



Agenda

Special Committee for Legal Review

Tuesday, November 1, 2022

1:30 PM

26th Floor, Council Chamber

<https://us02web.zoom.us/j/85624825067>

PUBLIC OBSERVANCE OF MEETINGS

Members of the City Council may attend this meeting via videoconference.

Any closed session may be held via teleconference.

The public can observe this meeting at the links provided below.

Applicants and citizens wishing to participate have the option of attending each meeting or they may do so through the videoconference platform ZOOM, using this link:

<https://us02web.zoom.us/j/85624825067>

*** PUBLIC TESTIMONY IS LIMITED TO 2 MINUTES***

Lucas

[220943](#)

Sponsor: Mayor Quinton Lucas

Amending Chapter 2, Code of Ordinances, by repealing section 2-721.1 relating to residency qualifications for boards and commissions and enacting in lieu thereof one new section of like number and subject matter and enacting one new section 2-723 relating to standing rules for boards and commissions.

Attachments: [fact sheet](#)
[220943com](#)

Lucas and McManus

[220955](#)

Sponsors: Mayor Quinton Lucas and Councilmember Kevin McManus

Establishing the City of Kansas City's major priorities and positions on matters for the 2023 session of the Kansas State Legislature.

Attachments: [Legislative Priorities--Kansas--2023--Fact Sheet](#)

Lucas and McManus

220956

Sponsors: Mayor Quinton Lucas and Councilmember Kevin McManus

Establishing the City of Kansas City's major legislative priorities and positions on matters for the 2023 session of the Missouri General Assembly.

Attachments: [Legislative Priorities--Kansas--2023--Fact Sheet](#)

Lucas and McManus

220957

Sponsors: Mayor Quinton Lucas and Councilmember Kevin McManus

Establishing the City of Kansas City's legislative priorities and positions on matters that may come before the 118th United States Congress in 2023.

Attachments: [Legislative Priorities--Federal--2023--Fact Sheet](#)

Robinson

220966

Sponsor: Councilmember Melissa Robinson

Expressing apologies on behalf of the City of Kansas City and declaring the City's intent to make amends for its participation in the sanctioning of the enslavement of Black people and any historical enforcement of segregation and accompanying discriminatory practices against Black citizens of Kansas City, encouraging others to join the City in this effort, and establishing a commission within ninety days to be known as the Mayor's Commission on Reparations to advise the City regarding reparation issues. **Item is being held and no public testimony 11.1.22**

Attachments: [No Fact Sheet](#)

ADDITIONAL BUSINESS

1. There may be a general discussion regarding the current Special Committee for Legal Review issues.

2. Those who wish to comment on proposed ordinances can email written testimony to: public.testimony@kcmo.org Comments received will be distributed to the committee and added to the public record by the clerk. The city provides several ways for residents to watch City Council meetings:

- Livestream on the city's website at www.kcmo.gov
- Livestream on the city's YouTube channel at

<https://www.youtube.com/watch?v=3hOublg4fok>

- Watch Channel 2 on your cable system. The channel is available through Time Warner Cable (channel 2 or 98.2), AT&T U-verse (channel 99 selects Kansas City), and Google Fiber on Channel 142.

- To watch archived meetings, visit the City Clerk's website and look in the Video on Demand section:

http://kansascity.granicus.com/ViewPublisher.php?view_id=23.

Closed Session

- Pursuant to Section 610.021 subsection 1 of the Revised Statutes of Missouri to discuss legal matters, litigation, or privileged communications with attorneys;
- Pursuant to Section 610.021 subsection 2 of the Revised Statutes of Missouri to discuss real estate;
- Pursuant to Section 610.021 subsections 3 and 13 of the Revised Statutes of Missouri to discuss personnel matters;
- Pursuant to Section 610.021 subsection 9 of the Revised Statutes of Missouri to discuss employee labor negotiations;
- Pursuant to Section 610.021 subsection 11 of the Revised Statutes of Missouri to discuss specifications for competitive bidding;
- Pursuant to Section 610.021 subsection 12 of the Revised Statutes of Missouri to discuss sealed bids or proposals; or
- Pursuant to Section 610.021 subsection 17 of the Revised Statutes of Missouri to discuss confidential or privileged communications with auditors.

The City Clerk's Office now has equipment for the hearing impaired for every meeting. To check out the equipment, please confer with the secretary for each committee. Be prepared to leave your Driver's License or State issued Identification Card with the secretary, and she or he will give you the equipment. Upon returning the equipment, your license will be returned.

Adjournment



File #: 220943

ORDINANCE NO. 220943

Sponsor: Mayor Quinton Lucas

Amending Chapter 2, Code of Ordinances, by repealing section 2-721.1 relating to residency qualifications for boards and commissions and enacting in lieu thereof one new section of like number and subject matter and enacting one new section 2-723 relating to standing rules for boards and commissions.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 2, Code of Ordinances, is hereby amended by repealing 2-721.1 relating to residency qualifications for boards and commissions and enacting in lieu thereof one new section of like number and subject matter and enacting one new section 2-723 relating to standing rules for boards and commissions, to read as follows:

Sec. 2-721.1. Residency Requirement for Boards and Commissions.

The provisions of Article VII, Section 8 of the Missouri Constitution, stating that no person shall be appointed to civil office in Missouri who shall not have resided in Missouri one year next preceding the appointment, applies to all city appoints to seventy-five percent of each board, commission and committee membership. Furthermore, seventy-five percent of each board, commission and committee must reside within the official boundaries of Kansas City, Missouri. Accordingly, a maximum of twenty-five percent of each board, commission and committee membership may reside outside of the official boundaries of Kansas City, Missouri. Missouri residency shall not be necessary in cases of appointment to an administrative position requiring technical or specialized skill or knowledge. If an appointment is to a position requiring technical or specialized skill or knowledge, the legislation establishing the position will describe the technical or specialized skill or knowledge required.

Sec. 2-723. Standing Rules for Boards and Commissions.

The following provisions shall apply to all boards and commissions unless the board is governed by Chapter 88 of this Code or unless any such provision is inconsistent or in conflict with state law, the City Charter, a corporate bylaw of the corporation for which the board was organized or is subsequently provided for by another provision of this Code:

(a) *Parliamentary authority.* The rules contained in the current edition of Robert's Rules of Order Newly Revised shall be the parliamentary authority in all cases to which they are applicable.

