



Agenda

Finance, Governance and Public Safety Committee

Chairperson Andrea Bough

Vice Chair Quinton Lucas

Councilmember Crispin Rea

Councilmember Darrell Curls

Councilmember Wes Rogers

Tuesday, July 23, 2024

10:30 AM

26th Floor, Council Chamber

Webinar Link: <https://us02web.zoom.us/j/84530222968>

PUBLIC OBSERVANCE OF MEETINGS

Members of the City Council may attend this meeting via video conference.

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 video conference platform ZOOM, using this link:
<https://us02web.zoom.us/j/84530222968>

***** PUBLIC TESTIMONY LIMITED TO TWO MINUTES *****

240596 Sponsor: Director of the Human Resources Department

Amending Chapter 2 of the Code of Ordinances of Kansas City, Missouri, "Administration," by repealing and replacing certain sections to include municipal judges currently in the Elected Officials Money Purchase Plan into the Employees' Retirement System and to change the required distribution date set by federal law in certain money purchase plans, and establishing an effective date.

Attachments: [Docket memo TMP 4430.docx](#)

240600 Sponsor: City Manager

Accepting the recommendations of the Tax Increment Financing Commission of Kansas City, Missouri as to the First Amendment to the West Bottoms Tax Increment Financing Plan and approving the First Amendment to the West Bottoms Tax Increment Financing Plan.

Attachments: [West Bottoms TIF Plan - 1st Amendment - Docket Memo](#)

HELD IN COMMITTEE

240409 Sponsor: Mayor Quinton Lucas

Amending Chapter 70, Code of Ordinances, Traffic and Vehicles, by repealing and replacing Section 70-961, for the purpose of authorizing the City's automated camera enforcement system; directing the City Manager to issue a request for proposals to select a vendor for the automated camera enforcement system; and directing the City Manager to include certain requirements in the request for proposals.

Attachments: [Docket Memo 240409](#)

SEMI-ANNUAL DOCKET

Consideration of Semi-Annual Docket items.

ADDITIONAL BUSINESS

1. There may be a general discussion regarding current Finance, Governance, and Public Safety 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 provides several ways for residents to watch City Council meetings:

Livestream on the city's website at www.kcmo.gov

Livestream on the city's YouTube channel at <https://www.youtube.com/watch?v=3hOuBlg4fok>

Watch Channel 2 on your cable system. The channel is available through Time Warner Cable (channel 2 or 98.2), AT&T U-verse (channel 99 then select Kansas City) and Google Fiber on Channel 142.

To watch archived meetings, visit the City Clerk's website and look in the Video on Demand section: http://kansascity.granicus.com/ViewPublisher.php?view_id=2

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 #: 240596

ORDINANCE NO. 240596

Sponsor: Director of the Human Resources Department

Amending Chapter 2 of the Code of Ordinances of Kansas City, Missouri, “Administration,” by repealing and replacing certain sections to include municipal judges currently in the Elected Officials Money Purchase Plan into the Employees’ Retirement System and to change the required distribution date set by federal law in certain money purchase plans, and establishing an effective date.

WHEREAS, prior to 2011, the municipal court judges were members of a defined benefit pension plan as part of their employment with the City; and

WHEREAS, the municipal court judges appointed since 2011 have been part of the Elected Officials Money Purchase Pension Plan, which is not a defined benefit plan; and

WHEREAS, the City wishes to include the municipal court judges as members of the Employees’ Retirement System, a defined benefit plan, beginning in August 2024; and

WHEREAS, on April 23, 2024, the Employees’ Retirement System Board of Trustees voted to recommend including current municipal court judges in the Employees’ Retirement System; and

WHEREAS, two current municipal court judges who were appointed prior to 2011 will remain part of the Retirement System for Elected Officials defined benefit plan

WHEREAS, in 2022 the US Congress passed SECURE 2.0 Act of 2022 that changed the ages for required distributions of the City’s pensions which includes money purchase pension plans; NOW THEREFORE

BE IT ORDAINED BY THE CITY COUNCIL OF KANSAS CITY:

Section 1. That Chapter 2 of the Chapter 2 of the Code of Ordinances of Kansas City, Missouri, “Administration,” be amended by repealing Sections 2-1172, 2-1331, 2-1332, 2-1395.2, 2-1395.7, 2-1395.9 and 2-1396.9 and enacting in lieu thereof sections of like number and subject matter to read as follows:

Sec. 2-1172. Membership.

(a) *Generally.* All full-time, permanent employees in the classified and unclassified services shall become members of the retirement system as a condition of employment, including, all full-time, permanent former MAST employees who became city employees as of April 25, 2010, and who did not become members of the Fire Fighters' Pension System. Former MAST employees have the option within 60 days of the passage of this ordinance to elect to become members of this plan in lieu of participation in the defined contribution plan set out in Division 10. Also included in membership are those who have retired in circumstances establishing eligibility for an annuity in this pension system and inactive members on leave of absence.

(b) *Employees of boards.* Employees of any administrative board or board of control as organized and existing under the general laws of the state and as defined in RSMo § 95.540, whose governing body has elected membership, shall be members.

(c) *Effective date.* Membership shall begin on the first day of employment. It shall cease upon termination of employment or death.

(d) *Ineligible employees.* Members of the police, firemen's, or any other defined benefit pension system involving city funds, receiving or entitled to receive a future pension from the systems, are ineligible for membership except as otherwise provided herein.

(e) *Persons hired at age over 60 years.* Employees previously deemed ineligible for membership because they were hired at an age over 60 years shall immediately become members. They may elect to claim membership service since date of employment by paying into this retirement system, no later than July 1, 1988, a single sum equaling the employee contributions they would have made had they been members at the time of their employment.

(f) *Municipal Court Judges.* Employees who are employed full-time or part-time as municipal court judges on August 25, 2024 or appointed after that date, and are not a member of the retirement system for elected officials set forth in division 6 shall become members of the retirement system as a condition of employment.

Sec. 2-1331. Elected officials not to participate in employees' retirement system.

