



Legislation Details (With Text)

File #: 211125 **Version:** 1 **Name:**

Type: Ordinance **Status:** Referred

File created: 12/16/2021 **In control:** Special Committee for Legal Review

On agenda: 1/4/2022 **Final action:**

Title: Calling for submission to the voters of Kansas City, at an election to be held on April 5, 2022, a question amending the Charter of Kansas City to modify the number of council districts; directing the City Clerk to notify the responsible election authorities of the election on or before January 25, 2022; and recognizing this ordinance to have an accelerated effective date within the City Charter because it calls an election.

Sponsors: Andrea Bough, Eric Bunch

Indexes:

Code sections:

Attachments: 1. No Fact Sheet-211125, 2. 211125 Fiscal Note

Date	Ver.	Action By	Action	Result
12/16/2021	1	Council	Move To Introduce	
12/16/2021	1	Council	referred	

ORDINANCE NO. 211125

Calling for submission to the voters of Kansas City, at an election to be held on April 5, 2022, a question amending the Charter of Kansas City to modify the number of council districts; directing the City Clerk to notify the responsible election authorities of the election on or before January 25, 2022; and recognizing this ordinance to have an accelerated effective date within the City Charter because it calls an election.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. ELECTION CALLED. That an election is called on April 5, 2022, for the purpose of submitting to the voters of Kansas City amendments to the City Charter.

Section 2. NOTICE TO ELECTION AUTHORITIES BY CITY CLERK. That following passage of this ordinance the City Clerk shall deliver certified copies of this ordinance and notice of election to the Clerk of Cass County, Board of Election Commissioners of Clay County, Board of Election Commissioners of Kansas City, and Board of Election Commissioners of Platte County, on or before January 25, 2022, which shall be the authority of each election authority of the City to submit the amendment to the electors of Kansas City and to give public notice as provided by law.

Section 3. NOTICE OF ELECTION. The notice of election shall read as follows:

=====

NOTICE OF ELECTION
KANSAS CITY, MISSOURI

Notice is hereby given that the City of Kansas City has called an election to be held on Tuesday, April 5, 2022, between the hours of 6:00 a.m. and 7:00 p.m., at which election all qualified voters residing within Kansas City, Missouri will be given the opportunity to vote.

The official ballot will be in substantially the following form:

OFFICIAL BALLOT
CITY OF KANSAS CITY

ELECTION, APRIL 5, 2022

QUESTION NO. ____
(Organizational Flexibility)

Should the Charter of Kansas City be amended to establish 9 in-district Council districts, with three at-large Council districts, with the City Council to consist of 9 in-district members, 3 at-large members, and the Mayor?

_____ Yes
_____ No

(Instructions to voters will be supplied by the election authorities.)

A full and complete copy of this ordinance (as it may be amended) submitting the above amendments to the electorate is on file in the office of the City Clerk of Kansas City, Missouri where the same is open for inspection and copying.

The polling places for the election will be (INSERT LIST OF POLLING PLACES IN LAST PUBLICATION ONLY)

=====

I hereby certify that the foregoing is the legal notice to be published pursuant to Section 115.127, RSMo, as amended.

Given under my hand and the official seal of the City of Kansas City, Missouri, this _____ day of January, 2022.

(SEAL) _____
MARILYN SANDERS
City Clerk of Kansas City, Missouri

Before me, a notary public, personally appeared Marilyn Sanders, to me known to be the City Clerk of Kansas City, Missouri, and the person who acknowledged to me that she executed the same for the purposes therein stated.

Notary Public

My Commission Expires: _____

Section 4. AMENDMENTS TO BECOME THE CHARTER OF THE CITY OF KANSAS CITY - QUESTION 1 - COUNCIL DISTRICTS. If a majority of the voters favor this Question (Council Districts), then the following amendments to the Charter of the City of Kansas City will become effective May 1, 2022, which amendments shall read as follows:

BE IT ADOPTED BY THE PEOPLE OF KANSAS CITY:

That the Charter of the City of Kansas City is amended by enacting new Section 213, to read as follows:

Sec. 213. Council Changes effective August 1, 2023.

