



Agenda

Special Committee for Legal Review

Kevin McManus, Chair
Heather Hall, Vice Chair
Andrea Bough
Lee Barnes Jr.

Tuesday, January 10, 2023

1:30 PM

10th Floor, Council Chamber

<https://us02web.zoom.us/j/85624825067>

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/85624825067>

Sponsor: Mayor Quinton Lucas

Approving and authorizing partial settlement of the lawsuit entitled *Russell Elwood, et al., v. City of Kansas City, Mo.*, Case No. 2216-CV26061, to resolve claims brought by the International Association of Firefighters, Local 42.

Sponsor(s): Mayor Quinton Lucas and Councilmembers Kevin O'Neill and Eric Bunch

Providing for submission to the qualified voters of the City for their approval at a general election called for Tuesday, April 4, 2023 the question of modifying the license fee on hotels, motels and tourist courts; authorizing the imposition of a license fee on owners of short-term rentals; authorizing and directing the City Clerk to notify the responsible election authorities of this election; and recognizing this ordinance as having an accelerated effective date.

Sponsor(s): Mayor Quinton Lucas and Councilmembers Kevin O'Neill and Eric Bunch

Providing for submission of this ordinance to the qualified voters of the City for their approval at a general election called for Tuesday, April 4, 2023 the question of imposing a City lodging tax to owners of short-term rentals as authorized by Article VI, Section 19(a) of the Missouri

Constitution; authorizing and directing the City Clerk to notify the responsible election authorities of this election; and recognizing this ordinance as having an accelerated effective date.

HELD IN COMMITTEE

Sponsor: Councilmember Melissa Robinson

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.

Sponsor: Mayor Quinton Lucas

Calling for submission to the voters of Kansas City, at an election to be held on the general municipal election date prescribed by Section 115.121.3, RSMo, of Tuesday, April 4, 2023, a question of whether to impose an additional sales tax of three percent (3%) on the retail sale of adult use marijuana; directing the City Clerk to provide notice of the election; and recognizing an accelerated effective date.

SEMI-ANNUAL DOCKET

Consideration of Semi-Annual Docket items.

ADDITIONAL BUSINESS

1. There may be a general discussion regarding the current Special Committee for Legal Review issues.

2. 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 selects 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=23.

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.

The City Clerk's Office now has equipment for the hearing impaired for every meeting. To check out the equipment, please confer with the secretary for each committee. Be prepared to leave your Driver's License or State issued Identification Card with the secretary, and she or he will give you the equipment. Upon returning the equipment, your license will be returned.

Adjournment



File #: 221060

ORDINANCE NO. 221060

Sponsor: Mayor Quinton Lucas

Approving and authorizing partial settlement of the lawsuit entitled *Russell Elwood, et al., v. City of Kansas City, Mo.*, Case No. 2216-CV26061, to resolve claims brought by the International Association of Firefighters, Local 42.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Attorney is hereby authorized to enter into an agreement to resolve claims brought by the International Association of Firefighters, Local 42, in the lawsuit entitled *Russell Elwood, et al., v. City of Kansas City, Mo.*, Case No. 2216-CV26061.

..end

Approved as to form:

Tara M. Kelly
Senior Associate City Attorney

No
Fact
Sheet
Provided
For
Ordinance
221060



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

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 and authorizing partial settlement of the lawsuit entitled Russell Elwood, et al, v. City of Kansas City, Mo., Case No. 2216-CV26061, to resolve claims brought by the International Association of Firefighters, Local 42.

Discussion

That the City Attorney is hereby authorized to enter into an agreement to resolve claims brought by the International Association of Firefighters, Local 42, in the lawsuit Russell Elwood, et al, v. City of Kansas City Mo., Case No. 2216-CV26061.

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 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.)



City of Kansas City, Missouri

Docket Memo

- 1. This legislation is supported by the general fund. Yes No
- 2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

There is no fiscal impact of this legislation.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Finance and Governance (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Reform the City's economic incentives to meet the policy objectives of the City Council
- Ensure the resiliency of City government
- Engage in workforce planning including employee recruitment, development, retention, and engagement
- Ensure a responsive, representative, engaged, and transparent City government
-
-

Prior Legislation

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

Service Level Impacts

None

Other Impacts

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

N/A



City of Kansas City, Missouri

Docket Memo

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?

N/A

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

N/A

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

N/A



File #: 230014

ORDINANCE NO. 230014

Sponsor(s): Mayor Quinton Lucas and Councilmembers Kevin O’Neill and Eric Bunch

Providing for submission to the qualified voters of the City for their approval at a general election called for Tuesday, April 4, 2023 the question of modifying the license fee on hotels, motels and tourist courts; authorizing the imposition of a license fee on owners of short-term rentals; authorizing and directing the City Clerk to notify the responsible election authorities of this election; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, in an election on August 3, 2004 voters of the City authorized a \$1.50 business license fee on each room rental of hotels, motels, and tourist courts to provide funds for the acquisition, development, construction, operation and maintenance of a downtown arena; and

WHEREAS, the license fee approved by voters shall expire once repayment of the downtown arena has fully concluded; and

WHEREAS, the City Council desires to submit to the voters a question modifying the license fee on hotels, motels, and tourist courts; and

WHEREAS, there are currently no license fees imposed by the City for short-term rentals; and

WHEREAS, the City Council also desires to submit to the voters a question of imposing a license fee on short-term rentals similar to the fee imposed on hotels, motels and the tourist courts; NOW, THEREFORE

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. Election Called. That an election is called on Tuesday, April 4, 2023, at which election the question of establishing the fees described in this ordinance shall be submitted to the qualified voters of the City for their consideration, as required by law.

Section 2. Ballot Title – Lodging Establishment Fees. The ballot title shall be:

QUESTION _____

SHALL THE FOLLOWING BE APPROVED?

