



Administration and Human Services
Committee
Standing Committee Meeting Agenda
Monday, January 13, 2014
5:15 PM

Location:

Municipal Office Building
701 N 7th Street
Kansas City, Kansas 66101
5th Floor Conference Room

<u>Name</u>	<u>Absent</u>
<input type="text" value="Commissioner Angela Markley, Chair"/>	<input type="checkbox"/>
<input type="text" value="Commissioner Hal Walker, Co-Chair"/>	<input type="checkbox"/>
<input type="text" value="Commissioner Tarence Maddox"/>	<input type="checkbox"/>
<input type="text" value="Commissioner Mike Kane"/>	<input type="checkbox"/>
<input type="text" value="Commissioner Jane Philbrook"/>	<input type="checkbox"/>

I. **Call to Order / Roll Call**

II. **Approval of standing committee minutes from December 16, 2013.**

III. **Committee Agenda**

Item No. 1 - ACCEPTANCE OF CAC INCENTIVE FUNDS

Synopsis:

Request acceptance of \$10,000 of Certified Application Counselor (CAC) Incentive funds, submitted by Joe Connor, Health Dept. Director. Funding was granted because of the Health Dept.'s efforts in training CACs to assist our residents in obtaining health insurance through the newly established Health Insurance Marketplace.

Tracking #: 130428

Item No. 2 - PRESENTATION AND DISCUSSION

Synopsis:

A presentation and discussion from Election Commissioner Bruce Newby regarding a petition submitted by Ms. Mary Martin dated November 26, 2013, submitted by Jody Boeding, Chief Legal. Addressing questions raised by Commissioners after Ms. Martin's presentation at December's Administration and Human Services Standing Committee meeting.

Tracking #: 140019

IV. Outcomes

Item No. 1 - GOALS: EDUCATION AND WORKFORCE DEVELOPMENT

Synopsis:

- a. Create searchable centralized online compilation of employment and educational recourses by September 15, 2014.
- b. Foster stronger relationships with Wyandotte County school districts by meeting with those districts at least twice a year beginning in 2014, and offering the same opportunities and partnerships to each school district. Commissioners representing areas within each school district should be invited to at least one of the two meetings.
- c. Work with Board of Regents' personnel, school districts, and KCKCC to improve processes and increase the number of students signed up to use the SB155 Program by 10% per district by Fall 2015.
- d. Research and identify our community's ten standout education and workforce development attributes to market to businesses as "star programs." Provide information about those programs on the centralized database and in our economic development materials by Fall 2015.

Tracking #: 120153

V. Adjourn

**ADMINISTRATION AND HUMAN SERVICES
STANDING COMMITTEE MINUTES
Monday, December 16, 2013**

The meeting of the Administration and Human Services Standing Committee was held on Monday, December 16, at 6:00 p.m., in the 6th Floor Human Resources Training Room of the Municipal Office Building. The following members were present: Commissioner Markley, Chair; Commissioner Walker, Co-Chair, Commissioners Philbrook, Kane and Maddox.

Chairman Markley called the meeting to order. Roll call was taken and all members were present as shown above.

Chairman Markley said a blue sheet item has been distributed tonight adding an item under our Committee Agenda which is the possibility of designating the Planning Commission as the Board of Zoning Appeals.

Approval of standing committee minutes for November 18, 2013. **On motion of Commissioner Kane, seconded by Commissioner Maddox, the minutes were approved.** Motion carried unanimously.

Public Agenda:

Item No. 1 – 130420... Appearance of Mary Martin requesting a special election to fill the District One At-Large Commission seat before December 31, 2013. (This item was heard at a later time. See Page 8.)

Mary Martin, 804 S. 89th Street, Kansas City, KS, said before I get started can I beg the commissioners to have a little bit more than five minutes, just a tad bit more. **Chairman Markley** said we'll go for the five minutes and then we'll see where we are.

Ms. Martin said I'm an old lady so please be patient. Thanks to the Administration and Human Services Standing Committee and all the citizens of Wyandotte County who signed the petition and showed up this evening to hear our request. Please forgive me for reading, but so

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many people called me when they heard I was doing this, I wanted to make sure that I got every issue in.