(a) Notwithstanding the provisions of section 2-1172(c), from and after November 27, 1968, elected officials shall not participate in the employees' retirement system and shall be considered terminated employees in that retirement system. Beginning August 25, 2024, this provision shall not apply to municipal court judges appointed after April 30, 2011.

(b) From and after the effective date of this division, all annuities now being paid to former active members or to beneficiaries of former active members under the terms of present or former ordinances of the city, and all rights presently vested in former active members to receive benefits in the future under the terms of present or former ordinances of the city, will remain in effect and be unchanged by the enactment of this division.

(c) The city has the right to discontinue or terminate the retirement system plan in whole or in part. The rights of all affected members to benefits accrued to the date of termination, partial termination, or discontinuance, or cessation of contributions by an employer shall be 100 percent vested and nonforfeitable to the extent funded.

Sec. 2-1332. Eligibility; retirement benefits.

(a) *Generally.* Each member of the plan, as the term member is fully defined in section (f), shall receive an annuity payable until the first day of the month following death and beginning 1) the first day of the month following attainment of age 60; or 2) the later of the expiration of the member's last term of office or the date of attaining mandatory retirement age if that date occurs during a term of office. Nothing herein shall be construed as preventing or limiting an elected official's ability after serving one elective term to retire prior to the completion of a term of office and receive an annuity computed in accordance with the retirement date selected by the elected official.

(b) *Application for retirement.* Written application to the board of trustees shall be made at least 30 days prior to retirement date.

(c) *Amount of annuity.* For those elected officials whose service terminates on or after November 1, 2000, the annuity shall be 2.22 percent of the average monthly compensation received by then serving elected officials of the same office during the 24 months next preceding the beginning of the annuity, multiplied by the number of years' and months' creditable service, limited to 70 percent of the existing salary for then serving elected officials of the same office.

(d) *Cost-of-living adjustment.* An annual cost-of-living adjustment in annuities shall be payable under these conditions:

- (1) *Effective date of adjustment and applicability.* An annual cost-of-living adjustment shall be payable on pension checks to be dated May 1 of the current year and shall remain unchanged until the next effective date of adjustment. For retirements occurring on or after January 1, 2021, the adjustment shall apply to all beneficiaries receiving benefits, except no pension of any member or beneficiary retiring after February 1 of any year shall be adjusted until May 1 of the succeeding year.
- (2) *Amount of Adjustment.* The adjustment shall be three (3%) percent, each year, non compounded.

(e) *Early retirement; rule of 80.*

- (1) Elected officials may elect early retirement beginning at the later of age 55 or completion of ten years' creditable service. The benefit as computed in this subsection shall be reduced by 0.5 percent for each month the effective date is prior to the first day of the month following attainment of age 60.

- (2) A member may elect to retire when the total of the member's age and years of creditable service equal or exceed 80, without reduction of benefits as calculated in this subsection.
- (f) *Membership.*
- (1) *Members of the Council, including the Mayor.*
 - (a) *Exclusion from plan.* Unless otherwise provided, no members of the Council, including the Mayor, who commence a term of office after April 30, 2011 shall participate in this plan for any service after April 30, 2011. The City will, however, for those nonmembers, provide a Kansas City Elected Officials Money Purchase Plan for their service after April 30, 2011, as set forth in Section 2, Article IX, Division 9.
 - (b) *Exception.* Members of the Council, including the Mayor, elected on March 27, 2007 for a term beginning May 1, 2007 and also elected on March 22, 2011 for a term beginning May 1, 2011 are members of this plan as long as they are continuously a member of the council, including the mayor.
- (2) *Judges of the Municipal Court.*
 - (a) *Continuous service on and after May 1, 2011.* Judges of the Municipal Court, retained on March 22, 2011 for a term beginning May 1, 2011 are members of this plan or any other plan which they previously joined. No Judges of the Municipal Court appointed to the Court by the Mayor and Council on or after May 1, 2011 shall participate in this plan for any service.
 - (b) *Appointment on and after May 1, 2011.* Judges of the Municipal Court appointed on or after May 1, 2011 are not members of this plan. The City will, however, for those nonmembers, provide a Kansas City Elected Officials Money Purchase Plan for their service after April 30, 2011, as set forth in Section 2, Article IX, Division 9. Beginning August 25, 2024, any municipal court judge who is not a member of the retirement plan for elected officials in this division 6 shall become a member of the employees retirement system.

(g) *Required distributions.* Distribution of a member's interest in the retirement system shall commence not later than April 1 of the calendar year following the later of the calendar year in which the member attains age 72 or the calendar year in which the member retires under the plan. The required distribution date shall be age 73 for members who attain age 72 after December 31, 2022, age 74 for members who attain age 73 after December 31, 2029, and age 75 for members who attain age 74 after December 31, 2032.

(h) *Creditable service.* The term "creditable service," as used in this section, shall mean service as a city employee and elected official continuously to either the member's retirement date or the member's attaining mandatory retirement age, whichever occurs first. If a member of the employees' retirement system becomes a member of this elected officials' retirement system maintaining a continuous service, the member's employees' retirement system member contributions and interest shall not be refunded, but shall be transferred to the member's account in the elected officials' retirement system.

(i) *Withdrawal of contributions.* A member retiring under the provisions of subsection (a) of this section, except disability retirements, may elect, with signed consent of the member's spouse, to withdraw all or a portion of the member's accumulated contributions and interest, and receive a reduced annuity. The annuity calculated in this subsection (i) shall be reduced an actuarially equal amount by applying factors adapted by the board of trustees upon recommendation of the retirement system's consulting actuary.

(1) *Rollovers.* The provision applies to distributions made on or after January 1, 1993. Notwithstanding any provision of the retirement system plan to the contrary that would otherwise limit a distributee's election under this provision, a distributee may elect, at the time and in the manner prescribed by the board of trustees, to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee in a direct rollover.

