohorts over the next 20 to 30 years. At a high level, senior housing demand can be segmented into five categories:

- Those who wish to stay in their homes as long as possible and whose needs are met by the existing housing stock. This is the largest senior demand group.
- Those who wish to downsize into a low-maintenance homeownership option like a villa or condo.
- Those who require affordable housing.
- The independent living market.
- Those who require assistance with activities of daily life, or the assisted living, skilled nursing, and memory care market.



Chapter 3

Feasibility Analysis

Understanding Feasibility

The economic feasibility of building, **renovating, or rehabilitating different types of housing affects the ability** of developers to add these units to the market and meet demand. Understanding the factors that **affect feasibility will help guide how** policies and program impact what types of housing can be delivered.

The previous chapters outline the housing needs and goals for Manhattan and identify demand for a broad range of housing types and price points, including those that cannot easily be delivered by the market. Meeting these needs will require some type of incentive, subsidy, policy change, or other

support.

This chapter evaluates the level of support needed to successfully deliver these different types of housing, which informs the role and potential impact of available tools and resources.

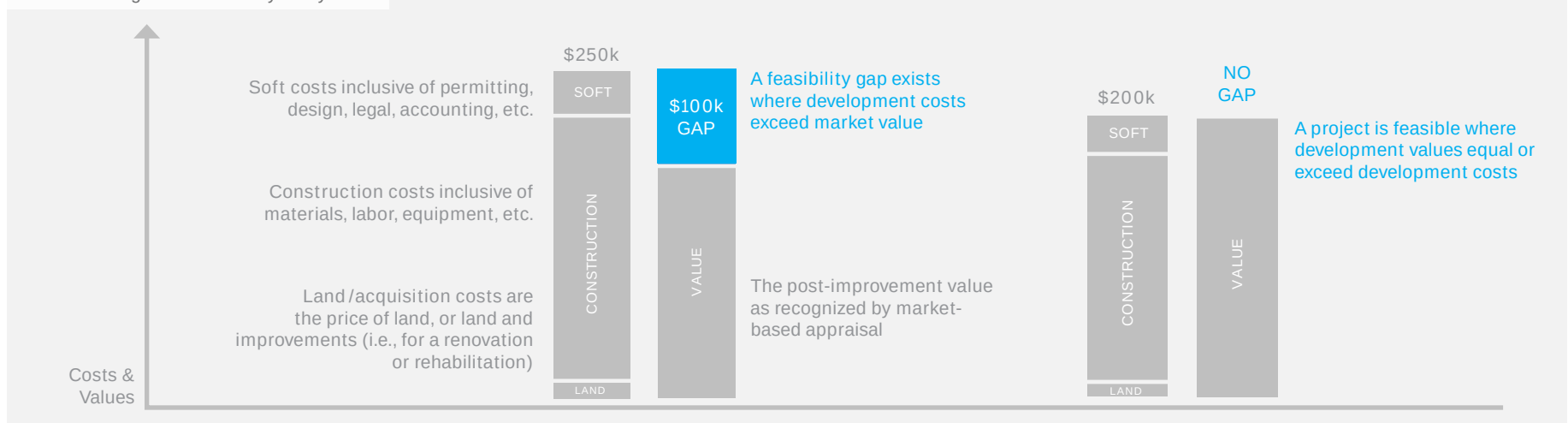
About the Methodology

One must first understand the economic feasibility of building, rehabilitating, or renovating a single housing unit to understand the scale of impact possible through an incentive or subsidy program. This evaluation—feasibility analysis—seeks to evaluate the two sides of this feasibility equation:

- The typology- and market-specific costs to deliver a single unit of housing, including purchase/acquisition, construction, and soft costs.
- The market value of the housing product, based on target rents or sale prices, standard financing terms, a modest profit, and stabilized occupancy.

Where development value exceeds development costs, a housing unit can typically be delivered without the support of incentives or subsidy. Where development costs exceed development value, there is a feasibility gap, which incentives or subsidy can help fill.

Illustrative Diagram of Feasibility Analysis



Single-Family New Construction



New construction single-family continues to be the prevailing housing type built in many communities; however, it is becoming more difficult to produce it in Manhattan at a moderate price point because of land availability, site constraints, and other factors.

Producing workforce-attainable new construction homes will require substantial gap financing, but is an important component of a workforce housing strategy.

Multifamily New Construction



Most new multifamily construction in Manhattan has catered to students, and has performed well. There is a need for new multifamily that is workforce-affordable and, ideally, located near job centers and/or transportation options. New multifamily rental properties are more efficient to produce and operate than single-family rentals and will be an important product to meet workforce and affordable housing needs.

Single-Family Owner-Occupied For-Sale Renovation



Stakeholder conversations, the housing survey, and housing data indicate a continued preference for single-family homes in the Manhattan market, particularly for non-students. Reduced enrollment at K-State and a softening student market is opening up more of the existing housing stock to be renovated and sold. The existing housing stock is a critical asset to providing moderately-priced homes to the market, and it is generally more efficient to do so than build new. Depending on the affordability level within the workforce range, gap funding will be needed to provide these units.

Single-Family Rental Renovation



Single-family rentals were also cited as a need in the community, particularly for families, and would be an important component of the workforce housing market. Market conditions have shifted in a way that more of these homes should be available for families rather than students; however, the economics of renovating these units for rental are not as favorable as building or renovating multi-family units.

Single-family renovation could also be a good source of affordable homeownership opportunities, with the right funding sources in place.

Implications of Feasibility Analysis

This methodology was used to analyze the feasibility of four different housing typologies

- Renovation of single-family homes for homeownership.
- Renovation of single-family homes for rental.
- New construction of multifamily properties.
- New construction of single-family homes.

The intent of focusing on these typologies is that they represent the primary housing types that will help meet workforce demand. Also, there is a need to renovate the existing housing stock as much as possible to help meet future demand.

From a unit delivery standpoint, the renovation of existing single-family homes will deliver more workforce-attainable units to the market than new construction. For rental housing, new multi-family construction will stretch gap funding dollars further than renovating single-family homes.

Overall, a balanced approach will be needed to achieve any production goals, as existing homes that are suitable for renovation may not be available. It is also important for the development community to continue to innovate in ways that help reduced costs and increase production, such as prefabricated walls, panelized construction, and other methods.

For-Sale Owner-Occupied Single Family

The median sale price in 2021 for new construction single-family homes was \$330,000 and the median price for existing homes was \$192,000. New construction prices are not attainable for a large proportion of households in Manhattan and existing homes are an important asset in meeting housing demand for low- and moderate-income buyers.

To better understand what it takes to deliver workforce-affordable owner-occupied housing to the market, an economic feasibility model was created based on a 1,300 square foot single-family home with three bedrooms, two-bathrooms, and an attached one-car garage. Two scenarios were created: new construction and the acquisition and renovation of existing homes.

The new construction scenario assumes a total development cost, including profit (12%), of \$300,000, based on a scan of recent activity and discussions with builders. (Some nonprofit developers, however, have successfully built new homes at much lower all-in costs and the market should continue to innovate to bring costs down.) The renovation scenario assumes an acquisition cost of \$165,000, a \$50,000 renovation, and reasonable profit, for a total development cost of \$240,000. The latter scenario



assumes that the home is in stable condition, with no major structural issues. Renovations would be primarily cosmetic, and include bathroom and kitchen upgrades.

Key observations include:

- Only one scenario, renovation at 120% AMI, is feasible without gap funds.
- Expanding workforce housing options through new construction will require more funds/resources than renovation, and fewer units would be supported.

- A barrier to the renovation approach is the availability of existing homes in good condition to purchase and renovate.
- Thus, while renovation stretches funds further, a balanced approach of new construction and renovation is prudent.
- Targeting the lower end of the workforce attainability spectrum will cost more per unit to deliver, but will also provide a valuable housing option to the Manhattan market.

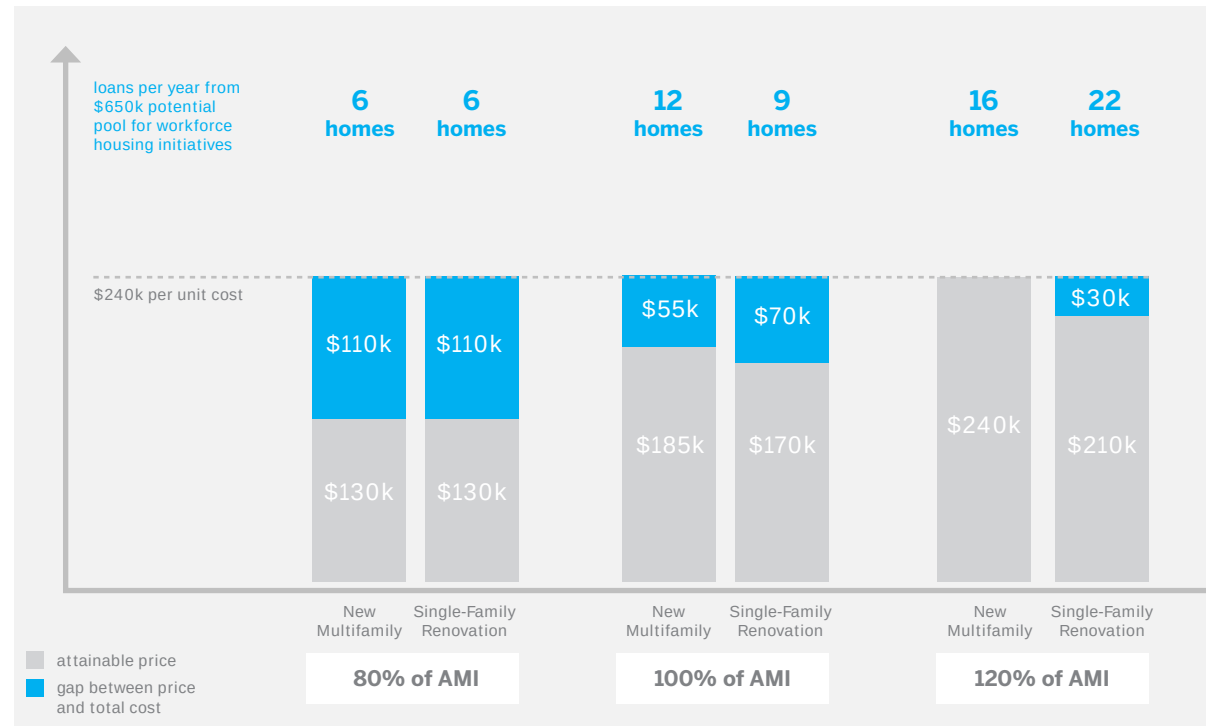
Rental Housing

The rental housing market is much **different than the for-sale market** because it has long catered to the student and military populations. There remains a need for more quality rental options across the **affordability spectrum**.

Single-family rentals are a popular housing option in Manhattan, and investors continue to purchase and renovate properties across the city for rental purposes. While there is concern about many of these units becoming student housing, they are an important asset in providing rental housing for the workforce, especially families.

New multi-family construction has predominantly catered to students in recent years; however, because of economies of scale, it is an important option for workforce units.