Anyway, the Constitution, the Preamble, “We the people, in order to form,” the Gettysburg Address, “Of the people, by the people and for the people,” the Emancipation Proclamation, the 13th, 14th and 15th Amendments are all important documents in this country. The Charter in Wyandotte County is another important document. All of them are blueprints to citizens’ democracy.

The petition signatures represent three meetings I attended. If I would have went door-to-door, went to Wal-Mart, Price Chopper or K-Mart, I would have gotten more. However, the signatures do represent the community’s frustration with the Unified Government Commissioners’ inability to fill the District One At-Large seat. By asking for a special election to be held December 31 of course does not apply at this time. Today being December 16 gives no time to organize an election. However, let’s look at another date. It is my sense that because the Commission has not filled the District One At-Large seat, the citizens of District One should have the opportunity to vote for their representative. We need representation because it’s not fair or just for the Commissioners to do nothing. Maybe we don’t need a District Two representative if we don’t have a District One. The community will not allow you to hijack our citizens’ democracy. Yes, a special election with the two surviving candidates, or open the candidate list to anyone who wants to run, but do something now.

The cost of a special election as suggested by the UG is \$75,000. But, I propose a Saturday vote, two polling places with volunteers who have worked on past elections. It seems to me to be an inexpensive way to have an election and save more money. Please, please, don’t hijack our democracy. Let the citizens vote for a District One At-Large seat. It is the citizens’ voting right, especially since the Commissioners had a five/five vote many times.

These are the facts. The citizens of Wyandotte County can’t wait any longer for a representative. My thoughts for the day to you guys is God’s connective purpose for all of us to expand and show truth in a way that more people can understand and accept. Thank you.

Chairman Markley said thank you, Ms. Martin, for being here tonight. Technically this is a public appearance item so its not open for discussion, but I do want to recognize that there are some supporters in the audience. If you are here in support of this petition, if you would like to stand so that we can see, as Commissioners, how many people are here in support. Let the

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record reflect that there are several people here in support of this public appearance tonight and we thank you for your attendance tonight.

Commissioner Maddox said I've got one question in regard to the presentation. Even though there was a presentation and not an open discussion, what is our approach to that. How do we move on that in that regard? **Chairman Markley** said if a commissioner is interested in seeing that item presented to the full commission, you'll just need to get with the Mayor's office to set that up.

Action: **No action.**

Committee Agenda:

Item No. 1 – 130426... Discuss possibility of designating the Planning Commission as the Board of Zoning Appeals.

Rob Richardson, Director of Urban Planning & Land Use, stated sometime in the last few months, the Commission noted to the County Administrator that finding good folks to fulfill committee appointments was difficult given the large number of committees that we have within the Unified Government. We have an interesting situation with the Board of Zoning Appeals.

Recently, the long-term chair of the Board of Zoning Appeals resigned. He took a new job and it wouldn't allow him to continue to fulfill his duties as the chairman of the Board of Zoning Appeals or even serve on the Board anymore. Currently, all terms on the Board of Zoning Appeals are up, so folks are serving month-to-month until their replaced at this time. All of the appointments are up. That almost never happens.

The Kansas state law authorizes, if done by ordinance of the Unified Government Commission, that the Planning Commission could act as the Board of Zoning Appeals. Basically, if this went through, the way that would function in the meeting would be somewhat like you all do with Land Bank. They would have a Board of Zoning Appeals meeting, close that meeting, and then have the Planning Commission meeting.

I've talked with the acting chairman of the Board of Zoning Appeals and the chairman of the Planning Commission. Both of them would support this action. I have not gone to all the

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members of both groups to see what they would say about that, but I think that it would, in general, have support for that.

If you all were to move this forward and the Board of Commissioners would approve it, in January we would publish a code amendment relating to the Board of Zoning Appeals structure within the Zoning Code. That would be on the February Planning Commission and the February 27 Board of Commissioners' meeting. That would allow us to change our calendar and all of our notices and publications so that the Planning Commission, beginning with their meeting in May, would serve as both the Board of Zoning Appeals and the Planning Commission.