(b) *Notice of public meetings.* Pursuant to the provisions of Chapter 610, Revised Statutes of Missouri, whenever a meeting occurs at which any public business is to be discussed or decided, public notice of the time, date, and place of the meeting, and its agenda, shall be given as provided by such statutes.

(c) *Publication of notice and agenda.* It shall be the duty of the City Clerk to publish the meeting notice and agenda setting forth the matters to come before a board or commission for consideration at its meeting.

(d) *Closed sessions.*

- (1) Pursuant to the provisions of Chapter 610, Revised Statutes of Missouri, and as otherwise may be provided for by law, boards and commissions may enter into closed session upon the affirmative vote of a majority of the votes cast. In any such instance, the reason for closing the meeting and reference to the specific provision of the law authorizing closing and the vote of each member on the motion to close shall be announced in open session beforehand and made a part of the minutes.
- (2) Business not directly related to the specific reason announced for closing the meeting shall not be discussed during the closed session, and the meeting shall be closed only to the extent necessary for the reason announced. Any votes taken during a closed session shall be by roll call and recorded.
- (3) Closed sessions may be adjourned by the chairperson if he or she determines that there is no further business to be considered in closed session and if there is no objection by any member. In the event of an objection, adjournment of a closed session shall be upon motion which shall be by roll call and recorded as provided above. After the closed session is ended, the board or commission will be in open session and shall proceed as appropriate.

(e) *Attendance.*

- (1) Members shall advise the chairperson prior to a meeting of their intention to be absent from such meeting.
- (2) The Mayor may remove any member of a board or commission if the member has more than three unexcused consecutive board or commission meetings unless such removal is inconsistent or in conflict with any provision of the City Charter or this Code.

(f) *Roll Call.* The chairperson shall call the roll at the beginning of every meeting.

(g) *Voting.*

- (1) Resolutions and actions being voted upon are subject to discussion and debate unless by unanimous vote of those present the resolution or action is to be heard by consent. A resolution or action heard by consent shall be voted upon without discussion or debate.
- (2) For any resolution or action, a voice vote shall be sufficient unless at the request of a member the vote shall be taken by roll call.

(h) *Votes required.* A simple majority of the members present is sufficient for passage of a resolution or action.

(i) *Quorum.* A quorum shall consist of a majority of the board or commission members.

(j) *Conduct of business.*

- (1) Boards and commissions shall hold regular public hearings at regular times and places designated by the board or commission.
- (2) Meetings may also be held at such other times and places as deemed necessary by the board or commission.
- (3) If a Board or Commission fails to hold a meeting or public hearing for over a year, the Board or Commission shall be automatically dissolved.
- (4) When a board or commission desires to conduct business outside of its regular times, regular places or standard business hours, the board or commission shall notify the Clerk's office at least seventy-two hours in advance of the desired meeting. After receiving timely notification, the Clerk will assign staff to provide administrative support to the board or commission for the irregularly scheduled meeting based on the Clerk's discretion and availability.
- (5) Pursuant to Ordinance No. 220366, all boards, commissions and task forces are required to comply with all applicable procurement provisions of Chapter 3 of this Code.
- (6) Boards and commissions shall remain within the authority and powers bestowed by state statute, the City Charter, or this Code. If a board or commission is not an investigative body per state statute, City Charter, or this Code, then the board or commission shall not conduct any investigations.
- (7) Members of boards and commissions shall not make representations on behalf of the board or the City of Kansas City or communicate with the public, any individual, or entity on behalf of the board or commission in full without holding

a noticed public or closed meeting to obtain the consensus of the board or commission.

- (8) All members of boards and commissions that are not currently serving as an elected official shall take a leave of absence from the board or commission during political candidacy. For the purposes of this section, a board or commission member is defined as a political candidate after filing for a committee with the Missouri Ethics Commission, a candidacy with the Secretary of State, or filings with other local, state, or federal agencies indicating candidacy for electoral public office, or having filed as a candidate within any relevant jurisdiction.

(k) *Membership.*

- (1) All boards or commissions shall be organized to have between five and nine members unless specifically provided by statute or ordinance.
- (2) All members shall serve for a term of four years, unless specifically provided by statute or subsequent ordinance, subject to resignation at the member's discretion or separation at will by the appointing officer, subject and pursuant to City Charter.
- (3) The chairperson shall be the presiding officer of the board or commission. In the absence of the chairperson, the vice-chair shall preside. The chairperson shall be appointed by the Mayor and the vice-chairperson appointed by the chairperson.

(l) *Conflict of Interest Annual Report.* Pursuant to Section 2-2024 of this Code, members of all boards, commissions and other entities of the city or who receive funding from the city or which make recommendations on the expenditure of public funds, except members and contractors who are required to file a personal financial disclosure statement, shall file an annual conflict of interest disclosure report on the form provided by the city clerk or equivalent form provided by the state ethics commission which shall provide the following information, before May 1 of each year.

(m) *Failure to File.* Pursuant to Section 2-2024 of this Code, any member of a city board, commission or other entity who is appointed by the mayor or one or more members of the city council who fails to submit a conflict of interest annual report by June 1 of each year shall be deemed to have resigned membership, and this resignation shall be deemed accepted as of June 1 of the respective year. Any entity listed in subsection (d) of Section 2-2024 of this Code, having a member not appointed by the mayor or by one or more members of the city council who fails to file the required disclosure report, shall be subject to the termination or suspension of any funding or other assistance provided by the City until all required disclosures are made.