The estimated acquisition, development, and operating costs (shown to the right) are based on current market conditions, including recent development projects and prevailing market rents. Several area developers reviewed and confirmed that the estimates are accurate.



Key observations include:

- The cost to deliver a new multifamily unit and a single-family rental home are similar, but the gaps are different at each income level because of difference in operating costs.
- Multifamily rental is generally more efficient to operate, leading to lower per unit feasibility gaps.
- At the high end of the workforce-attainable range, multifamily rental development should require no, or very little, gap funding.
- Overall, new multifamily development is considerably more efficient in terms of adding workforce-attainable units to the market.



Chapter 4

Strategic Framework

Introduction to the Strategic Framework

Manhattan's housing needs are varied and complex—a **Strategic Framework offers a structure** for the range of near- and long-term responses Manhattan can use to meet those needs.

A Strategic Framework outlines the specific goals and associated strategies that Manhattan can use to address its housing challenges. It also helps to establish the holistic picture for how to meet needs, identifying available resources, incentives, partnerships, and policy responses.

The framework outlined in this chapter is the product of dialogue with housing stakeholders, discussion with the HMA Steering Committee, internal conversation among City staff, and best practices from other communities. In identifying preferred strategies, careful attention was paid to where diverse stakeholders' priorities align. Items that may not be elevated within the framework today may very well arise as central priorities in the future; likewise, current priority strategies may become less vital as circumstances change. This framework is intended to serve as a living document—a foundation on which future strategies and priorities can be built.

This chapter also specifies how proposed strategies address the key challenges identified in the housing analysis.



Goal 1: Workforce Housing

Utilize 10% of the Economic Recovery & Relief 2023 sales tax aimed at increasing and preserving the inventory of workforce housing options.

The first goal and its associated strategies focus specifically on the use of the Economic Recovery and Relief sales tax revenue dedicated to workforce housing initiatives, including a revolving loan fund for workforce housing, and potential future first-time home buyer assistance programs. (For the purposes of targeting the City's activities, the Steering Committee has defined the workforce housing segment as households earning roughly between 60 percent and 120 percent of AMI, with future review and revision available to a Workforce Housing Steering Committee.)

This goal also includes strategies which do not directly utilize local sales tax funds, but which can expand available resources or operate in close alignment with locally-funded programs.



Goal 2: Policy Support

Support housing efforts providing solutions to the wider variety of housing market challenges faced by other segments of the housing market (in addition to workforce).

This goal and its associated strategies focus on programs, policies, and activities that meet the needs of the broader spectrum of housing affordability (inclusive of, but not limited to, the workforce housing segment).

Many of these strategies emphasize collaboration; there are many community-led efforts which are critical to meeting Manhattan's housing needs and which the City support through active partnership.



Goal 3: Housing Planning

Invest in planning—including research, development, and use of procedures, programs, and policies—aimed at reducing barriers to adding, stabilizing, and securing quality, attainable housing

The third goal and its associated strategies focus on ways the City and its partners can continuously improve its policies and procedures through planning and research.

Strategies like zoning and subdivision ordinance refinements, data collection, and policy evaluation are never done, and are fundamental to informed policy making and successful implementation of other activities. The City must continue to invest in this work in order to guide decision-making in the years ahead.



Goal 4: Maintain & Renovate

Encourage maintenance and improvement to the community's existing housing through current and new programs and policies.

The final goal and set of strategies focus on other mechanisms to improve the condition of the existing housing stock in Manhattan. Several of these—including the City's CDBG-funded programs—are already underway and important to sustain.

While strategies within other goals touch on this challenge, there are other opportunities—such as the Neighborhood Revitalization Program—that can add to the toolbox of approaches.



Workforce Housing Strategies

Goal 1: Workforce Housing

Utilize 10% of the Economic Recovery & Relief 2023 sales tax aimed at increasing and preserving the inventory of workforce housing options.

Manhattan voters passed a 0.5% Economic Recovery and Relief sales tax in 2020 that will be used for a number of economic development and recovery activities, including a 10 percent dedication toward “workforce housing” initiatives. Over its 10-year life, the tax is projected to generate \$6.5 million for workforce housing initiatives, or \$650,000 per year. This is a significant commitment by the Manhattan community to address housing availability as one dimension of cultivating a competitive, resilient local economy.

While \$6.5 million is a sizable sum of money, the annual \$650,000 is also an amount that could be spent quickly when considering the high costs of construction. For example, if \$650,000 were used to fully subsidize the costs of building a new home at \$220,000 per home (which this study is NOT recommending), the funds would support just three homes per year.

Instead, it is crucial that these public resources are put to judicious use, leveraging other sources and partnerships in order to

maximize impact. (The Feasibility Analysis chapter evaluates how far resources might go toward incentivizing development of potential housing types at appropriate price points.) The City should also structure its assistance such that, as much as possible, funds are repaid to the City and made available for future projects, as revolving loans or similar tools. These principles shape each of the recommended strategies.

There is no single definition of “workforce housing” and the 2020 ballot language did not specify how funds should be targeted. After reviewing several possible options, the HMA Steering Committee determined that Economic Recovery and Relief sales tax funds for workforce housing focused on households between 60 and 120 percent of the regional AMI, or a range of \$40,850 to \$81,700 for a 2-person household. Committee members identified that this range best complements existing federal sources of funding (largely targeted below 60 percent of AMI), and can serve to create housing that promotes economic opportunity in Manhattan. Several other relevant sources available at the state level may be used to support housing affordable to households earning up to 150 percent of AMI. A table showing maximum household incomes by AMI percentage and household size can be found in the appendix.

How Strategies Respond to Key Housing Needs

Help meet **significant new demand** by providing incentives to develop attainable housing options that otherwise would not be built in the community.

Respond to the **high cost of new housing development** by assisting development partners with the housing production at price points attainable to a broader segment of the community than currently provided.

Mitigate the **inventory shortage** by expanding supply available to households at price ranges where there is most demand.

Help attract and retain **young professionals** by expanding the supply of suitable housing options in walkable locations.

Respond to the **shift in student demand** by incentivizing the renovation and/or redevelopment of housing into housing attractive to non-student households.

Address condition challenges by redeveloping and/or renovating existing housing stock that has fallen into disrepair.



RECOMMENDED BEST PRACTICE

Establish a revolving loan program for new construction, renovation, and redevelopment to create workforce-affordable housing

A revolving loan program for workforce housing can support homeowners and development partners in creating homeownership opportunities that support and retain a competitive workforce.

A revolving loan program offers below-market interest rate construction, acquisition, or predevelopment financing to individuals and to for-profit and nonprofit housing development partners. These loans help cover the gap between the costs of development (i.e., soft costs, construction costs, and property purchase) and a sales price attainable to eligible households (i.e., with incomes between 60 percent and 120 percent of AMI). These programs also encourage development partners to take on the risk of qualified projects, which are lower-margin and relatively higher-risk than homes sold at the highest prices the market could bear.

Home opportunities should be targeted to eligible households by capping post-improvement purchase prices and by ensuring buyer household incomes fall between 60 and 120 percent of AMI. The City should also identify geographies in which to focus development activity.

The specific terms of the program should be designed in partnership with local lenders to ensure that it leverages conventional debt, fills gaps in existing financing availability, coordinates with available down payment assistance programs, and establishes sufficient underwriting and administrative capacity. Assistance per home should be capped at an appropriate level to maximize the impact of available funds and to ensure partner developers leverage other sources (including their own equity investment).

Strategy Spotlight

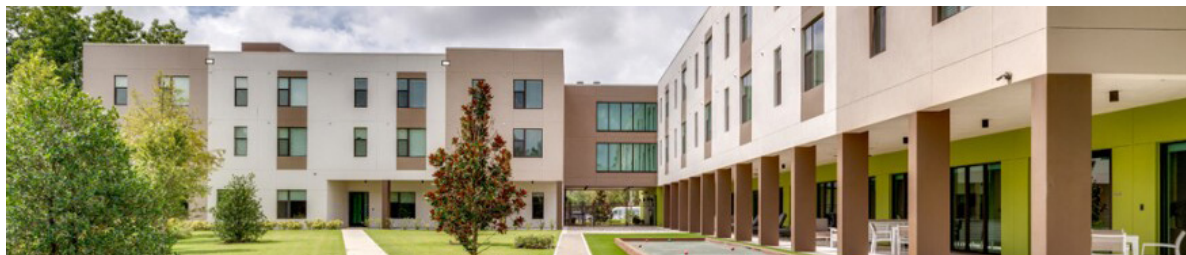
Revolving Loan Funds

A revolving loan fund is a gap financing tool that is self-replenishing, using payments on past loans to issue new loans. They can be used to support a range of activities, including small business support, environmental remediation, and, of course, housing development.

Housing loans can be used for predevelopment, acquisition, construction, or mini-permanent financing. Predevelopment, acquisition, and construction loan programs all revolve relatively quickly (e.g., within two or three years), returning available funds to the capital pool to support future projects.

However, there are tradeoffs between the loan term, the depth of the assistance (i.e., basis points below the market interest rate), the amount returned to the loan pool, and the attractiveness of the program to potential development partners.

It may be prudent to add a provision in the policy to cap resale amounts in order to preserve the units as workforce-affordable over time.



RECOMMENDED BEST PRACTICE

Pursue additional sources of funding to complement revenue from the Economic Recovery & Relief sales tax

The Economic Recovery and Relief sales tax dedication toward workforce housing initiatives is a significant commitment of public resources toward meeting the community housing needs. Yet the scale of the community's workforce housing needs exceeds what can be addressed through these resources alone.

The City can use its funds as a springboard to establish additional partnerships, pursue specific funding opportunities, and align with existing resources.

Kansas Housing Resources Corporation

Kansas Housing Resources Corporation (KHRC) operates the Moderate Income Housing (MIH) Program, which provides grants and/or loans to cities and towns to serve the needs of moderate-income households that do not qualify for federal

housing assistance (i.e., households that fall within Manhattan's workforce housing definition). Cities and counties with populations less than 60,000 are eligible to apply for grants or loans of up to \$650,000. A successful application could double Manhattan's available resources for workforce housing initiatives in a given year. (Manhattan is eligible for this program.)

Kansas Department of Commerce

The Kansas Department of Commerce (KDOC) operates the Rural Housing Incentive District (RHID) program, which aids developers in building housing by assisting in the financing of public improvements, including certain land acquisition costs, site preparation, sidewalks, street lighting, and more. These improvements can be targeted to reduce workforce housing developer costs while enhancing community walkability and livability.



RECOMMENDED BEST PRACTICE

Expand assistance for first-time homebuyers to support mortgage attainability.

Many homebuyers along the entire spectrum receive assistance when purchasing their first home. Some receive assistance from family, but many individuals do not have access to intergenerational wealth. Many households also face significant barriers to saving for a home, even those with well-paying jobs (and more so for lower-income households). The combination of wage stagnation, student loans, rising rents, and costs of living increases can leave little extra money at the end of the month.