(a) **Effective date of Charter amendment of _____, 2022.** The changes to Section 201, Section 203 and Section 605 shall become effective August 1, 2023. Prior to that time Section 201 as approved on August 8, 2006 and Section 203 as approved on November 2, 2010 shall remain in effect until August 1, 2023, at which time they are repealed.

(b) **Amended Section 201.** Effective August 1, 2023, Section 201 shall read as follows:

Sec. 201. Establishment of the City Council.

There will be a City Council of thirteen members, including the Mayor, elected as follows:

(a) Mayor. The Mayor shall be elected by the qualified voters of the City at-large.

(b) Council member at-large. One member residing in each of the three at-large Council districts and elected by the voters of the City at-large.

(c) District Council member. One member residing in and elected from each of nine Council in-district Council districts.

(c) **Amended Section 203.** Effective August 1, 2023, Section 203 shall read as follows:

Sec. 203. - Council districts.

(a) *Nine in-district Council districts and three at-large Council districts.* For the purpose of electing in-district members of the Council, the Council shall divide the City into nine districts, substantially equal in population. For the purpose of electing at-large members of the Council, the Council shall divide the City into nine districts, substantially equal in population, by combining the contiguous territory of three districts into an at-large district.

(b) *Redistricting.* The Council shall draw new districts, based upon the last official federal census, not later than the last day of December of the year of the publication of the official federal census.

(c) *Expanded City limits.* Whenever the City limits are expanded, the area newly included within the City shall be a part of the Council district to which it is contiguous.

(d) **Amended Section 605.** Effective August 1, 2023, Section 605 shall read as follows:

Sec. 605. - Results of elections.

(a) Primary election.

(1) General. The two candidates for Mayor, the two candidates for at-large members of the Council, and the two candidates for district Council members, who receive the highest number of votes in the primary election for each office, respectively, will be placed on the general election ballot. As soon as determined, the City Clerk will provide the required information to the election authorities for the general election.

(2) Write-in candidates. If one or both of the two candidates receiving the highest number of votes is a write-in candidate, then that candidate must receive a total number of votes equal to or in excess of the number of nominating signatures required for that office to qualify for the regular election ballot.

(3) Death, withdrawal, disqualification, failure to meet minimum write-in requirements. In case of the death, withdrawal or disqualification of any candidate entitled to have his name printed on the ballot at the regular municipal election, or any write-in candidate who does not receive the minimum number of votes required, the candidate receiving the next highest number of votes at the primary election will be placed on the general election ballot, provided they are eligible.

(b) General election. The candidate for Mayor, the candidates for member at-large of the Council from each at-large district, and the candidate for member of the Council from each in-district, who shall receive the greatest number of votes at the regular municipal election for each such office, respectively, shall be declared elected.

(e) **Interim Redistricting.** To effectuate the amendments to Sections 201 and 203 the City Council will enact an ordinance to redistrict the City, based on the official 2020 United States Census to provide for nine in-districts and three at-large districts by August 1, 2022. This map shall be effective only for purposes of City Charter Article VI - Nominations and Elections until August 1, 2023, at which time it shall become fully effective.

(f) **Failure to complete term of office.** If between the effective date of this section and August 1, 2023, the position of district Council member or at-large Council member becomes vacant for any reason, the position vacated will be filled according to this Charter without reference to the amended structure of the City Council.

Section 5. ACCELERATED EFFECTIVE DATE. This ordinance, providing for the submission of Charter amendments to the people of Kansas City, Missouri, is recognized to be an emergency measure within the meaning of Section 503(a)(3)(A) of the Charter, and as such shall become effective in accordance with Section 503(a)(1) of the Charter.

Approved as to form and legality:

Matthew Gigliotti
City Attorney