



Agenda

Special Committee for Legal Review

Kevin McManus, Chair
Heather Hall, Vice Chair
Andrea Bough
Lee Barnes Jr.

Tuesday, January 25, 2022

1:00 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/84530222968>

Lucas

[220056](#)

Authorizing the City Attorney to execute a Legal Services Agreement(s) with local counsel and lead national counsel for the provision of legal services in an amount not to initially exceed \$450,000.00; reducing the Contingent Appropriation by \$450,000.00 in the General Fund; appropriating \$450,000.00 to the Outside Legal Consulting account in the General Fund; waiving solicitation requirements; and recognizing this ordinance as having an accelerated effective date.

Attachments: [fact sheet](#)

[22056-Fiscal Note](#)

[22056-Approp Admin](#)

HELD IN COMMITTEE

- [210348](#) Establishing the Economic Development Oversight Board, also known as the Super Board, to coordinate policies between various economic development entities; and establishing an effective date.

Attachments: [210348 No Fact Sheet](#)
[210348 Fiscal Note](#)

ADDITIONAL BUSINESS

1. There may be a general discussion regarding current Special Committee for Legal Review issues
2. 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.
3. 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 Clerk's Office now has equipment for the hearing impaired for use with every meeting. To check out the equipment please see the secretary for each committee. Be prepared to leave your Driver's License or State issued Identification Card with the secretary and she will give you the equipment. Upon returning the equipment your license will be returned.

Adjournment



File #: 220056

ORDINANCE NO. 220056

Authorizing the City Attorney to execute a Legal Services Agreement(s) with local counsel and lead national counsel for the provision of legal services in an amount not to initially exceed \$450,000.00; reducing the Contingent Appropriation by \$450,000.00 in the General Fund; appropriating \$450,000.00 to the Outside Legal Consulting account in the General Fund; waiving solicitation requirements; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, the Missouri General Assembly, in Senate Bill (S.B.) 678, which is currently under consideration in the Missouri General Assembly, seeks to increase the amount of funding the City shall provide to the Kansas City, Missouri Police Department by five percent without any input from the citizens of Kansas City, Missouri or its elected City Council; and

WHEREAS, S.B. 678 would require the City to use all general revenue as a source for the afore-mentioned five percent increase, including, but not limited to, dedicated aviation funding; dedicated water department funding; and dedicated fire department funding; and

WHEREAS, the Council recognizes both the uniqueness of this issue and the complex and specialized nature of the multiple areas of law involved with Chapter 84 of the Revised Statutes of Missouri and city ordinances and;

WHEREAS, the Council recognizes the Law Department has obtained professional services from local and national firms in the past on other high profile, important cases;

WHEREAS, the Council recognizes \$450,000.00 was initially spent for local and national firms in the past on high profile, important cases for other professional services in connection with other litigation; and

WHEREAS, Section 3-35(b)(5), Code of Ordinances, provides that if Council finds that it is "in the best interests of the city," the Council may waive contract solicitation and award provisions otherwise set out in the Code of Ordinances; NOW, THEREFORE;

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Attorney is hereby authorized to negotiate and execute agreements with national and legal counsel to provide legal services and to retain external professional services related to Senate Bill 678, and any similar legislation, in an amount not to initially exceed \$450,000.00.

Section 2. That the appropriation in the following account is reduced by the following amount:

GENERAL Ordinance Fact Sheet

220056

Ordinance Number

Brief Title:

Authorizing the City Attorney to execute a Legal Services Agreement(s) with local counsel and lead national counsel for the provision of legal services in an amount not to initially exceed \$450,000.00; reducing the Contingent Appropriation by \$450,000.00 in the General Fund; appropriating \$450,000.00 to the Outside Legal Consulting account in the General Fund; waiving solicitation requirements; and recognizing this ordinance as having an accelerated effective date.