That's the proposal. It's an option for you all. To some degree, it would make life easier on staff. It would be one less meeting that we would have to go to, although the Board of Zoning Appeals actually happens at 4:00 p.m. on Mondays so it usually doesn't go after hours. I think in a lot of ways it would make the zoning process easier because sometimes we'll have a case that has both a Planning Commission request and a Board of Zoning Appeals request that go together on the same basic application. This would allow them to complete all their actions on one night rather than coming two Mondays in a row to get their process taken care of. I think it's a slight improvement in that process, but it would also reduce the number of folks that would need to be appointed to serve on a board or commission.

Chairman Markley said my only comment was going to be that you said the next thing we'll do is do the ordinance. Next thing, I think after tonight assuming this moves forward, is to contact the existing board members and just let them know so they don't feel like we're trying to pull one over on them and boot them out the door. Let's just make sure we get them in the loop early on. **Mr. Richardson** said I would approach that as we appreciate what they've done and this isn't something to say they have done a bad job or anything like that. It's a way to improve the efficiency of our government. Quite frankly, we need to ask the current members of the Board of Zoning Appeals to stay on because we only have five right now and four is a quorum. If a couple of people said see you, we would be without a Board of Zoning Appeals for a couple of months. We don't want that to happen either. I think all of the folks on the committee, I mean we have great citizens serving there and I think they would support that.

Commissioner Philbrook said I would like to see it in writing how it looks and the formation of that committee. I would like to see how that looks and what their objectives, you

know, the whole nine yards. You're re-positioning a couple of sections of folks. You're doing a Planning Commission and then the Board of Zoning Appeals and you're putting it together. Does that mean you're going to leave the same number of the people as just Planning and Zoning is now? You see what I'm saying? **Mr. Richardson** said yes. If you all designate the Planning Commission to be the Board of Zoning Appeals, it will be an eleven member commission instead of the seven that it is now. Right now, the Board of Zoning Appeals has seven members. The rotation amongst the commissioners rotates. If you appointed somebody this time for the Board of Zoning Appeals, when that position came up again, it would not ever work out to be your appointment again on that commission versus now you have a one-to-one commitment ratio for the Board of Commissioners and the Mayor on the Planning Commission.

It would be the Planning Commission, but just like you all enact yourselves as the Land Bank sometimes, they would start their meetings as the Board of Zoning Appeals, all eleven members. Then end that meeting and begin their meeting as the Planning Commission with all eleven members. It would look just like the Planning Commission does now. Procedurally, they would hold the Board of Zoning Appeals meeting and then the Planning Commission meeting.

Commissioner Philbrook asked so that means you're going to keep the Planning Commission and dump the Board of Zoning Appeals. **Mr. Richardson** said no, that would be what you do. I'm just making a proposal that you can act on. **Commissioner Philbrook** said oh no, I've already been told I can't dump anybody. **Mr. Richardson** said it's really not dumping because all their terms are up. So there's no guarantee that they would be reappointed. They're up. It's an opportunity to thank them for their service and move to a little bit more efficiency and fewer people being appointed. You all asked for options for consolidating, this is an option. If you choose not to do it...**Commissioner Philbrook** said I appreciate it. I'm just trying to make sure that I understand exactly what your plans are.

Commissioner Walker asked does the Board of Zoning Appeals ever hear items that the Planning Commission has decided. **Mr. Richardson** said the Board of Zoning Appeals might hear a case. We occasionally have both bodies hear a related case. So, if you have a subdivision proposal and it's a commercial development and you have to be really close to the side yard and that needs a variance for that, the Board of Zoning Appeals would hear the variance for the side yard and the Planning Commission would hear the change of zone and site plan approvals. Occasionally, we do have cases that come out like that. So they would hear the same case twice

in one night, but it means that the citizens and their representatives only have to come to one evening meeting and not to two evening meetings.

Commissioner Maddox said that's my concern. From the way I understand it, the reason why the Board of Zoning Appeals was created is when a person was denied at the planning and zoning level. The proposal, right here, is saying that we want the exact group that does the denying to handle the appeals. **Chairman Markley** said it's not really an appeal in the traditional sense, I would say. **Mr. Richardson** said no, because the items that go to the Board of Zoning Appeals are not necessarily items, in fact they're never items that the Planning Commission rules on. It is an issue where I make a determination that they don't meet the Code and they're eligible for a variance and I say you can apply for a variance. Or, the other way that they can go to the Board of Zoning Appeals is if I make an interpretation of the Code that they don't agree with, it's my job to interpret the Code and if people don't agree with that, their appeal is to the Board of Zoning Appeals. They rule on my decision, not the Planning Commission's decision. **Chairman Markley** said they're appealing from Rob. **Mr. Richardson** said they never decide the same issue. The Planning Commission has a set of issues and the Board of Zoning Appeals has a set of issues. They would continue to act as two different bodies.