Shall the City be authorized to impose the following license fee for the purpose of funding convention and tourism activities:

Up to an additional \$1.50 per occupied sleeping room per day on all hotels, motels and tourist courts, with such fees being in addition to the existing \$1.50 occupancy fee on hotels and motels for a combined fee of \$3.00 per occupied sleeping room per day also to be applied to all short-term rentals conducting business within the City?

___ YES ___ NO

The voter who desires to vote in favor of this question shall place an X in the box opposite Yes. The voter who desires to vote against this question shall place an X in the box opposite No.

Section 3. *Delivery of Ordinance by City Clerk to Election Authorities.* That the Clerk shall deliver certified copies of this ordinance and notice of election to the Board of Election Commissioners of Kansas City, Missouri, to the Board of Election Commissioners of Clay County, to the Board of Election Commissioners of Platte County, and to the County Clerk of Cass County, which shall be the authority of the respective election authorities of the City to submit this amendment to the electors of Kansas City as herein provided and to give public notice thereof as provided by law.

Section 4. *Election Notice.* That the notice of election shall read as follows:

NOTICE OF ELECTION
CITY OF KANSAS CITY, MISSOURI

Notice is hereby given that the City of Kansas City has called an election to be held in said City on Tuesday, April 4, 2023, at which election all qualified voters residing within the City of Kansas City, Missouri will be given the opportunity to vote.

The official ballot will be in substantially the following form:

OFFICIAL BALLOT
CITY OF KANSAS CITY ELECTION

GENERAL MUNICIPAL ELECTION, APRIL 4, 2023

QUESTION NO. ___
(Lodging Establishment Fees)

Shall the City be authorized to impose the following license fee for the purpose of funding convention and tourism activities:

Up to an additional \$1.50 per occupied sleeping room per day on all hotels, motels and tourist courts, with such fees being in addition to the existing \$1.50 occupancy fee on hotels and motels for a combined fee of \$3.00 per occupied sleeping room per day also to be applied to all short-term rentals conducting business within the City?

_____ YES _____ NO

[Instructions to voters will be supplied by the election authorities]

A full and complete copy of this ordinance, submitting the above proposition to the electorate is on file in the office of the City Clerk of Kansas City, Missouri where it is open for inspection and copying.

The polling places for the election will be [insert list of polling places in last publication only].

I hereby certify that the foregoing is the legal notice to be published pursuant to Section 115.127, Revised Statutes of Missouri.

Given under my hand and the official seal of the City of Kansas City, Missouri, this _____ day of _____, 20_____.

(SEAL)

MARILYN SANDERS
City Clerk, City of Kansas City,
Missouri

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

Notary Public

My commission expires: _____

Section 5. Effect of Invalidity. This ordinance presents a modified license fee for Lodging Establishments which includes hotel, motel, tourist courts and short-term rentals. Should the modified license fees authorized in this ordinance be found to be unlawful, the current provisions will remain in effect.

Section 6. That this ordinance is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(A) of the City Charter in that it calls for an election, and shall take effect in accordance with that section.

..end

Approved as to form:

Dustin E. Johnson
Associate City Attorney

**No Fact Sheet
Provided for
Ordinance No.**

230014



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Mayor/Council's Office

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

Providing for submission to the qualified voters of the City for their approval at a general election called for Tuesday, April 4, 2023 the question of modifying the license fee on hotels, motels and tourist courts; authorizing the imposition of a license fee on owners of short-term rentals; authorizing and directing the City Clerk to notify the responsible election authorities of this election; and recognizing this ordinance as having an accelerated effective date.

Discussion

This ordinance would require participation in a special election for which the City would be responsible for the cost of election judges and a pro rata share of election costs. The exact cost of the election cannot be be estimated at this time because additional ballot items are not known. Previous special election costs have been approximately \$500,000. These funds are already appropriated in the FY 2022-2023 Budget.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

This is appropriated in the General Fund, Board of Elections.

3. How does the legislation affect the current fiscal year?

N/A

4. Does the legislation have 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.

City of Kansas City, Missouri

Docket Memo



Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Imposing up to an additional \$1.50 per occupied sleeping room per day on all hotels, motels, and tourist courts, with such fees being in addition to the existing \$1.50 occupancy fee on hotels and motels for a combined fee of \$3.00 per occupied sleeping room per day to also be applied to all short-term rentals conducting business within City. Estimated revenue is approximately \$354,000 for additional Short Term Rental on original arena fee, and \$4.1 million for the additional \$1.50 fee for all hotels, motels, and tourist courts. The total revenue estimated is approximately \$4.5 million.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Finance and Governance (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Reform the City's economic incentives to meet the policy objectives of the City Council
- Ensure the resiliency of City government
- Engage in workforce planning including employee recruitment, development, retention, and engagement
- Ensure a responsive, representative, engaged, and transparent City government
-
-

Prior Legislation

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

Service Level Impacts

City of Kansas City, Missouri



Docket Memo

None

Other Impacts

1. What will be the potential health impacts to any affected groups?
N/A
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?
N/A
4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?
N/A
5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?
N/A



File #: 230014

ORDINANCE NO. 230014

Providing for submission to the qualified voters of the City for their approval at a general election called for Tuesday, April 4, 2023 the question of modifying the license fee on hotels, motels and tourist courts; authorizing the imposition of a license fee on owners of short-term rentals; authorizing and directing the City Clerk to notify the responsible election authorities of this election; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, in an election on August 3, 2004 voters of the City authorized a \$1.50 business license fee on each room rental of hotels, motels, and tourist courts to provide funds for the acquisition, development, construction, operation and maintenance of a downtown arena; and

WHEREAS, the license fee approved by voters shall expire once repayment of the downtown arena has fully concluded; and

WHEREAS, the City Council desires to submit to the voters a question modifying the license fee on hotels, motels, and tourist courts; and

WHEREAS, there are currently no license fees imposed by the City for short-term rentals; and

WHEREAS, the City Council also desires to submit to the voters a question of imposing a license fee on short-term rentals similar to the fee imposed on hotels, motels and the tourist courts;
NOW, THEREFORE

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. Election Called. That an election is called on Tuesday, April 4, 2023, at which election the question of establishing the fees described in this ordinance shall be submitted to the qualified voters of the City for their consideration, as required by law.

