

COMPARED VERSION
NEW ORDINANCE TO CODE BOOKS

ORDINANCE NO. 230701

Amending Chapter 2, Code of Ordinances, by repealing and reenacting Section 2-2024, Conflict of interest annual report, in order for the City to meet the requirements of Section 105.485.4 of the Missouri Revised Statutes, allowing the City to establish its own method of disclosing conflicts of interest; adding candidates for Council and Mayor to the list of individuals required to file personal financial disclosure statements; and directing the City Clerk to file a certified copy of this ordinance with the Missouri Ethics Commission within ten days of passage of this ordinance.

WHEREAS, Section 105.483(11) of the Missouri Revised Statutes provides that certain municipal officers and employees must file a financial interest statement with the Missouri Ethics Commission; and

WHEREAS, Section 105.485.4 of the Missouri Revised Statutes provides that certain political subdivisions may biennially adopt an ordinance by September 15th of the preceding year which establishes and makes public its own method of disclosing potential conflicts of interest and substantial interests, and therefore excludes its officers and employees from the statutory requirements for reporting such potential conflicts and interests; and

WHEREAS, on July 13, 2023, the City Council passed Committee Substitute for Ordinance No. 230547, which made amendments to the City's Code of Ethics, including amendments to Section 2-2024, Conflict of interest annual report, as recommended by the Municipal Officials and Officers Ethics Commission; and

WHEREAS, the City Council now wishes to repeal and reenact Section 2-2024, Conflict of interest annual report, in order to comply with the requirements set forth in Section 105.485.4 RSMo.; NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 2, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing and reenacting Section 2-2024, Conflict of interest annual report, to read as follows:

Sec. 2-2024. Conflict of interest annual report.

(a) *Disclosure to Missouri Ethics Commission.* Members of the council, including the mayor, candidates for council and mayor, the city manager and assistants, the city clerk, the city auditor, the internal auditor, the commissioner of purchases and supplies, the city attorney, and the directors of all departments of the city, shall file with the city clerk and the state ethics

commission the long form of the state ethics commission's personal financial disclosure statement completed in conformance with state law.

(b) *Disclosure to the supreme court.* Judges of the city municipal division of the circuit court shall file disclosure reports required of judges by the supreme court of the state, and will not be required to duplicate filings with the state ethics commission or the city clerk.

(c) *Disclosure to the city clerk.* Members of all boards, commissions and other entities of the city or who receive substantial 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 under subsection (a) of this section, 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:

- (1) Employers who are contractors and/or suppliers of the city, and from whom the appointee received income of \$10,000.00 or more during the period covered by the report;
- (2) Each sole proprietorship who are contractors and/or suppliers of the city, owned by appointee;
- (3) Each general partnership and joint venture who are contractors and/or suppliers of the city, and in which the appointee is a partner or participant;
- (4) Each closely-held corporation, limited partnership, or other closely held entity who are contractors and/or suppliers of the city, and in which the appointee owns ten percent or more of any class of the outstanding stock, units or other equity interests;
- (5) Each publicly-traded corporation, limited partnership or other publicly-traded entity who is a contractor and/or supplier of the city, and which is listed on a regulated stock exchange or automated quotation system in which the appointee owns two percent or more of any class of outstanding stock, units or other equity interests;
- (6) Miscellaneous income of \$9,999.99 or more from any single source who are contractors and/or suppliers to the city, and not otherwise included in the report;
- (7) Each corporation or other entity who is a contractor and/or supplier to the city, and in which the appointee served as a director, officer or receivers;
- (8) Each not-for-profit corporation, association, organization or union in which the appointee served as an officer, director, employee or trustee, except church, fraternal or service organizations where no pay was received; and

- (9) Spouse and children who were employed by the city, and what department they worked for;
- (10) Real property owned and/or managed in whole or in part by member, spouse or dependent children within corporate boundaries.