It's really exactly like you all do with the Land Bank. You can do certain things as the Land Bank you can't do as the Board of Commissioners. They would have to hold one meeting, close that meeting, and then hold a separate meeting. The rules are different for both. We have to do some training. I talked about training in my schedule here because the criteria for making decisions are much different for the Board of Zoning Appeals than they are for the Planning Commission.

Commissioner Maddox said I personally support the Board of Zoning Appeals because I feel like it was put there for fair government. So if a person felt like they weren't given due process or fair opportunity, then that was set in place for that individual to go before that committee and that committee decide whether it was fair or not. I, personally, believe in fair government. I support the Board of Zoning Appeals personally. **Mr. Richardson** said we will still have the Board of Zoning Appeals. The Board of Zoning Appeals will continue to exist. The people on the Board of Zoning Appeals will change from those that are currently serving to

the people that are the Planning Commissioners. **Chairman Markley** said are the same people as the Planning Commission.

Commissioner Kane said they're not eliminating, they're combining the two. Similar to what he said, we do the Land Bank stuff, regular order of business, Land Bank business. It's the same thing. They actually have to take a break, right. Close one meeting and open the other one. **Mr. Richardson** said right. **Commissioner Kane** said it's still going to be there, and like you said, it's a golden opportunity. All of the ducks have lined up in a row. You're right, we don't want to eliminate anything, but if we've got a chance to combine something, save a little time for staff and maybe some less confusion on some other stuff.

Action: **Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve.** Roll call was taken and there were four "Ayes," Philbrook, Kane, Walker, Markley and one "No", Maddox.

Chairman Markley said that will move on to the Full Commission, but not on the Consent Agenda. **Commissioner Walker** said I don't see a need to fast track this either. **Mr. Richardson** said we're not requesting the fast track. **Commissioner Walker** said I'd like to have a little more input from Administration and Legal on the repercussions. A lot of people want to serve. Board of Zoning Appeals, while it may not seem important, it sure is when Rob puts the hammer down on you and you got nowhere to go but to the Board of Zoning Appeals. **Mr. Richardson** said that's what it's there for. **Commissioner Walker** said I do want it to go to the full commission and that's why I voted yes tonight. I may not vote for it the next time.

Outcomes:

Item No. 1 – 120153... Discuss draft of "SMART" goals established during the November meeting relating to education and workforce development.

Chairman Markley stated I told you all at the last meeting that we had our education and workforce development discussion that I was going to come back with some language drafted into SMART goal forms. I have done that. I will let you pass those around.

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I'm not asking you to do anything with these tonight other than just take the draft and look at it. In January, if we can come back and if you have any suggestions for changes in wording or language or for additional goals for that area, in January I would like for us to sort of put our stamp of approval on those education and workforce development goals so we can move on to a new goal area. I guess I'm not looking for anything tonight other than I just wanted to get that draft out and let you guys make any changes in the meantime. We'll finalize them in January. If there's nothing else, no questions on those immediately, then obviously you can email me with questions in the meantime or changes.

Action: No action required.

Commissioner Maddox said I want to backtrack to the proposal for voting for the At-Large Commissioner seat. **Chairman Markley** said the public appearance. **Commissioner Maddox** said I want to know what is our exact approach in that regard. Because ever since I've sat on a committee, when something has been brought forward, it usually comes to a vote, discussion, something usually comes about. I question the fact that if it wasn't a serious scenario, then why was she even allowed to present at the standing committee in that regard?

Chairman Markley said public appearances are allowed on basically anything the public would like to bring forward. It is not an action item, but she was allowed to come in and present as a member of the public. That's sort of an open door to our public to come to our standing committees. If members of this committee would want to see something from a public appearance move forward, it's got to be placed on an agenda as an action item or a discussion item. Staff can do some research and bring it back to us. If that's something any of the commissioners are interested in, we'll just need to regroup and figure out how that comes back forward and what staff can do.

