

COMPARED VERSION
NEW ORDINANCE TO CODE BOOKS

ORDINANCE NO. 201037

Amending Chapter 2, Code of Ordinances, by repealing Sections 2-970.17, 2-970.18, 2-970.19, 2-970-20 and 2-970-21 related to the Parking and Transportation Commission and enacting in lieu thereof new sections of like number and subject matter for the purpose of conforming such new sections to the provisions of Ordinance No. 200677 that established an administrative adjudication system for parking tickets and non-moving violations.

WHEREAS, the City Council in Ordinance No. 200677 directed the establishment of an Administrative Parking Tribunal to handle parking violations and non-moving violations; and

WHEREAS, the Parking and Transportation Commission was tasked with overseeing the establishment of the Administrative Parking Tribunal; and

WHEREAS, the City Council desires to amend certain sections of the code establishing the parking and transportation commission to reflect their new responsibilities related to the Administrative Parking Tribunal; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 2, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing Sections 2-970.17, 2-970.18, 2-970.19, 2-970-20 and 2-970-21 and enacting in lieu thereof new sections of like number and subject matter, to read as follows:

Sec. 2-970.17. Membership.

(a) The parking and transportation commission shall consist of 15 members, comprised as follows:

- (1) One representative from the Downtown Council, recommended by its president;
- (2) One representative from the Crossroads Community Association, recommended by its president;
- (3) One representative from the River Market Community Association, recommended by its president;
- (4) One representative from the 18th & Vine Historic Jazz District, recommended by its president;

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- (5) One representative from the Kansas City Area Transportation Authority, recommended by its general manager;
- (6) One representative from the Downtown Neighborhood Association, recommended by its president;
- (7) One representative from the Historic West Bottoms Association, recommended by its president;
- (8) One representative from the Kansas City Streetcar Authority, recommended by its executive director;
- (9) One city staff member within the public works department, recommended by the director of public works;
- (10) One city staff member within city development recommended by the director of city development;
- (11) One representative from the city manager's office, recommended by the city manager;
- (12) One representative within the finance department recommended by the director of finance; and
- (13) Three city councilpersons as determined by the mayor.

(b) Upon the recommendation of those individuals specified herein, the members shall be appointed by the mayor to serve two-year terms. The mayor shall fill any vacancy on the commission by appointing a new member, in the same manner as the original appointment, and the new member shall serve a two-year term. In the event the mayor opposes any recommendation made hereunder, the person making the opposed recommendation shall make a substitute recommendation to the mayor.

(c) The mayor shall select the chairperson and vice-chairperson from amongst the members. Eight members shall constitute a quorum unless the committee shall elect to provide by motion, duly adopted, that a larger number shall be required.

(d) A member shall be permitted to designate an alternate to attend any meeting in the member's absence. A designated alternate shall be entitled to participate in any meeting to the same extent as an appointed member.

Sec. 2-970.18. Duties and powers.

(a) *Policy recommendations.* The commission is charged with identifying, studying and making recommendations for addressing parking and transportation needs within the city. The commission shall make its recommendations to the director of public works and shall advise the council from time-to-time as requested. The commission may make its

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recommendation with regard to any parking and transportation issue including, but not limited to:

- (1) Pricing for on-street parking;
- (2) Time limits for on-street parking;
- (3) Methods for optimizing the use of existing parking inventory;
- (4) Coordination with public transit;
- (5) Encouraging the use of off-street parking after hours;
- (6) Parking stickers/decal/permit utilization;
- (7) Best practices for the issuance of off-street parking variances;
- (8) Utilization of multi-space pay stations;
- (9) Alternate on-street parking configurations;
- (10) Way-finding signage systems;
- (11) Implementation of Greater Downtown Area Plan recommendations regarding parking, transportation and walkability;
- (12) Providing feedback on enforcement policy and practices, including the recommendation to the City Council of a schedule of civil fines for parking violations;
- (13) Identifying public-private transportation and parking related projects that may be funded by leveraging available public and private funds with parking revenues generated within particular geographical regions or districts of the city and which are in excess of the revenue needed to meet the operating costs of the city's parking services division and service the debts on publicly-owned parking garages;
- (14) Investigating methods to address debt service associated with the city's parking structures; and
- (15) Addressing traffic flow and circulation through the downtown loop.

(b) *Administration and oversight of violation adjudication.* A three-member subcommittee of the commission consisting of the finance department representative, the public works representative and one council member shall embody the administrative tribunal designated for administrative adjudication in accordance with Section 70-42 of this Code, under the purview of the commission. The council member shall be a member of the commission and appointed to the subcommittee by the Mayor.

Sec. 2-970.19. Staff.

The director of Public Works Department or the director's designee shall provide clerical and administrative services for the commission. The City Attorney at the request of the commission shall provide a hearing officer(s) for the commission's administrative adjudication unit to conduct hearings when requested.

Sec. 2-970.20. Rules and procedures.

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The commission shall have the authority to adopt rules and procedures not otherwise inconsistent with anything herein to govern its operation, including but not limited to, policies and procedures for governing the administrative adjudication system.

Sec. 2-970.21. Parking policy review board.

(a) An advisory committee to the parking and transportation commission to be known as the parking policy review board ("board") is hereby created and established and shall initially consist of the following six (6) members:

- (1) The representative from the Downtown Council appointed by the mayor to serve on the commission;
- (2) The representative from the Crossroads Community Association appointed by the mayor to serve on the commission;
- (3) The representative from the River Market Community Association appointed by the mayor to serve on the commission;
- (4) The representative from the 18th & Vine Historic Jazz District appointed by the mayor to serve on the commission;
- (5) The representative from the Downtown Neighborhood Association appointed by the mayor to serve on the commission; and
- (6) The representative from the Historic West Bottoms Association appointed by the mayor to serve on the commission.

The term of service for each member shall coincide with their membership on the commission.

(b) In addition to the regular members of the board, there shall be three alternate members. Each alternate member shall be a representative from one of the organizations that the regular members represent; however, no two alternate members may be selected from the same organization. Upon the recommendation of the regular members, the alternate members shall be appointed by the mayor to serve one-year terms. Alternate members serve in the absence or disqualification of regular members.

(c) The members of the board shall select their chairperson from amongst themselves at their initial meeting. Three members shall constitute a quorum for purposes of conducting the initial meeting and each meeting thereafter unless the board shall elect to provide by motion, duly adopted, that a larger number shall be required.

(d) The board is hereby charged with studying and making recommendations for addressing parking needs related to on-street parking, including but not limited to the enforcement of on-street parking regulations, within the geographical area identified as being the focus of the commission. The board shall make its recommendations to the commission.

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(e) The board shall have the authority to adopt rules and procedures not otherwise inconsistent with anything herein to govern its operation.

Approved as to form and legality:

Alan Holtkamp
Assistant City Attorney