Following the 2008 Great Recession, mortgage interest rates gradually decreased to historic lows. This was a boon for mortgage affordability, and contributed to home price growth, while construction lagged behind and many developers exited the industry and specialized trades experienced labor shortages. Beginning in 2022, the Federal Reserve began to raise interest rates to manage inflation, causing mortgage rates to

rise. These higher rates may curb home price increases, but they also reduce mortgage affordability, adding to the difficulty that low- and moderate-income households face in accessing and sustaining homeownership, particularly in an environment where housing production lagged demand.

Down payment and closing cost assistance

Even at more attainable housing prices, down payment and closing costs can be a barrier. While some mortgage options allow for a small down payment (e.g., under five percent of the purchase price), they also require private mortgage insurance (PMI) until the mortgage's loan-to-value ratio rises above 80 percent. This creates significant extra monthly costs for anybody unable to make a down payment of 20 percent or more. Assistance with up-front costs of a purchase can help households afford a home and access more sustainable mortgage terms.

Eligibility for many existing down payment assistance programs is capped at 80 percent of AMI. To complement its workforce housing production supports, Manhattan and its partners can consider expanding options for first-time homebuyers who have incomes between 60 and 120 percent AMI.

Matching savings fund

Matched savings programs can help encourage and accelerate first-time homebuyers' efforts to save for their first purchase. By matching deposits of participating individuals, these programs can help bring homeownership closer to reality.

KDOC is seeking qualified organizations to administer Individual Development account (IDA) programs in communities throughout the state. KDOC offers state tax credits to organizations to support eligible low-income individuals in saving (with up to a three to one match for deposits) but relies on local partners for implementation.



RECOMMENDED BEST PRACTICE

Support community efforts that facilitate workforce housing development

Manhattan's community of developers, existing nonprofits, and other organizations are essential partners in addressing workforce housing needs. A revolving loan fund, as described earlier in this chapter, is one important mechanism for supporting their work. However, there are other mechanisms available for the City to explore.

Community Asset Transition Fund

Community Asset Transition (CAT) funds are public or nonprofit entities that proactively align development opportunities in a community—often in a specific area or neighborhood—and help to transition assets (like land and homes) to active uses that create significant community benefits.

Entities like CATs can lead a range of activities. Some acquire vacant properties through tax sales and reposition them for use by other entities. Some proactively purchase underutilized or distressed properties in focus areas. Some complete lead abatement or deconstruction prior to sale. Others directly partner in rehabilitation and redevelopment activities.

What these different activities have in common is that they complement for-profit development through long-term coordination and planning, aligning future development with community priorities while reducing the holding costs associated with long-term and neighborhood-scale development activities.

A future CAT in Manhattan could, for example, play a role in supporting holistic redevelopment in core neighborhoods. It could also help lay the foundation for a future nonprofit-led Community Land Trust or Limited Equity Housing Cooperative by helping to aggregate properties in appropriate areas.

In all possible uses, the goal would be to help transition properties back to beneficial use and private ownership, whether by individuals, development partners, or nonprofits.



Strategies to Meet the Full Spectrum of Needs

Goal 2: Policy Support

Support housing efforts providing solutions to the wider variety of housing market challenges faced by other segments of the housing market (in addition to workforce).

As described in Chapter 2, there is demand for housing across Manhattan's entire spectrum of household affordability. Manhattan has identified specific resources to address the "workforce" segments within that spectrum (households with incomes between 60 percent and 120 percent of AMI)—these strategies are described within Goal 1. But a comprehensive strategy for housing in Manhattan must also identify efforts to meet any income in Manhattan.

There are a number of existing programs and resources available to the Manhattan community that are well-positioned to meet these needs. Resources such as the Community Development Block Grant (CDBG), the Low Income Housing Tax Credit (LIHTC), and the Housing Choice Voucher (HCV) programs are important tools for providing and preserving quality housing that is affordable to low-income households. (The City manages the CDBG funds allocated to Manhattan, while private developers and nonprofits such as Manhattan Area Housing Partnership utilize LIHTC. The Manhattan

Housing Authority and the North Area Flint Hills Area Agency on Aging utilize the HCV program.)

Land use policy and infrastructure have an important role to play across the entire spectrum of housing needs. Creating zoning policies that support the creation and preservation of sufficient housing are a foundation upon which many other efforts rest. Zoning and land use considerations are described in greater detail within Goal 3.

There are also several community-led efforts to expand the availability and suitability of housing options in Manhattan. Community-led efforts to support renters, for example, can help promote housing stability. There has also been significant community interest in expanding access to alternative tenure options in Manhattan, such as through Limited Equity Housing Cooperatives (LECs) —two of which are already present in Manhattan and Community Land Trusts (CLTs). In these "shared-equity" housing models, individual households co-own their homes with organizations that share the costs, risks, and wealth-building features of traditional homeownership.

This section outlines strategies to maintain and support housing efforts to meet Manhattan's broader range of housing needs.

How Strategies Respond to Key Housing Needs

Help meet **significant new demand** by creating and preserving housing options affordable to households with a range of preferences and incomes.

Address the **high cost of new housing** by assisting low-income homeowners with home maintenance.

Avoid **housing instability** by educating and supporting renters in their experience.

Address the **inventory shortage** by expanding the range and flexibility of housing options.

Help to attract and retain **young professionals** by providing attainable and unique housing options.

Assist **older adults** age in place through accessibility improvements and by creating housing alternatives that might better suit the life stage.

Address **condition challenges** faced by low-income homeowners by assisting with critical improvements.



RECOMMENDED BEST PRACTICE

Provide support to community groups working to establish shared equity developments

Shared equity models combine features of both renting and homeownership to create a housing opportunity that, for many households, offers a highly desirable mix of attainability, community building, and wealth building—the unique blend of which is unavailable through either traditional homeownership or renting.

Apart from the financial arrangement of CLTs and LECs, these models are often designed in a manner that promotes mutual support and community building. Features such as shared open spaces, gardens, community rooms, and other amenities promote community interaction and relationships between neighbors. They may also include some element of self-governance, which can build community pride, civic engagement, and ownership.

Shared equity models require time, planning, and support to get started, particularly because conventional financial institutions are unfamiliar with how to finance their development. Yet the potential benefits far outweigh the complexities.

Community Land Trusts

In a CLT model, a non-profit owns the underlying land on which a home is built, while a household (often income-qualified at some maximum percentage of AMI) buys and owns the home itself. If that household moves to a new home, the equity in the house is split between the household and the non-profit. This allows the non-profit to pass its share of those proceeds on to the next buyer/household via a lower price, and also help sustain the organization's operations.

In effect, CLTs durably sustain attainable homeownership opportunities for future

buyers, while individual households build a modest amount of wealth to apply toward future financial goals. CLT homes themselves can be many different housing types, including single-family detached homes, townhomes, and other Missing Middle types.

Limited Equity Housing Cooperatives

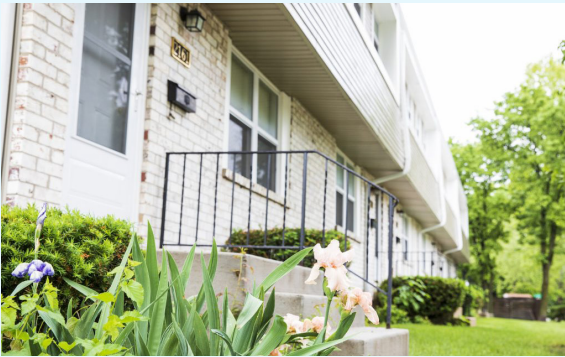
In a Limited Equity Housing Cooperative (LEC), a co-op organization (usually a nonprofit) owns both the land and structures. Residents buy into the property through “shares” of an ownership interest in the LEC. (Sometimes, only prospective residents with incomes below a certain maximum percentage of AMI are eligible to buy shares.)

When residents leave the LEC, they sell their shares, with their equity proceeds based on a pre-set formula that splits the property's value appreciation between the co-op and its members.

Strategy Precedents

Shared Equity Housing

There are many examples of both CLTs and LECs throughout the United States, including many in Kansas and even in Manhattan.



Limited Equity Cooperatives

Manhattan already has two LECs successfully operating in the community. For decades, Prairie Glen Townhouses and Prairie Glen East Cooperative have offered quality housing options with robust services and amenities.

Community Land and Housing Trust

Tenants to Homeowners in Lawrence, Kansas is a nonprofit organization that creates permanently-affordable homeownership opportunities through its Community Land Trust. Since 1992, the organization has created more than 400 homeownership opportunities for low-income individuals.



RECOMMENDED BEST PRACTICE

Continue to maximize use of federal funding programs to address key housing challenges

Manhattan currently receives Community Development Block Grant (CDBG) funding via its status as an Entitlement community. Through CDBG, HUD provides annual grants on a formula basis to carry out a range of potential community development activities subject to federal program guidelines and processes. Manhattan should maintain its status as an Entitlement community, and continue to make full use of its CDBG allocation. This includes maintaining its current housing programs, and ongoing coordination with community partners offering similar supports. Manhattan currently operates three CDBG-funded housing programs, described below.

Housing Rehabilitation Program

Through its Housing Rehabilitation Program, the City of Manhattan assists low- and moderate-income Manhattan homeowners

with critical home repair needs such as accessibility improvements, electrical repairs, lead-based paint controls, and structural repairs.

Emergency Housing Repairs Program

Manhattan also assists eligible homeowners with emergency housing repairs that correct life-safety issues while keeping households in their homes. This includes emergency repairs and/or replacement of furnaces, plumbing systems, and electrical systems.

Mobile Home Rehabilitation Program

The City also sets aside emergency repair and accessibility modification funds for residents of mobile homes owned and occupied by low- and moderate-income residents.



RECOMMENDED BEST PRACTICE

Continually identify opportunities to support community partners in successful implementation of housing activities

There are already several long-standing organizations in Manhattan that lead important housing activities. These organizations have access to tools, funding streams, and expertise that complement housing activities the City can lead on its own. The City should continue supporting these organizations through active partnership and coordination.

Manhattan Area Habitat for Humanity

The local Habitat for Humanity chapter leads a wide range of activities that meet important housing needs. In addition to the homeownership opportunities they create (for which Habitat is best known) they also offer home repair assistance and conduct community outreach.

Manhattan Area Housing Partnership

The Manhattan Area Housing Partnership (MAHP) is a certified Community Housing Development Organization that develops

quality affordable rental housing. MAHP also helps Supplemental Security Income and Veteran's Administration benefit recipients with budget management, which helps support housing stability.

Renter education and support

Local universities provide some support to students who encounter rental housing challenges by educating them about their rights and responsibilities. Expanding and maintaining these supports will help renters manage challenging situations. K-State's new "live-on" requirement for first-year students creates an opportunity for more structured education of first-time renters.

Housing Choice Voucher Program

The Manhattan Housing Authority utilizes the Housing Choice Voucher (HCV) program, which helps low-income renters afford quality housing. As in every community, Manhattan renters using HCV struggle to find landlords

who will accept their vouchers. This can limit HCV participants to low-quality options, and, if a renter does not find a willing landlord within the time limit set by federal rules, they can lose access to their voucher altogether. The Housing Authority's ongoing efforts to educate and recruit prospective landlords to participate in the program are an important element of promoting housing stability.