Commissioner Walker said also the way the Charter is written, it does not provide for an election. It provides for an appointment. The question I would have is whether we can even hold an election without amending the Charter or adopting an ordinance that would permit the special election. **Chairman Markley** said and that, in general, is why during public appearances we don't have discussion because we, as commissioners, don't usually know enough about what is going on to be able to discuss it intelligently. We would rather have staff give us information.

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Commissioner Walker said while I'm not necessarily opposed to an election, the idea that we would only have two polling spots, well, where are those going to be. Are you going to have one in Turner and the Election Commission office, so all the people out west have to have enough interest to drive 17 miles or 15 miles to vote for one position? I mean, I think the only way you could do this and pass scrutiny, is to spend the \$75,000 and have the polling places set up and operate normally like they do under the election laws. Now all those questions I don't know the answers to. Our chief counsel is sitting here and should diligently undertake on her own initiative to answer those questions for us. Until we have those answers, I would not be prepared to make a motion based on just the public appearance of okay, let's have an election. We've got to see what we're legally empowered to do.

I certainly didn't ignore her, but even if we'd have approved it, I don't know that we could have adopted her proposal anyway. I remember when we had the snow and we had four or five, we had all kinds of complaints from people about how unfair that election was because they didn't have a polling place near them and it was designed to keep them out of the election. So two, can you imagine how many people would complain about that if it wasn't in their area. I think we have to take a serious look at the underlying legalities of it. I'm all for taking a look at them and seeing what the options are.

Commissioner Maddox said that's why I asked that question because it kind of seemed like it was just an open and abrupt ending. I wanted Ms. Martin to be able to understand the process. **Commissioner Walker** said I think we'll get some answers. I don't look for them before Christmas, but I do think after the first of the year, and maybe at our next meeting, we can be advised. I know from the tone of her presentation, it's an important issue. It's not being regarded lightly, but I don't think we can put it together without some more understanding of the statute and the Charter.

Commissioner Maddox said someone forwarded me something from the *Kansas City Star* that wrote about the At-large position that ran today. **Chairman Markley** said I think we're just gossiping at this point. We've had a discussion about how that would move forward.

Chairman Markley adjourned the meeting at 6:25 p.m.

mls

December 16, 2013



Staff Request for Commission Action

Tracking No. 130428

- Revised
 On Going

Type: Standard

Committee: Administration and Human Services Committee

Date of Standing Committee Action: 1/13/2014

(If none, please explain):

Proposed for the following Full Commission Meeting Date:

Confirmed Date: 1/23/2014

1/23/2014

Changes Recommended By Standing Committee (New Action Form required with signatures)

Date:	Contact Name:	Contact Phone:	Contact Email:	Ref:	Department / Division:
12/17/2013	Joe Connor	ext. 6704	ljenicke@wycokck.org		Public Health

Item Description:

The Health Department has applied for and received funding from the Certified Application Counselor (CAC) Incentive Fund established by the Health Care Foundation of Greater Kansas City. The maximum allowed by the fund, \$10,000.00, has been received because of the Health Department efforts in training CAC's to assist our residents in obtaining health insurance through the newly established Health Insurance Marketplace. The Health Department currently has trained six employees and six volunteers with another eighteen in process.

Action Requested:

Acceptance of funds

Publication Required

Budget Impact: (if applicable)

Amount: \$

Source:

- Included In Budget
 Other (explain) Grant funded using existing employees and volunteers.

	File Attachment	File Attachment	File Attachment
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Certified Application Counselor (CAC) Incentive Fund Application

Thank you for partnering with the Health Care Foundation of Greater Kansas City to support enrollment in the health insurance marketplace. The HCF service area includes over 200,000 uninsured residents for whom the health insurance marketplace offers an unprecedented opportunity to access affordable health insurance options.

While many will access the marketplace directly through healthcare.gov, 1-800-318-2596 or even insurance agents and brokers, other will turn to trusted nonprofit organizations for in-person assistance to enroll. Certified application counselors will assist people applying for coverage through the Marketplace. For more information on becoming a CAC-sponsoring organization or CAC, please visit: <http://marketplace.cms.gov/help-us/cac.html>. CAC training is a 5-hour, web-based training.