..end

Approved as to form:

Alan Holtkamp
Senior Associate City Attorney

LEGISLATIVE FACT SHEET		Legislation Number:	220943	
		Approval Deadline:		
LEGISLATION IN BRIEF:				
To amend Chapter 2, Code of Ordinances, by repealing 2-721.1 relating to residency qualifications for boards and commissions and enacting in lieu thereof one new section of like number and subject matter and enacting one new section 2-723 relating to standing rules for boards and commissions.				
What is the reason for this legislation? To amend the Code of Ordinances Section regarding qualifications for members of City boards and commissions and to enact one new section in the Code of Ordinances to create standing rules for members of City boards and commissions.		Fact Sheet Color Codes User Entered Field User Select From Menu For OMB Use		
		Sponsor(s)		
		Mayor Lucas		
		Programs, Departments, or Groups Affected		
		City boards and commissions		
		Sub-Program in Budget (page #)		
		Applicants/ Proponents	City Department	
			Other	
Staff Recommendation				
Board or Commission Recommendation				
		N/A		
		Future Impacts		
		None		
Cost of Legislation current Fiscal Year				
Costs in Future Fiscal Years?		No		
Annual Revenue Increase/Decrease				
Applicable Dates:				
Prepared by:				
Date Prepared:				
Reviewed by:				
Date Reviewed				
Reference Numbers				
Citywide Business Plan Goal				
Citywide Business Plan Objective				
Citywide Business Plan Strategy				

COMPARED VERSION
NEW ORDINANCE TO CODE BOOKS

ORDINANCE NO. 220943

..title

Amending Chapter 2, Code of Ordinances, by repealing ~~Section~~section 2-721.1 relating to residency qualifications for boards and commissions and enacting in lieu thereof one new section of like number and subject matter and enacting one new ~~Section~~section 2-723 relating to standing rules for boards and commissions.

..body

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 2, Code of Ordinances, is hereby amended by repealing ~~Section~~ 2-721.1 relating to residency qualifications for boards and commissions and enacting in lieu thereof one new section of like number and subject matter and enacting one new ~~Section~~section 2-723 relating to standing rules for boards and commissions, to read as follows:

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Sec. 2-721.1. Residency ~~qualification~~Requirement for appointment.—Boards and Commissions.

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~~(a)~~ The provisions of Article VII, Section 8 of the Missouri Constitution, stating that no person shall be appointed to civil office in Missouri who shall not have resided in Missouri one year next preceding the appointment, applies to ~~City appointments to the following:~~

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1. ~~Air Quality Appeals Board~~
2. ~~Board of Trustees of City Trusts~~
3. ~~Board of Zoning Adjustment~~
4. ~~Building and Fire Codes Board of Appeals~~
5. ~~City Plan Commission~~
6. ~~Community Improvement Districts—political subdivisions~~
7. ~~Construction Workforce Board~~
8. ~~Downtown Economic Stimulus Authority~~
9. ~~Employees Retirement System Board of Trustees~~
10. ~~Enhanced Enterprise Zone Board~~

11. — Fairness in Construction Board
12. — Firefighters Pension System Board of Trustees
13. — Healthcare System Board of Trustees
14. — Housing Authority of Kansas City, Missouri
15. — Human Resources Board
16. — Human Rights Commission
17. — Industrial Development Authority
18. — Jackson County Board of Equalization
19. — Kansas City Area Transportation Authority
20. — Kansas City Public Library Board of Trustees
21. — Land Clearance for Redevelopment Authority
22. — Land Trust of Jackson County
23. — Landmarks Commission
24. — Liquor Control Board of Review
25. — Metropolitan Ambulance Services Trust
26. — Municipal Officials and Officers Ethics Commission
27. — Parks and Recreation Board of Commissioners
28. — Planned Industrial Expansion Authority
29. — Police Retirement Board
30. — Port Authority
31. — Property Maintenance Appeals Board
32. — Special Review Districts and Special Review Boards
33. — Tax Increment Financing Commission

34. — Union Hill Special Business District Board

35. — Westport Special Business District Board

— all city appoints to seventy-five percent of each board, commission and committee membership. Furthermore, seventy-five percent of each board, commission and committee must reside within the official boundaries of Kansas City, Missouri. Accordingly, a maximum of twenty-five percent of each board, commission and committee membership may reside outside of the official boundaries of Kansas City, Missouri.

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(b) — Missouri residency shall not be necessary in cases of appointment to an administrative position requiring technical or specialized skill or knowledge. If an appointment is to a position requiring technical or specialized skill or knowledge, the legislation establishing the position will describe the technical or specialized skill or knowledge required.

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(c) — Sec. 2-723. Standing Rules for Boards and Commissions.

The City Clerk following provisions shall annually notify other appointing authorities apply to these all boards, and commissions, authorities, and political subdivisions that this Constitutional unless the board is governed by Chapter 88 of this Code or unless any such provision also affects their appointments and that the City expects is inconsistent or in conflict with state law, the other appointing authorities to comply with this Constitutional City Charter, a corporate bylaw of the corporation for which the board was organized or is subsequently provided for by another provision of this Code:

(a) Parliamentary authority. The City Clerk rules contained in the current edition of Robert's Rules of Order Newly Revised shall be the parliamentary authority in all cases to which they are applicable.

(b) annually notify each community improvement district established Notice of public meetings. Pursuant to the provisions of Chapter 610, Revised Statutes of Missouri, whenever a meeting occurs at which any public business is to be discussed or decided, public notice of the time, date, and place of the meeting, and its agenda, shall be given as provided by such statutes.

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(c) Publication of notice and agenda. It shall be the duty of the City Clerk to publish the meeting notice and agenda setting forth the matters to come before a board or commission for consideration at its meeting.

(d) Closed sessions.

(1) Pursuant to the provisions of Chapter 610, Revised Statutes of Missouri, and as otherwise may be provided for by law, boards and commissions may enter into closed session upon the affirmative vote of a majority of the votes cast. In any such instance, the reason for closing the meeting and reference to the specific provision of the law authorizing closing and the vote of each member on the motion to close shall be announced in open session beforehand and made a part of the minutes.

(2) Business not directly related to the specific reason announced for closing the meeting shall not be discussed during the closed session, and the meeting shall be closed only to the extent necessary for the reason announced. Any votes taken during a closed session shall be by roll call and recorded.

(3) Closed sessions may be adjourned by the chairperson if he or she determines that there is no further business to be considered in closed session and if there is no objection by any member. In the event of an objection, adjournment of a closed session shall be upon motion which shall be by roll call and recorded as provided above. After the closed session is ended, the board or commission will be in open session and shall proceed as appropriate.

(e) Attendance.

(1) Members shall advise the chairperson prior to a meeting of their intention to be absent from such meeting.