Section 2. Ballot Title – Lodging Establishment Fees. The ballot title shall be:

QUESTION _____

SHALL THE FOLLOWING BE APPROVED?

Shall the City be authorized to impose the following license fee for the purpose of funding convention and tourism activities:

Up to an additional \$1.50 per occupied sleeping room per day on all hotels, motels and tourist courts, with such fees being in addition to the existing \$1.50 occupancy fee on hotels and motels for a combined fee of \$3.00 per occupied sleeping room per day also to be applied to all short-term rentals conducting business within the City?

___ YES ___ NO

The voter who desires to vote in favor of this question shall place an X in the box opposite Yes. The voter who desires to vote against this question shall place an X in the box opposite No.

Section 3. Delivery of Ordinance by City Clerk to Election Authorities. That the Clerk shall deliver certified copies of this ordinance and notice of election to the Board of Election Commissioners of Kansas City, Missouri, to the Board of Election Commissioners of Clay County, to the Board of Election Commissioners of Platte County, and to the County Clerk of Cass County, which shall be the authority of the respective election authorities of the City to submit this amendment to the electors of Kansas City as herein provided and to give public notice thereof as provided by law.

Section 4. Election Notice. That the notice of election shall read as follows:

NOTICE OF ELECTION
CITY OF KANSAS CITY, MISSOURI

Notice is hereby given that the City of Kansas City has called an election to be held in said City on Tuesday, April 4, 2023, at which election all qualified voters residing within the City of Kansas City, Missouri will be given the opportunity to vote.

The official ballot will be in substantially the following form:

OFFICIAL BALLOT
CITY OF KANSAS CITY ELECTION

GENERAL MUNICIPAL ELECTION, APRIL 4, 2023

QUESTION NO. __
(Lodging Establishment Fees)

Shall the City be authorized to impose the following license fee for the purpose of funding convention and tourism activities:

Up to an additional \$1.50 per occupied sleeping room per day on all hotels, motels and tourist courts, with such fees being in addition to the existing \$1.50 occupancy fee on hotels and motels for a combined fee of \$3.00 per occupied

sleeping room per day also to be applied to all short-term rentals conducting business within the City?

___ YES ___ NO

[Instructions to voters will be supplied by the election authorities]

=====

A full and complete copy of this ordinance, submitting the above proposition to the electorate is on file in the office of the City Clerk of Kansas City, Missouri where it is open for inspection and copying.

The polling places for the election will be [insert list of polling places in last publication only].

=====

I hereby certify that the foregoing is the legal notice to be published pursuant to Section 115.127, Revised Statutes of Missouri.

Given under my hand and the official seal of the City of Kansas City, Missouri, this ___ day of _____, 20__.

(SEAL)

MARILYN SANDERS
City Clerk, City of Kansas City,
Missouri

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

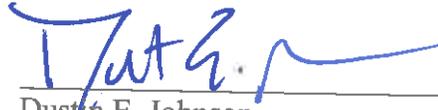
Notary Public

My commission expires: _____

Section 5. Effect of Invalidity. This ordinance presents a modified license fee for Lodging Establishments which includes hotel, motel, tourist courts and short-term rentals. Should the modified license fees authorized in this ordinance be found to be unlawful, the current provisions will remain in effect.

Section 6. That this ordinance is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(A) of the City Charter in that it calls for an election, and shall take effect in accordance with that section.

Approved as to form:



Dustin E. Johnson
Associate City Attorney



Authenticated as Passed


Quinton, Mayor

Marilyn Sanders, City Clerk

JAN 12 2023
Date Passed



File #: 230015

ORDINANCE NO. 230015

Sponsor(s): Mayor Quinton Lucas and Councilmembers Kevin O’Neill and Eric Bunch

Providing for submission of this ordinance to the qualified voters of the City for their approval at a general election called for Tuesday, April 4, 2023 the question of imposing a City lodging tax to owners of short-term rentals as authorized by Article VI, Section 19(a) of the Missouri Constitution; authorizing and directing the City Clerk to notify the responsible election authorities of this election; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, pursuant to the Missouri Constitution, Missouri Charter Cities are authorized to impose any tax which the legislature of Missouri could grant, so long as the exercise of such authority does not otherwise conflict with the Missouri Constitution, state statutes, or the City’s Charter and the tax is approved by a majority of the qualified voters; and

WHEREAS, the City presently imposes a convention and tourism tax of 7.5% on the sale or charges of certain sleeping rooms paid by the transient guests of hotels, motels, and tourist courts situated within the City and doing business within the City pursuant to Section 68-551, Code of Ordinances; and

WHEREAS, the City Council desires to take steps to assess an occupancy fee on short-term rentals similar to the fee imposed on hotels, motels and the rest of the accommodation industry; NOW, THEREFORE

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. Election Called. That an election is called on Tuesday, April 4, 2023, at which election the question of establishing the tax described in this ordinance shall be submitted to the qualified voters of the City for their consideration, as required by law.

Section 2. Ballot Title – Transient Boarding and Accommodation Tax. The ballot title shall be:

QUESTION _____

SHALL THE FOLLOWING BE APPROVED?