To encourage non-profit organizations to have staff and volunteers trained as CACs, HCF has established the CAC Incentive Fund. HCF will award CAC-sponsoring organizations:

- \$2,000 per person trained, with a maximum of \$10,000 per organization.
- The fund will be disbursed on a first-come, first-serve basis.
- The fund is not available to organizations that receive federal funds to provide in-person assistance, such as FQHCs and navigator awardees.
- To encourage organizations to submit their application for all participants (no more than 5 per organization) and reduce administration costs of the fund, each organization can receive only one disbursement from the CAC Incentive Fund.
- These funds will be paid upon receipt of an application packet and can be considered an unrestricted contribution to your organization.

To access the CAC incentive fund, mail or email the following materials:

- A completed application form, verifying that your organization is based within the HCF service area (Cass, Jackson, and Lafayette Counties in Missouri and Allen, Johnson, and Wyandotte Counties in Kansas).
- A copy of your organization's federal IRS letter.
- For each individual, verification of CAC exam passage from the Centers for Medicare and Medicaid Services (CMS).
- If you are based in Missouri, verification that you have applied for licensure from the Missouri Department of Insurance (for more information, see <http://insurance.mo.gov/otherlicensees/navigators.php>). This should include:
 - a completed entity application
 - Individual applications packets
 - Associated check stubs.
- Verification that the certified individuals are affiliated with the CAC-sponsoring nonprofit organization, either as employees or volunteers.

Send completed applications to:

- Steven Arledge, stevensa@supportkc.org, Support KC, 5960 Dearborn, Suite 200, Mission, KS

HCF is undertaking an outreach campaign to the uninsured in the KC-region. Through this campaign, we anticipate identifying individuals in the area who would like in-person assistance to apply for the health insurance marketplace. If you would be willing to provide enrollment assistance to these individuals, please email Jessica Hembree (jhembree@hcfkcc.org) and we will ensure that you are looped into this effort. You may also contact Jessica Hembree with any questions about the CAC Incentive Fund.

Dear Applicant,

Please note that applicant organizations' policies and practices should be consistent with HCF Guiding Principles (<http://www.hcfqkc.org/mission-vision-and-guiding-principles>). In particular, for those considering applying, HCF would like to stress the importance of non-discriminatory policies and practices at the service, the employment and promotion, and governance levels. Those interested in applying should consider their responses to the following questions:

(a) In both policy and practice does your organization provide services to clients regardless of their gender, race, color, ethnicity, religion, national origin, age, disability, sexual orientation, or veteran status?

- Yes
 No
 Unsure

(b) In both policy and practice does your organization hire staff regardless of their gender, race, color, ethnicity, religion, national origin, age, disability, sexual orientation, or veteran status?

- Yes
 No
 Unsure

(c) In both policy and practice does your organization promote staff regardless of their gender, race, color, ethnicity, religion, national origin, age, disability, sexual orientation, or veteran status?

- Yes
 No
 Unsure

(d) In both policy and practice does your organization *restrict membership* to the Board of Directors *based on* their gender, race, color, ethnicity, religion, national origin, age, disability, sexual orientation, or veteran status?

- Yes
 No
 Unsure

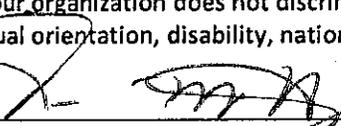
If one or more response to questions (a) through (c) is 'no' or 'unsure', or if the response to question (d) is 'yes', please contact HCF at 816.241.7006.

Thank you!