(2) The Mayor may remove any member of a board or commission if the member has more than three unexcused consecutive board or commission meetings unless such removal is inconsistent or in conflict with any provision of the City Charter or this Code.

(f) Roll Call. The chairperson shall call the roll at the beginning of every meeting.

(g) Voting.

(1) Resolutions and actions being voted upon are subject to discussion and debate unless by unanimous vote of those present the resolution or action is to be heard by consent. A resolution or action heard by consent shall be voted upon without discussion or debate.

(2) For any resolution or action, a voice vote shall be sufficient unless at the request of a member the vote shall be taken by roll call.

(h) Votes required. A simple majority of the members present is sufficient for passage of a resolution or action.

(i) Quorum. A quorum shall consist of a majority of the board or commission members.

(i) Conduct of business.

(1) Boards and commissions shall hold regular public hearings at regular times and places designated by the board or commission.

- (2) Meetings may also be held at such other times and places as deemed necessary by the board or commission.
- (3) If a Board or Commission fails to hold a meeting or public hearing for over a year, the Board or Commission shall be automatically dissolved.
- (4) When a board or commission desires to conduct business outside of its regular times, regular places or standard business hours, the board or commission shall notify the Clerk's office at least seventy-two hours in advance of the desired meeting. After receiving timely notification, the Clerk will assign staff to provide administrative support to the board or commission for the irregularly scheduled meeting based on the Clerk's discretion and availability.
- (5) Pursuant to Ordinance No. 220366, all boards, commissions and task forces are required to comply with all applicable procurement provisions of Chapter 3 of this Code.
- (6) Boards and commissions shall remain within the authority and powers bestowed by state statute, the City Charter, or this Code. If a board or commission is not an investigative body per state statute, City Charter, or this Code, then the board or commission shall not conduct any investigations.
- (7) Members of boards and commissions shall not make representations on behalf of the board or the City of Kansas City or communicate with the public, any individual, or entity on behalf of the board or commission in full without holding a noticed public or closed meeting to obtain the consensus of the board or commission.
- (8) All members of boards and commissions that are not currently serving as an elected official shall take a leave of absence from the board or commission during political candidacy. For the purposes of this section, a board or commission member is defined as a political subdivision that this Constitutional provision applies to its board positions candidate after filing for a committee with the Missouri Ethics Commission, a candidacy with the Secretary of State, or filings with other local, state, or federal agencies indicating candidacy for electoral public office, or having filed as a candidate within any relevant jurisdiction.

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(k) Membership.

- (1) All boards or commissions shall be organized to have between five and nine members unless specifically provided by statute or ordinance.

(2) All members shall serve for a term of four years, unless specifically provided by statute or subsequent ordinance, subject to resignation at the member's discretion or separation at will by the appointing officer, subject and pursuant to City Charter.

(3) The chairperson shall be the presiding officer of the board or commission. In the absence of the chairperson, the vice-chair shall preside. The chairperson shall be appointed by the Mayor and the vice-chairperson appointed by the chairperson.

(l) Conflict of Interest Annual Report. Pursuant to Section 2-2024 of this Code, members of all boards, commissions and other entities of the city or who receive funding from the city or which make recommendations on the expenditure of public funds, except members and contractors who are required to file a personal financial disclosure statement, shall file an annual conflict of interest disclosure report on the form provided by the city clerk or equivalent form provided by the state ethics commission which shall provide the following information, before May 1 of each year.

(m) Failure to File. Pursuant to Section 2-2024 of this Code, any member of a city board, commission or other entity who is appointed by the mayor or one or more members of the city council who fails to submit a conflict of interest annual report by June 1 of each year shall be deemed to have resigned membership, and this resignation shall be deemed accepted as of June 1 of the respective year. Any entity listed in subsection (d) of Section 2-2024 of this Code, having a member not appointed by the mayor or by one or more members of the city council who fails to file the required disclosure report, shall be subject to the termination or suspension of any funding or other assistance provided by the City until all required disclosures are made.

..end

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Approved as to form:

Alan Holtkamp
Senior Associate City Attorney



Legislation Text

File #: 220955

RESOLUTION NO. 220955

Sponsors: Mayor Quinton Lucas and Councilmember Kevin McManus

Establishing the City of Kansas City's major priorities and positions on matters for the 2023 session of the Kansas State Legislature.

WHEREAS, the Kansas State Legislature will convene on January 9, 2023; and

WHEREAS, the City recognizes that the lives of Kansas Citizens are impacted by the regulatory environment across the state line and wishes to support coordinated, regional approaches to priority issues; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

That the City adopts the following major priorities on matters that may come before the 2023 session of the Kansas State Legislature:

- **Transatlantic Air Service.** Support state incentives to attract and maintain transatlantic air service from the largest airports serving Kansas residents, including MCI.
- **World Cup.** Support funding and other efforts related to planning and preparation for the 2026 World Cup, which will showcase the Kansas City region to the world.
- **Fixed Rail Transit.** Support efforts to expand existing fixed rail streetcar infrastructure to enable increased mobility for residents of Kansas and surrounding areas.
- **Preventing Homelessness.** Support increased investments in pathways to permanent supportive housing for people exiting homelessness and encourage regional coordination of services, outreach, and data-sharing related to homelessness.
- **Legal Marijuana.** Support efforts to decriminalize marijuana and take reparative action to address overly burdensome penalties related to marijuana offenses. Coordinated and more equitable marijuana regulation across state lines can make the legal system more just and navigable for all Kansas Citizens.

