CITY of Leawood

Stormwater Management Committee
Packet Memo

Meeting: Stormwater Management Committee - Special Call Meeting - Mar 30 2026

Staff Contact: David Ley, Public Works, 913-663-9131, davidl@leawood.org

AGENDA ITEM

Stormwater Discussion

ATTACHMENTS

Stormwater Discussion

CITY of Leawood

Date: March 26, 2026

To: Governing Body & Stormwater Committee
Diane Stoddard, City Administrator

From: David Ley, PE, Director of Public Works

Re: Governing Body & Stormwater Committee Joint Work Session

Below is a summary of the items that will be discussed at the March 30th Work Session:

1. Briefing and demo of model: 6:00 PM to 7:00 PM

Location is at the PW Maintenance Shop east vehicle bay. Dinner will available at 5:45 PM.

2. Leawood South/Waterford Project Update

Wenonga in the 12600 block came to staff's attention in 2013 after a heavy rainstorm over the area between 119th St to 133rd St. The residents attended a Stormwater Committee Meeting in 2013 and Council approved the recommendation to complete a Preliminary Engineering Study (PES). Johnson County Stormwater Management Advisory Committee (SMAC) approved the project and provided 75% funding for engineering and construction. The City hired Shafer, Kline & Warren (now McClure Engineering) to develop construction plans. The design took approximately five years due to COVID and finding alternative paths for the proposed storm sewer due to the size of the new pipes. The City was able to obtain easements on all but two properties for construction and initiated the Condemnation process to obtain the remaining easements. The Courts assigned what Staff and Governing Body thought was too high of a value on those two takings and the Governing Body directed Staff to shelve the project.

This area has continued to flood since 2013. Due to the rain event in July 2024 which flooded the roadways, several homes, and damaged metal pipe the City hired Water Resource Solutions to develop plans working with all property owners and develop a watershed based plan instead of just upsizing the pipes.

WRS completed the PES in January 2026 and submitted it to JOCO. After the PES has been approved by the County staff will negotiate a scope and fee for the first phase of the construction project which is the Pawnee Lane By-Pass line. The By-Pass line will reduce the volume of water flowing to 12600 Wenonga which will reduce the flooding along the roadway. We anticipate construction on Phase I to begin in Spring 2027 however easements could delay that by 3-4 months. The County should fund 75% of the first phase and the remaining cost will be from the 1/8th Sales Tax as this phase is not a metal pipe replacement project.

In mid-2027 staff will negotiate a design contract with WRS for Phase II of the Leawood South project. We anticipate construction in late 2028 and this will address the metal pipe and reduce localized flooding.

3. Leawood Estates (North I-435 between Mission and Lee)

Johnson County Wastewater (JCW) completed a Letter of Map Revision based on Fill (LOMR-F) as part of the Tomahawk Creek Treatment Plant improvements. Although the project did not increase the base flood elevation, JCW will be required to update the FEMA floodplain maps. This update is expected to add several homes located north of I-435 between Mission Road and Lee Boulevard back into the mapped floodplain.

These properties were included in the original FEMA floodplain maps from 1977 through 2010. However, during the 2010 map update, this area was inadvertently omitted. Despite the mapping discrepancy, the area has experienced multiple flood events dating back to the mid-1980s. While these culverts are not adequately sized for the 1% (100-year) local drainage area, the most significant flooding has occurred when Indian Creek backwater flows through the culverts from south to north under I-435. Flood events occurred twice in the mid-1980s, once in the 1990s, twice in 2017, and most recently in 2025.

Residents from this area attended a Stormwater Committee meeting in 2017. In response, the City retained HDR in 2018 to prepare a Preliminary Engineering Study (PES), which was subsequently approved by the Johnson County SMAC. The initial project concept, estimated at approximately $7 million, involved extending the I-435 culverts downstream through City Park to discharge into Indian Creek at a location with a lower water surface elevation.

In the early 2020s, HDR updated the construction cost estimate for this project, which had increased to over $10 million. Given the significant cost escalation, the project was removed from SMAC funding consideration and deemed no longer feasible in its original form. As a result, the City will need to evaluate more cost-effective alternative solutions to address flooding in this area.

4. CMP overview

The City stormwater system comprises of 861,000 linear feet of concrete pipe and 90,000 linear feet of metal pipe. During the late-1960s to mid-1980s the City approved metal pipe to be utilized in lieu of concrete pipe. Metal pipe has a life span of up to 50 years and staff is observing significant corrosion in the flow line of the pipe which is causing frequent sinkholes. Concrete pipe has a life span of up to 100 years.