North Central-Flint Hills Area Agency on Aging

The North Central-Flint Hills Area Agency on Aging is a private, nonprofit organization working across 18 counties, including Riley County (and thus the City of Manhattan) to provide health, employment, and housing assistance, including Housing Choice Vouchers. In addition to working independently, the Agency works in partnership with local and county governments to assist senior citizen and disability family units.

Strategies to Invest in Planning & Research

Goal 3: Housing Planning

Invest in planning—including research, development, and use of procedures, programs, and policies—aimed at reducing barriers to adding, stabilizing, and securing quality, attainable housing

The policies and procedures set by local governments can have a major impact on community housing needs and maximize the potential of housing programs and investments.

Land use decisions and regulations, for example, have a major bearing on what types of housing can (and cannot) be built in different parts of the city. The collection and distribution of data can help to better guide the efforts of local governments and their partners. The creation of standing advisory bodies can bring greater focus, clarity, and detail to policy options, program needs, and best practices. And efficient development review processes can significantly reduce the time and expenses involved in bringing a housing development concept to fruition.

In other words, the policies and day-to-day operations of a city can help make significant strides toward meeting housing needs, and are an essential complement to targeted investments such as Manhattan's sales-tax supported workforce housing initiatives. They

set a critical foundation from which those targeted programs and investments will have the most impact.

This section outlines opportunities for continually improving Manhattan's policies and practices in service of creating needed housing opportunities. While some opportunities are relatively more immediate, many others involve a sustained, continuous focus on improvement.

Housing markets and community housing needs are constantly changing—so opportunities that may not be on the table today could emerge as needs evolve and Manhattan evaluates the impact of its policies and investments over time.

Some strategies under this goal also relate to aspirations outlined in the federal Fair Housing Act to “affirmatively further” fair housing (as opposed to simply preventing discrimination of individuals based on protected characteristics like race). Many local policies and programs—such as zoning, as well as strategies outlined within other goals—hold potential to expand genuine housing choice and help to cultivate neighborhoods of opportunity.

How Strategies Respond to Key Housing Needs

Meet **significant new demand** by facilitating the development of needed housing through regulatory updates and efficient development review and approval processes.

Identify ways to mitigate the **high cost of new housing** by reducing regulatory barriers where appropriate, and exploring new ways to finance infrastructure.

Address the **inventory shortage** through land use policies that allow a range of housing types.

Help attract and retain **young professionals** by supporting diverse, attainable housing types.

Respond to the **shift in student demand** by aligning land use to promote rehabilitation and redevelopment in appropriate areas.

Meet the housing needs of **older adults** by encouraging diverse housing types that help residents age in community.

Address **condition challenges** through policies that promote proactive maintenance.



RECOMMENDED BEST PRACTICE

Strengthen local capacity to guide the creation and preservation of needed housing opportunities

Data and informed dialogue are the foundation on which good policy making can occur. While the HMA process integrated both data and dialogue—forecasting future needs based on the best information today—housing needs and community circumstances are certain to change.

It is essential that Manhattan continue to assemble and share key housing data, while also establishing a structured venue in which ongoing dialogue can occur.

Workforce Housing Steering Committee

It is recommended that the City establish a Commission-appointed Workforce Housing Steering Committee (WHSC) to oversee use of the Economic Recovery and Relief sales tax funds dedicated to workforce housing initiatives. This standing body can advise on the allocation policy, review funding requests, and make recommendations to

the City Commissioners. This body could also serve as an advisor on broader issues of housing in the community, identifying policy recommendations for Commissioner consideration.

The WHSC should be composed of Manhattan residents who are professional experts in housing (i.e., nonprofit representatives, developers, property managers, realtors, etc.), as well as of community members who can offer the perspective of their lived experience as homeowners and renters.

Neighborhood Condition Surveys

Despite concern about housing conditions in Manhattan, data available to quantify and characterize these issues are neither detailed nor comprehensive enough to offer concrete insight on the challenge. The City could consider conducting a recurring survey

of neighborhood conditions, noting the prevalence and location of common issues (as described in the Community Housing Survey). These data can offer guidance on how and where specific programs, such as the Neighborhood Revitalization Program, could be targeted for greatest impact. (Data about specific properties should not be published; rather, heat maps of condition challenges can help guide program design.)

Housing Data Clearinghouse

The City could work with its partners in the region to establish and maintain a centralized location for available housing data. A single location for data describing sales, demographic conditions, zoning, development opportunities, and more can serve as an invaluable resource for community partners' coordination and understanding of key housing issues and possible policy responses.



RECOMMENDED BEST PRACTICE

Continue to align local policies that facilitate the creation and preservation of needed housing

Local policies that shape development play a major role in the creation and preservation of housing. Continually refining these policies will strengthen the community's ability to create housing opportunities that match Manhattan's changing needs.

Manhattan's Development Code

Through a five-year process, Manhattan overhauled zoning and subdivision regulations into a unified development ordinance, now called the Manhattan Development Code (MDC), which took effect in 2022. This overhaul resolved many longstanding challenges and significantly simplified all of the requirements and procedures that regulate development into a single, modern code. However, there will always be opportunities to strengthen the MDC.

Ongoing refinement of the MDC could examine lot size and parking requirements

to promote greater attainability, identify opportunities for greater allowable densities in order to preserve existing housing capacity and expand development potential, and expand the diversity of housing options in Manhattan, allowing for housing types such as Missing Middle or accessory dwelling units that can lower the barriers to attainable, suitable housing. Several potential refinements are detailed in the implementation matrix; additional possibilities are likely to arise in the future.

Identifying Housing Development Areas

The Community Development Department should, on an ongoing basis, identify and map potential housing development areas. Such a map would help monitor future development capacity, and target policies and programs to areas where they could have the most impact and where the greatest opportunities for attainable housing creation and/or preservation exist.

Special Assessments and Infrastructure

As is common in Kansas, the City of Manhattan finances new infrastructure for housing development through the issuance of tax-exempt general obligation bonds that are paid back through special assessment fees. These fees add significant costs to homeowners' monthly housing payments, making greenfield housing development unattainable to most households.

In areas targeted for workforce housing, the City should explore alternatives for financing infrastructure. State resources, such as the Rural Housing Incentive District program, and federal resources made available through the 2021 Bipartisan Infrastructure Law may both provide opportunities in the years ahead. Infrastructure development challenges also highlight the importance of maximizing housing opportunities in areas already served by infrastructure.

Strategy Spotlight

Zoning & Housing Attainability

Communities across the country are wrestling with a growing recognition that zoning and land use regulations—many put in place to achieve well-intentioned goals related to safety, environmental, and aesthetics—can have the unintended consequence of reducing the supply of housing in areas with strong demand. This can have the effect of driving up housing costs and promoting development in areas without sufficient access to employment, transit, and services like groceries. Sprawling development patterns, in turn, can further raise costs of developing and maintaining extensive infrastructure.

The key to zoning that supports attainability is to make it easier to build more housing (and preserve it) where it is needed most. This can involve allowing slightly taller buildings, more units on a single parcel, or smaller minimum lot sizes.

Reducing off-street parking requirements in walkable and transit-served areas—either by lowering minimum parking requirements or by establishing maximum parking requirements—can also reduce development costs and make it easier to create more housing at more attainable price points.



RECOMMENDED BEST PRACTICE

Strengthen relationships and communication with the development community

Local housing developers (both nonprofit and for-profit) are essential partners in creating housing opportunities—it simply does not happen without them. The more cities can establish open and clear lines of communication with developers, the better all parties' expectations and goals can be met.

The City should continue to strengthen its relationships with the development community in service of advancing community goals, such as the creation of housing attainable to residents across the entire income spectrum. One component of this partnership is identifying key personnel at the City who can answer

questions and communicate priorities. This places importance on cross-departmental collaboration, ensuring that all parties within the City are aligned in their responses and communication.

The City should also continue to engage the development community in policy conversations, providing ample opportunity to participate in data-informed dialogue and provide input on policy options, alongside social service providers, advocates, and other community members.

Strategies to Encourage Property Improvement

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Goal 4: Maintain & Renovate

Encourage maintenance and improvement to the community's existing housing through current and new programs and policies.

The final goal of improving housing conditions reflects discussion that emerged in almost every community conversation during the Housing Market Analysis process. There is a broad view that conditions of some of the Manhattan's older housing stock are a barrier to marketability, to workforce attraction, to needed rehabilitation and reinvestment, and to resident stability.

The scope and nature of these concerns was varied—some community members shared experiences related to older rental housing, others to the inadequate inventory of move-in ready homeownership opportunities, and still others to the high costs of renovating older homes due to their very outdated and/or interior condition.

The difficulty in these conversations is quantitatively understanding the precise scope and nature of the challenge. As discussed within Goal 3, there is no source of data that is comprehensive or reliable enough to describe the challenge in detail. Further, it is difficult to untangle expectations of interior finish and amenities from issues that impact health and safety; but in fact, both issues influence marketability and attractiveness of a home to prospective residents.

The Community Housing Survey sheds some light on the prevalence of common housing condition issues, but is still neither comprehensive nor entirely verifiable. (Recurring property conditions surveys could offer a useful source of data to guide policy making and target strategies—this strategy is described within Goal 3.)

Yet, the frequency with which concerns were expressed and the Community Housing Survey data illustrate that improving housing conditions is a priority for Manhattan in its efforts to expand access to suitable housing. This section outlines additional strategies for advancing this goal—many of the strategies addressing the other three goals also contribute to this priority.

How Strategies Respond to Key Housing Needs

Help to satisfy the **significant new demand** by preserving the existing housing stock through maintenance and improvement and incentivizing renovation.

Respond to the **high cost of new housing** by promoting ongoing maintenance that can reduce the needs for major renovation or redevelopment.

Reduce **housing instability** by ensuring health and safety standards are met, reducing health challenges that can arise from housing issues and avoiding displacement and/or frequent moves.

Address the **inventory shortage** by supporting renovation and sales of existing homes.

Help attract and retain **young professionals** by expanding the availability of attainable and marketable housing opportunities.

Respond to the **shift in student demand** by encouraging reconversion (or redevelopment) of subdivided single-family detached housing

Address **condition challenges** through targeted supports and incentives.

Attachment: HMA Report_FINAL ADOPTED PLAN AW (13288 : Housing discussion)



RECOMMENDED BEST PRACTICE

Establish a Neighborhood Revitalization Program to encourage property improvement and redevelopment in targeted areas

The Neighborhood Revitalization Program (NRP) is a state-enabled mechanism that allows cities to incentivize property improvements in targeted geographies. The program provides tax rebates to property owners making improvements that raise the appraised value of residential and commercial property above a set minimum amount. The rebates are on the increase in property taxes; the initial property taxes associated with the property are not affected. Only the taxes of participating taxing jurisdictions may be rebated—this is one reason that planning for NRP should be done in close consultation with community partners and all relevant taxing jurisdictions.