..end

LEGISLATIVE FACT SHEET		Legislation Number:	220955
		Approval Deadline:	
LEGISLATION IN BRIEF:			
Establishing the City of Kansas City's major legislative priorities and positions on matters for the 2023 session of the Kansas General Assembly.			
What is the reason for this legislation? To establish the City of Kansas City's major legislative priorities and positions on matters for the 2023 session of the Kansas General Assembly.		Fact Sheet Color To Codes User Entered Field User Select From Menu For OMB Use	
		Sponsor(s)	
		Mayor Lucas Mayor Pro Tem McManus	
		Programs, Departments, or Groups Affected	
		Sub-Program in Budget (page #)	
		Applicants/ Proponents	City Department
			Other
		Staff Recommendation	
Board or Commission Recommendation			
	N/A		
Future Impacts			
None			
Cost of Legislation current Fiscal Year			
Costs in Future Fiscal Years?	No		
Annual Revenue Increase/Decrease			
Applicable Dates:			
Prepared by:			
Date Prepared:			
Reviewed by:			
Date Reviewed			
Reference Numbers			
Citywide Business Plan Goal			
Citywide Business Plan Objective			
Citywide Business Plan Strategy			



File #: 220956

RESOLUTION NO. 220956

Sponsors: Mayor Quinton Lucas and Councilmember Kevin McManus

Establishing the City of Kansas City's major legislative priorities and positions on matters for the 2023 session of the Missouri General Assembly.

WHEREAS, the Missouri General Assembly will convene on January 4, 2023; and

WHEREAS, the City seeks to elevate local positions in statewide policy debates, which deeply impact the lives of Kansas Citians; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section 1. **MAJOR PRIORITIES.** That the City adopts the following major priorities on matters that may come before the 2023 session of the Missouri General Assembly:

1. **Local Decision Making.** Support legislative action to return the Kansas City Police Department to local control and provide the city and its residents with equivalent control over budgeting and policy decision to every other municipality in the state. Any state-imposed funding mandate such as a minimum budget requirement for law enforcement agencies should be fulfilled with state funds, in compliance with the Missouri State Constitution.
2. **Promoting Tax Uniformity in the Accommodation Industry.** Amend Missouri Revised Statutes Sections 92.325, 92.327 and 92.331 to ensure residential dwelling rentals are subject to the same tax obligations as similarly situated accommodation providers.
3. **Housing Affordability and Homelessness Prevention.** Protect and expand state housing programs – like the state housing tax credit – that incentivize the production and preservation of affordable housing units, including permanent supportive housing for people exiting homelessness. Increase state support for cities and counties with higher numbers of people experiencing homelessness and/or housing cost-burden.
4. **Recidivism Reduction.** Support evidence-based policies proven to reduce recidivism, including funding workforce programs, capping or eliminating the cost of in-prison phone calls to ensure continued family connections after release, and join 90% of states around the country in providing gate money to people upon release from prison.

5. **Capturing Revenue through Regulated Sports Gaming.** Support legislative action to regulate sports gaming and ensure revenues are captured for education, youth programming and transportation infrastructure at both the state and local levels, to level the playing field with surrounding states that are already capturing this business.

Section 2. **POSITIONS.** That the City adopts the following positions on matters that may come before the 2023 session of the Missouri General Assembly:

Finance & Governance

- **Access to Democracy.** Legislative action that extends early voting, allows for same-day voter registration, and removes voter ID requirements.
- **City Contracting.** Amend Section 8.250 of the Revised Statutes of Missouri, to provide an exception for charter cities so the City can continue to award contracts to the lowest and best bidder.
- **Discriminatory Laws.** Oppose legislation that would be reasonably viewed as discriminatory toward any citizen of the State of Missouri and harmful to its economy and support legislative efforts to provide additional protections under the Missouri Human Rights Act, such as the Missouri Nondiscrimination Act (MONA), to prohibit discrimination in employment and housing.
- **Earnings Tax.** Oppose efforts to undermine or eliminate the Earnings Tax. Support the extension of the Earnings Tax renewal period to strengthen the City's bond rating.
- **Effective Marijuana Regulation.** Support capture of local tax revenues from regulated marijuana. Support the end of sentences and expedited expungement of records for all nonviolent marijuana offenses, regardless of the quantity of marijuana involved in the original conviction. Oppose fines for smoking marijuana in public. Support open and transparent licensing practices to ensure equitable and reparative access to the industry.
- **Efficiency in Tax Administration.** Amend Section 32.057 of the Revised Statutes of Missouri to allow cities to use sales and use tax data to enforce City taxes, so long as confidentiality is maintained.
- **Liability Exposure.** Amend Section 84.710 of the Revised Statutes of Missouri to prevent the City from having to pay and defend lawsuits in which we have no involvement. Amend Section 213.111.2 of the Revised Statutes of Missouri to exempt governments from punitive damages, from which state agencies and commissions are already exempted.
- **Parity in Access to State Tax Refunds.** Amend Section 143.782 of the Revised Statutes of Missouri to include "political subdivisions" to allow for a refund offset program with the Missouri Department of Revenue.

- **Unnecessary Reporting Burdens.** Support efforts to reduce government inefficiencies by amending Section 479.359 of the Revised Statutes of Missouri to exempt large cities from required calculation and reporting of municipal fines.
- **Video Lottery Terminals.** Oppose efforts to legalize Video Lottery Terminals (VLTs), particularly in Missouri home dock cities.

Health & Public Safety

- **Childhood Lead Exposure.** Update lead level testing requirements, based on forthcoming recommendations of the Missouri Department of Health and Social Services' advisory board, to reduce childhood lead exposure.
- **Crime Victims Compensation Fund.** Amend Chapter 595 of the Revised Statutes of Missouri to increase accessibility to Crime Victims' Compensation Fund, including allowing non-law enforcement agencies to access those funds on behalf of an aggrieved victim.
- **Healthcare Access.** Oppose efforts that restrict access to or further criminalize necessary healthcare services, including contraception and abortion.
- **Health Insurance Coverage.** Support efforts to increase access to health care by expanding health insurance coverage, including extending postpartum Medicaid coverage to 12 months and providing 12 months of continuous coverage for children. Oppose legislation that would decrease access to health insurance for low-income Missourians.
- **Police Department Transparency with Dash-cam and Body-cam Videos.** Amend Section 610.100 of the Revised Statutes of Missouri to allow the immediate release of mobile video recordings, including dash-cam and body-cam recordings, to the public to preserve peace and dispel public misunderstanding of a particular officer involved event.
- **Protecting Victims of Domestic Violence.** Support efforts to expand protections for victims of domestic violence, including state legislation based on Kansas City's recently adopted ordinance relating to the unlawful carrying of concealed firearms in the City by persons who are subject to a restraining order or convicted of domestic violence.
- **Public Health Funding.** Support funding for local public health agencies throughout Missouri.
- **Remove Restrictions on Chief of Police Salary.** Amend Section 84.480 of the Revised Statutes of Missouri to remove restrictions on the Chief of Police's salary.
- **Revocation of the Second Amendment Preservation Act.** Revoke Section 1.430 of the Revised Statutes of Missouri to remove restrictions on local law enforcement agencies

when complying with federal laws and collaborating with federal agencies to reduce gun violence.

