



Legislation Details (With Text)

File #: 211023 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 11/4/2021 **In control:** Council
On agenda: 12/2/2021 **Final action:** 12/2/2021

Title: Waiving the prohibitions of City Code Section 2-2044 to allow Ralph Davis to consult with current City employees as part of his responsibilities as project manager for Transportation Planning and Construction Projects for the Kansas City Streetcar Authority.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Fact Sheet - Exception Ordinance, 2. Fiscal Note - Exception Ordinance, 3. 211023 - PW FGPS ordinance slides 12022021, 4. PW FGPS ordinance slides 12022021, 5. Authenticated Ordinance 211023

Date	Ver.	Action By	Action	Result
12/2/2021	1	Council	Passed	Pass
12/1/2021	1	Finance, Governance and Public Safety Committee	Adv and Do Pass, Consent	Pass
11/10/2021	1	Council		

ORDINANCE NO. 211023

Waiving the prohibitions of City Code Section 2-2044 to allow Ralph Davis to consult with current City employees as part of his responsibilities as project manager for Transportation Planning and Construction Projects for the Kansas City Streetcar Authority.

WHEREAS, by Section 2-2044 of its Code of Ordinances, the City prohibits an employee serving in an executive or administrative capacity from performing any service for compensation in which they attempt to directly influence a decision of the City or any City department or City agency thereof for one-year after termination of their employment; and

WHEREAS, there are many entities which work with the City to meet important public goals, such as the provision of transportation improvements and services; and

WHEREAS, it is important that the City have available to it the fullest participation of such agency with the work of the City; and

WHEREAS, when a former employee during the first year of service to a partner agency of the City is prevented from providing the full range of important information to the Mayor, City Council, City Manager, and other staff, the work of the City may be impeded; and

WHEREAS, Section 2-2044, Code of Ordinances identifies the Prohibited Activities After Leaving Municipal Service, but allows for certain exceptions in Section 2-2044(b), one of which recognizes the unusual

situations when a former employee of the City is employed by a partner entity; and

WHEREAS, Section 2-2044(b)(3) provides an exception for an employee of the City in an executive or administrative capacity, discussing issues or projects, informing about issues or projects, providing an opinion, or making a recommendation on issues, project or policy, related to duties as a full-time employee of an agency contracting with the City to provide services that furthers the work of the City, if that employee is specifically approved by Council; and

WHEREAS, Ralph Davis left his service to the City as Deputy Director of Public Works when he retired in May 2021 and has now been hired to support transportation planning and construction projects as a project manager with the Kansas City Streetcar Authority (“Streetcar Authority”); and

WHEREAS, Mr. Davis’s employment by the Streetcar Authority is in a part-time capacity; and

WHEREAS, the City’s advancement of transportation projects and provision of transportation services are not solely functions of City officials, officers and employees, but include the cooperation and efforts of other partner agencies and entities, including the Streetcar Authority, which is a not-for-profit organization created for the purpose of managing, operating and maintaining the streetcar, on behalf of the City of Kansas City, Missouri, the owner of the streetcar system; and

WHEREAS, the City has formally partnered with the Streetcar Authority to assist in the implementation and management of critical transportation projects that require this management capacity and specialized expertise; and

WHEREAS, it would harm the transportation efforts of the City, and not further the valid and appropriate goals of precluding immediate lobbying by former employees, to preclude Mr. Davis from being authorized to immediately fully engage with the City Manager and City staff in his role as an employee of the Streetcar Authority; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF KANSAS CITY:

Section 1. That the prohibition of Section 2-2044, Code of Ordinances, regarding employees serving in an executive or administrative capacity performing any service for compensation in which they attempt to directly influence a decision of the City or any City department or City agency thereof for one-year after termination of their employment is hereby waived for the employment of Ralph Davis as a project management employee of the Streetcar Authority.

Approved as to form and legality:

Nelson V. Munoz
Assistant City Attorney