- a. *Eligible rollover distributions.* An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include: any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the distributee or the joint lives (or joint life expectancies) of the distributee and the distributee's designated beneficiary, or for a specified period of ten years or more; any distribution to the extent such distribution is required under section 401(a)(9) of the Internal Revenue Code; and the portion of any distribution that is not includable in gross income (determined without regard to the exclusion for net realized appreciation with respect to employer securities).
- b. *Eligible retirement plan.* An eligible retirement plan is an individual retirement account described in section 408(a) of the Internal Revenue Code, an individual retirement annuity described in section 408(b) of the Internal Revenue Code, an annuity plan described in section 403(b) of the Internal Revenue Code, or a qualified trust described in section 401(a) of the Internal Revenue Code, that accepts the distributee's eligible rollover distribution. However, in the case of an eligible rollover to the surviving spouse, an eligible retirement plan is an individual retirement account or individual retirement annuity.

- c. *Distributee.* A distributee includes a member or former member. In addition, the member's or former member's surviving spouse and the member's former spouse who is the alternative payee under a state domestic relations order determined by the board of trustees, based on written procedures, to be a qualified domestic relations order, are distributees with regard to the interest of the spouse or former spouse.
- d. *Direct rollover.* A direct rollover is a payment by the fund to the eligible retirement plan specified by the distributee.

(j) *Health insurance subsidy.* A \$200.00 monthly retiree health insurance subsidy shall be payable to all retired members effective November 1, 2000.

(k) *Limitations.* Benefits with respect to a member may not exceed the maximum benefits specified under Section 415 of the Federal Internal Revenue Code for governmental plans.

(l) *Spouse.* For purposes of this division, spouse is defined as a husband or wife, lawfully married in any jurisdiction, of the member. Surviving spouse is defined as the spouse of a member surviving the member's death.

Sec. 2-1395.2. Definitions.

The following words and phrases as used in this division shall have the following meanings, unless a different meaning is plainly required by the context:

Board means the board of trustees of the trust as provided for in section 2-1365 of the city's Code of Ordinances.

Code means the Internal Revenue Code of 1986, as amended, and includes any regulations promulgated thereunder.

Compensation means the basic monthly wage or salary paid an employee excluding bonuses, overtime, expense allowance and other extraordinary compensation. Compensation shall include amounts contributed to any plan maintained by the employer pursuant to a salary reduction agreement where the member could have elected to receive such amount as base compensation. Annual compensation means compensation defined in code section 415(c)(3) and section 1.415-2(d) of the treasury regulations.

Elected official means any member of city council, including the mayor, who is elected on March 22, 2011 for a term beginning May 1, 2011, (excepting an elected official who has continuously held office since May 1, 2007, and is reelected on March 22, 2011), or any municipal court judge appointed on or after May 1, 2011, and are not a participant in the retirement system for elected officials as set forth in division 6. No municipal court judge shall be considered an elected official under this definition beginning August 25, 2024 for purposes of the employer making contributions under this plan.

Investment options means any funding vehicle which the board permits under the terms of the program.

Participant means an elected official who has been enrolled in the program and who retains the rights to benefits under the program.

Plan means a plan described in code section 401(a) of the Internal Revenue Code adopted by the board on behalf of the city for the benefit of elected officials.

Program means this Kansas City Elected Officials' Money Purchase Pension Plan as set forth herein and as may be amended from time to time. The term "program" also encompasses the term "plan."

Termination means resignation or discharge of elected official from service of the employer.

Trust means the Kansas City Elected Officials' Money Purchase Pension Plan Trust established pursuant to the program.

Sec. 2-1395.7. Membership.

(a) *Generally.* Membership shall include only those elected officials who are first elected or appointed on or after March 22, 2011, and are not participants in the retirement system for elected officials established in section 2, article IX, division 6.

(b) *Municipal Court Judges.* Municipal court judges employed as of August 25, 2024 who are not a member of another pension plan shall become members of the Employees Retirement System, and employer shall no longer make contributions to this plan on their behalf.

(b) *Effective date.* Membership shall begin on the first day of service. It shall cease upon termination of employment or death.

Sec. 2-1395.9. Conditions for retirement.

Required distributions. Distribution of a participant's interest in the program shall commence not later than April 1 of the calendar year following the later of the calendar year in which the participant attains age 72 or the calendar year in which the participant retires under the program. The required distribution date shall be age 73 for members who attain age 72 after December 31, 2022, age 74 for members who attain age 73 after December 31, 2029, and age 75 for members who attain age 74 after December 31, 2032.

Sec. 2-1396.9. Conditions for retirement.

Required distributions. Distribution of a participant's interest in the program shall commence not later than April 1 of the calendar year following the later of the calendar year in

which the participant attains age 72 or the calendar year in which the participant retires under the program. The required distribution date shall be age 73 for members who attain age 72 after December 31, 2022, age 74 for members who attain age 73 after December 31, 2029, and age 75 for members who attain age 74 after December 31, 2032.

Section 2. That this ordinance will become effective August 25, 2024.

..end

Approved as to form:

Katherine Chandler
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240596

Submitted Department/Preparer: Human Resources

Revised 6/10/24

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Amending Chapter 2 of the Code of Ordinances of Kansas City, Missouri, "Administration," by repealing and replacing certain sections to include municipal judges currently in the Elected Officials Money Purchase Plan into the Employees' Retirement System and to change the required distribution date set by federal law in certain money purchase plans, and establishing an effective date.

Discussion

Currently, the municipal judges are in the Elected Officials' Money Purchase Plan. This ordinance would move the judges to the Employees' Retirement System with other non-Fire employees. The City would no longer deposit a percentage of the judges' salaries into the Money Purchase Plan, but will contribute a percentage into the ERS, and the judges will also contribute a percentage of their salaries into the ERS. The ordinance makes various language changes to the Code of Ordinances to effectuate this change, which would be effective July 25. Additionally, the ordinance makes changes to the Money Purchase plans and deferred compensation plan to implement a required distribution age as delineated by the SECURE 2.0 Act of 2022.