Health Care Foundation

OF GREATER KANSAS CITY

CAC Incentive Fund Application

Name of Applicant Organization: Unified Government Health Dept.			Address: _____ (County) 619 Ann Ave " Wyandotte		
City Kansas City	State KS	Zip 66101	Telephone (area code) 913-573-8833	Fax (area code)	E-mail Address wmckain@wyandottek.orc
Federal EIN Number (Federal IRS letter must be attached):			Primary Contact and Title: Wesley Mckain / Healthy Communities Wyandotte Coordinator		
Tax Status			CAC Incentive Fund		
<input type="checkbox"/> Exempt under 501(c)(3) of the IRS code (attach copy of Federal IRS letter) <input checked="" type="checkbox"/> Exempt governmental unit <input type="checkbox"/> Other (specify) _____			Total # of CACs requesting incentive funding: <u>5</u> Total \$ Requested (CACs x \$2,000): <u>\$10,000</u> # of additional CACs beyond \$10,000 cap: <u>4 and growing</u> * Please note that you can only receive one disbursement * Funds are available on a first-come, first-serve basis * Funds are capped at \$10,000/5 CACs per organization		
I certify that our organization does not discriminate in its leadership, staffing or service on the basis of age, gender, race ethnicity, sexual orientation, disability, national origin, political affiliation or religious belief.					
X 		Dennis Hays		12/9/2013	
Signature of President/CEO or Authorized Board Member/Title:			Printed Name:		Date:
By signing here as your organization's President/CEO, or authorized Board member, you are certifying that the information included is accurate. [NOTE: If the Tax ID number that you have provided is for a parent corporation or umbrella 501(c)(3) organization, signer must be authorized to attest to that organization's policies and practices.]					



Staff Request for Commission Action

Tracking No. 140019

Revised
 On Going

Type: Standard

Committee: Administration and Human Services Committee

Date of Standing Committee Action: 1/13/2014

(If none, please explain): This is a follow-up to Standing Committee questions from the December meeting

Proposed for the following Full Commission Meeting Date:

Confirmed Date: 1/9/2014

1/9/2014

Changes Recommended By Standing Committee (New Action Form required with signatures)

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Ref:</u>	<u>Department / Division:</u>
1/9/2014	Bruce Newby/Jody Boed...	573-8501/573-5...	jboeding@wycokck.org	jb	Elections/Legal

Item Description:

The attached memorandum from Election Commissioner Bruce Newby regarding a petition submitted by Ms. Mary Martin dated November 26, 2013, addresses questions raised by various Commissioners after Ms. Martin's presentation at December's Administration and Human Services Standing Committee meeting.

Action Requested:

Presentation and discussion

Publication Required

Budget Impact: (if applicable)

Amount: \$
 Source:
 Included In Budget
 Other (explain)

	<input type="checkbox"/> File Attachment	<input type="checkbox"/> File Attachment	<input type="checkbox"/> File Attachment
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WYANDOTTE COUNTY ELECTION OFFICE

Bruce L. Newby, Election Commissioner
Frances D. Sheppard, Assistant Election Commissioner

January 9, 2014

MEMORANDUM FOR: Administration and Human Services Standing Committee

REGARDING: Petition submitted by Ms. Mary Martin dated November 26, 2013

On November 27, 2013 the Unified Government Clerk received a petition bearing 126 names from Ms. Mary Martin. The petitioner seeks to cause a special election to fill the vacant Unified Government District One At-Large seat.

Kansas law governs the permissible uses of a special election. Kansas law prescribes specific standards which must be met for any petition to compel a government action.

Special elections must be authorized by Kansas law. There must be a statutory basis to hold an election. Special elections are allowed under Kansas law to pose specific questions to voters for their approval or disapproval. Examples of questions submitted to voters by special election include a bond election, changing the mill levy, a sales tax election, and a recall election. Another example is the special election held in Wyandotte County for the purpose of obtaining voter approval of a casino. There is no provision in Kansas law which permits the use of a special election to elect a person to office.

The Unified Government Charter prescribes the method to be used to fill a vacancy within the UG Commission. The method prescribed does not include the conduct of an election.

Kansas law is very specific about the types and purposes of petitions. Unless a petition is specifically allowed by law, the petition process is not available.

Kansas law prescribes specific standards for a petition to be considered valid. There must be a specific statutory authorization for the petition. Petitions permitted under Kansas law include protest petitions, statutory initiative petitions, candidate petitions, recall petitions, political party recognition petitions, and grand jury petitions. The statute governing each type of allowable petition prescribes the specific standards which must be met before a petition can be considered valid.