Shall the City of Kansas City impose a Transient Boarding and Accommodation Tax of seven and one-half percent (7.5%) to all lodging establishments, including short-term rentals, not otherwise subject to the City's Convention and Tourism Tax?

___ YES ___ NO

The voter who desires to vote in favor of this question shall place an X in the box opposite Yes. The voter who desires to vote against this question shall place an X in the box opposite No.

Section 3. *Delivery of Ordinance by City Clerk to Election Authorities.* That the Clerk shall deliver certified copies of this ordinance and notice of election to the Board of Election Commissioners of Kansas City, Missouri, to the Board of Election Commissioners of Clay County, to the Board of Election Commissioners of Platte County, and to the County Clerk of Cass County, which shall be the authority of the respective election authorities of the City to submit this amendment to the electors of Kansas City as herein provided and to give public notice thereof as provided by law within one business day of the effective date of this ordinance.

Section 4. *Election Notice.* That the notice of election shall read as follows:

NOTICE OF ELECTION
CITY OF KANSAS CITY, MISSOURI

Notice is hereby given that the City of Kansas City has called an election to be held in said City on Tuesday, April 4, 2023, at which election all qualified voters residing within the City of Kansas City, Missouri will be given the opportunity to vote.

The official ballot will be in substantially the following form:

OFFICIAL BALLOT
CITY OF KANSAS CITY ELECTION

GENERAL MUNICIPAL ELECTION, APRIL 4, 2023

QUESTION NO. ___
(Transient Boarding and Accommodation Tax)

Shall the City of Kansas City impose a Transient Boarding and Accommodation Tax of seven and one-half percent (7.5%) to all lodging establishments, including short-term rentals, not otherwise subject to the City's Convention and Tourism Tax?

___ YES ___ NO

[Instructions to voters will be supplied by the election authorities]

=====

A full and complete copy of this ordinance, submitting the above proposition to the electorate is on file in the office of the City Clerk of Kansas City, Missouri where it is open for inspection and copying.

The polling places for the election will be [insert list of polling places in last publication only].

=====

I hereby certify that the foregoing is the legal notice to be published pursuant to Section 115.127, Revised Statutes of Missouri.

Given under my hand and the official seal of the City of Kansas City, Missouri, this _____ day of _____, 20____.

(SEAL)

MARILYN SANDERS
City Clerk, City of Kansas City,
Missouri

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

Notary Public

My commission expires: _____

Section 5. That this ordinance is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(A) of the City Charter in that it calls for an election, and shall take effect in accordance with that section.

..end

Approved as to form:

Dustin E. Johnson
Associate City Attorney

**No Fact Sheet
Provided for
Ordinance No.**

230015



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Mayor/Council's Office

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

Providing for submission of this ordinance to the qualified voters of the City for their approval at a general election called for Tuesday, April 4, 2023 the question of imposing a City lodging tax to owners of short-term rentals as authorized by Article VI, Section 19(a) of the Missouri Constitution; authorizing and directing the City Clerk to notify the responsible election authorities of this election; and recognizing this ordinance as having an accelerated effective date.

Discussion

This ordinance would require participation in a special election for which the City would be responsible for the cost of election judges and a pro rata share of election costs. The exact cost of the election cannot be be estimated at this time because additional ballot items are not known. Previous special election costs have been approximately \$500,000. These funds are already appropriated in the FY 2022-2023 Budget.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

This is appropriated in the General Fund, Board of Elections.

3. How does the legislation affect the current fiscal year?

N/A

4. Does the legislation have 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.

City of Kansas City, Missouri

Docket Memo



Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Revenue from the Transient Boarding and Accommodation Tax of 7.5% for all lodging establishments, including short term rentals is estimated to be approximately \$2.8 million.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Finance and Governance (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Reform the City's economic incentives to meet the policy objectives of the City Council
- Ensure the resiliency of City government
- Engage in workforce planning including employee recruitment, development, retention, and engagement
- Ensure a responsive, representative, engaged, and transparent City government
-
-

Prior Legislation

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

Service Level Impacts

None

Other Impacts

City of Kansas City, Missouri

Docket Memo



1. What will be the potential health impacts to any affected groups?
N/A
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?
N/A
4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?
N/A
5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?
N/A



File #: 230015

ORDINANCE NO. 230015

Providing for submission of this ordinance to the qualified voters of the City for their approval at a general election called for Tuesday, April 4, 2023 the question of imposing a City lodging tax to owners of short-term rentals as authorized by Article VI, Section 19(a) of the Missouri Constitution; authorizing and directing the City Clerk to notify the responsible election authorities of this election; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, pursuant to the Missouri Constitution, Missouri Charter Cities are authorized to impose any tax which the legislature of Missouri could grant, so long as the exercise of such authority does not otherwise conflict with the Missouri Constitution, state statutes, or the City's Charter and the tax is approved by a majority of the qualified voters; and

WHEREAS, the City presently imposes a convention and tourism tax of 7.5% on the sale or charges of certain sleeping rooms paid by the transient guests of hotels, motels, and tourist courts situated within the City and doing business within the City pursuant to Section 68-551, Code of Ordinances; and

WHEREAS, the City Council desires to take steps to assess an occupancy fee on short-term rentals similar to the fee imposed on hotels, motels and the rest of the accommodation industry; NOW, THEREFORE

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. Election Called. That an election is called on Tuesday, April 4, 2023, at which election the question of establishing the tax described in this ordinance shall be submitted to the qualified voters of the City for their consideration, as required by law.

Section 2. Ballot Title – Transient Boarding and Accommodation Tax. The ballot title shall be:

QUESTION _____

SHALL THE FOLLOWING BE APPROVED?