Fiscal Impact

1. Is this legislation included in the adopted budget? ☐ Yes ☒ No
2. What is the funding source?
No funding source was identified by the department.
3. How does the legislation affect the current fiscal year?
There is no impact to the current fiscal year.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

The funding increase in future years should be similar to FY25 because it is based on a percentage of the judges' salaries.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
No.

Office of Management and Budget Review
(OMB Staff will complete this section.)

- | | | |
|---|---|--|
| 1. This legislation is supported by the general fund. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. This fund has a structural imbalance. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 3. Account string has been verified/confirmed. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Additional Discussion (if needed)

No account strings were identified by the department.

Citywide Business Plan (CWBP) Impact

1. View the [Adopted 2025-2029 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Finance and Governance (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - ☐ Ensure the resiliency of a responsive, representative, engaged, and transparent City government.
 - ☒ Engage in workforce planning including employee recruitment, development, retention, and engagement.
 - ☐ Foster a solutions-oriented, welcoming culture for employees and City Partners.
 - ☐
 - ☐
 - ☐

Prior Legislation

Not specified by department

Service Level Impacts

Not specified by department

Other Impacts

1. What will be the potential health impacts to any affected groups?

Not specified by department

2. How have those groups been engaged and involved in the development of this ordinance?

N/A

3. How does this legislation contribute to a sustainable Kansas City?

Not specified by department

4. Does this legislation create or preserve new housing units?

No (Press tab after selecting)

Click or tap here to enter text.

Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

Click or tap here to enter text.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?

No(Press tab after selecting)



Legislation Text

File #: 240600

ORDINANCE NO. 240600

Sponsor: City Manager

Accepting the recommendations of the Tax Increment Financing Commission of Kansas City, Missouri as to the First Amendment to the West Bottoms Tax Increment Financing Plan and approving the First Amendment to the West Bottoms Tax Increment Financing Plan.

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 “Act”), the City Council of Kansas City, Missouri (the “City Council”) 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, and Ordinance No. 130986, passed on December 19, 2013, Committee Substitute for Ordinance No. 140823, as amended on, June 18, 2015 and Committee Substitute for Ordinance No. 230524, passed on June 22, 2023, created the Tax Increment Financing Commission of Kansas City, Missouri (the “Commission”); and

WHEREAS, on March 21, 2024, the City Council passed Ordinance No. 240256, which accepted the recommendations of the Commission and approved the West Bottoms Tax Increment Financing Plan (the “Redevelopment Plan”); designated the Redevelopment Area described therein to be a blighted area (the “Redevelopment Area”); approved the City’s contribution of additional EATS generated in the Plan Area; directed the Director of Finance to develop a finance plan; and authorized the City Manager to enter into a Redevelopment Agreement with the Kansas City TIF Commission; and

WHEREAS, a First Amendment to the Redevelopment Plan (“First Amendment”) was proposed to the Commission and the Commission, having been duly constituted and its members appointed, after proper notice was given, met in public hearing on June 11, 2024, and after receiving the comments of all interested persons and taxing districts, closed the public hearing, approved the First Amendment to the Redevelopment Plan and recommended that the City Council do the same; and

WHEREAS, the First Amendment to the Redevelopment Plan provides for (1) modifications to the Budget of Redevelopment Project Costs, (2) modifications to the Anticipated Sources of Funds, (3) modifications to the Development Schedule and (4) the inclusion of all conforming changes within the Exhibits to the Redevelopment Plan that are in furtherance of the foregoing modifications (the “First Amendment”); NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. The First Amendment, as attached hereto, is hereby approved and adopted as valid.

Section 2. That all terms used in this ordinance, not otherwise defined herein, shall be construed as defined in Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the “Act”).

Section 3. That the Council hereby finds that:

- (a) The findings of the Council in Ordinance No. 240256 with respect to the Redevelopment Plan are not affected by the First Amendment and apply equally to the First Amendment;
- (b) The Redevelopment Area, as amended, is a Blighted area, as a whole, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the Redevelopment Plan, as amended, by the First Amendment;
- (c) The Redevelopment Plan, as amended by the First Amendment, includes a detailed description of the factors that qualify the Redevelopment Area as a Blighted area and an affidavit as required by Section 99.810.1(1), RSMo;
- (d) A study has been completed and the findings of such study satisfy the requirements provided under Section 99.810.1, RSMo;
- (e) The Redevelopment Plan, as amended by the First Amendment, conforms to the City’s KC Spirit Playbook and the applicable Area Plan;
- (f) The areas selected as Redevelopment Projects described by the Redevelopment Plan (the “Redevelopment Projects”), as amended by the First Amendment, include only those parcels of real property and improvements therein which will be directly and substantially benefited by the Redevelopment Project improvements;
- (g) The Redevelopment Plan, as amended by the First Amendment, provides that the estimated dates of completion of the respective Redevelopment Projects and retirement of obligations incurred to finance Redevelopment Project Costs identified by the Redevelopment Plan are not more than twenty-three (23) years from the passage of any ordinance approving each applicable Redevelopment Project authorized by the Redevelopment Plan and located within the Redevelopment Area, as amended;
- (h) The Redevelopment Plan, as amended by the First Amendment, contains a relocation assistance plan for businesses and residences, the Redevelopment Plan,

as amended by the First Amendment does not contemplate the relocation of any businesses or residents;

- (i) The Redevelopment Plan, as amended by the First Amendment, contains a Cost Benefit Analysis which shows the economic impact of the Redevelopment Plan which contains a fiscal impact study on every affected political subdivision and sufficient information for the Developer to evaluate whether improvements to the Redevelopment Area as proposed are economically feasible;
- (j) The Redevelopment Plan, as amended by the First Amendment, does not include the initial development or redevelopment of any gambling establishment;
- (k) The Redevelopment Plan, as amended by the First Amendment, does not contemplate that any property located within the Redevelopment Area will be acquired by eminent domain later than five (5) years from the adoption of the Ordinance approving such Redevelopment Project; and
- (l) The Redevelopment Plan, as amended by the First Amendment, does not provide for the adoption of an Ordinance approving any Redevelopment Project later than ten (10) years from the adoption of the Redevelopment Plan;