Petition standards generally require the following:

- Petitioner must submit the blank petition form to the county/district attorney for a written opinion concerning the legality of the question on the petition. This step must be

850 State Avenue, Kansas City, KS 66101

Phone: 913-573-8500 Fax: 913-573-8580 E-mail: election@wycokck.org Web: www.wycokck.org/election

- accomplished prior to the collection of any signatures.
- A petition must contain the full printed name and address of every petition signer as well as their signature, and the date each signature was applied to the petition.
 - Petition circulators have 180 days from the date of the first signature to file the petition with the appropriate officer. The time frame is 90 days for a recall petition.
 - The petition must be filed all at one time. Later partial filings are considered separate petitions.
 - Each petition circulator must sign a notarized affidavit swearing that the circulator personally witnessed all of the signatures contained on each page of the petition.
 - Each petition must contain the names and signatures of the number of qualified electors prescribed by the statute which authorizes the petition. Different statutes prescribe a formula to be used to determine whether a petition has a sufficient number of verified signatures. For example, a statutory initiative petition requires that the petition must have the verified signatures of no less than 25% of the number of voters who voted in the last general election. If this petition was a statutory initiative petition, the petition must contain a minimum of 4,224 verified signatures.
 - The signatures on a petition are verified by the county election officer. Petition signers must be qualified electors in the jurisdiction. Persons registered to vote are qualified electors. Illegible signatures do not count. Signatures which do not appear to be the same signature as the voter's signature on file in the voter record are not counted. A printed name without a signature is not counted and a signature that does not have a printed name is not counted. Illegible or undated entries do not count.

The UG Charter prescribes the specific method to fill a vacancy on the Unified Government Board of Commissioners. The position is scheduled to be elected in the next local elections scheduled in March (Primary) and April (General) of 2015. There is no provision in law which calls for an election to fill the vacancy. Even if an election could somehow be authorized, the cost and timeline for such election may be prohibitive.

Any election to fill the vacancy would require the defining of how the voters of At-Large Commission District 1 could nominate a candidate as well as how county voters could elect one of the candidates to the position. Following the current model, a primary election in UG At-Large District 1 would nominate two candidates. A general election for the whole county would elect one of the two candidates to the office.

A timeline includes a candidate filing deadline, recruiting and training election workers, followed by a primary election which is followed by a general election. Realistically, the earliest the position would be filled is June 2014. This timeline potentially conflicts with the preparation for federal and state elections in August and November of 2014. The incumbent would serve in office less than 9 months before the position is filled by a regular election. The cost of such elections could easily exceed \$250,000.00. As this is not a planned election, additional funding for the elections would be necessary.

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Unified Government Clerk's Office

Bridgette D. Cobbins
Unified Government Clerk

701 North 7th Street, Suite 323
Kansas City, Kansas 66101-3064

Phone: 913-573-5260
Fax: 913-573-5229
<http://www.wycokck.org>

January 9, 2014

Mary H. Martin
804 South 89th Street
Kansas City, KS 66111

Ms. Martin:

This letter is to advise that a topic of interest to you regarding a petition requesting a special election to fill the District One At-Large seat will be discussed by staff to the Administration and Human Services standing committee:

COMMITTEE: Administration and Human Services Standing Committee

DATE: Monday, January 13, 2014

TIME: 5:15 p.m.

LOCATION: Municipal Office Building

701 North 7th Street, 5th floor conference room (Suite 515)
Kansas City, KS 66101

A detailed voice message was left on your phone today.

If you have any questions, do not hesitate to contact me at 573-5263.

Sincerely,


Bridgette D. Cobbins

DRAFT – 12/16/2013

Specific, Measurable, Attainable, Realistic, Time-Bound

Administration and Human Services
Education and Workforce Development

*Create searchable centralized online compilation of employment and education resources by September 15, 2014.

*Foster stronger relationships with Wyandotte County school districts by meeting with those districts at least twice a year beginning in 2014, and offering the same opportunities and partnerships to each school district. Commissioners representing areas within each school district should be invited to at least one of the two meetings.

*Work with Board of Regents personnel, school districts and KCKCC to improve processes and increase the number of students signed up to use the SB155 program by 10% per district by Fall 2015.

*Research and identify our community's ten stand-out education and workforce development attributes to market to businesses as "star programs." Provide information about those programs on the centralized database and in our economic development materials by Fall 2015.