These rebates function like tax abatements, making these projects more attractive and feasible to potential developers. This tool also helps to promote long-term increases and

stabilization in their property tax bases (and reducing the need for future property tax rate increases).

Neighborhood Revitalization Plan

Before a city may initiate an NRP, state statute requires creation of a Neighborhood Revitalization Plan that outlines specific items including (but not limited to) the extents of the focus area, the criteria for eligible properties, application submission and review criteria, and the maximum number of years and amount of tax rebates. For greatest impact, each of these NRP plan elements should be aligned with other policies, such as the City's housing development areas map, planned capital improvements, and the Manhattan Development Code.

Strategy Spotlight

The Neighborhood Revitalization Program

The Neighborhood Revitalization Program (NRP) is a valuable tool for promoting rehabilitation, new construction, and economic development in Kansas communities. Eligible properties may include residential and commercial, making it a valuable tool for aligning housing development with other economic development activities that make neighborhoods attractive places to live.

Dozens of cities and counties in Kansas use NRP to promote revitalization in their communities. Noteworthy examples include Olathe, Pittsburg, and Topeka. Each community structures its program slightly differently, with different eligible properties, different rebate schedules, and different application requirements.

The key is to use NRP to promote rehabilitation and development activity that may not otherwise occur—yet it is not a very deep subsidy, meaning it cannot make any project in Manhattan feasible without being paired with other tools. The goal is to find geographies where there is strong demand, but where projects do not quite “pencil” without assistance.



RECOMMENDED BEST PRACTICE

In coordination with community partners, continue to provide home repair assistance to low-income homeowners

As discussed within Goal 2, the City of Manhattan already operates a number of home repair assistance programs targeted to low-income homeowners, including the Housing Rehabilitation Program, the Emergency Housing Repairs Program, and the Mobile Home Rehabilitation Program.

These programs are funded by Manhattan's allocation of Community Development Block Grant (CDBG) funds. The City should sustain these programs, which provide essential assistance to low-income homeowners—improving the health and safety of their homes and preventing issues that can lead to displacement or unmanageable financial hardship.

Other partners in Manhattan also provide home repair supports to low-income individuals. The City should coordinate with these partners to ensure they maximize the impact of their combined resources.

Manhattan also has social service agencies that regularly interact with low-income individuals, and are well-positioned to provide potentially-eligible individuals with important information about all available home repair assistance programs.



RECOMMENDED BEST PRACTICE

Continue to explore best practices for encouraging maintenance and improvement of existing housing

Manhattan is not alone in its housing condition challenges—many communities are constantly working to identify policies that can track housing conditions and promote more proactive maintenance. There is no silver bullet for addressing housing conditions issues, but there are tools out there that Manhattan can continue to explore.

For example, proactive code enforcement practices can identify exterior code violations before they become much larger problems, and help property owners make fixes before fining them at great cost. This stands in contrast to conventional or “reactive” code enforcement, where code violations are issued only after neighbors or others submit a complaint.

Many communities also use occupancy permit programs—for rental property, for owner-occupied property, or for both—to

monitor interior conditions and ensure that essential life and safety issues are addressed before residents move in. The challenge with these programs is right-sizing the amount of code compliance required—it can be very costly to bring older homes into complete compliance with modern building codes, and not all modern building code components are as essential for a home to be safe. As Manhattan knows from its previous effort to implement a related program, it can also be difficult to establish sufficient staff capacity and align stakeholders' priorities.

Historic Tax Credits (HTCs) are a very valuable resource for rehabilitation of qualified historic properties; promoting this tool can be very effective in maintaining older properties and community character.

Manhattan should continue to research and explore every option at its disposal, engaging key stakeholders in the process.





Chapter 5

Implementation



Priorities for Action

No community can implement everything at once. Cities must determine where to focus their **efforts, and identify initial priorities** for implementation that will lay the foundation for long-term success.

Cities and their partners must also set the table for collaboration. Successful implementation requires coordinated effort by public, nonprofit, and private-sector partners.

A number of near-term priorities emerged through discussion with the Steering Committee and City staff. These priorities were identified based on available resources, community priorities, and timing. Implementing these priorities will take effort and involvement from a wide array of partners.

City Commission Role

The City Commission will have the ability to review policies, programs, or funding opportunities, whether these pass through the Workforce Housing Steering Committee first or come directly from staff. This ensures City Commission is informed, engaged, and empowered to direct housing development policies and programs.

The City's Role

The City has a central role in implementation. It sets policy for the use of land and public resources, it administers programs, it manages careful study of housing needs and policy opportunities, and it can facilitate conversations with community partners about the potential for collective action. The City will operate in each of these capacities to implement priority strategies.

The Housing Ecosystem

There are many other entities that contribute to successfully implementing a housing strategy. This group of partners—referred to as the housing ecosystem—includes philanthropy, nonprofits, developers, lenders, investors, CHDOs, employers, and other community groups. Alongside the City, these groups also act as funders, program providers, risk takers, builders, sources of capital, community organizers, and leaders that form an integrated system for housing.

Each of the priority strategies will rely on the partnership of this housing ecosystem for success. Opportunities for their collaboration are also identified in the pages that follow.

Tools & Resources

These priority actions relate to the use of existing resources, the use of new resources, and the establishment of incentives needed to support the strategy. The City will play the lead role in these actions, but philanthropic, civic, and developer involvement will be needed for maximum impact.

Policy Development

These priority actions are focused on regulatory changes, ordinances, and other public policies that shape how housing and where housing investment occurs.

Governance & Collaboration

These priority actions focus on strengthening and supporting the local housing ecosystem through intentional partnership and collaboration. These strategies will also create the infrastructure by which the City and its partners learn how and where to expand their efforts.

Near-Term Implementation Priorities

Tools & Resources

Create a revolving loan program for workforce housing

Pursue State funding opportunities that complement local workforce housing resources

Continue to maximize use of federal Community Development Block Grant funds

Establish a Neighborhood Revitalization Program

Goal 1: Workforce Housing

Goal 3: Housing Planning

Policy Development

Study potential refinements to the Manhattan Development Code to support creation and preservation of needed housing

Establish a map of Potential Housing Development areas

Create a Neighborhood Revitalization Plan

Goal 2: Policy Support

Goal 4: Maintain & Renovate

Governance & Collaboration

Establish a Commission-appointed Workforce Housing Steering Committee

Support community efforts to establish shared equity housing alternatives

Explore conducting neighborhood condition **survey(s)**

Work with partners to establish a regional housing data clearinghouse

Establish better mechanisms for collaboration with the development community

Implementation Matrix of Strategic Recommendations

Each strategy and implementation **action has a different focus, a different timeframe for implementation, and different partners involved.**

An implementation matrix serves as a resource for connecting the dots, and as a reference tool for all partners involved.

The following matrix is a tool that the City and its partners can use to understand how various strategies fit together, which types of housing need they address, and the partners involved. This matrix will not be static, but change when / if priorities are re-set, the housing industry fluctuates, funding becomes available, or new and additional needs emerge in the marketplace.

Housing Market Segments

While all strategies are focused on housing, some are targeted to for-sale and owner-occupied housing, and others to rental. Different strategies are also designed to affect housing at different demand levels, with various strategies positioned to address housing needs across the income spectrum. The target housing demand type columns highlight the relevant details related to tenure and affordability.

These columns also indicate the intended participants in each strategy—developers, homeowners, nonprofits, and /or landlords and tenants.

Lead and Partner(s)

As discussed in the previous section, there is an entire “ecosystem” of housing organizations that operates alongside the City in meeting community housing needs.

Implementation of the City’s strategy must be rooted in partnership. In some areas, the City will take the lead (marked with an L) and in others, they will be a supportive partner (p) to other entities. Likewise, other entities may sometimes take the lead and sometimes act as a partner. These columns indicate the likely format for collaboration involved with implementing each strategy.



Attachment: HMA Report_FINAL ADOPTED PLAN AW (13288 : Housing discussion)

The starting timeframe columns simply indicate when, roughly, the City would begin focusing its efforts on implementation of each strategy. Near-term strategies would begin in the next one to three years, medium-term strategies in the next four to six years, and long-term strategies in seven years or more. City and community priorities are likely to change, however, pulling strategies forward or pushing them backward. In the future, the implementation matrix can serve as a tool to facilitate those very discussions about where to focus efforts as circumstances evolve.

	Goals and Strategies	Starting Timeframe			Housing Market Segments					Lead (L) and Partner/s (p)					Potential Funding Sources			
		Near-Term (1-3 yrs)	Medium-Term (4-6 yrs)	Long-Term (7-10 yrs)	Renter-Occupied Owner-Occupied	<30% AMI 30-60% AMI 60-80% AMI 80-120% AMI 120-150% AMI 150%+ AMI	Developer Strategy Homeowner Strategy Nonprofit Strategy Landlord & Tenant Strategy	City Developer Nonprofit Financial Institution State Agency Federal Agency University/Colleges Chamber of Commerce Private Employers	Workforce Housing sales tax Federal or State program Nonprofit or Philanthropic Program Existing City Department Budget or Existing Program that Permits Matches									
GOAL 1: WORKFORCE HOUSING Utilize 10% of the Economic Recovery & Relief 2023 sales tax aimed at increasing and preserving the inventory of workforce housing options within an expected range of \$650,000/year over ten years.																		
1.1	Establish a revolving loan program for new construction, renovation, and redevelopment to create workforce-affordable housing				x	x	x	L	p	p	p	x						
1.2	Pursue additional sources of funding to complement revenue from the Economic Recovery & Relief sales tax				x	x	x	L	p	p	p	x						
1.21	Serve as the lead applicant on a KDOC RHID competitive application.	x			x	x	x	L	p									
1.22	Serve as the lead applicant on KHRC MIH competitive application.	x			x	x	x	L	p	p								

	Goals and Strategies	Starting Timeframe	Housing Market Segments						Lead (L) and Partner/s (p)	Potential Funding Sources			
		Near-Term (1-3 yrs)	Medium-Term (4-6 yrs)	Long-Term (7-10 yrs)	Renter-Occupied Owner-Occupied	<30% AMI 30-60% AMI 60-80% AMI 80-120% AMI 120-150% AMI 150%+ AMI	Developer Strategy Homeowner Strategy Nonprofit Strategy Landlord & Tenant Strategy		City Developer Nonprofit Financial Institution State Agency Federal Agency University/Colleges Chamber of Commerce Private Employers	Workforce Housing sales tax	Federal or State program	Nonprofit or Philanthropic Program	Existing City Department Budget or Existing Program that Permits Matches
1.3	Expand assistance for first-time homebuyers to support mortgage attainability	x			x	x	x	x	L	p		x	
1.31	Explore creation of a down payment assistance program.	x			x	x	x	x	L	p		x	
1.32	Explore creation of a closing cost assistance program.	x			x	x	x	x	L	p		x	
1.33	Explore creation of a matching savings fund for first home purchase with potential for homebuyer to also receive matching funding from KDOC's Individual Development Account.		x		x	x		x	L	p		x	
1.4	Support community efforts that facilitate workforce housing development	x			x	x		x	p	p	L		x
1.41	Provide support to a Community Asset Transition (CAT) fund. The CAT would seek to be full-cycle: acquisition, abatement and deconstruction, rehabilitation, and/or redevelopment (where applicable).	x			x	x	x	x	L/p	p	L/p		x
1.42	Provide support to a nonprofit-created Limited Equity Cooperative.	x			x	x	x	x	p	p	L		x