Section 4. That the Commission is authorized to issue obligations in one or more series of bonds secured by the Special Allocation Fund(s) established in connection with each Redevelopment Project described by the Redevelopment Plan to finance Redevelopment Project Costs and subject to any constitutional limitations, to acquire by purchase, donation, lease or eminent domain, own, convey, lease, mortgage, or dispose of, land or other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the Commission determines, to enter into such contracts and undertake all such further actions as are reasonably necessary to achieve the objectives of the Redevelopment Plan, as amended, pursuant to the power delegated to it in the Enabling Ordinances. Any obligations issued to finance Redevelopment Project Costs shall contain a recital that they are issued pursuant to Sections 99.800 through 99.865, RSMo., which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

Section 5. That pursuant to the provisions of the Redevelopment Plan, the City Council approves the pledge of all payments in lieu of taxes and economic activity taxes generated within Redevelopment Projects that are deposited into the Special Allocation Fund(s) established in connection with each Redevelopment Project described by the Redevelopment Plan to the payment of Redevelopment Project Costs and authorizes the Commission to pledge such funds on its behalf.

..end

Approved as to form:

Emalea Black
Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240600

Submitted Department/Preparer: Please Select

Revised 11/01/23

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Approving the 1st Amendment to the West Bottoms Tax Increment Financing Plan

Discussion

The West Bottoms TIF Plan is being amended to remove a source of funding (TDD) from the Plan. To remove this source of funding, modifications must be made to Exhibit 5, Exhibit 6, Exhibit 7, Exhibit 8, and text of the Plan.

Fiscal Impact

1. Is this legislation included in the adopted budget? ☐ Yes ☒ No
2. What is the funding source?
TIF, Additional City EATS, City Special Obligation Bonds, CID, EPA Grant, PIEA Tax Abatement and other City contributions (Weld Wheel Demolition, Water Department Funds for Public Improvement)
3. How does the legislation affect the current fiscal year?
N/A
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
The Plan considers redirection of City taxes through TIF and Super TIF. City Special Obligation Bonds secured by City's annual appropriation pledge
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
Private investment by developer, Redirection of County and Zoo taxes through Tax Increment Financing.

Office of Management and Budget Review
(OMB Staff will complete this section.)

- | | | |
|---|------------------------------|-----------------------------|
| 1. This legislation is supported by the general fund. | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. This fund has a structural imbalance. | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. Account string has been verified/confirmed. | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

1. View the [FY23 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Infrastructure and Accessibility (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - ☐ Engage in thoughtful planning and redesign of existing road networks to ensure safety, access, and mobility of users of all ages and abilities.
 - ☒ Enhance the City's connectivity, resiliency, and equity through a better-connected multi-modal transportation system for all users.
 - ☐ Build on existing strengths while developing a comprehensive transportation plan for the future.
 - ☒ Develop environmentally sustainable infrastructure strategies that improve quality of life and foster economic growth.
 - ☐ Ensure adequate resources are provided for continued maintenance of existing infrastructure.
 - ☐ Focus on delivery of safe connections to schools.

Prior Legislation

Plan:240256 Projects:240245, 240256, 240257, 240258, 240259, 240250, 240251
Ordinance 221064 authorizing a Predevelopment Agreement with Propco Master, LLC.
Ordinance 230319 authorizing a Funding Agreement with Planned Industrial Expansion Authority (PIEA) of Kansas City, Missouri for the demolition of the Weld Wheel building.

Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

Other Impacts

1. What will be the potential health impacts to any affected groups?
No adverse potential health impacts identified
2. How have those groups been engaged and involved in the development of this ordinance?
Public Meetings
3. How does this legislation contribute to a sustainable Kansas City?
Improving infrastructure to generate economic growth in a blighted area. Public Improvements to encourage the construction of approximately 108,000 square feet of office space, 108,300 square feet of retail space, 589 multifamily units, which may include affordable units (the “Affordable Units”), and 40 hotel rooms
4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Click or tap here to enter text.
Click or tap here to enter text.
5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

Please Select (Press tab after selecting)

Click or tap here to enter text.
6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.
7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)



File #: 240409

ORDINANCE NO. 240409

Sponsor: Mayor Quinton Lucas

Amending Chapter 70, Code of Ordinances, Traffic and Vehicles, by repealing and replacing Section 70-961, for the purpose of authorizing the City's automated camera enforcement system; directing the City Manager to issue a request for proposals to select a vendor for the automated camera enforcement system; and directing the City Manager to include certain requirements in the request for proposals.

WHEREAS, running red lights is a dangerous activity that can and does result in personal injury, even death, and property damage to people involved in accidents caused by persons ignoring traffic control signals; and

WHEREAS, vehicular speeding is a dangerous activity and vehicular speeding in the City of Kansas City is a concern of all its citizens; and

WHEREAS, the City formerly utilized an automated camera enforcement system to detect red light signal violations; and

WHEREAS, studies and data confirm that automated camera enforcement systems reduce collisions at intersections and improve public safety outcomes in other ways; and

WHEREAS, automated camera enforcement systems are used in approximately 330 communities across twenty-two states; and

WHEREAS, the Missouri Supreme Court has issued several opinions confirming that the use of automated camera enforcement systems does not conflict with state law and is a permissible law enforcement tool, but requiring cities which use them to meet certain burdens of proof in the prosecution of violations detected by the automated camera enforcement system, and providing cities with guidance on how to administer a camera enforcement program; and

WHEREAS, following implementation there should be regular automated camera enforcement systems program evaluation that utilizes crash and infraction data not just at the targeted intersections, but also in the broader community; and

WHEREAS, the information collected by automated camera enforcement systems shall be used only for the authorized purpose indicated under this ordinance, as otherwise required by law, and not sold, shared, or otherwise abused; and

WHEREAS, automated camera enforcement systems should prioritize safety, not revenue, and any revenue received by the City as a result of automated enforcement systems should therefore be allocated towards the City's internal cost to administer the program created under this ordinance and improving the safety of City streets for all users; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 70, Code of Ordinances of the City of Kansas City, is hereby amended by repealing Section 70-961, Violation of public safety at intersections and the automated camera enforcement of traffic control regulations, and replacing it with a section of like number and subject matter for the purpose of authorizing the City's automated camera enforcement of traffic control regulations, to read as follows:

Sec. 70-961. Automated camera enforcement of traffic control regulations.