In 2015 the City had 105,000 linear feet of metal pipe (included is a map showing the locations of metal pipe in red). With completion of the three metal pipe programs the City now has approximately 90,000 linear feet of metal pipe. At the current $1.5M funding level it will take over 50 years to replace the metal pipe.

Since 2015 the City has utilized the CMP bonded program, JOCO SMAC funding, and a small portion of the 1/8th cent sales tax to pay for metal pipe replacement. Also when the City completed an arterial project we utilized a portion of the Pay As You Go Arterial Program and Johnson County County Assisted Road System (CARS) funding programs to replace metal pipe along several arterials.

Photos of pipe conditions:


08/08/25
13:47:25
104.6 ft.
0.0 ft./min


Distance:278.0 ft.
JOLD - Joint Offset Large Defective
Clock from:
Clock to:
Rating:4
Dimension 1:

5. History of stormwater funding and current sales tax

The 2016–2020 Capital Improvement Program (CIP) established a Metal Pipe Replacement Program to begin in 2017, with proposed funding of $5 million annually for seven consecutive years through General Obligation (GO) Bonds. The subsequent 2017–2021 CIP delayed the program's start to 2018 and reduced funding to $3 million every other year, also funded through GO Bonds.

Public Works completed approximately $3 million in both the 2018 and 2020 program cycles, and approximately $2 million in 2022. Due to uncertainty during the 2023 budget process, the City removed the Metal Pipe Replacement Program from the 2024–2028 CIP. The program was later reinstated in the 2025–2029 CIP, beginning in 2026 at a funding level of $1.5 million annually. In 2017 the City had 105,000 feet of metal pipe and it is now at 92,000 feet of metal pipe.

The City currently utilizes two primary funding sources for storm sewer projects: GO Bonds and the 1/8-cent Sales Tax. As noted, the Metal Pipe Replacement Program is funded through GO Bonds at $1.5 million per year. The 1/8-cent Sales Tax generates approximately $1.5 million annually, which is split roughly evenly between stormwater projects and the Residential Mill & Overlay Program. Projects funded by the sales tax primarily consist of upsizing existing concrete pipes and extending storm sewers in areas prone to flooding.

Johnson County provides funding assistance for flood control, stormwater maintenance (replacement of deteriorated pipes), and water quality projects. SMAC funding for maintenance projects is awarded based on a risk scoring system that evaluates pipe condition and consequences of failure. Cities within Johnson County apply annually, and projects with the highest risk scores are funded up to the available budget, typically on a 50/50 cost-share basis between the County and the municipality.

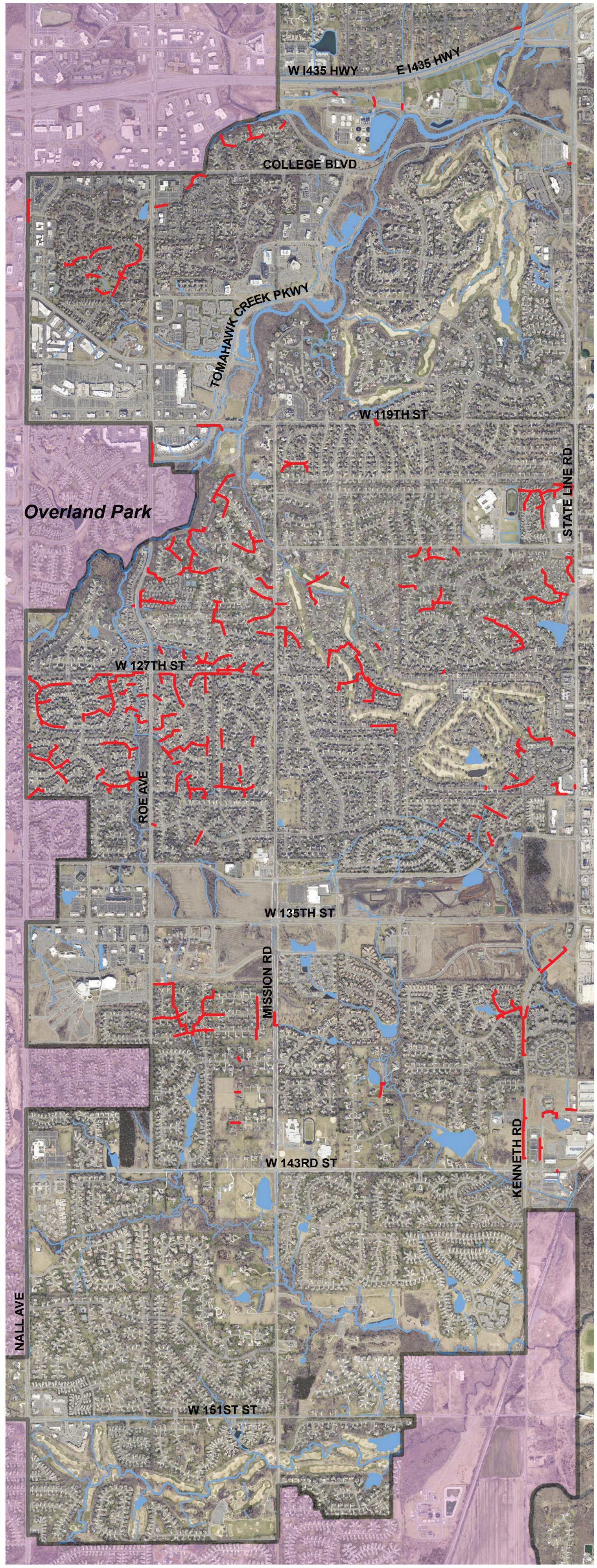
Below is a chart showing different funding scenarios including just utilizing GO Bond, GO Bond & 1/8th Cent Sales Tax, and a 3/8th Sales Tax. The total project costs includes hiring a project manager (the City is not staffed to manage a project this size), 2.0% annual sales tax increase, 2.5% inflation rate, and 5% of the project would qualify for SMAC funding.