- **Safe Parks and Public Spaces.** Support Blair’s law legislation that will make discharging a firearm within or into city limits with criminal negligence a state offense.

Housing, Community & Economic Development

- **Access to Homeownership.** Provide down payment and closing cost assistance programs and expand availability of zero-interest mortgages for first-time homebuyers.
- **Addressing Blight and Vacancy.** Authorize local governments to impose a tax or levy higher fines on corporations that leave residential properties vacant or blighted to incentivize refurbishing and renting or selling such properties.
- **Liquor Licensing Reform.** Amend Section 311.096 of the Revised Statutes of Missouri to allow open containers of liquor in designated premises during large festivals and events. Support efforts to raise liquor license fees, many of which have not increased since licensing was established in 1939.
- **Missouri Film Rebate Program.** Reinstate the Missouri Film Rebate Program, as a tool for economic development.
- **Quality Child Care.** Support efforts to increase the accessibility of full-day and full-year quality birth through Pre-K programs for all Missouri students.
- **Supporting Missouri’s Workforce.** Support workforce development programming, tailored to growing and in-demand industries across the state, including programs designed to support people returning to communities after incarceration and people exiting homelessness. Support legislative action to allow cities to raise the minimum wage above the rate mandated statewide.
- **Tourism, Travel, and Special Events.** Support an additional \$1 million in appropriations for the City’s Convention and Sports Complex Fund, as authorized by Section 67.641 of the Missouri Revised Statutes. Support funding for organizations involved in promoting and hosting tourism, travel, sports, or other special events.
- **Transparency in Home Sales.** Legislative action to improve transparency surrounding investor purchasing of homes, including requirement to disclose investor principals of institutional buyers of 1- to 4-unit homes before point of sale.

Transportation & Infrastructure

- **Broadband Access.** Support equitable distribution of federal funding to expand broadband access by partnering with cities and counties of all sizes in planning for

distribution of these funds and leveraging available technical assistance to address data quality issues, existing broadband access.

- **Climate Protection and Resiliency.** Support efforts to meet the City’s climate goals and advance environmental justice by accelerating the transition to affordable, zero carbon energy, making buildings more efficient, investing in pedestrian and bike infrastructure, increasing affordable housing near transit and jobs, and preserving and increasing tree canopies and other natural areas. Increase funding for climate protection measures, including funding for the inclusion of green building features in new building construction and rehabilitation.
- **Safe Streets.** Support efforts to protect pedestrians and drivers from distracted motorists by allowing local jurisdictions to prohibit dangerous practices such as texting and driving.
- **Transportation Funding.** Support efforts to raise new revenues and allow state funding to address all current and future transportation needs, including the provision of zero-fare transit and expanded bus service so KCATA can better serve Kansas City’s workforce and employers.

Section 3. **OTHER ORGANIZATIONS’ POSITIONS.** That the City supports the legislative positions adopted by the Kansas City Consensus Agenda for Economic Development for matters that may come before the 2022 session of the Missouri General Assembly.

..end

LEGISLATIVE FACT SHEET		Legislation Number:	220956
		Approval Deadline:	
LEGISLATION IN BRIEF:			
Establishing the City of Kansas City's major legislative priorities and positions on matters for the 2023 session of the Missouri General Assembly.			
What is the reason for this legislation? To establish the City of Kansas City's major legislative priorities and positions on matters for the 2023 session of the Missouri General Assembly.		Fact Sheet Color To Codes User Entered Field User Select From Menu For OMB Use	
		Sponsor(s)	
		Mayor Lucas Mayor Pro Tem McManus	
		Programs, Departments, or Groups Affected	
		Sub-Program in Budget (page #)	
		Applicants/ Proponents	City Department
			Other
		Staff Recommendation	
Board or Commission Recommendation			
	N/A		
Future Impacts			
None			
Cost of Legislation current Fiscal Year			
Costs in Future Fiscal Years?	No		
Annual Revenue Increase/Decrease			
Applicable Dates:			
Prepared by:			
Date Prepared:			
Reviewed by:			
Date Reviewed			
Reference Numbers			
Citywide Business Plan Goal			
Citywide Business Plan Objective			
Citywide Business Plan Strategy			



Legislation Text

File #: 220957

RESOLUTION NO. 220957

Sponsors: Mayor Quinton Lucas and Councilmember Kevin McManus

Establishing the City of Kansas City's legislative priorities and positions on matters that may come before the 118th United States Congress in 2023.

WHEREAS, the City desires to publish general statements of its priorities and positions on matters that may become the subject of or be affected by proposed federal legislation during the 118th United States Congress in 2023; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section 1. **MAJOR PRIORITIES.** That the City adopts the following major priorities on matters that may come before the 118th United States Congress in 2023:

1. **Equitable Distribution of Funds:** Continue to provide direct funding allocations to cities and require direct participation from cities in planning for funds that will flow through states, to ensure an effective and equitable distribution of federal funds to address local needs and priorities. Continue to expand flexibility in local use of federal stimulus funds.
2. **Violence Reduction:** Increase funding for evidence-based efforts that address the root causes of gun violence, including programs to provide support to victims of gun violence, diversion and intervention programs, and programs that help law enforcement agencies solve more homicides and shootings. Provide greater amounts of funding to cities that are disproportionately impacted by violence.
3. **Housing:** Increase federal support for cities to develop affordable housing, expand rental assistance, and provide transitional housing and social services to support people experiencing homelessness. Update policies to improve efficacy of existing programs, including changing the definition of homelessness and 90-day rule so individuals leaving incarceration or substance use treatment do not need to spend time in an emergency shelter before accessing transitional and supportive housing.
4. **Transportation:** Support legislation which allows for increased funding for KCATA and the Kansas City Streetcar Authority to invest in priorities such as fare free transit, expanded and more frequent service provision, and enhancements to fleet efficiency.