Shall the City of Kansas City impose a Transient Boarding and Accommodation Tax of seven and one-half percent (7.5%) to all lodging establishments, including short-term rentals, not otherwise subject to the City's Convention and Tourism Tax?

YES NO

The voter who desires to vote in favor of this question shall place an X in the box opposite Yes. The voter who desires to vote against this question shall place an X in the box opposite No.

Section 3. Delivery of Ordinance by City Clerk to Election Authorities. That the Clerk shall deliver certified copies of this ordinance and notice of election to the Board of Election Commissioners of Kansas City, Missouri, to the Board of Election Commissioners of Clay County, to the Board of Election Commissioners of Platte County, and to the County Clerk of Cass County, which shall be the authority of the respective election authorities of the City to submit this amendment to the electors of Kansas City as herein provided and to give public notice thereof as provided by law within one business day of the effective date of this ordinance.

Section 4. Election Notice. That the notice of election shall read as follows:

NOTICE OF ELECTION
CITY OF KANSAS CITY, MISSOURI

Notice is hereby given that the City of Kansas City has called an election to be held in said City on Tuesday, April 4, 2023, at which election all qualified voters residing within the City of Kansas City, Missouri will be given the opportunity to vote.

The official ballot will be in substantially the following form:

OFFICIAL BALLOT
CITY OF KANSAS CITY ELECTION

GENERAL MUNICIPAL ELECTION, APRIL 4, 2023

QUESTION NO.
(Transient Boarding and Accommodation Tax)

Shall the City of Kansas City impose a Transient Boarding and Accommodation Tax of seven and one-half percent (7.5%) to all lodging establishments, including short-term rentals, not otherwise subject to the City's Convention and Tourism Tax?

YES NO

[Instructions to voters will be supplied by the election authorities]

A full and complete copy of this ordinance, submitting the above proposition to the electorate is on file in the office of the City Clerk of Kansas City, Missouri where it is open for inspection and copying.

The polling places for the election will be [insert list of polling places in last publication only].

I hereby certify that the foregoing is the legal notice to be published pursuant to Section 115.127, Revised Statutes of Missouri.

Given under my hand and the official seal of the City of Kansas City, Missouri, this _____ day of _____, 20____.

(SEAL)

MARILYN SANDERS
City Clerk, City of Kansas City,
Missouri

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

Notary Public

My commission expires: _____

Section 5. That this ordinance is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(A) of the City Charter in that it calls for an election, and shall take effect in accordance with that section.

..end



Authenticated as Passed

Quinton Lucas, Mayor

Marilyn Sanders, City Clerk

JAN 12 2023

Date Passed

Approved as to form:

Dustin E. Johnson

Associate City Attorney



File #: 220966

[COMMITTEE SUBSTITUTE FOR] ORDINANCE NO. 220966

Sponsor: Councilmember Melissa Robinson

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, 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

WHEREAS, Black Kansas Citians 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; 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-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 such as the G.I. Bill, destruction of homes through urban renewal, such as the construction of Interstate 70 and US 71 Highway 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, in Kansas City the rate of homeownership for Black residents is 43 percent and the rate of homeownership for white residents is 76 percent; and

WHEREAS, studies have shown that 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 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 family is \$24,100; and

WHEREAS, the academic achievement of Black students in Kansas City remains below the achievement of their white counterparts 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 internet access, and 25 percent are without a computer; and

WHEREAS, despite nearly equal numbers of Black and white students in Kansas City, Black students are suspended at a rate four-times higher than that 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

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, 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 law enforcement in Kansas City for generations, as evidenced by a high rate of excessive police 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 in police stops as shown by reports from the Office of the Missouri Attorney General, disproportionate and lengthy sentencing of Blacks compared to other races, and family destruction due to the “War on 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 investing in the inequality of its Black communities; and

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”; 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, 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. *Establishment.* There is hereby established a commission to be known as the Mayor's Commission on Reparations.
- 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. *Commission Membership; Terms.* The Commission will be comprised of 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.
- 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.
- 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.

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

..end

Approved as to form and legality:

Lana K. Torczon
Assistant City Attorney

**No Fact Sheet
Provided for
Ordinance No.**

220966



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

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

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

Discussion

Click or tap here to provide more detailed information and analysis on this topic.

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 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.



City of Kansas City, Missouri

Docket Memo

Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund. Yes No
- 2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

This funding will be determined by additional discussion.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Finance and Governance (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Reform the City's economic incentives to meet the policy objectives of the City Council
- Ensure the resiliency of City government
- Engage in workforce planning including employee recruitment, development, retention, and engagement
- Ensure a responsive, representative, engaged, and transparent City government
-
-

Prior Legislation

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

Service Level Impacts

None

Other Impacts

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



City of Kansas City, Missouri

Docket Memo

N/A

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?

N/A

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

N/A

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

N/A

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, 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

WHEREAS, Black Kansas Citians 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; 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-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 such as the G.I. Bill, destruction of homes through urban renewal, such as the construction of Interstate 70 and US 71 Highway 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, in Kansas City the rate of homeownership for Black residents is 43 percent and the rate of homeownership for white residents is 76 percent; and

WHEREAS, studies have shown that 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 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 family is \$24,100; and

WHEREAS, the academic achievement of Black students in Kansas City remains below the achievement of their white counterparts 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 internet access, and 25 percent are without a computer; and

WHEREAS, despite nearly equal numbers of Black and white students in Kansas City, Black students are suspended at a rate four-times higher than that 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

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, 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 law enforcement in Kansas City for generations, as evidenced by a high rate of excessive police 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 in police stops as shown by reports from the Office of the Missouri Attorney General, disproportionate and lengthy sentencing of Blacks compared to other races, and family destruction due to the "War on 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 investing in the inequality of its Black communities; and

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"; 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, that have advanced and benefited from racial inequity to join the City in its apology and to develop their own procedures for reparatory justice.