Annual Funding Level	Funding Type	Length of Project (Years)	Total Project Costs
$1.5M	GO Bond	60	$175M
$2.7M	GO Bond & 1/8th	31	$117M
$4.3M	3/8th	20	$104M

6. Other Areas/Risks

Staff receives approximately ten reports each year related to sinkholes caused by deteriorating corrugated metal pipes (CMP). Currently, repairs are largely reactive due to delays in implementing the CMP replacement program over the past several years. The recent March storm created a lot of sink holes that PW Maintenance Staff are currently repairing.

The allocated $1.5 million for the CMP program will allow us to begin bundling projects. However, to maximize these benefits and address infrastructure more strategically, additional funding is needed to complete replacements at the neighborhood scale rather than addressing isolated failures.



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City of Leawood
2026 Metal Pipe Locations

City 1/8 cent sales tax information and future options

March 2026

History

In April of 2000, the citizens of Leawood approved a 1/8-cent sales tax to improve city-owned stormwater projects and accelerate the annual street improvement program. This five-year tax became effective July 1, 2000. In August 2004, with 71% of the vote, voters approved extending this tax for another five years until June 30, 2010. Then, in August 2008, the tax was extended for five years until 2015. In November 2014, voters again approved the extension of this tax until June 30, 2021. The tax was renewed for continuation in November 2020 for seven additional years. The current tax is scheduled to expire on June 30, 2028. Approximately half of the tax goes towards increasing the number of streets to be rehabilitated.

The ordinance outlines that the 1/8 cent tax will be levied on sales in the same fashion as our regular retailers sales tax. The collected amount is then roughly split between the stormwater and street improvements. In the past, the City did not divert a portion of the compensating use portion of the tax to the funds; instead, leaving it in the general fund. While the reasons are unclear, this has been changed so that the appropriate portion of compensating use is credited to stormwater and street improvements, beginning in 2025.

Notable Stormwater Projects

- 2023 Gezer Storm Sewer Improvements, which replaced the metal pipe with concrete storm sewers on Mission Rd, between 127th and 133rd, and extended the storm sewer into Gezer Park
- Indian Creek 3D Flood Assessment, which built a physical model to study the potential impacts of flooding between the south side of I-435 to State Line Rd
- Anticipated--stormwater/drainage improvements near Lee Court and 93rd Street & Lee Boulevard

Funding Possibilities

Many municipalities surrounding Leawood have from 3/8 to 1/2 cent tax to fund their stormwater and street projects. Below is a chart showing how much Leawood currently brings in with our 1/8 cent tax and how much could be generated if the sales tax rate were increased to either 1/4 or 3/8 cent.

Rate	2021	2022	2023	2024	2025 *
1/8 cent	$928,663.01	$1,018,746.82	$1,042,880.69	$1,063,064.21	$1,566,536.02
1/4 cent	$1,857,326.02	$2,037,493.64	$2,085,761.38	$2,126,128.42	$3,133,072.04
3/8 cent	$2,785,989.03	$3,056,240.46	$3,128,642.07	$3,189,192.63	$4,699,608.06

* *In 2025, the City began allocating Compensating Use Tax to the 1/8-cent fund. Prior to 2025, only Sales Tax was included, accounting for the significant change in amount from 2024 to 2025.*

Frequently Asked Questions

What is the 1/8 cent sales tax?
It is an existing dedicated .125% tax levied on goods sold to fund stormwater and arterial street improvement projects.