(a) *Definitions.* For the purpose of this section, the following words and phrases shall have the meaning given herein:

- (1) *Artificial intelligence system:* A technological system that, autonomously or partly autonomously, processes data related to human activities through use of a genetic algorithm, a neural network, machine learning or another technique to generate content or make decisions, recommendations, or predictions. It does not include passive computing infrastructure intermediary technology that does not influence or determine the outcome of decision, make or aid in decisions, inform policy implementation, or collect data or observations, such as web hosting, domain registration, networking, caching, data storage, or cybersecurity.
- (2) *Authorized employees:* Employees of the Kansas City Police Department ("KCPD") who are commissioned officers and who are authorized by the Chief of the KCPD to access the images, video, and data collected by the City's automated camera enforcement system.
- (3) *Automated camera enforcement system:* A system that:
 - i. Consists of cameras installed or deployed to work in conjunction with electrically operated traffic control signals or other methods of activation or detection;
 - ii. Is capable of recording the date and time of the alleged violation;
 - iii. Is capable of recording the time elapsed under the red light;
 - iv. Is capable of recording the speed of the vehicle involved in the alleged violation;

- v. Is capable of recording and producing video footage of the incident which is an alleged violation of an ordinance of the City of Kansas City; and
 - vi. Is capable of taking and producing not less than four (4) high-resolution color digital recorded images that show the incident which is an alleged violation of an ordinance of the City of Kansas City, including, at a minimum:
 - 1. An image before the alleged violation occurred, that shows the front or back of the vehicle involved in the alleged violation;
 - 2. An image after the incident occurred, that shows the front or back of the vehicle involved in the alleged violation;
 - 3. The license plate of the vehicle involved in the alleged violation; and
 - 4. The face of the operator of the vehicle involved in the alleged violation.
- (4) *Operator*: The individual driving and/or in possession of a vehicle.
- (5) *Recorded Images*. Photographs, digital images, microphotographs, micrographs, videotape, digital video, or other recorded images.
- (6) *Surveillance program*. Any program, electronic or otherwise, that has its primary purpose the monitoring of the behavior or activities of a person or people or gathering information on a person or people.
- (7) *Traffic violation*. Either a red-light violation or a vehicular speeding violation.
- (b) *Automated camera enforcement system authorized*.
- (1) System authorized. An automated camera enforcement system is hereby authorized to be installed and operated within the City for the purpose of detecting traffic violations at intersections or other system locations.
 - (2) Locations. Specific system locations shall be determined from time to time by the director of public works in conjunction with, but not limited to, the following information:
 - i. Data on vehicular crash locations in the City, including side impact and turning crashes, crashes involving pedestrians and bicyclists, and crashes resulting in injuries or fatalities;

- ii. Data on traffic control ordinance violations, including violations pertaining to the running of red lights, vehicular crashes, and speeding;
- iii. Traffic volume on streets or highways associated with potential locations;
- iv. Equity and environmental factors associated with potential locations; and
- v. Community feedback regarding intersections of concern in the City.

(c) *Authorized use of automated camera enforcement system.* The automated camera enforcement system may be used by the KCPD to issue violation notices for alleged violations of City ordinances and state laws. Only authorized employees may access the system provided by the automated camera enforcement system vendor that collects, stores, and provides recorded images and other data for the City's automated camera enforcement program.

(d) *Designation of authorized employees.* No later than sixty (60) days prior to the first date the automated camera enforcement system becomes operations, the KCPD shall inform the Director of Public Works of the employees who will be designated as authorized employees. The KCPD shall inform the Director of Public Works of any additional employees designated as authorized employees no later than one (1) week prior to such individuals gaining access to the system provided by the automated camera system vendor that collects, stores, and provides recorded images and other data for the City's automated camera enforcement program.

(e) *Probable Cause.* Authorized employees shall examine the images and other data collected pursuant to this section to determine whether probable cause exists for a violation of City ordinances or state laws. For any alleged traffic violations, probable cause shall not exist unless the identity of the operator of the vehicle at the time of the alleged violation is determined. An authorized employee may use any lawful means to identify an individual allegedly violating any City ordinance or state law, but in no instance shall artificial intelligence systems, as defined in Section 70-961(a), be used to identify the individual. Probable cause for alleged traffic violations detected through the automated camera enforcement system created under this section may be deemed to exist if it is in compliance with Supreme Court Rule 37 and if the recorded images and other data show the following:

- (1) An alleged violation of the ordinances of the City of Kansas City or state laws;
- (2) The date and time of the alleged violation;
- (3) The vehicle involved in the alleged violation;
- (4) The letters or numbers on the vehicle's license plate or temporary tag, as well as the state in which the license plate or temporary tag was issued;
- (5) The face of the operator of the vehicle;

(6) The traffic control signal while it is emitting a steady red signal, as applicable; and

(7) The speed of the vehicle, as applicable.

(f) *Prosecution.*

(1) The prosecution for an alleged violation of City ordinance or state law utilizing information from the automated camera enforcement system shall be conducted in compliance with Missouri Supreme Court Rules, including Rule 37 or its successor.

(2) A notice of a traffic violation, including a red-light violation, alleged as a result of the automated camera enforcement system created under this section shall only be issued to an individual who authorized employees have determined, pursuant to subsection (e) above, was the operator of the vehicle at the time of the alleged violation. The notice of violation shall comply with the requirements of Missouri Supreme Court Rule 37.33 or its successor, and shall also provide the following information gathered from the recorded alleged violation, including:

- i. The date and time of the alleged red light violation;
- ii. The time elapsed under the red light, as applicable;
- iii. The speed of the vehicle involved in the red light violation, as applicable;
- iv. How to access any video footage of the alleged traffic violation; and
- v. Any images that show the alleged traffic violation including, at a minimum:
 1. An image before the violation occurred, that shows the front or back of the vehicle involved in the alleged violation;
 2. An image after the incident occurred, that shows the front or back of the vehicle involved in the alleged violation;
 3. The license plate of the vehicle involved in the alleged violation; and
 4. The face of the operator of the vehicle involved in the traffic violation.

