COMPARED VERSION
COMMITTEE SUBSTITUTE TO ORIGINAL ORDINANCE

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 220966

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.

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, the City of Kansas City was founded as the Town of Kansas in 1850; and

WHEREAS, upon the founding of the Town of Kansas, the laws of the State of Missouri, Jackson County, and the City upheld the institution of chattel slavery; and

WHEREAS, the City of Kansas City Code of Ordinances characterized Black persons as property upon its founding and the generation that followed; and

WHEREAS, leading members of Kansas City government and civic life actively encouraged conflict with residents of the Kansas Territory to expand the institution of chattel slavery to the previously free territory; and

WHEREAS, after the emancipation of previously-enslaved Black persons, the organs of local government, including the Office of Mayor, Council, City Departments, and the Kansas City Police Department actively supported and executed laws restricting the humanity, movement, and rights of previously-enslaved Black people and their descendants; and

WHEREAS, the City of Kansas City segregated under law the ability of Black persons to reside, do business in, or travel into large parts of the City; and

WHEREAS, the City of Kansas City's past actions to support and defend the institution of slavery and segregation era human rights violations has led to substantial disparities in wealth, health, homeownership, criminal justice and educational outcomes for Black Kansas Citians as compared to non-Black Kansas Citians; and

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WHEREAS, Black Kansas Citians have ~~been subjected~~not had equal access to capital for business development due to discriminatory practices ~~by business and~~of financial institutions, ~~including at times acting pursuant to policy enacted or enabled by the City of Kansas City itself~~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; 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, data from the Census Bureau's Survey of Business Owners indicates statistically significant disparities in Kansas City between Black-owned firms and white-owned firms in Kansas City when examining the sales of all firms, the sales of employer firms (firms that employ at least one worker), or the payroll of employer firms; and

WHEREAS, in 2016, the City of Kansas City's Disparity Study evaluated $1.97 billion in contracts across Kansas City, including Jackson County, the Kansas City School District, the Kansas City Area Transportation Authority and the City of Kansas City, and found that 86 percent of contracts were awarded to White-owned firms compared to approximately seven percent of contracts awarded to Black-owned firms despite a Black percentage of the City population exceeding 30 percent; and

WHEREAS, the Small Business Association reports that barriers to obtaining commercial credit and the development of human capital constrains Black-owned businesses entrepreneurial success based on race, negatively impacting the ability of firms to form, to grow, and to succeed; and

WHEREAS, the 2021 Small Business Credit Survey (SBCS) found that Black-owned firms in Kansas City that applied for traditional forms of financing were least likely to receive all of the financing they sought, receiving only 13 percent of financing sought, as compared to 40 percent of white-owned firms; 31 percent of Asian-owned firms, and 20 percent of Hispanic-owned firms; and

WHEREAS, in Kansas City credit rationing – also known as redlining – was used to restrict or deny financial services to Black persons to purchase property, restricting economic development and real property investment opportunities to white communities; and

WHEREAS, the federal government's Housing and Urban Development agency encouraged the private sector to create and maintain lists of areas where there were "inharmonious racial groups" to ensure the disinvestment in real estate and economic development in those areas based on race. These lists were so-called "Blacklists"; and

WHEREAS, the private sector in Kansas City implemented federal government policies through real estate agents, building developers and speculators that would rent or sell to low-

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income individuals, primarily Blacks, at overinflated values and interest rates thereby keeping Black net worth values in a perpetual state of depression in Kansas City; 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~~such as the G.I. Bill~~)~~, destruction of homes through urban renewal ~~(e.g. building~~ such as the construction of ~~I-~~Interstate 70 and US 71 Highway ~~71),~~through majority-Black communities, 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~~the rate of homeownership for Black residents is 43 percent and ~~systemic inequity in educational opportunity, including Black schools~~the rate of homeownership for white residents is 76 percent; and

WHEREAS, studies have shown that ~~have been historically underfunded, property tax based school financing~~in Kansas City the financial productivity of the non-redlined neighborhoods that are mostly white is nearly $1.9 million per acre. In the redlined zone which ~~advantages wealthy, mainly Caucasian school districts,~~is mostly Black, the financial productivity falls to just under $175,000 per acre; and

WHEREAS, as a result in the disparity in homeownership the median household net worth of a white family in Kansas City is $188,200 and the median net worth of a Black ~~student~~family is $24,100; and

WHEREAS, the academic achievement ~~levels that are well~~of Black students in Kansas City remains below the achievement of their ~~Caucasian~~white counterparts~~, discriminatory practices in school discipline (suspensions, expulsions, etc.), Black students' disproportionate~~ based upon the Missouri Assessment Program exam ("MAP test"); and

WHEREAS, in the mostly Black neighborhoods east of Troost Avenue, 32 percent of homes lack ~~of~~internet access ~~to pre-K,~~ and ~~other early education programs~~25 percent are without a computer; and

WHEREAS, despite nearly equal numbers of Black and white students ~~not having culturally relevant curricula~~in Kansas City, Black students are suspended at a rate four-times higher than that ~~reflect their reality in the world; and~~of white students; 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;~~; and

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WHEREAS, 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, Kansas City zip code 64128, which is predominantly Black, has the city's lowest life expectancy of 68.1 years with an 86 percent minority population while zip code 64113, which is predominantly white, has the highest life expectancy of 86.3 years, with a 13.7 percent minority population; and

WHEREAS, when surveyed there is a significant disparity in white residents reporting a higher ease of access in their neighborhoods to healthy food in comparison to Black residents; and

WHEREAS, Black people in Kansas City have suffered harm disproportionately at the hands of ~~racist~~ law enforcement in Kansas City for generations ~~resulting in~~, as evidenced by a high rate of excessive police ~~brutality~~use of force against Black people, over-policing in the Black community compared to white communities where similar conduct is present, disproportionate incarceration rates for similar conduct across races, racial profiling~~, bias in~~ in police stops as shown by reports from the Office of the Missouri Attorney General, disproportionate and lengthy sentencing~~, negative impact of cash bail~~ of Blacks compared to other races, and family destruction due to the ~~so-called war~~"War on ~~drugs~~Drugs"; and

WHEREAS, due to urban renewal, public school disinvestment, and other policies that perpetuated the concentration of poverty east of Troost, Black people in Kansas City are much more~~,~~ likely to be arrested, cited, ticketed, charged and live in high-crime neighborhoods than their non-Black counterparts; and

WHEREAS, in 2020, Black drivers were 23 percent more likely to be stopped by the Kansas City Police Department than white drivers according to the Missouri Vehicle Stops 2020 Annual Report authored by the Missouri Attorney General; 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 in investing in the inequality of its Black communities; and

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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); and

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)~~; 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 the 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.~~ *A. Establishment.* There is hereby established a commission to be known as the Mayor's Commission on Reparations.

~~B.~~ *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.~~ *C. Commission Membership; Terms.* The Commission will be comprised of ~~seventeen (17~~thirteen (13) 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.

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~~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.~~

D. *Staff Support.* At the request of the Commission, and subject to appropriation and the fiscal, budgetary, and civil service provisions of the Charter and all applicable rules regarding competitive selection, including the Standing Rules of Kansas City Boards and Commissions, the Mayor's Committee on Reparations may retain internal or external administrative support with appropriate expertise to assist the Commission in its development of the draft and final Kansas City Reparations Plans.

~~F.~~ *E.* *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.

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

Approved as to form ~~and legality~~:

Lana K. Torczon
Assistant City Attorney