Approval Deadline: None

Reason:

Details

<p>Reason for Legislation:</p> <p>The City has a need for independent counsel to provide counsel regarding the impact of certain state legislation and its impact to the budget, mitigation of any identified legal risk assessed, including potential litigation.</p>
<p>Discussion <i>(including relationship to other Council actions)</i></p> <p><u>Is it good for the children?</u> Yes.</p> <p><u>How will this contribute to a sustainable Kansas City?</u> This item does not have an appreciable effect in terms of any sustainability initiatives of the City, though any underlying increase of burden on the general fund as a result of state legislation will shift opportunity costs that may impact sustainability initiatives.</p>

Positions / Recommendations

Sponsor(s): Mayor Quinton Lucas	
Programs, Departments, or Groups Affected Law	
Applicants/Proponents	<p>Applicant</p> <p>City Department</p> <p>Other</p>
Opponents	<p>Groups or Individuals</p> <p>None</p> <p>Basis of Opposition</p>
Staff Recommendation	<p>9 For</p> <p>9 Against</p> <p>Reasons Against:</p>
Board or Commission Recommendation	<p>9 For 9 Against</p> <p>9 No Action Taken</p> <p>9 For, with revisions or conditions</p>
Council Committee Action	<p>9 Do Pass</p> <p>9 Do Pass (as amended)</p> <p>9 Committee Substitute</p> <p>9 No Recommendation</p> <p>9 Hold</p> <p>9 Do Not Pass</p>

Details

--

Policy / Program Impact

Policy or Program Change	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Operational Impact Assessment	

Finances

Cost and Revenue Projections	Cost of Legislation \$450,000.00 Increase/Decrease in Revenue Expected Annually No effect
Fund Sources	1000-179990-619960

Applicable Dates:

Fact Sheet Prepared By:

Matt Gigliotti
City Attorney

Reviewed By:

Reference Numbers:

LEGISLATIVE FISCAL NOTE	LEGISLATION NUMBER:	220056
--------------------------------	------------------------	--------

LEGISLATION IN BRIEF:

Authorizing the City Attorney to execute a Legal Services Agreement(s) with local counsel and lead national counsel for the provision of legal services in an amount not to initially exceed \$450,000.00; reducing the Contingent Appropriation by \$450,000.00 in the General Fund; and appropriating \$450,000.00 to the Outside Legal Consulting account in the General Fund.

What is the purpose of this legislation? OPERATIONAL

For the purpose of authorizing expenditures new or planned to conduct municipal services

Does this legislation spend money? YES Yes/No

See Sections 01, 02 and 03 for sources of funding

Does this legislation estimate new Revenues? NO Yes/No

0

Does this Legislation Increase Appropriations? NO Yes/No

Are costs associated with this legislation ongoing (Yes)? Or one-time (No) NO Yes/No

See Section 00: " Notes" Below

Section 00: Notes:

This ordinance decreases appropriations in the Contingent Appropriation and increases appropriations for Outside legal Consulting resulting in no net increase in appropriations.

Five years of operational costs for ongoing programs should be included in Section 04 below.

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST
1000	179990	619960		\$ 450,000.00	

Section 02: If applicable, where will new revenues be estimated?

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST
1000	131506	619080		\$ 450,000.00	

NET IMPACT ON OPERATIONAL BUDGET				\$ -	\$ -
<i>RESERVE STATUS:</i>				DRAWS FROM CONTINGENT APPROPRIATION	

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
TOTAL REV		-	-	-	-	-	-	-

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
1000	General	\$ 450,000.00						
TOTAL EXP		\$ 450,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

NET Per-YEAR IMPACT \$ (450,000.00) \$ - \$ - \$ - \$ - \$ - \$ -

NET IMPACT (SIX YEARS) **(450,000.00)**

REVIEWED BY Kitty Steffens, OMB DATE 1/15/2022



File #: 210348

ORDINANCE NO. 210348

Establishing the Economic Development Oversight Board, also known as the Super Board, to coordinate policies between various economic development entities; and establishing an effective date.

WHEREAS, Council believes providing economic development incentives allows the City to increase its industrial, commercial, housing and office space markets, resulting in ensuring regional and national competitiveness, a stronger economy, and improved livability for its residents; and

WHEREAS, the economic development incentives requested are often abatement redirection, or exemption of ad valorem property taxes or other financing mechanisms; and

WHEREAS, requests for abatement, redirection or exemption of ad valorem property taxes and other financing mechanisms are presented either directly to the City or through one or more of the economic development entities authorized by Missouri statute and created by an ordinance of the City Council; and