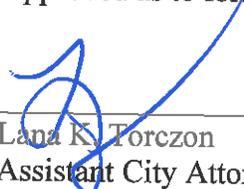
Section 3. That the City of Kansas City establishes a commission to be known as the Mayor's Commission on Reparations to advise the City regarding reparation issues as follows:

2209166

- A. *Establishment.* There is hereby established a commission to be known as the Mayor's Commission on Reparations.
- 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. *Commission Membership; Terms.* The Commission will be comprised of 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.
- 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.
- 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.

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:



 Lana K. Torczon
 Assistant City Attorney



Authenticated as Passed

 Quintan Lucas, Mayor

 Marilyn Sanders, City Clerk

 JAN 12 2023

 Date Passed



File #: 220998

[COMMITTEE SUBSTITUTE FOR] ORDINANCE NO. 220998

Sponsor: Mayor Quinton Lucas

Calling for submission to the voters of Kansas City, at an election to be held on the general municipal election date prescribed by Section 115.121.3, RSMo, of Tuesday, April 4, 2023, a question of whether to impose an additional sales tax of three percent (3%) on the retail sale of adult use non-medicinal marijuana; directing the City Clerk to provide notice of the election; and recognizing an accelerated effective date.

WHEREAS, the Missouri Constitution permits voters in cities to impose an additional sales tax of three percent (3%) on the retail sale of adult use non-medicinal marijuana; and

WHEREAS, the Missouri Constitution permits voters in cities to impose an additional sales tax on the retail sale of adult use non-medicinal marijuana to support efforts such as equitable neighborhood quality of life in the city, homeless prevention and outreach, and violence prevention and intervention initiatives; and

WHEREAS, the Department of Public Works' Solid Waste Division is responsible for the abatement of neighborhood dumping and trash removal; and

WHEREAS, the Housing Department's Office of Homeless Prevention is responsible for implementing community-wide strategies to expedite assistance to the houseless and those at-risk of becoming houseless and creating strategies to reduce houselessness and generational poverty; and

WHEREAS, the Health Department's Office of Violence Prevention is responsible for implementing holistic and evidence-based programs aimed at eradicating the root causes of crime, building healthy families, and fortifying strong communities to combat the public health crisis that is gun violence; and

WHEREAS, Section 115.121.3 of the Missouri Revised Statutes provides that the "general municipal election day" is on the first Tuesday following the first Monday in April each year; and

WHEREAS, the next general municipal election day is April 4, 2023; and

WHEREAS, to allow the voters of Kansas City to determine the immediate future of this source of revenue; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. ELECTION CALLED. That a general municipal election is called and shall be held on Tuesday, April 4, 2023, for the purpose of submitting to the voters the question of whether to impose an additional sales tax of three percent (3%) on the retail sale of adult use non-medicinal marijuana.

Section 2. BALLOT TITLE. The ballot title shall be:

QUESTION NO. __

(Additional Sales Tax on Retail Sale of Adult Use Non-Medicinal Marijuana)

“Shall the City of Kansas City impose an additional sales tax of three percent (3%) on the retail sale of adult use non-medicinal marijuana for the exclusive purpose of providing neighborhood quality of life improvements, to fund through the Department of Health, refuse and neighborhood cleanup services, homeless prevention services, and violence prevention services administered by the City?”

_____ Yes _____ No

Section 3. ELECTION NOTICE. That the notice of election shall read as follows:

NOTICE OF ELECTION
CITY OF KANSAS CITY, MISSOURI

Notice is hereby given to the qualified voters of the City of Kansas City, Missouri, that the City Council of the City has called a general municipal election to be held in the City on April 4, 2023, commencing at 6:00 A.M. and closing at 7:00 p.m., on the question contained in the following sample ballot:

OFFICIAL BALLOT
CITY OF KANSAS CITY

GENERAL MUNICIPAL ELECTION, APRIL 4, 2023

QUESTION NO. __

(Additional Sales Tax on Retail Sale of Adult Use Non-Medicinal Marijuana)

Shall the City of Kansas City impose an additional sales tax of three percent (3%) on the retail sale of adult use non-medicinal marijuana for the exclusive purpose of providing neighborhood quality of life improvements, to fund through the Department of Health, refuse and neighborhood cleanup services, homeless prevention services, and violence prevention services administered by the City?

_____ Yes _____ No

Instructions to voters will be supplied by the election authorities.

A complete copy of Ordinance No. 220998 (as it may be amended) submitting the above question to the electorate is on file in the Office of the City Clerk of Kansas City, Missouri, and is open for inspection and copying.

The election will be held at the following polling places in the City of Kansas City, Missouri: [insert list in last publication only].

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

Given under my hand and the official seal of the City of Kansas City, Missouri, this _____ day of January, 2023.

(SEAL)

Marilyn Sanders
City Clerk of Kansas City, Missouri

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

Notary Public

My commission expires: _____

Section 4. NOTICE TO ELECTION AUTHORITIES BY CITY CLERK. That following passage of this ordinance the City Clerk shall deliver certified copies of this ordinance and notice of election to the Clerk of Cass County, Board of Election Commissioners of Clay County, Board of Election Commissioners of Kansas City, and Board of Election Commissioners of Platte County, not later than January 24, 2023, which shall be the authority of each election authority of the City to submit the question to the electors of Kansas City and to give public notice as provided by law.

Section 5. ACCELERATED EFFECTIVE DATE. This ordinance, providing for the submission of an additional sales tax of three percent (3%) on the retail sale of adult use non-medicinal marijuana to the people of Kansas City, Missouri, is hereby recognized to be an ordinance with an accelerated effective date within the meaning of Section 503(a)(3)(A) of the Charter because it calls for an election and provides for the submission of a question to the people; and as such shall become effective immediately following approval by the Mayor, or five days after passage if no action is taken by the Mayor to approve or veto the ordinance.