5. **Economic Support:** Continue to rebuild the economy through continued and expanded federal investments in child care, health care, job training programs, education, digital access, and climate change resiliency.

Section 2. **POSITIONS.** That the City adopts the following positions on matters that may come before the 118th United States Congress in 2023:

Finance & Governance

- **Economic Justice.** Support efforts to study options providing economic justice for historically disenfranchised groups.
- **Municipal Bonds.** Oppose the elimination of the municipal bonds tax exemption and restore the ability to advance refund tax-exempt municipal bonds.
- **Protecting Individual Rights.** Support efforts to protect and further codify the rights of individuals to make personal decisions about their healthcare, including protecting access to safe abortion care and contraceptives, and about their personal lives, including protecting the equal rights of all individuals to marry whomever they choose, regardless of race, ethnicity, or sexual orientation.
- **Reducing Reporting Burdens.** Support efforts to reduce overly burdensome reporting requirements, which increase costs and decrease efficiency of local governments, and oppose efforts, like the Financial Data Transparency Act, which would impose unnecessary and unfunded reporting standards on local governments.
- **Treasury Offset Program.** Support an amendment to section 6402 of the IRS Code of 1986 to allow the City's participation in the Treasury Offset Program.

Health & Public Safety

- **Center for Disease Control Funding.** Support increasing the Center for Disease Control's total budget and appropriations for programs that impact local health departments or public health activities.
- **Early Childhood Education.** Support increased funding to early learning programs including Head Start, Early Head Start and the Child Care Development Block Grant to allow assistance to an increased number of eligible children.
- **Emergency Personnel.** Support continued and increased funding for the Assistance to Firefighters Grants Program, which funds critical equipment and training for emergency personnel, enhancing their efficiency and safety while also supporting community resilience.
- **Family & Medical Leave.** Support the creation of a national paid family leave program, which will support child development, early childhood health outcomes, and families.

- **Reentry Support.** Support legislation for policies and programs which address and mitigate involvement in the criminal justice system, particularly among youth, and proven interventions which reduce rates of recidivism among the formerly incarcerated.
- **Urban Areas Security Initiative Funding.** Support the restoration of funding from the Department of Homeland Security through the Urban Areas Security Initiative (UASI) for the public safety agencies in our bi-state metropolitan area to maintain regional capabilities to prevent terrorism and to respond promptly and effectively to both man-made and natural disasters.
- **Violent Crime Prevention.** Support increased funding for initiatives that will reduce violent crime in Kansas City and pursue funding for grants that assist communities with developing collaborations between law enforcement, public health practitioners, and community organizations to address violent crime with evidence-based strategies.

Housing, Community, & Economic Development

- **Affordable Housing Development and Preservation.** Support increased funding for programs such as Community Development Block Grants, HOME, the Low-Income Housing Tax Credit program, and other programs which are catalysts for community development and which support the production of affordable housing in the Kansas City region.
- **Building Efficiency.** Expand funding for programs such as the Weatherization Assistance Program, Low-Income Home Energy Assistance Program, and others which allow city residents to improve the energy efficiency of their residences and businesses.
- **Digital Access.** Support programs that expand digital access and literacy and support efforts to improve data regarding areas lacking digital access, including in urban areas.
- **Expedite Housing Development.** Support efforts to streamline processes relating to the development of transitional, supportive, and affordable housing, including streamlining environmental review requirements under the National Environmental Policy Act (NEPA).
- **Homeownership and Local Development.** Support programs which offer incentives for small-scale developers and residents to convert vacant or underutilized land into owner-occupied affordable housing.

Transportation & Infrastructure

- **Climate Protection and Resiliency,** including Greenhouse Gas Reduction and Sequestration. Support efforts to meet the City's climate goals and advance environmental justice by accelerating the transition to affordable, zero carbon energy, making buildings more efficient, investing in pedestrian and bike infrastructure,

increasing affordable housing near transit and jobs, and preserving and increasing tree canopies and other natural areas.

- **Construction and Investigations Programs.** Support funding of flood risk management and water resources efforts through construction and investigations accounts.
- **EPA Consent Decree.** Continue efforts to reduce the financial burden of water rates on residents through implementation of the amended EPA Consent Decree.
- **Infrastructure Efficiency.** Support programs that assist the city and residents with increasing the energy efficiency of homes, businesses, and infrastructure.
- **Rate Payer Assistance.** Support efforts to provide assistance to rate payers, including the WIFIA program and continued investment in low interest loans through the State Revolving Fund program for clean water and drinking water.
- **Renewable Fuel Standards.** Re-evaluate ethanol fuel stock requirements, subsidies, and mandates to assess environmental impacts on water supplies, downstream water quality, air quality, and carbon emissions; shifts in global climate and food production; and market impacts on rural communities.
- **Transportation Infrastructure Funding.** Develop a uniform national alternative to gas/fuel taxes based on vehicle weights, uses, and miles traveled. Standardize smart technologies to identify on road vehicles for purposes of taxation and traffic law enforcement.

Section 2. **OTHER ORGANIZATIONS' POSITIONS.** That the City supports the legislative positions adopted by the Kansas City Consensus Agenda for Economic Development for matters that may come before the 118th United States Congress in 2023.

..end

LEGISLATIVE FACT SHEET		Legislation Number:	220957
		Approval Deadline:	
LEGISLATION IN BRIEF:			
Establishing the City of Kansas City's legislative priorities and positions on matters that may come before the 118th United States Congress in 2023.			
What is the reason for this legislation? To establish the City of Kansas City's legislative priorities and positions on matters that may come before the 118th United States Congress in 2023.		Fact Sheet Color To Codes User Entered Field User Select From Menu For OMB Use Sponsor(s) Mayor Lucas Mayor Pro Tem McManus Programs, Departments, or Groups Affected Sub-Program in Budget (page #) Applicants/ Proponents City Department Other Staff Recommendation Board or Commission Recommendation N/A Future Impacts None Cost of Legislation current Fiscal Year Costs in Future Fiscal Years? No Annual Revenue Increase/Decrease Applicable Dates: Prepared by: Date Prepared: Reviewed by: Date Reviewed Reference Numbers	
Discussion (including relationship to other Council actions)			
Citywide Business Plan Goal			
Citywide Business Plan Objective			
Citywide Business Plan Strategy			