	Goals and Strategies	Starting Timeframe	Housing Market Segments							Lead (L) and Partner/s (p)	Potential Funding Sources			
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GOAL 2: POLICY SUPPORT Support housing efforts providing solutions to the wider variety of housing market challenges faced by other segments of the housing market in addition to workforce.														
2.1	Provide support to community groups working to establish Community Land Trusts and housing cooperatives	x	x	x	X X	x x x x	x x	p	L					x
2.2	In coordination with community partners, continue to maximize use of federal funding programs to address key housing challenges.							L	p			x		
2.21	Maintain the City's Community Development Block Grant "entitlement" status and program participation.	x			x x	x x x	x	L		p p		x		
2.22	Sustain the Housing Rehabilitation Program.	x			x	x x x	x	L		p p		x		
2.23	Sustain the Emergency Housing Repairs program.	x			x	x x x	x	L		p p		x		
2.24	Sustain the Mobile Home Rehabilitation program.	x			x	x x x	x	L		p p		x		

	Goals and Strategies	Starting Timeframe			Housing Market Segments							Lead (L) and Partner/s (p)			Potential Funding Sources														
		Near-Term (1-3 yrs)	Medium-Term (4-6 yrs)	Long-Term (7-10 yrs)	Renter-Occupied	Owner-Occupied	<30% AMI	30-60% AMI	60-80% AMI	80-120% AMI	120-150% AMI	150%+ AMI	Developer Strategy	Homeowner Strategy	Nonprofit Strategy	Landlord & Tenant Strategy	City	Developer	Nonprofit	Financial Institution	State Agency	Federal Agency	University/Colleges	Chamber of Commerce	Private Employers	Workforce Housing sales tax	Federal or State program	Nonprofit or Philanthropic Program	Existing City Department Budget or Existing Program that Permits Matches
2.3	Continually identify opportunities to support community partners in successful implementation of housing activities	x			x	x	x	x	x	x			x	x	x	x	p												x
2.31	Serve as an active partner to Habitat for Humanity in their efforts to create affordable homeownership opportunities	x				X	x	x	x				x	x				p	L										x
2.32	Support structured renter education and support programs, particularly for first-time and/or inexperienced renters	x			X		x	x	x	x					x	x	p		p			p	L	p				x	

	Goals and Strategies	Starting Timeframe			Housing Market Segments							Lead (L) and Partner/s (p)					Potential Funding Sources			
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GOAL 3: HOUSING PLANNING Invest in housing planning, including research, development, and engagement of procedures, programs, and policies aimed at reducing barriers to adding, stabilizing, and securing quality, attainable housing.																				
3.1	Strengthen local capacity to guide the creation and preservation of needed housing opportunities	x			x	x	x	x	x	x	x						x			
3.12	Form a Workforce Housing Steering Committee to recommend allocation of funding from the workforce housing sales tax to the City Commission on an annual basis for the ten year lifespan of the tax.	x			x	x		x	x	x		x	x	L			x			
3.13	Consider conducting neighborhood condition survey(s).	x			X	X	x	x	x	x	x			L	p		x			
3.14	Explore creation of a housing data clearinghouse with potential to expand the scope provided additional organizational involvement and funding.	x			x	x	x	x	x	x	x			L	p	p	x			
3.2	Continue to align local policies in order to facilitate the creation and preservation of needed housing																			
3.21	Continuously review the Manhattan Development Code for changes that can reduce or remove barriers and increase development and preservation of housing units	x			x	x	x	x	x	x	x	x	x	L	p	p				

	Goals and Strategies	Starting Timeframe	Housing Market Segments				Lead (L) and Partner/s (p)	Potential Funding Sources
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3.22	Lower lot size minimums in low-density residential zoning districts from 10,000 to 6,500 for single family to permit smaller, more affordable lots.							
3.23	Lower parking minimum for 1- to 5-unit dwellings to reduce development and rehabilitation cost.							
3.24	Review policies on non-conforming uses/sites to address density preservation and housing quality.							
3.25	Pair residential non-conforming use (NCU) registration with right to continue use when damaged beyond 50%.							
3.26	Review policy of minor “expansion” rights for NCUs by permitting some additional square footage and amenities to improve housing quality and preservation.							
3.27	Adopt a policy of residential greenfield development zoning defaulting to RL-A to improve market resilience.							
3.28	Review potential future land use (FLU) amendments addressing densification and sprawl							

	Goals and Strategies	Starting Timeframe			Housing Market Segments					Lead (L) and Partner/s (p)			Potential Funding Sources			
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3.29	Review existing and research new policies for potential positive impacts on development.															
3.2a	Review annexation planning process for improvements.															
3.2b	Review requirement of master plan for annexations over a specified threshold															
3.2c	Create a “potential housing development areas” map identifying land to support creation of new housing.															
3.2d	Identify areas to rezone and add housing capacity based on factors like ratio of renter-occupied units, ratio of NCUs, proximity to major commercial/employment centers, and economic conditions.															
3.2g	Explore special tax policies and infrastructure investments that can support the creation of workforce and affordable housing	x			X	x	x	x	x		L			x		

	Goals and Strategies	Starting Timeframe			Housing Market Segments					Lead (L) and Partner/s (p)			Potential Funding Sources																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							
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		Near-Term (1-3 yrs)	Medium-Term (4-6 yrs)	Long-Term (7-10 yrs)	Renter-Occupied Owner-Occupied	<30% AMI	30-60% AMI	60-80% AMI	80-120% AMI	120-150% AMI	150%+ AMI	Developer Strategy Homeowner Strategy Nonprofit Strategy Landlord & Tenant Strategy	City Developer Nonprofit Financial Institution State Agency Federal Agency University/Colleges Chamber of Commerce Private Employers	Workforce Housing sales tax	Federal or State program	Nonprofit or Philanthropic Program	Existing City Department Budget or Existing Program that Permits Matches
GOAL 4: MAINTAIN & RENOVATE Encourage maintenance and improvement to existing housing through current and new programs																	
4.1	Establish a Neighborhood Revitalization Program to encourage property improvement and redevelopment in targeted areas	x			x	x	x	x	x	x	x	x	L		x		x
4.11	Identify and designate specific geographic areas for the NRP program												L				
4.12	Explore creation of a Tax Reimbursement Program supporting specified improvement rebates as a specific rate over a period of time and within a geographic specific area.	x			x			x	x	x		x	L				
4.2	Continue to explore best practices for encouraging maintenance and improvement of existing housing, both owner- and renter-occupied properties				X	X	x	x	x	x			L				x
4.21	Promote Historic Preservation Grants and Tax Credit Opportunities for utilization in rehabilitation projects	x			x	x	x	x	x	x	x	x	p	L	x		





Appendix

Area Median Income (AMI) Definitions by Household Size

19.e

income limit (% AMI)	Persons in Family							
	1	2	3	4	5	6	7	8
30%	\$17,900	\$20,450	\$22,980	\$27,750	\$32,470	\$37,190	\$41,910	\$46,630
50%	\$29,800	\$34,050	\$38,300	\$42,550	\$46,000	\$49,400	\$52,800	\$56,200
60%	\$35,750	\$40,850	\$46,000	\$51,060	\$55,150	\$59,250	\$63,350	\$67,400
80%	\$47,700	\$54,500	\$61,300	\$68,100	\$73,550	\$79,000	\$84,450	\$89,900
100%	\$59,600	\$68,100	\$76,600	\$85,100	\$91,950	\$98,750	\$105,550	\$112,350
120%	\$71,500	\$81,700	\$91,950	\$102,120	\$110,300	\$118,500	\$126,650	\$134,800
150%	\$89,400	\$102,150	\$114,900	\$127,650	\$137,900	\$148,100	\$158,300	\$168,500
200%	\$119,150	\$136,200	\$153,200	\$170,200	\$183,850	\$197,450	\$211,050	\$224,700

Attachment: HMA Report_FINAL ADOPTED PLAN AW (13288 : Housing discussion)

Glossary of Key Housing Terms

Area Median Income (AMI)

Area Median Income (AMI) is a metric calculated by the U.S. Department of Housing and Urban Development (HUD) to determine the income eligibility requirements of federal housing programs

Extremely Low-Income Household

Households with incomes below 30 percent of area median income. Most federal affordable housing programs serve households earning up to 80% of area median income.

Fair Market Rent (FMR)

The Fair Market Rent is the average rent and utility costs for newly leased, non-luxury rental units with basic amenities. Fair Market Rents are used to set rental assistance payment standards for federal housing programs

Gross Annual Household Income

The total income received by all members of the tenant's household. This is the amount before taxes and deductions are subtracted.

Gross Rent

Gross rent is the amount of rent stipulated in a lease. When someone signs a lease, they will have to pay rent each month, and the gross rent is the combined amount of monthly payments.

Homeless

An individual who lacks a fixed, regular and adequate nighttime residence. Additionally, an individual who has a primary nighttime residence that is a supervised publicly or privately operated shelter designed to provide temporary living accommodations, an institution that provides a temporary residence for individuals intended to be institutionalized or a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

Household

All the people who occupy a housing unit. A household includes the related family members and all the unrelated people. Unrelated people may include lodgers, foster children, wards, or employees who share the housing unit. A person living alone in a housing unit, or a group of unrelated people sharing a housing unit such as partners or roomers, is also counted as a household.

Housing Assistance Payment

The monthly dollar amount a Public Housing (PHA) would pay, directly to the landlord, on behalf of the Housing Choice Voucher holder. The amount of HAP is the difference between the unit rent and the tenant contribution. The tenant contribution in the Housing Choice voucher program is 30% of monthly income.

Housing Choice Voucher

HUD's major tenant-based rental assistance program, Section 8 Housing Choice Vouchers allow low-income households to receive rental assistance in a home of their choice. Housing Choice Voucher tenants pay 30% of their monthly income for rent and the federal government pays the landlord the remainder through a local housing authority. Payments to landlords are restricted by the area's Fair Market Rent (FMR). This is called the Housing Assistance Payment, or HAP.

Housing Market Area

A geographic region from which it is likely that renters/purchasers would be drawn to a given housing project. A housing market area most often corresponds to a Metropolitan Statistical Area (MSA).

Low-Income Household

A household whose combined income does not exceed 80% of the median family income for the area. This is the income eligibility threshold for most federal affordable housing programs.

LIHTC

Low Income Housing Tax Credit Program

Market Value

The most probable price that a property should bring in a competitive and open market. This is provided that all conditions requisite to a fair sale are present, the buyer and seller are knowledgeable and acting prudently, and the price is not affected by any undue stimulus.

Metropolitan Statistical Area (MSA)

An area with at least one urbanized area of 50,000 or more population, plus adjacent territory that has a high degree of social and economic integration with the core. This integration is primarily measured by commuting ties.