WHEREAS, pursuant to the Land Clearance for Redevelopment Authority Law, Sections 99.300 to 99.660 of the Revised Statutes of Missouri, as amended, the City Council of Kansas City, Missouri by Ordinance No. 16120 passed on November 21, 1952, created the Land Clearance for Redevelopment Authority of Kansas City, Missouri (LCRA); and

WHEREAS, pursuant to the Planned Industrial Expansion Law, Sections 100.300 to 100.620 of the Revised Statutes of Missouri, as amended, the City Council of Kansas City, Missouri by Ordinance No. 34677 passed on February 9, 1968, created the Planned Industrial Expansion Authority of Kansas City, Missouri (PIEA); and

WHEREAS, pursuant to the provisions of Chapter 68 of the Revised Statutes of Missouri, as amended, the City Council of Kansas City, Missouri by Resolution No. 47523 adopted on February 11, 1977, created the Kansas City, Missouri Port Authority (Port KC); and

WHEREAS, pursuant to the provisions of Sections 135.950 to 135.973 of the Revised Statutes of Missouri, as amended, and the provisions of Resolution No. 050844 adopted by the City Council on July 28, 2005, Enhanced Enterprise Zones (EEZ) were authorized and established in Kansas City; and

WHEREAS, pursuant to the provisions of Chapter 138 of the Revised Statutes of Missouri, as amended, the City Council of Kansas City, Missouri by Resolution No. 48492 adopted on December

9, 1977, created the Industrial Development Authority of the City of Kansas City, Missouri (IDA); and

WHEREAS, pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended, the City Council of Kansas City, Missouri by Ordinance No. 54556 passed on November 24, 1982, and thereafter amended in certain respects by Committee Substitute for Ordinance No. 911076, as amended, passed on August 29, 1991, Ordinance No. 100089, as amended, passed on January 28, 2010, Ordinance No. 130986, passed on December 19, 2013, and Committee Substitute for Ordinance No. 140823, as amended, passed on June 18, 2015, created the Tax Increment Financing Commission of Kansas City, Missouri (TIF Commission); and

WHEREAS, pursuant to Urban Redevelopment Corporations Law, Sections 353.010 to 353.190 of the Revised Statutes of Missouri, as amended, the City Council of Kansas City, Missouri is authorized to promote urban renewal through the abatement of real property taxes and has, by Committee Substitute for Ordinance No. 140306, passed on May 1, 2014, created the Kansas City Chapter 353 Advisory Board and vested it with certain powers in furtherance of urban renewal efforts; and

WHEREAS, in 1978, the City formed the Kansas City Corporation for Industrial Development, which changed its name to the Economic Development Corporation (EDC) in 1987, and in 1980, the City formed the KCCID- Capital Investment Fund, which changed its name in 1988 to the Economic Development Loan Corporation (EDCLC), all pursuant to general corporation incorporation statutes in Missouri; and

WHEREAS, each economic development entity created by ordinance of the City Council is governed by its own board or commission; and

WHEREAS, the Council wishes for each economic development entity to operate with an awareness of the policies of the other entities, striving for cohesiveness in the policies of the entities; and

WHEREAS, the Council desires to create an Economic Development Oversight Board, also known as the Super Board, to share information about the individual economic development entities created by Council and help develop cohesive policies among the entities; NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Economic Development Oversight Board, also known as the Super Board, is hereby created and established to coordinate policies between various economic development entities created by ordinance of the City Council and pursuant to the Revised Statutes of the State of Missouri.

Section 2. That the Economic Development Oversight Board shall consist of five members appointed by the Mayor. Each of the five members shall also serve on LCRA, PIEA, Port KC, EEZ, IDA, EDC, EDCLC, the TIF Commission and the 353 Advisory Board.

Section 3. That the Economic Development Oversight Board shall hold its first meeting no more than 30 days after the Board is appointed by the Mayor and shall meet monthly thereafter.

Section 4. That the Economic Development Oversight Board shall consult with all economic agencies, commissions and boards listed in Section 2 and shall bi-annually produce a report to Council summarizing their work and the work of the other agencies, commissions and boards listed in Section 2, with the first report due six months after the first Super Board meeting.

Section 5. This ordinance shall become effective on June 1, 2021.
..end

Approved as to form and legality:

Katherine Chandler
Assistant City Attorney

**No
Fact
Sheet
Provided
For
Ordinance
210348**

