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Title: Sponsor: Councilmembers Johnathan Duncan and Andrea Bough, and Mayor Quinton Lucas

Establishing an alternative response program within the Health Department to respond to individuals in crisis or with quality-of-life concerns; directing the City Manager to submit a budget amendment and to take other necessary steps in support of the Program; and directing the City Manager to develop and recommend a plan for the expansion of rapid rehousing options.

Sponsors: Johnathan Duncan, Quinton Lucas, Andrea Bough, Ryana Parks-Shaw, Darrell Curls, Melissa Robinson, Melissa Patterson Hazley

Indexes:

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Attachments: 1. No Docket Memo 240284, 2. Public Testimony L. Hooper Supporting 240284, 3. Public Testimony M. Moore Supporting Ordinance 240284, 4. Public Testimony M. Wolfe Supporting Ordinance 240284, 5. Public Testimony L. Sobchak Supporting 240284, 6. Legal Review Presentation 240284 3.19.24, 7. In person public testimony 240284, 8. Public Testimony D. Pyles Supporting 240284, 9. Public Testimony C. Boyles Support 240284, 10. Authenticated Ordinance 240284

Date	Ver.	Action By	Action	Result
3/21/2024	1	Council	Passed	Pass
3/19/2024	1	Special Committee for Legal Review	Adv and Do Pass	Pass
3/7/2024	1	Council	referred	

ORDINANCE NO. 240284

Sponsor: Councilmembers Johnathan Duncan and Andrea Bough, and Mayor Quinton Lucas

Establishing an alternative response program within the Health Department to respond to individuals in crisis or with quality-of-life concerns; directing the City Manager to submit a budget amendment and to take other necessary steps in support of the Program; and directing the City Manager to develop and recommend a plan for the expansion of rapid rehousing options.

WHEREAS, Committee Substitute for Resolution 230475 established a commission to research and recommend alternatives to incarceration; and

WHEREAS, Resolution 230607 extended the duration of the Alternatives to Incarceration Commission for additional time to complete its work; and

WHEREAS, over several months, the Commission reviewed a number of policies and best practices to reduce the need for incarceration; and

WHEREAS, in January of 2024, the Alternatives to Incarceration Commission submitted its final recommendations, which included the creation of an alternative response model; and

WHEREAS, City Council seeks to implement the recommendations of the Commission to expand alternatives to incarceration and divert individuals from the criminal legal system when possible; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. The City hereby establishes the Kansas City Alternative Response Program (the “Program”) called REACH (Responding with Empathetic Alternatives and Community Health). It is the purpose of the Program to administer mobile community response services for individuals in crisis or with quality-of-life concerns because of issues related to, but not limited to, mental health, substance abuse, or houselessness, connect diverted individuals to appropriate services, and facilitate short- and long-term care navigation for diverted individuals who seek sustained support services. The Program shall include the components listed below:

- (a) *Coordinator.* The Program shall be administered by the pre-arrest diversion coordinator. The pre-arrest diversion coordinator shall perform such functions and have such duties, powers, and authorities as prescribed in this section, or as otherwise required by the city manager.
- (b) *Responsibilities.* The pre-arrest diversion coordinator, in administering the Program, shall be responsible for all of the following:
 - (1) Developing and implementing a pre-arrest diversion program to provide immediate shelter and basic needs, outreach and case management, and linkage to services, care, and barrier reduction resources;
 - (2) Developing and expanding partnerships with service providers with priority given to providers either funded by or under an existing contract with the City;
 - (3) Engage and solicit feedback from community partners and impacted people;
 - (4) Submit to Council an annual report detailing the impact of the program, including the number of unique individuals diverted, the number of incidents responded to, and other metrics relevant to the success of the Program.

Section 2. The City Manager is directed to submit a Budget Amendment B that requests funding for Program for Fiscal Year 2024-25 in an amount no less than \$1,266,500.00 to include funding for permanent positions within such Program and for necessary equipment from existing City sources, including the Health Levy, proceeds from the Marijuana Sales Tax, pursuant to Ordinance 230362, Kansas City violence prevention funding issued in prior budgeting pursuant to Council Resolution 230129, the Public Safety Sales Tax, all applicable grants, and all other permissible fund sources.

Section 3. The Program and its staff shall be housed within the Health Department. The City Manager is hereby directed to develop and recommend a proposal for a Diversion or “REACH” Center, including budget, staff, and site recommendations that leverage the City’s existing real estate inventory and funding sources and report back to Council within 180 days.

Section 4. The City Manager is directed to develop and implement necessary rules and regulations to ensure that applicable 3-1-1 calls are appropriately routed to the Program.

Section 5. The City Manager is directed to coordinate, to the extent appropriate, with current 9-1-1, 9-8-8, and 2-1-1 call operators to ensure that applicable calls for diversion are appropriately routed to the Program.

Section 6. The City Manager is directed to develop and implement a phased implementation of the pre-arrest diversion services program. The first phase of the pre-arrest diversion program shall include pilot areas described generally below with the final parameters to be determined by the Pre-Arrest Diversion Coordinator based on data and community engagement:

- (a) Areas encompassing the Prospect Avenue Corridor from roughly 27th Street to 45th Street
- (b) Areas encompassing the Greater Downtown Area Plan;
- (c) Areas determined in collaboration with the Kansas City Area Transportation Authority.

Section 7. The City Manager is directed to develop and recommend a plan for the expansion of rapid rehousing options to support the Program. Such a plan shall include the provision of wrap-around services and service coordination. In developing such a plan, the City Manager shall analyze the feasibility of leveraging funds from existing sources including, but not limited to, the health levy, public safety sales tax, marijuana sales tax, existing grant awards, and other possible federal, state, city, and private grants. Such plan shall also analyze the feasibility of leveraging the aforementioned funds to establish service facilities including, but not limited to, low barrier shelters, transitional housing, crisis centers, permanent supportive housing, and permanent independent housing facilities owned or operated by the City, Housing Authority of Kansas City, or service providers working in partnership with the City or Housing Authority of Kansas City.

Section 8. The City Manager is directed to develop a plan, in alignment with RFP EV3180-HOME-ARP 2023 and to the extent permissible by relevant law and approvals, to ensure the accessibility and involvement of Program recipients qualifying for access to non-congregate low-barrier shelter and supportive services and to reserve the greater of at least one-sixteenth of grant services or a value of \$500,000 in grant services subject to RFP EV-3180-HOME-ARP 2023 to qualified Program recipients.

Section 9. The City Manager is directed to develop and recommend a plan for the purpose of reducing barriers to accessing supportive services. Barrier reduction funds shall be distributed through partnered service providers to directly support and facilitate the distribution of services. In developing such a plan, the City Manager shall analyze the feasibility of leveraging funds from existing sources including, but not limited to, the health levy, marijuana sales tax, and other possible federal, state, and private grants, and establishing agreements with existing city organizations for the delivery of services to Program clients.

Section 10. The City Manager is hereby directed to routinely provide notification of the creation, purpose, and function of the Program to the public through the City website, City communications, community events, and outreach to relevant community partners and impacted people. The Program shall solicit feedback from community partners and impacted people on best practices in raising awareness of the Program.

Section 11. The Program does not represent a co-response model, is not a separate policing entity, and shall in no way interfere with the exclusive policing jurisdiction of the Kansas City Police Department, pursuant to Section 84.460 of the Missouri Revised Statutes.

Section 12. That should any Section of this ordinance or part thereof be declared invalid or unenforceable, the rest of this ordinance shall remain in full force and effect.

Approved as to form:

Joseph A. Guarino
Senior Associate City Attorney