Net Rent

Net rent is the rent a lessee pays on average per month of a lease period. It is not the actual amount a lessee pays per month, but a mathematical calculation that considers free months on the lease as if they'd been paid for. The net rent may appear on rental listings to guide potential renters toward the listing with the promise of lower payments.

NIMBY (Not In My Backyard)

Describes the phenomenon in which residents of a neighborhood designate a new development or change in occupancy of an existing development as inappropriate or unwanted for their local area. These sentiments are a common barrier to the creation of new housing opportunities.

NOAH

Naturally occurring affordable housing; housing that is available on the regular market, open to anyone and happens to be affordable to many families

Operating Subsidies

Payments authorized by the U.S. Housing Act of 1937 for operating costs of low-rent public housing properties. Operating subsidies help public housing authorities pay for utilities, maintenance, security, accounting, reporting and similar operating costs.

Overcrowding

The condition of having an average of more than one person per room. Overcrowding is considered a serious housing problem. Overcrowding is not allowed in federally assisted housing.

Project-Based Housing Assistance

When government housing assistance is tied to the unit, not the tenant. When a tenant moves out, they do not take the rental assistance with them. New tenants moving into the unit will benefit from the rental assistance attached to the property.

Project-Based Vouchers

A component of a public housing authority's housing (PHA) Section 8- Housing Choice Voucher program. A PHA can attach up to 20% of its voucher assistance to specific housing units if the owner agrees to either rehabilitate or construct the units, or the owner agrees to set aside a portion of the units in an existing development.

Public Housing

Housing assisted under the provisions of the U.S. Housing Act of 1937 or under a state or local program having the same general purposes as the federal program. Distinguished from privately financed housing, regardless of whether federal housing subsidies or mortgage insurance are features of such housing development.

PHA

Public Housing Authority.

Qualified Census Tract

Any census tract (or equivalent geographic area defined by the Census Bureau) in which at least 50% of households have an income less than 60% of the area median gross income. In addition, it may also be a Qualified Census Tract if it has a poverty rate of at least 25%.

Rehabilitation

The labor, materials, tools and other costs of improving buildings, other than minor or routine repairs. Includes when the use of a building is changed to an emergency

shelter and the cost of this change and any rehabilitation costs does not exceed 75 percent of the value of the building before the change in use.

Renovation

Rehabilitation that involves costs of 75 percent or less of the value of the building before rehabilitation. Examples of renovation projects include jobs like kitchen or bathroom remodels, upgrading windows or adding a deck.

TIF

Tax Increment Financing.

TOD

Transit Oriented Development.

Utility Allowance

An amount used by a Public Housing Authority (PHA) to determine average utility bills for a specific area. It is used to calculate the tenant's portion of the monthly rent, and is a useful resource for understanding utility costs as a portion of overall household housing costs.

Workforce Housing

Workforce housing is housing for the occupations needed in every community, including teachers, nurses, police officers, fire fighters, and many other critical workers. The families in need of workforce housing do not fall neatly into a single narrow income category.

Many communities use this term to describe specific income groups within their community, as a means of differentiating housing supports for these groups from traditional “affordable housing” programs.

Detailed Market Analysis

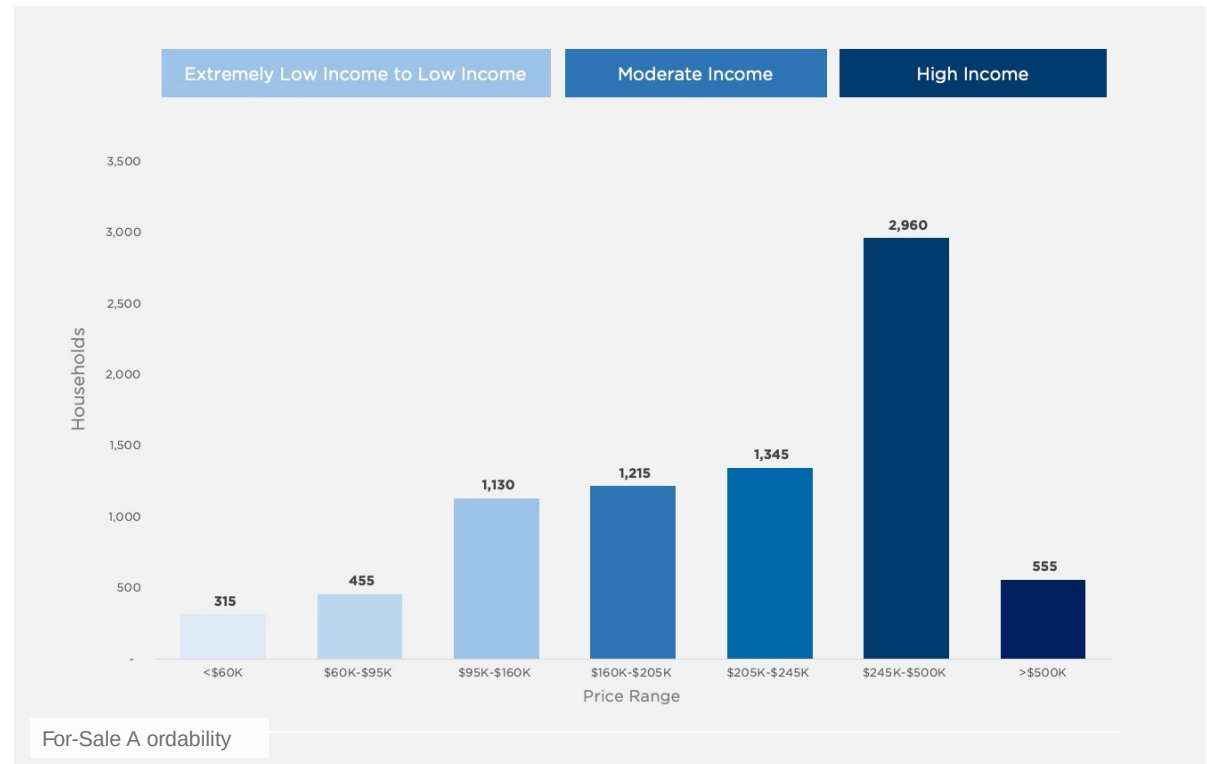
Affordability Analysis

The American Community Survey provides income distribution data and the proportion of income spent on housing for households currently living in Manhattan. The following graphs represent the number of households able to afford housing at various price points; however, this does not represent the existing supply.

In some cases, households are spending more than what they can afford on housing costs, while others may spend significantly less due to diminishing relative housing costs at higher incomes or the absence of desired housing.

For-Sale Affordability

As in most communities, homeowner household incomes in Manhattan tend to skew higher than renter incomes. This is especially true in Manhattan, given the prevalence of student renters and young military renters. In fact, more than one quarter of homeowner households in Manhattan can be classified as “high income,” able to afford homes priced at more than \$500,000. Some share of these higher-income households may have demand for new housing in high price ranges, opening up their current homes for new prospective

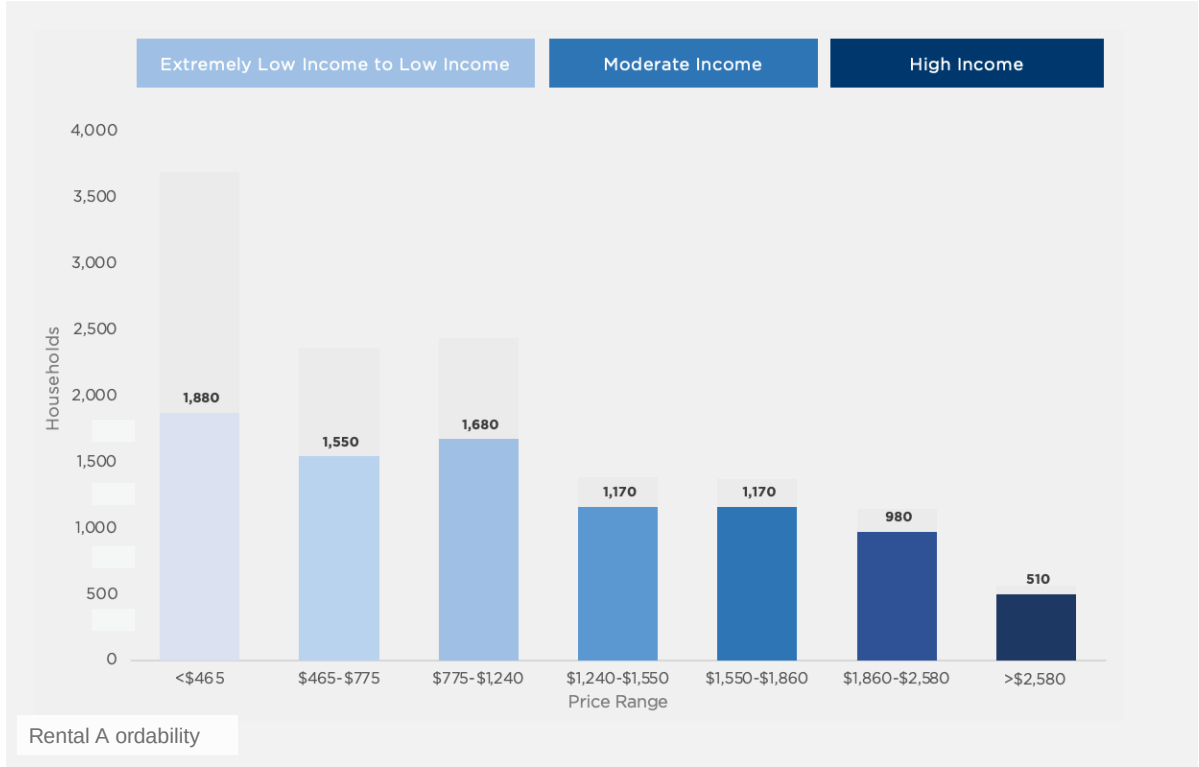


Source: Development Strategies, ESRI, ACS,

homebuyers. (Nationally, according to Freddie Mac, about 5 percent of homeowners move each year.) Many others will stay in their current homes.

Some share of homeowners with moderate incomes may likewise be interested in moving. Having built some equity, they may be able to afford a somewhat more expensive home than renters with the same income who are interested in buying a home.

Lower income homeowners may be interested in a move, and may also need assistance with making repairs to their homes to maintain them as suitable, healthy places to live.



Source: Development Strategies, ESRI

While this analysis focuses on current renter affordability, many of these renters may in fact be prospective homeowners. Those in low income, moderate income, and high income groups are likely to express interest in home purchase in the future; if a suitable option was available at a price point affordable to these groups, many would likely consider homeownership.

