

ORDINANCE NO. _____

Amending the Annual Budget of the City for the Fiscal Year 2021-22, adopted in Committee Substitute for Ordinance No. 210159, in accordance with state direction as to funding of the Kansas City Police Department; appropriating \$42,282,444.00 to the Community Services and Prevention account; designating requisition authority; directing the City Clerk to send a copy of this ordinance to the Board of Police Commissioners of Kansas City, Missouri; and recognizing this ordinance as having an accelerated date.

WHEREAS, Section 84.730 of the Revised Statutes of Missouri directs the Board of Police Commissioners of Kansas City, Missouri (Board) to prepare and certify its annual budget to the City of Kansas City, Missouri (City); and

WHEREAS, absent certification of a lesser amount on the part of the Board, section 84.730 of the Revised Statutes of Missouri directs the City to appropriate no less than twenty percent (20%) of its general revenue to the Board, such constituting the police department's annual operating budget ("Annual Police Budget"); and

WHEREAS, the City has dutifully appropriated to the Board more than that which is required by the state law, most recently appropriating \$187,368,097, excluding pension of \$42,783,771 pursuant to Section 86.1000 of the Revised Statutes of Missouri, which constitutes more than 25.8% of general revenue; and

WHEREAS, the taxpayers of Kansas City, by and through their duly elected city officials, are the only residents of a local government in the State of Missouri compelled by the State to allocate a fixed percentage of their City's annual budget to policing in potential violation of the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution; and

WHEREAS, the City Council endeavors to meet the City's statutory obligation without prejudice to subsequent arguments challenging the authority of any provision of Chapter 84 of the Revised Statutes of Missouri, including but not limited to, section 84.730 and its prescriptive obligation that the City appropriate not less than twenty percent of the City's general revenue for the Annual Police Budget; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the budget, adopted in Committee Substitute for Ordinance No. 210159, is hereby amended for the Fiscal Year 2021-22, with the reductions as shown on the following:

KCPDU-22-1000-211005-B	Office of Community Complaints	\$6,992
KCPDU-22-1000-211010-B	Office of Police Chief	\$639,652
KCPDU-22-1000-211015-B	Risk Management	\$8,769,568
KCPDU-22-1000-211016-B	Homeland Security Division	\$230,000
KCPDU-22-1000-211050-B	Purchasing	\$1,781,884

ORDINANCE NO. ____

KCPDU-22-1000-211050-C	Purchasing	\$1,802,626
KCPDU-22-1000-211072-C	Building Operations	\$200,000
KCPDU-22-1000-211072-B	Building Operations	\$1,670,203
KCPDU-22-1000-211072-B	Fleet Operations	\$249,603
KCPDU-22-1000-211072-C	Fleet Operations	\$1,415,293
KCPDU-22-1000-211224-C	Communications Support Unit	\$362,912
KCPDU-22-1000-211224-B	Communications Support Unit	\$937,019
KCPDU-22-1000-211460-C	Human Resource Division	\$15,000
KCPDU-22-1000-211460-B	Human Resource Division	\$490,000
KCPDU-22-1000-211460-B	Patrol Bureau Office	\$267,750
KCPDU-22-1000-212593-B	Helicopter Unit	\$272,513
KCPDU-22-1000-212593-C	Helicopter Unit	\$331,800
KCPDU-22-1000-212610-B	Investigations Bureau Office	\$18,000
KCPDU-22-1000-212683-B	Crime Lab	\$392,950
KCPDU-22-1000-212683-C	Crime Lab	\$443,700
KCPDU-22-1000-212530-A	Metro Patrol Division	\$8,263,975
KCPDU-22-1000-212520-A	Central Patrol Division	\$9,701,137
KCPDU-22-1000-212540-A	East Patrol Division	<u>\$4,019,867</u>
	TOTAL	\$42,282,444

Section 2. That the intent of the Council in reducing the accounts listed in Section 1 of this Ordinance is to reduce the Annual Police Budget to a level commensurate with the statutory maximum imposition required by Section 84.730 of the Revised Statutes of Missouri, reflects the City's accounting practices, and is not an intent to deprive the Board of its control over the police force related to the accounts so listed. The Council invites the Board to submit a revised budget should it desire to see reallocation or transfer of its remaining appropriation.

Section 3. That the transfer in the following account of the General Fund is reduced in the following additional amount:

KCMBU-22-1000-129996-980001	Transfer to KCPDU	\$42,282,444
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Section 4. That the revenue in the following account of the General Fund is reduced in the following additional amount:

KCPDU-22-1000-210000-599900	Transfer from KCMBU	\$42,282,444
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Section 5. That the following account is hereby appropriated from the unappropriated fund balance of the General Fund:

KCMBU-22-1000-101016-B	Community Services and Prevention	\$42,282,444
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Section 6. That the City Manager is designated as requisitioning authority for Acct. No. 22-1000-101016.

ORDINANCE NO. ____

Section 7. That the Director of Finance is hereby authorized to make the necessary accounting and budgetary transactions to accurately reflect and record the operations of the City associated with the usage of the funds in account KCMBU-22-1000-101016.

Section 8. That the City Clerk shall send a copy of this ordinance to the Board.

Section 9. That this ordinance is recognized as having an accelerated effective date with provisions of Section 503(a)(3)(C) of the City Charter in that it appropriates money and shall take effect in accordance with that section.

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred

Tammy L. Queen
Director of Finance

Approved as to form and legality:

Matthew Gigliotti
Assistant City Attorney