Approved as to form:

Matthew Gigliotti
City Attorney

**No Fact Sheet
Provided for
Ordinance No.**

220998



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Mayor/Council's Office

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

Calling for submission to the voters of Kansas City, at an election to be held on the general municipal election date prescribed by Section 115.121.3, RSMo, of Tuesday, April 4, 2023, a question of whether to impose an additional sales tax of three percent (3%) on the retail sale of adult use marijuana; directing the City Clerk to provide notice of the election; and recognizing an accelerated effective date.

Discussion

This ordinance would require participation in a special election for which the City would be responsible for the cost of election judges and a pro rata share of election costs. The exact cost of the election cannot be estimated at this time because additional ballot items are not known. Previous special election costs have been approximately \$500,000. These funds are already appropriated in the FY 2022-2023 Budget.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

This is appropriated in the General Fund, Board of Elections.

3. How does the legislation affect the current fiscal year?

N/A

4. Does the legislation have 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.

City of Kansas City, Missouri

Docket Memo



Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Using data from other cities that have implemented similar taxes, the KCMO Finance Department estimates that a 3% tax could generate \$3 million in revenue.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Finance and Governance (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Reform the City's economic incentives to meet the policy objectives of the City Council
- Ensure the resiliency of City government
- Engage in workforce planning including employee recruitment, development, retention, and engagement
- Ensure a responsive, representative, engaged, and transparent City government
-
-

Prior Legislation

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

Service Level Impacts

None

Other Impacts

City of Kansas City, Missouri

Docket Memo



1. What will be the potential health impacts to any affected groups?
N/A
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?
N/A
4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?
N/A
5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?
N/A

COMPARED VERSION
COMMITTEE SUBSTITUTE TO ORIGINAL ORDINANCE

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 220998

Calling for submission to the voters of Kansas City, at an election to be held on the general municipal election date prescribed by Section 115.121.3, RSMo, of Tuesday, April 4, 2023, a question of whether to impose an additional sales tax of three percent (3%) on the retail sale of adult use non-medicinal marijuana; directing the City Clerk to provide notice of the election; and recognizing an accelerated effective date.

WHEREAS, the Missouri Constitution permits voters in cities to impose an additional sales tax of three percent (3%) on the retail sale of adult use non-medicinal marijuana; and

~~WHEREAS, the Missouri Constitution permits voters in cities to impose an additional sales tax on the retail sale of adult use non-medicinal marijuana to support regulatory administration, enforcement, and efforts such as equitable neighborhood quality of life in the City; city, homeless prevention and outreach, and violence prevention and intervention initiatives; and~~

~~WHEREAS, the City currently handles a high volume of code and other enforcement requests in the Neighborhood Services Department, Regulated Industries Division, Department of Public Works, and Department of Public Health; and Works' Solid Waste Division is responsible. WHEREAS, the Neighborhood Services Department, Regulated Industries Division, Department of Public Works, and Department of Public Health have administrative responsibility for marijuana and alcohol regulation, neighborhood quality of life, and the abatement of neighborhood dumping and trash removal; and~~

~~WHEREAS, the WHEREAS, the City wishes to impose an additional sales tax to support the Neighborhood Services Department, Regulated Industries Division, Department of Public Works, and Department of Public Health in establishing administrative support for marijuana and alcohol regulation, code enforcement, neighborhood quality of life, and abatement of neighborhood dumping and trash removal; and Housing Department's Office of Homeless Prevention is responsible for implementing community-wide strategies to expedite assistance to the houseless and those at-risk of becoming houseless and creating strategies to reduce houselessness and generational poverty; and~~

~~WHEREAS, the Health Department's Office of Violence Prevention is responsible for implementing holistic and evidence-based programs aimed at eradicating the root causes of crime, building healthy families, and fortifying strong communities to combat the public health crisis that is gun violence; and~~

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WHEREAS, Section 115.121.3 of the Missouri Revised Statutes provides that the “general municipal election day” is on the first Tuesday following the first Monday in April each year; and

WHEREAS, the next general municipal election day is April 4, 2023; ~~NOW, THEREFORE, and~~

WHEREAS, to allow the voters of Kansas City to determine the immediate future of this source of revenue; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. ELECTION CALLED. That a general municipal election is called and shall be held on Tuesday, April 4, 2023, for the purpose of submitting to the voters the question of whether to impose an additional sales tax of three percent (3%) on the retail sale of adult use non-medicinal marijuana.

Section 2. BALLOT TITLE. The ballot title shall be:

QUESTION NO. __

(Additional Sales Tax on Retail Sale of Adult Use Non-Medicinal Marijuana)

“Shall the City of Kansas City impose an additional sales tax of three percent (3%) on the retail sale of adult use non-medicinal marijuana for the exclusive purpose of providing neighborhood quality of life improvements, to fund through the Department of Health, refuse and neighborhood cleanup services, homeless prevention services, and violence prevention services administered by the City?”

_____ Yes _____ No

Section 3. ELECTION NOTICE. That the notice of election shall read as follows:

NOTICE OF ELECTION
CITY OF KANSAS CITY, MISSOURI

Notice is hereby given to the qualified voters of the City of Kansas City, Missouri, that the City Council of the City has called a general municipal election to be held in the City on April 4, 2023, commencing at 6:00 A.M. and closing at 7:00 p.m., on the question contained in the following sample ballot:

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OFFICIAL BALLOT
CITY OF KANSAS CITY

GENERAL MUNICIPAL ELECTION, APRIL 4, 2023

QUESTION NO. ___

(Additional Sales Tax on Retail Sale of Adult Use Non-Medicinal Marijuana)

Shall the City of Kansas City impose an additional sales tax of three percent (3%) on the retail sale of adult use non-medicinal marijuana? for the exclusive purpose of providing neighborhood quality of life improvements, to fund through the Department of Health, refuse and neighborhood cleanup services, homeless prevention services, and violence prevention services administered by the City?