File #: 220966

ORDINANCE NO. 220966

Sponsor: Councilmember Melissa Robinson

Expressing apologies on behalf of the City of Kansas City and declaring the City's intent to make amends for its participation in the sanctioning of the enslavement of Black people and any historical enforcement of segregation and accompanying discriminatory practices against Black citizens of Kansas City, encouraging others to join the City in this effort, and establishing a commission within ninety days to be known as the Mayor's Commission on Reparations to advise the City regarding reparation issues. ****Item is being held and no public testimony 11.1.22****

WHEREAS, the institution of chattel slavery in the United States, which lasted for over 250 years, enriched American industries, commercial and financial corporations and transformed the newly established United States into an international economic power through the oppressive, dehumanizing and torturous system of enslaved Black labor; and

WHEREAS, after slavery ended in the US, the slaveowners were compensated for the loss of their enslaved Africans, but those who had been held in bondage were never compensated for their labor, despite the promise of "40 acres and a mule"; and

WHEREAS, Black Kansas Citians have been subjected to discriminatory practices by business and financial institutions, including at times acting pursuant to policy enacted or enabled by the City of Kansas City itself; and

WHEREAS, Black Kansas Citians historically have had limited opportunity in their ability to fully participate in the growth and development that has occurred in Kansas City since its inception; and

WHEREAS, Black people in Kansas City have historically been denied equal access to homeownership and affordable housing because of redlining Black neighborhoods, mortgage lending discrimination and predatory lending, limited historical access to government housing programs (i.e. GI Bill), destruction of homes through urban renewal (e.g. building of I-70 and Highway 71), lack of investment in affordable housing in the Black community, gentrification, replacement of affordable housing with luxury and market-rate apartments and condos and discriminatory evictions; and

WHEREAS, Black people in Kansas City have suffered from historic and systemic inequity in educational opportunity, including Black schools that have been historically underfunded, property-tax based school financing which advantages wealthy, mainly Caucasian school districts, Black student academic achievement levels that are well below their Caucasian counterparts, discriminatory practices in school discipline (suspensions, expulsions, etc.), Black students' disproportionate lack of access to pre-K and other early education programs and Black students not having culturally relevant curricula that reflect their reality in the world; and

WHEREAS, Black people have historically suffered from years of inadequate healthcare, including lack of access to doctors and healthcare facilities in Black neighborhoods resulting in Black people suffering disproportionately from treatable diseases and lack of adequate access to healthy foods; the intergenerational psycho-cultural, mental and spiritual damages of the post traumatic slavery syndrome are well documented by Black psychiatrists and psychologists; and

WHEREAS, Black people have not had equal access to capital for business development due to discriminatory practices of financial institutions, lack of access to good jobs, disinvestment in the Black community by governmental bodies, and systematic denial of opportunities in sectors of the local economy such as carpentry, brick masonry, roofing, and other crafts and skills, including on many major projects financed by the city's tax dollars; and

WHEREAS, Black people in Kansas City have suffered at the hands of racist law enforcement in Kansas City for generations resulting in a high rate of police brutality against Black people, over-policing in the Black community, disproportionate incarceration rates, racial profiling, bias in sentencing, negative impact of cash bail, and family destruction due to the so-called war on drugs and more; and

WHEREAS, the 2022-27 Community Health Improvement Plan (CHIP), approved by the Health Commission of Kansas City in 2021, acknowledges that racism is a public health crisis which impacts opportunities for gainful employment that pays a living wage, opportunities for affordable and quality education and training, opportunities to find and secure safe, affordable and dignified housing, opportunities to find and receive culturally-competent and affordable preventive medical care services, opportunities to live violence free, and opportunities to access healthy foods for oneself and one's family, and that Kansas City has a long history of investing in the inequality of its Black communities; and

WHEREAS, in 2019, the City Council unanimously approved a resolution declaring racism as a public health crisis; and

WHEREAS, Mayor Quinton Lucas is a member of the Mayors Organized for Reparations and Equity (MORE);

WHEREAS, members of MORE have pledged to "form an advisory committee/commission composed of members of local, Black-led organizations to formally advise the Mayor on an approach to reparations — including strategies and opportunities to seek public and/or private dollars to fund pilot programs" (<https://moremayors.org/mayors>); and
NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF KANSAS CITY:

Section 1. That the City of Kansas City apologizes and commits to make amends for its participation in the sanctioning of the enslavement of Black people and any historical enforcement of segregation and accompanying discriminatory practices against Black citizens of Kansas City.

Section 2. That the City of Kansas City encourages other organizations and institutions in Kansas City, Missouri that have advanced and benefited from racial inequity to join the City in its apology and to develop their own procedures for reparatory justice.

Section 3. That the City of Kansas City establishes a commission to be known as the Mayor's Commission on Reparations to advise the City regarding reparation issues as follows:

- A. *Establishment.* There is hereby established a commission to be known as the Mayor's Commission on Reparations.
- B. *Purpose and Duties.* The Commission will study and develop reparations proposals for the City's review. Proposals should focus on five impact areas, including housing (homeownership and affordable housing), economic development, health, education, and criminal justice.
- C. *Commission Membership; Terms.* The Commission will be comprised of seventeen (17) members appointed by the Mayor. The Commission should include members who understand and are sensitive to the needs of the Black community. Commissioners shall be appointed for the duration of the Commission's existence. Any vacancy on the Commission will be filled in the same manner as the original appointment.
- D. *Commission Meetings; Compensation.* The Commission shall meet no less than once per month. Commissioners will be provided with a stipend of seventy-five dollars (\$75.00) for each Commission meeting attended.
- E. *Staff Support.* The City Manager shall provide staff support to the Commission.
- F. *Reports.* The Commission will issue a preliminary report of its findings within one year of its inaugural meeting and a final report will be issued within six (6) months thereafter.

Section 4. That the Mayor's Commission on Reparations is to be established within ninety (90) days of the Effective Date of this Ordinance.

..end

Approved as to form and legality:

Lana K. Torczon
Assistant City Attorney

**No Fact Sheet
Provided for
Ordinance No.**

220966