

COMPARED VERSION
NEW ORDINANCE TO CODE BOOKS

ORDINANCE NO. 240979

Amending Chapter 74, Article VII, Code of Ordinances, by repealing Section 74-304 entitled “Reporting Requirements” and Section 74-305 entitled “Costs and Fines” and enacting in lieu thereof new sections of like number and subject matter to improve the transparency and reporting compliance of community improvement districts; and requiring already established CIDs to submit adopted bylaws with their next annual report.

WHEREAS, this ordinance implements recommendations of City staff presented to Council in the annual Community Improvement District report to improve the transparency and reporting compliance of community improvement districts; NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 74, Article VII, Code of Ordinances of Kansas City, Missouri, is hereby amended by repealing Sections 74-304 and 74-305, and enacting in lieu thereof new sections of like number and subject matter, to read as follows:

Sec. 74-304. Reporting Requirements.

(a) Annual reports and proposed annual budgets submitted to the City as required by Section 67.1471, RSMo., shall, among other things, provide a detailed breakdown of the CID revenue used or to be used toward public infrastructure improvements, exterior improvements, interior improvements, and other improvements and services.

- (1) Annual reports shall also include the name, term start and expiration dates, and contact information of each current board member to be entered into the City’s board and commissions electronic database.
- (2) Annual reports shall also include a copy of any bylaws adopted during the applicable fiscal year, including revisions to existing bylaws.

(b) The City Clerk shall notify the City Council by communications to be included on the City Council’s agenda each time a CID files its proposed annual budget and annual report with the City Clerk.

(c) City staff shall submit to the City Council, or through one of its committees, on or around November 1 of each year a report indicating the degree of compliance of all CIDs related to their submission of proposed annual budgets and annual reports within the time limits required by Section 67.1471, RSMo., whether the work performed conformed to previously submitted budgets, and whether the CID adhered to the terms of its cooperative agreement with the City. At

the time of this report's presentation, a representative of each CID will be given the opportunity to provide a brief report on its activities.

Sec. 74-305. Costs and Fines.

(a) *Costs.*

(1) *Annual reimbursement.* Within 30 days of the receipt of an invoice from the City, each CID shall reimburse the City for the reasonable and actual expenses incurred by the City to:

- a. Review budgets and reports of the CID required to be submitted to the City annually and report to City Council regarding such review.
- b. Review and approve the petition of a CID.
- c. Review and approve the amended petition of an existing CID.

(2) *Annual reimbursement amount.*

- a. For a CID established pursuant to this article, the initial reimbursement amount shall be no less than \$1,000.00 nor exceed \$1,500.00 except, however, no reimbursement amount shall exceed one and one-half percent (1.5%) of the revenues collected by the CID in the preceding year.
- b. For a CID whose reimbursement amount is only for review of annual submissions, the reimbursement amount shall be no less than \$500.00 nor exceed \$1,000.00 except, however, no reimbursement amount shall exceed one and one-half percent (1.5%) of the revenues collected by the CID in the preceding year.
- c. For an existing CID that amends its petition, the initial reimbursement amount after such amendment shall be no less than \$750.00 nor exceed \$1,250.00 except, however, no reimbursement amount shall exceed one and one-half percent (1.5%) of the revenues collected by the CID in the preceding year.

(3) *Termination hearing notices.* A CID that petitions to terminate prior to the expiration of its term shall reimburse the City for the costs incurred for the publishing and mailing of the notices for the public hearing required by Section 67.1481, RSMo.

(b) *Fines.* Any CID that fails to submit its proposed annual budgets and annual reports within the timeframe required by Section 67.1471, RSMo., shall be subject to a fine of \$1,000 for every thirty (30) days delinquent, up to a maximum total fine of \$3,000.

(1) *Administrative citation.*

- a. Upon a violation, the City Manager or their designee may issue an administrative citation that includes the name of the CID, a description of the violation, the amount of the fine, and notice of the appeal process.
- b. A CID must request an administrative hearing to appeal an administrative citation within 20 days of the issuance of said administrative citation.
- c. Payment of the administrative citation shall be made within 20 days unless a hearing is requested within the 20-day period.

(2) *Administrative hearing.*

- a. The City Manager or their designee shall designate a hearing officer to hear appeals of the administrative citation.
- b. The hearing shall occur pursuant to rules prescribed by the City Manager or their designee.
- c. After considering all the testimony and evidence submitted at the hearing, the hearing officer shall issue a written decision to uphold or cancel the administrative citation with reasons for such action. The decision of the hearing officer shall be final without any further right of administrative appeal other than as provided in chapter 536, RSMo.

(c) *Ineligibility.* Any CID with unpaid costs or fines pursuant to this section may be deemed by the City Manager or their designee to be ineligible to:

- (1) Amend its petition, including the extension of its term; and
- (2) Enter into new City contracts.

Section 2. That any Community Improvement District established by Council prior to the adoption of this ordinance must submit any current, adopted bylaws with their next annual report to the City.

Approved as to form:

Eluard Alegre
Associate City Attorney