

COMPARED VERSION
NEW ORDINANCE TO CODE BOOKS

ORDINANCE NO. 210585

Amending Chapter 2, Code of Ordinances, by repealing Sections 2-964, entitled Commission established; membership; officers, and 2-965 entitled Duties of commission, and enacting in lieu thereof new sections of like numbers and subject matter.

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 Sections 2-964, entitled Commission established; membership; officers, and 2-965, entitled Commission established; membership; officers, and enacting in lieu thereof new sections, to read as follows:

Sec. 2-964. Commission established; membership; officers.

There is hereby created and established a commission to be known as the Brownfields Commission. The commission shall be composed of ~~four~~¹⁵ members. Eight of those commissioners shall be residents of the city, appointed by the mayor to serve four-year terms, further delineated as follows: ~~four~~^{three} representing citizen and community groups; one representing regional environmental justice communities; one with expertise in the ~~fields~~^{field} of business; one with expertise in the field of real estate development; ~~and; one with expertise in the field of~~ environmental assessment and remediation; and one being a lawyer member of the Missouri Bar Association with expertise in environmental law. ~~The other three~~^{Three additional} commissioners shall be the mayor, chairman of the city plan commission and chairman of the board of directors of the economic development corporation of Kansas City, or their designees, who shall be ex officio members of the commission. ~~The members of the commission shall serve without compensation and~~^{Four regional commissioners shall be the chief executive of Jackson County, Missouri; the mayor of the Unified Government of Wyandotte County/Kansas City, Kansas; the chief executive of the Mid-America Regional Council; and the chief executive of the Kansas City Area Development Council, or their designees, who shall be ex officio members of the commission representing governments and non-profit entities in partnership with the city for brownfields redevelopment. The members of the commission shall serve without compensation and those appointed by the mayor} shall be subject to removal by the mayor. The mayor shall designate one of the commissioners as chairperson of the commission and another as vice-chairperson. The director of Brownfields shall be the secretary and provide administrative support for the commission.

Sec. 2-965. Duties of commission.

(a) The duties of the Brownfields Commission shall be to ~~identify~~^{promote the cleanup} and ~~manage environmental risks and costs associated with the~~ reuse of ~~urban~~^{urban} brownfield properties ~~so that such factors do not impede important redevelopment projects that~~^{in order to}

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create jobs, increase the tax base, remove potential threats to public health and the environment, or otherwise productively reuse idle, abandoned or underutilized properties. ~~The~~ When conducting business concerning primarily the city or the Kansas City Brownfields Revolving Loan Fund, the commission, excluding the four regional commissioners, shall help guide:

- (1) consider applications for loans and promote redevelopment projects wherever and whenever they encounter environmental barriers, and shall serve as a permanent resource that communities, developers and the city can turn subgrants of funds from the Kansas City Brownfields Revolving Loan Fund, vote on resolutions to approve applications for guidance, assistance and information concerning Brownfield of \$100,000 or less, and vote on resolutions to recommend to the city council approval of applications for assistance over \$100,000;
- (2) consider requests for city endorsement of applications to the Missouri Brownfields Redevelopment matters. To that end, any Program or other state or federal Brownfields Assistance Program, and vote on resolutions to recommend endorsement to the city council; and
- (3) conduct such other business of the city as necessary to provide guidance and policy recommendations concerning the promotion of brownfields redevelopment, in partnership with federal, state and regional and local entities.

(b) When conducting business concerning the Kansas City Regional Coalition Brownfields Revolving Loan Fund, the commission, excluding the three commissioners who are Kansas City, Missouri residents representing citizen and community groups, and the chairman of the board of directors of the economic development corporation of Kansas City, shall:

- (1) consider applications for loans and subgrants of funds from the Kansas City Regional Coalition Brownfields Revolving Loan Fund and vote on resolutions to approve applications for assistance of \$100,000.00 or less, and vote on resolutions to recommend to the city council approval of applications for assistance over \$100,000.00; and
- (2) conduct such other business of the regional brownfields coalition as necessary to provide guidance and policy recommendations concerning the promotion of brownfields redevelopment project, public or private, which is identified as occurring on a Brownfield property, before receiving any city development benefit, approval or assistance, including tax increment financing, tax abatement or the proceeds of any public or municipal bonds, shall first be presented to the Brownfields Commission to receive assistance, approval and confirmation that the environmental impairments, if any, are properly identified and managed, in partnership with federal, state and regional and local entities. In providing such assistance, approval or confirmation, the commission, commissioners, city and city regional municipal partners do not assume any responsibility or liability for any risks or costs associated with any such environmental impairment identification or management activities. ~~In addition, the commission shall have~~

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~~the power and authority to recommend to the city council and mayor whether or not to endorse projects for application to the Missouri Brownfields Redevelopment Program or other state or federal Brownfields Assistance Program, and shall advise the city on matters concerning Brownfields redevelopment.~~

Approved as to form and legality:

Eluard Alegre
Assistant City Attorney