How much do we collect annually?

- 2025: $1,566,536* (see note about 2025 above)
- 2024: $1,063,064
- 2023: $1,042,881
- 2022: $1,018,747

*** Note that sales tax revenue comes from both residents and those patronizing our community***

What types of projects do we use the funds for?
This tax funds replacement of corrugated metal storm sewer pipes and an accelerated residential and thoroughfare street improvement program.

When did the tax go into effect?
The tax was initially approved in July 2000 and reauthorized most recently in 2020 for an additional 7 years, beginning on July 1, 2021. The current tax is scheduled to expire on June 30, 2028.

Do other cities have this type of tax?

- Yes, nearly all cities in Johnson County have a similar tax.
  - Shawnee has a 1/8 cent tax to fund parks, trails, and stormwater projects, as well as a 3/8 cent tax to fund street, curb, and sidewalk improvements.
  - Lenexa has a 3/8 cent tax, renewed in 2025, which funds pavement maintenance, parks improvements and recreational projects.
  - Overland Park has a 3/8 cent tax that funds their infrastructure improvement program. Overland Park increased their tax from 1/8 to 3/8 cent in 2024.
  - Olathe has a 3/8 cent tax that funds their street maintenance and repair efforts.
- In addition to sales taxes, many municipalities also collect a stormwater utility tax with property taxes each year.

<u>Scope and Election Considerations</u>

- Changes to the tax must be approved by voters. This could be accomplished with a special, mail-in, or typical election. We can increase the percentage and/or extend the expiration date through an amendment.
- The scope of the tax could be widened to include language allowing expenditure for additional purposes, such as public safety. Such a scope change would require a new proposed tax as it cannot be made through an amendment.
- While the tax does not expire until 2028, planning on how to move forward during 2026 is prudent to allow the adequate time to complete the required process to schedule an election well in advance of the expiration of the tax.
- **Election Process:** The election process requires multiple steps, generally requiring action 4-6 months prior to an election:
  - Pass an ordinance calling for the question and setting the date of the election
  - Send a certified copy of the ordinance to the Johnson County Election Commissioner
  - Provide Notice of Election to the Johnson County Election Commissioner
  - Two publications of notice of election (signed by Commissioner and Ordinance

- Resolution of Intent pledging the intentions of the Governing Body regarding use of the sales tax
    - Must meet Election Office deadlines to place questions on ballot
    - Hold an Election
    - Pass an Ordinance levying the sales tax
    - Publish the Ordinance (on website and in Johnson County Post)
    - Distribute certified copy of ordinance to Director of Taxation with the Kansas Department of Revenue within 30 days of adoption of an ordinance.
- Below is a table showing a number of timing possibilities for an election:

	Nov. 3, 2026 General	Mar. 2, 2027 Special	Aug. 3, 2027 Primary	Nov. 2, 2027 General
Ord. to GB	5/4/2026	9/8/2026	2/1/2027	5/3/2027
To EC	5/7/2026	9/11/2026	2/4/2027	5/6/2027
Publication of Notice	6/1/2026 6/8/2026	10/12/2026 10/19/2026	3/8/2027 3/15/2027	6/7/2027 6/14/2027
Reso of intent	6/15/2026	11/2/2026	5/3/2027	6/21/2027
Must be to EC	9/1/2026	12/8/2026	6/1/2026	9/1/2027
Election	11/3/2026	3/2/2027	8/3/2027	11/2/2027
Levy Ord.	12/7/2026	4/5/2027	9/7/2027	12/6/2027
Publ. Levy	12/14/2026	4/12/2027	9/13/2027	12/13/2027
To State [within 30d]	1/11/2027	5/11/2027	10/11/2027	1/10/2027

- **Election Costs:**
    - If an election is scheduled during another countywide election, the coss to the City for the election is negligible.
    - However, for a special election or mail-ballot election, there are costs to the City. Below are some examples:
        - **In-person special election** scheduled for March 2, 2027: **$45,000**
        - **Mail ballot election** (approximately 26,500 active registrants): **$65,000.** Only available date for a mail ballot election would be March, 2, 2027. Statutes prohibit mail ballot elections on the date of another election (August or November)

    It should be noted that there is state legislation pending that would impact mail-ballot elections.