_____ Yes _____ No

Instructions to voters will be supplied by the election authorities.

A complete copy of Ordinance No. ~~20~~220998 (as it may be amended) submitting the above question to the electorate is on file in the Office of the City Clerk of Kansas City, Missouri, and is open for inspection and copying.

The election will be held at the following polling places in the City of Kansas City, Missouri: [insert list in last publication only].

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

Given under my hand and the official seal of the City of Kansas City, Missouri, this _____ day of January, 2023.

(SEAL)

Marilyn Sanders
City Clerk of Kansas City, Missouri

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

Notary Public

My commission expires: _____

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Section 4. NOTICE TO ELECTION AUTHORITIES BY CITY CLERK. That following passage of this ordinance the City Clerk shall deliver certified copies of this ordinance and notice of election to the Clerk of Cass County, Board of Election Commissioners of Clay County, Board of Election Commissioners of Kansas City, and Board of Election Commissioners of Platte County, not later than January 24, 2023, which shall be the authority of each election authority of the City to submit the question to the electors of Kansas City and to give public notice as provided by law.

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Section 5. ACCELERATED EFFECTIVE DATE. This ordinance, providing for the submission of an additional sales tax of three percent (3%) on the ~~continuation of the earnings~~ ~~tax~~ retail sale of adult use non-medicinal marijuana to the people of Kansas City, Missouri, is hereby recognized to be an ordinance with an accelerated effective date within the meaning of Section 503(a)(3)(A) of the Charter because it calls for an election and provides for the submission of a question to the people; and as such shall become effective immediately following approval by the Mayor, or five days after passage if no action is taken by the Mayor to approve or veto the ordinance.

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Approved as to form ~~and legality~~:

Matthew Gigliotti
City Attorney

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 220998

Calling for submission to the voters of Kansas City, at an election to be held on the general municipal election date prescribed by Section 115.121.3, RSMo, of Tuesday, April 4, 2023, a question of whether to impose an additional sales tax of three percent (3%) on the retail sale of adult use non-medicinal marijuana; directing the City Clerk to provide notice of the election; and recognizing an accelerated effective date.

WHEREAS, the Missouri Constitution permits voters in cities to impose an additional sales tax of three percent (3%) on the retail sale of adult use non-medicinal marijuana; and

WHEREAS, the Missouri Constitution permits voters in cities to impose an additional sales tax on the retail sale of adult use non-medicinal marijuana to support efforts such as equitable neighborhood quality of life in the city, homeless prevention and outreach, and violence prevention and intervention initiatives; and

WHEREAS, the Department of Public Works' Solid Waste Division is responsible for the abatement of neighborhood dumping and trash removal; and

WHEREAS, the Housing Department's Office of Homeless Prevention is responsible for implementing community-wide strategies to expedite assistance to the houseless and those at-risk of becoming houseless and creating strategies to reduce houselessness and generational poverty; and

WHEREAS, the Health Department's Office of Violence Prevention is responsible for implementing holistic and evidence-based programs aimed at eradicating the root causes of crime, building healthy families, and fortifying strong communities to combat the public health crisis that is gun violence; and

WHEREAS, Section 115.121.3 of the Missouri Revised Statutes provides that the "general municipal election day" is on the first Tuesday following the first Monday in April each year; and

WHEREAS, the next general municipal election day is April 4, 2023; and

WHEREAS, to allow the voters of Kansas City to determine the immediate future of this source of revenue; NOW, THEREFORE,

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_____ Yes

_____ No

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OFFICIAL BALLOT
CITY OF KANSAS CITY

GENERAL MUNICIPAL ELECTION, APRIL 4, 2023

QUESTION NO. __

(Additional Sales Tax on Retail Sale of Adult Use Non-Medicinal Marijuana)

Shall the City of Kansas City impose an additional sales tax of three percent (3%) on the retail sale of adult use non-medicinal marijuana for the exclusive purpose of providing neighborhood quality of life improvements, to fund through the Department of Health, refuse and neighborhood cleanup services, homeless prevention services, and violence prevention services administered by the City?

_____ Yes

_____ No

Instructions to voters will be supplied by the election authorities.

A complete copy of Ordinance No. 220998 (as it may be amended) submitting the above question to the electorate is on file in the Office of the City Clerk of Kansas City, Missouri, and is open for inspection and copying.

The election will be held at the following polling places in the City of Kansas City, Missouri: [insert list in last publication only].

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

Given under my hand and the official seal of the City of Kansas City, Missouri, this ____ day of January, 2023.

(SEAL)

Marilyn Sanders
City Clerk of Kansas City, Missouri

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

Notary Public

My commission expires: _____

Section 4. NOTICE TO ELECTION AUTHORITIES BY CITY CLERK. That following passage of this ordinance the City Clerk shall deliver certified copies of this ordinance and notice of election to the Clerk of Cass County, Board of Election Commissioners of Clay County, Board of Election Commissioners of Kansas City, and Board of Election Commissioners of Platte County, not later than January 24, 2023, which shall be the authority of each election authority of the City to submit the question to the electors of Kansas City and to give public notice as provided by law.

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people; and as such shall become effective immediately following approval by the Mayor, or five days after passage if no action is taken by the Mayor to approve or veto the ordinance.

Approved as to form:



Matthew Gigliotti
City Attorney



Authenticated as Passed



Quinten Lucas, Mayor

Marilyn Sanders, City Clerk

JAN 12 2023

Date Passed