(d) *Boards, commissions and other entities defined.* Members of boards, commissions and other entities receiving substantial funding by the city or which make recommendations on the expenditure of public funds required to file annual financial disclosure reports with the city clerk shall include those persons who are members of the following boards and commissions:

- (1) American Jazz Museum;
- (2) Board of trustees of city trusts - all members file;
- (3) Board of zoning adjustment;
- (4) Brownfields Commission;
- (5) Building and fire code board of appeals;
- (6) Employees retirement system board of trustees;
- (7) Central city economic development sales tax board;
- (8) City market oversight committee;
- (9) City plan commission;
- (10) Construction workforce board;
- (11) Convention hotel steering committee;
- (12) Convention management advisory authority;
- (13) Downtown economic stimulus authority;
- (14) Economic development corporation;
- (15) Emerging technology board;
- (16) Enhanced enterprise zone board;
- (17) Environmental management commission;
- (18) Fairness in construction board;

- (19) Fairness in city contracts board;
- (20) Firefighters pension system board of trustees;
- (21) Global Commission, Kansas City;
- (22) Health Commission;
- (23) Healthcare system board of trustees;
- (24) Historic preservation commission;
- (25) Housing authority - only mayoral appointees;
- (26) Housing trust fund advisory board;
- (27) Houseless Advisory Commission;
- (28) Human resources board;
- (29) Human rights commission;
- (30) Impact fee advisory committees;
- (31) Industrial development authority;
- (32) Jackson County Board of Equalization - only mayoral appointees;
- (33) Kansas City Area Transportation Authority - only mayoral appointees;
- (34) Kansas City lesbian, gay, bisexual, trans and queer commission (LGBTQC);
- (35) Kansas City, Municipal Assistance Corporation;
- (36) Kansas City Museum Advisory Board;
- (37) Kansas City Parking and Transportation Commission;
- (38) KCTGA Comprehensive HIV Care Plan;
- (39) Land Bank of Kansas City, Missouri - only mayoral appointees;
- (40) Land Clearance for Redevelopment authority;
- (41) Land Trust of Jackson County - only mayoral appointee;

- (42) Liquor control board of review;
- (43) Mayor's Commission on Reparations
- (44) Municipal art commission;
- (45) Municipal judicial nominating commission;
- (46) Municipal officials and officers ethics commission;
- (47) Neighborhood tourist development fund committee;
- (48) Parks and recreation board of commissioners;
- (49) Planned industrial expansion authority;
- (50) Police retirement board - only mayoral appointees;
- (51) Port KC;
- (52) Property maintenance appeals board;
- (53) Public improvement advisory committee;
- (54) Small business task force;
- (55) Special review boards and business districts, including Main Street Special Review Board, the Independence Avenue Special Design Review Districts, the Union Hill Special Business District, and the Westport Special Business District;
- (56) Tax increment financing commission; and
- (56) Visit KC.

The Ethics Commission shall annually review any new boards, commissions, or other entities formed by the City and make a recommendation to Council on which, if any, shall be included in the list of entities whose members are required to file annual financial disclosure reports.

(e) *Time for filing.* The financial disclosure reports shall be filed at the following times, but no person is required to file more than one financial disclosure statement in any calendar year:

- (1) Every person required to file a financial disclosure statement shall file the statements annually not later than May 1 and the statement shall cover the calendar year ending the immediately preceding December 31.

- (2) Except for candidates for council and mayor, the first disclosure report required of persons shall be filed with the city clerk prior to assuming employment or a position on the designated entity. An annual revised disclosure report shall be filed by May 1 of each calendar year.
- (3) Every candidate for council and mayor, including incumbent candidates, shall file no later than fourteen days after the close of filing for candidacy, as provided in Section 602(a) of the City Charter. The time period for this filing shall cover the twelve months prior to the closing date of filing for candidacy.

(f) *Failure to file.* 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 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) with a member not appointed by the mayor or one or more members of the city council failing to file the required disclosure report shall be subject to termination or suspension of any funding or other assistance provided by the city until all required disclosures are made.

(g) *City clerk's responsibility.* The city clerk will distribute to members of the entities named in subsection (d) forms on which they may make the required filing by February 1 of each year. The failure of a person required to file a disclosure report to receive a form shall not be an excuse for the failure to file the required report. The city clerk will have available copies of appropriate forms in the office of the city clerk for persons to obtain.

Section 2. That the City Clerk shall file a certified copy of this ordinance with the Missouri Ethics Commission within ten days of passage of this ordinance.

Approved as to form:

Sarah Baxter
Senior Associate City Attorney