Rental Affordability

The majority of Manhattan’s households currently rent, and these households have a broad range of incomes. The analysis shown above shows what current renter households aged more than 25 years can afford, in an effort to better understand the affordability specifically of the non-student renter

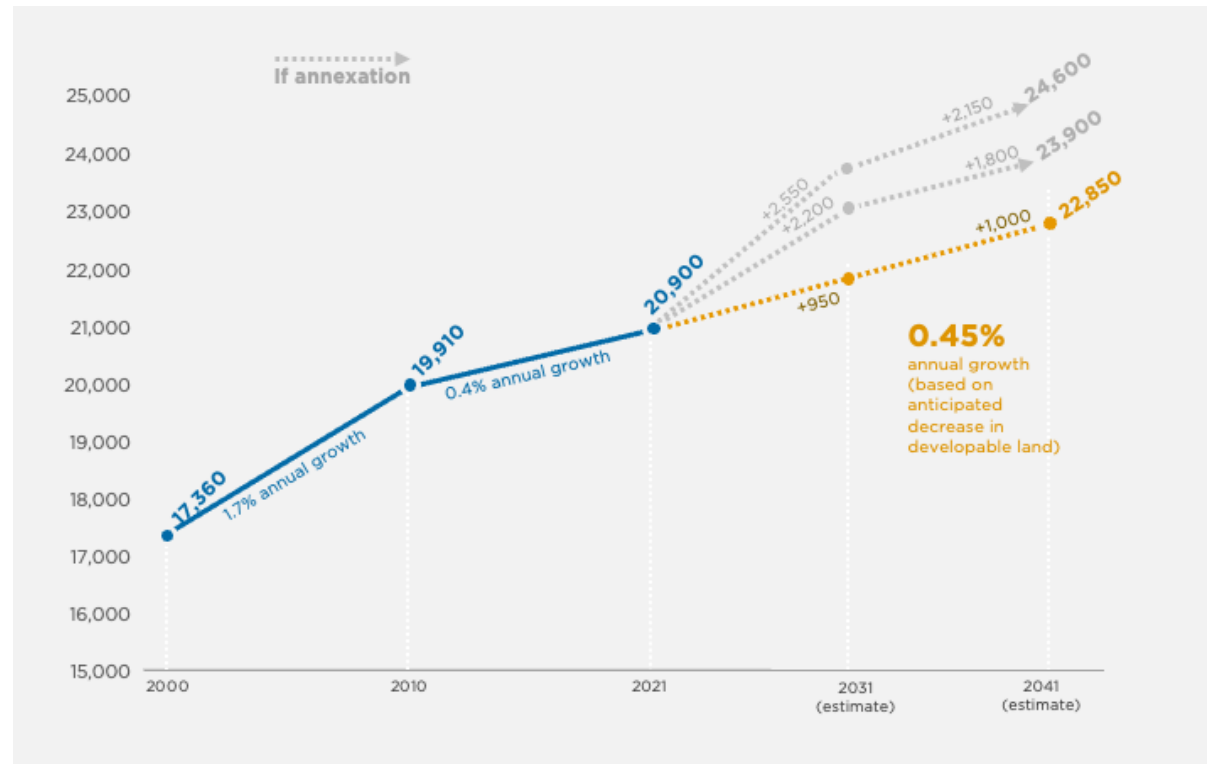
population. (The rental affordability of those aged less than 25 years is shown in a light gray in the background.)

In contrast to homeowners, renters are somewhat more likely to seek a new housing option in a given year. Nationally, 16 percent 4,500 renter households move each year (Freddie Mac).

Growth Projections

Population growth analysis is one of several methods used to estimate future housing needs. This analysis projects household growth trends forward to estimate the net need for new housing units, typically utilizing a range of growth scenarios. Specifically, these scenarios blend an analysis of past growth trends for the region and Manhattan, economic development trends, any projections currently in place, and other factors. This projection for Manhattan also incorporates estimates of potential growth based on annexation studies.

While the projections shown here are data-driven, 20-year projections have limitations; so much can happen in that time frame that either accelerates or decelerates growth. For example, the growth of Scorpion Biological Services (announced during the HMA process) effectively shifted this range 300 to 400 units higher. Future economic changes will continually inform future housing needs.



Source: Development Strategies, ESRI, Census, ACS, 2021 annexation study.

In the past two decades, households have grown at a rate of 0.60%. If this growth were to continue at the same rate, Manhattan would reach 23,550 households by 2041. The low scenario shown above reflects a conservative assumption that growth may decelerate based on the decrease in developable land (in comparison to the past two decades).

The two higher scenarios show the potential for accelerated growth in the case that Manhattan were to annex some amount of the surrounding area, creating new developable land within the city itself.

Market Segmentation

Target market analysis is used to determine demand based not only on geography and demographic traits, but also on consumer preferences. Just as market segmentation is used to determine tendencies to buy different consumer products—such as computers, and dish soap—data on market segments can be used to identify demand for different types of housing products in a particular area. ESRI's Community Tapestry data identify these consumer preference groups and their associated demographic characteristics and housing preferences.

The region's five largest and most quickly-growing Tapestry groups (of 16 groups in the greater Manhattan region) are identified to the right. The analysis further applies a "capture rate" to each group, based on their propensity to prefer a housing option in Manhattan, if it were made available.

In total, this estimates that up to 4,000 households in the surrounding region could be attracted to Manhattan in the next 20 years if desirable housing options were made available.

Market Segmentation

Family Landscapes



Workday Drive

Median HH Income: \$71k
Average HH Size: 2.97
Owner-occupancy: 70%



Middleburg

Median HH Income: \$47k
Average HH Size: 2.75
Owner-occupancy: 49%

Estimated Capture for each Segmentation

Total HHs in MSA

11% to 23%

650 HHs

5,500

GenXurban



In Style

Median HH Income: \$57k
Average HH Size: 2.35
Owner-occupancy: 52%

14% to 16%

930 to 1,080 HHs

5,400

Middle Ground



Bright Young Professionals

Median HH Income: \$42k
Average HH Size: 2.41
Owner-occupancy: 25%

4% to 8%

520 to 930 HHs

10,800

Scholars and Patriots



Dorms to Diplomas

Median HH Income: \$13k
Average HH Size: 2.22
Owner-occupancy: 4%

2% to 3%

250 to 380 HHs

13,600

aggressive
 market estimate

1,150
to 1,820
for-sale units

1,340 to
2,160
rental units

2,490
to 3,980
units

Source: ESRI 2021, Development Strategies 2022



PLANNING & DEVELOPMENT
Contract

Amanda Webb
Planning/Special Projects
Director
110 Courthouse Plaza
Manhattan, KS 66502
Phone: 785-537-6332

COMMISSION AGENDA REPORT

FROM: Amanda Webb, Planning Director

MEETING: April 3, 2023

SUBJECT: Authorize Chairwoman to sign contract for temporary soil evaluation services

PRESENTER: Amanda Webb, Planning Director

BACKGROUND

Riley County is currently without an Environmental Health Specialist. Several of the job responsibilities can be carried out by existing staff. Others, such as soil evaluations, cannot.

DISCUSSION

Dr. DeAnn Presley, Soil Scientist and Professor at KSU, has agreed to contract with us temporarily for soil evaluations. She teaches a soils class and is always looking for real-world experience for her students. She and her students would perform the soil evaluations on site, and submit the results to this department for further processing. This is the only service she will be contracted to perform.

An unsigned contract is attached. I am working with the contractor to obtain a signature before the BOCC meeting and will bring with me for the Chairwoman's signature.

FISCAL IMPACT

The contract rate is \$75 per hour. This will be covered under Planning & Development's current budget.

RECOMMENDATION(S)

Staff recommends the BOCC authorize the Chairwoman to sign the contract for temporary soil evaluation services.

POSSIBLE MOTION(S)

Move to approve the Chairwoman signing the contract for temporary soil evaluation services.

Enclosures:

- EHS Temporary Services Clean (PDF)

Contract for Temporary Services

This is a contract between DeAnn Presley (hereinafter “Contractor”) and Riley County, Kansas (hereinafter “County”) for Environmental Health Specialist services. Contractor and County agree to the following:

1. **SERVICES:** County requires an Environmental Health Specialist professional to temporarily assist County by providing County professional, timely, and accurate sanitarian services. Contractor agrees to perform all those services personally, and with the volunteered and supervised assistance of up to approximately 13 of her Kansas State University Students, subject to the terms and conditions of this contract. None of Contractor’s services can be subcontracted by Contractor to another supervisor of those students without the advance written permission of County.

Contractor shall perform the following services for County:

Conduct scheduled soil profile evaluations which are scheduled in advance by county, taking into account Contractor’s availability.

2. **EQUIPMENT:** Contractor shall supply all equipment needed to perform the services as listed.

3. **COMPENSATION:** County shall pay Contractor **\$75.00** per hour for work, as needed, per week.

No Payment in Certain Circumstances: Payment shall not be made to the Contractor under these circumstances:

A. Contractor does not perform the Services to the reasonable satisfaction of the County.

B. County may terminate this contract immediately for convenience at any time, by verbal or written notice. Upon receipt of such verbal or written notice of termination, Contractor shall immediately cease all work under this agreement. If this contract is terminated by County for convenience, Contractor shall be paid for acceptable work completed prior to termination.

4. **TERM:** It is mutually agreed that this contract shall begin _____ **and is for an indefinite term, but is intended by the parties to be for an initial term of 3 months, at the sole discretion of County.** Pursuant to paragraph 3.C. herein, during such initial term, this contract may be terminated at the request of either party if such party gives 10 **days** advance verbal or written notice to the other party. The parties may agree to extend the initial term in a writing executed with the same formalities as this contract.

5. **CREDENTIALS:** The Contractor will maintain the professional credentials, licenses and certifications necessary to provide County the services described in this contract during its term.

6. AGREEMENT WITH KANSAS LAW: All disputes and matters whatsoever arising under, in connection with or incident to this contract shall be litigated, if at all, in and before a state Court located in the State of Kansas, County of Riley, or if in Federal Court, at a Federal Court located in Topeka, Kansas to the exclusion of the Courts of any other states or country. All contractual promises shall be subject to, governed by, and construed according to the laws of the State of Kansas, without reference to its conflict of laws principles. Both parties submit to venue and jurisdiction in these courts. In the event an action or claim arises outside of the exclusive jurisdiction specified herein which names County as a party, Contractor agrees to initiate, consent to and/or cooperate with any and all efforts to remove the matter to the exclusive jurisdiction named herein and otherwise to take any and all reasonable actions to achieve County's objectives of this provision.

7. INDEPENDENT CONTRACTOR: It is agreed the legal relationship between Contractor and County is of a contractual nature. Both parties assert and believe Contractor is acting as an independent contractor in providing the services and performing the duties required by county herein. Contractor is at all times acting as an independent contractor and not as an officer, agent, or employee of County. As an independent contractor, Contractor, and any employees, agents or volunteers of Contractor shall not be within the protection or coverage of County's worker's compensation insurance, nor shall Contractor, and employees, agents or volunteers of Contractor, be entitled to any current or future benefits provided to employees of County. Further, County shall not be responsible for withholding of social security, federal, and/or state income tax, or unemployment compensation from payments made by County to Contractor. Contractor shall supply all labor, equipment, supplies and materials necessary to complete the required services, at Contractor's sole expense, unless specifically provided otherwise herein.

COUNTY

CONTRACTOR

Board of Riley County Commissioners

Kathryn Focke, Chairwoman

DeAnn Presley

ATTEST: (Seal)

Rich Vargo, Riley County Clerk