(g) *Prohibited use of automated camera enforcement system.* In no instance shall the automated camera enforcement system be used by the KCPD or any authorized employees for or in support of any of the following:

- (1) Prosecuting, issuing violation notices, or other enforcement activities for:
 - i. A red-light violation for a legal right turn made after the operator of a vehicle brings the vehicle to a complete stop at a red light such that the wheels of the vehicle stop moving;
 - ii. Activity protected under the First Amendment;
 - iii. The sleeping, camping, eating, sitting, or asking for money or resources in public spaces by unhoused persons; or
 - iv. Activities part of or otherwise in support of any surveillance program or artificial intelligence system, as defined by section 70-961(a).
- (2) In no instance shall the KCPD or any authorized employee provide access to, share, or otherwise make available or accessible the recorded images and other data collected through the City's automated camera enforcement system to or for:
 - i. Any artificial intelligence system, as defined by section 70-961(a), including, but not limited to facial recognition systems;
 - ii. Any electronic surveillance program of citizens, as defined in Section 70-961(a);
 - iii. Any individuals, parties, or entities who are not authorized employees, other than individuals, parties, or entities involved in the prosecution of, defense against, or adjudication of an alleged violation detected through the automated camera enforcement system; or
 - iv. Any purpose other than for the implementation and administration of the City's automated camera enforcement system.

(h) *Public awareness.*

- (1) The Director of Public Works, in partnership with the KCPD and any other City departments as may be necessary, shall develop strategies to raise public awareness of the implementation of the automated camera enforcement system in the City. Such awareness strategies shall be implemented by the Director of Public Works, in partnership with the KCPD and any other City departments as may be necessary, no less than sixty (60) days prior to the first date the automated camera enforcement system becomes operational.
- (2) Any automated camera enforcement system located on a street or highway must be identified by appropriate warning signs conspicuously posted either at the major roadways entering the City, or not more than three hundred (300) feet from

the location of the automated camera enforcement system location. The placement of all advance warning signs must be approved by the Director of Public Works, working in partnership with the KCPD and any other City departments as may be necessary.

(i) *Program assessment.*

- (1) One (1) year following the first date the automated camera enforcement system become operational in the City, and every year thereafter, the Director of Public Works shall compile information assessing the outcomes of the automated camera enforcement system program created by this section, including the following:
 - i. The number of crashes at each intersection where an automated camera enforcement system has been installed or deployed;
 - ii. The number of crashes at intersections where an automated camera enforcement system has not been installed or deployed;
 - iii. The number of violations issued utilizing the automated camera enforcement system;
 - iv. The number of violations issued utilizing the automated camera enforcement system at each intersection where an automated camera enforcement system has been installed or deployed;
 - v. The number of violations issued utilizing the automated camera enforcement system, by zip code where the violation allegedly occurred;
 - vi. Anonymized demographic data, to the extent it is available, of individuals who have received violations through the automated camera enforcement system, including their race and residential zip code; and
 - vii. Information regarding the cameras in use, including:
 1. The number of cameras;
 2. The location of cameras;
 3. The time intervals for which the recorded images and other data collected by the automated camera enforcement system are stored and destroyed; and
 4. As authorized under Chapter 610, RSMo, or its successor, the authorized employees who have access to the system provided by the automated camera enforcement system vendor that collects,

stores, and provides recorded images and other data for the City's automated camera enforcement program.

- (2) The Director of Public Works shall provide a copy of the compiled information to the City Council.
- (3) As part of this annual assessment, the Director of Public Works, in partnership with the KCPD, determine whether to install or deploy automated camera enforcement systems at additional intersections, or to remove existing installed or deployed automated camera enforcement systems from intersections.

(j) *Revenue.* All fines issued by the courts pursuant to traffic violations prosecuted utilizing the automated camera enforcement system shall be paid to and through the courts, with monies distributed by the court according to law. Fines shall not be collected or paid directly to the vendor. Any revenue received by the City from the courts as a result of the automated camera enforcement system shall be used exclusively for the following purposes:

- (1) City and administrative court costs associated with the automated camera enforcement system created under this section; and
- (2) The remainder shall be deposited into a fund to be used solely for the improvement of traffic safety throughout the City.

Section 2. That the City Manager is hereby directed to issue a request for proposals to select a vendor for an automated camera enforcement system. Such request for proposals shall include, but not be limited to, the following requests for information:

- a. The vendor's ability to provide an automated camera enforcement system that meets, at minimum, the qualifications outlined in this Section Two;
- b. The vendor's ability to install, maintain and quickly repair all automated camera enforcement system equipment;
- c. The vendor's ability to cover all associated costs of implementation, installation, maintenance, repair, and operation of an automated camera enforcement system, and their proposed cost-sharing model with the City for doing so;
- d. The vendor's ability to provide and maintain signage required under this Ordinance;
- e. The vendor's ability to review footage for potential violations of City ordinances and state law and communicate such potential violations to the KCPD;
- f. The vendor's ability to assist in determining the identity of the operator of a vehicle allegedly committing a traffic violation;

- g. The vendor's ability to allow authorized employees of the KCPD to access or view, at any time, recorded images captured through the City's automated camera enforcement program;
- h. The vendor's ability to safeguard all recorded images and other data the vendor collects through the City's automated camera enforcement system from unauthorized access, including but not limited to the vendor's use of encryption, complaints with CRS standards, and access control mechanisms;
- i. The vendor's ability to ensure that all recorded images and other data the vendor collects through the City's automated camera enforcement system are accessed only by authorized employees;
- j. The vendor's data selling practices, and ability and willingness to ensure that no recorded images or other data the vendor collects through the City's automated camera enforcement system is sold, distributed, viewed, or otherwise exchanged for any value;
- k. The vendor's ability to maintain an audit log of individuals who access the recorded images and other data the vendor collects through the City's automated camera enforcement system;
- l. The vendor's ability to retain and destroy recorded images and other data the vendor collects through the City's automated camera enforcement system, including at intervals as directed by the City;
- m. The vendor's ability to provide individuals who receive a violation notice under this ordinance alleging a violation of City ordinance or state law with the recorded images collected by the City's automated camera enforcement system relating to the alleged violation;
- n. The vendor's ability to support the production of separate violation notices, one of which will include all the alleged violator's information that will be provided to the alleged violator, and one of which will be redacted of the alleged violator's sensitive personal information that will be entered on the court record; and
- o. The vendor's ability to meet any applicable requirements established by the State of Missouri and federal law for automated camera enforcement systems.

Section 3. In addition to the information requested above, a vendor to provide an automated camera enforcement system shall also meet the following requirements:

- a. **Minimum Vendor System Requirements.** The system provided by the vendor shall provide authorized employees with the ability to review potential violations for tickets to be issued. The system shall further allow authorized employees to

retrieve, at any time, recorded images captured through the City's automated camera enforcement program.

- b. **Vendor Maintenance Requirements.** The vendor selected shall be responsible for the installation, implementation, maintenance, and repair of the automated camera enforcement system equipment and software and all costs associated therein. In the event of automated camera enforcement system equipment failure, malfunction, damage, or other circumstances which render the automated camera enforcement equipment less effective, negatively impact operations under this ordinance, or otherwise necessitate maintenance, the vendor shall quickly repair and return to operational status all automated camera enforcement system equipment. The vendor shall also be responsible for the installation, implementation, maintenance and repair of signage required under this ordinance.
- c. **Vendor Information Protection Requirements.** The vendor selected shall safeguard all recorded images and other data the vendor collects through the City's automated camera enforcement system from access by individuals other than authorized employees. The vendor shall ensure that all recorded images and other data the vendor collects through the City's automated camera enforcement system are accessed only by authorized employees or as otherwise provided by law or required by official duties for a purpose authorized by law.
- d. **Vendor Prohibitions.** In no instance shall the vendor sell or otherwise provide access to, share, or otherwise make available or accessible the recorded images and other data collected through the City's automated camera enforcement system for anything of value. The vendor shall not provide access to, share, sell, or otherwise make available or accessible images, video, and other data the vendor collects through the City's automated camera enforcement system to or for:
 - i. Any artificial intelligence system, as defined in section 70-961(a), including, but not limited, to facial recognition systems;
 - ii. Any electronic surveillance program of citizens, as defined in section 70-961(a);
 - iii. Any individuals, parties, or entities who are not authorized employees, other than individuals, parties, or entities involved in the prosecution of, defense against, or adjudication of an alleged violation detected through the automated camera enforcement system created under this ordinance; or
 - iv. Any purpose other than for the implementation and administration of the City's automated camera enforcement system.
- e. **Other Vendor Requirements.** The operation of the automated camera enforcement system and the vendor must comply with the requirements for admission of photographic and video evidence under the "silent witness doctrine" in *State v.*

Moyle, 532 S.W.3d 733 (Mo.App.W.D. 2017), and *State v. Whittier*, 591 S.W.3d 19 (Mo.App.E.D. 2019), provided that precedent is not overturned, to provide a live witness to testify at trials pertaining to violations issued pursuant to this ordinance, and to establish any legal foundation that may be necessary in order for video from unattended cameras operating pursuant to this ordinance to be submitted as evidence for such trials.

..end

Approved as to form:

Andrew Bonkowski
Assistant City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240409

Submitted Department/Preparer: Mayor/Council's Office

Revised 11/01/23

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Sponsor: Mayor Quinton Lucas

Amending Chapter 70, Code of Ordinances, Traffic and Vehicles, by repealing and replacing Section 70-961, for the purpose of authorizing the City's automated camera enforcement system; directing the City Manager to issue a request for proposals to select a vendor for the automated camera enforcement system; and directing the City Manager to include certain requirements in the request for proposals

Discussion

Sponsor: Mayor Quinton Lucas

Amending Chapter 70, Code of Ordinances, Traffic and Vehicles, by repealing and replacing Section 70-961, for the purpose of authorizing the City's automated camera enforcement system; directing the City Manager to issue a request for proposals to select a vendor for the automated camera enforcement system; and directing the City Manager to include certain requirements in the request for proposals

Fiscal Impact

1. Is this legislation included in the adopted budget? ☐ Yes ☒ No
2. What is the funding source?
N/A
3. How does the legislation affect the current fiscal year?
N/A
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
No
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
No

Office of Management and Budget Review

(OMB Staff will complete this section.)

- | | | |
|---|---|--|
| 1. This legislation is supported by the general fund. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 2. This fund has a structural imbalance. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 3. Account string has been verified/confirmed. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

1. View the [FY23 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Infrastructure and Accessibility (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - ☒ Engage in thoughtful planning and redesign of existing road networks to ensure safety, access, and mobility of users of all ages and abilities.
 - ☐ Enhance the City's connectivity, resiliency, and equity through a better-connected multi-modal transportation system for all users.
 - ☒ Build on existing strengths while developing a comprehensive transportation plan for the future.
 - ☒ Develop environmentally sustainable infrastructure strategies that improve quality of life and foster economic growth.
 - ☐ Ensure adequate resources are provided for continued maintenance of existing infrastructure.
 - ☐ Focus on delivery of safe connections to schools.

Prior Legislation

Click or tap here to list prior, related ordinances/resolutions.

Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

Other Impacts

1. What will be the potential health impacts to any affected groups?
Reduces traffic deaths

2. How have those groups been engaged and involved in the development of this ordinance?
N/A

3. How does this legislation contribute to a sustainable Kansas City?
Reducing traffic deaths attract residents to area

4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Click or tap here to enter text.

Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

Click or tap here to enter text.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)

