

**ADMINISTRATION AND HUMAN SERVICES
STANDING COMMITTEE MINUTES
Monday, June 27, 2016**

The meeting of the Administration and Human Services Standing Committee was held on Monday, June 27, 2016, at 5:00 p.m., in the 5th Floor Conference Room of the Municipal Office Building. The following members were present: Commissioner Markley, Chairman; Commissioners Philbrook, Kane, and Bynum. Commissioner Johnson was absent. The following officials were also in attendance: Joe Connor, Assistant County Administrator; Gordon Criswell, Assistant County Administrator; Melissa Mundt, Assistant County Administrator; Henry Couchman, Senior Attorney; Jenny Myers, Senior Attorney; Renee Ramirez, Director of Human Resources; and Wilba Miller, Director of Community Development.

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 was distributed indicating corrections to the Committee Agenda, Item No. 3. The attachment to the original communication have been changed to reflect the proposed policy in the Human Resources Guide.

Approval of standing committee minutes for April 25, 2016. **On motion of Commissioner Kane, seconded by Commissioner Philbrook, the minutes were approved.** Motion carried unanimously.

Committee Agenda:

Item No. 1 – 16639...COMMUNICATION: 2015 UG HOLLYWOOD CASINO GRANT ALLOCATION

Synopsis: The Greater Kansas City Community Foundation has received a request from Marilyn Alstrom, Executive Director of Leadership 2020, for an extension to spend their 2015 UG –Hollywood Casino Grant allocation in the amount of \$24,990. The request letter, program budget and application are attached, submitted by Joe Connor, Assistant County Administrator.

Joe Connor, Assistant County Administrator, said this was an item that came before, I presented probably a few weeks ago and talked with Marilyn about the date and what time to be here and apparently we've had a little miscommunication. I guess that I would request that this item be held over to next month to make sure that she's here to present this item for you.

Commissioner Bynum said is this Commissioner Kane's grant from last year? **Commissioner Kane** said yes. I cannot explain it the way she would be able to explain it. Do I have to make a motion for that Joe? Make a motion to hold it over until next month. **Commissioner Bynum** said I don't need to hold it over. **Mr. Connor** said I think we can just postpone it. **Commissioner Philbrook** said I don't need no conversation on it. **Commissioner Kane** said I think we need some conversation on it absolutely. **Commissioner Philbrook** said okay, if it will make you feel better. **Chairman Markley** said we'll hold it over for the next agenda. **Commissioner Kane** said it's not that it makes me feel better. I want a full explanation of what happened and why it happened, and why she did what she did, and why she offended the school district. I have some more information that you guys don't have. I apologize for wanting a full explanation of how this went down.

Action: Hold over until next month.

ITEM NO. 2 – 16651...RESOLUTION: ASSESSMENT OF FAIR HOUSING COLLABORATIVE AGREEMENT

Synopsis: A resolution authorizing the approval of a collaboration agreement between the Unified Government, the City of Kansas City, Missouri, the City of Independence, Missouri, the City of Blue Springs, Missouri, and the City of Leavenworth, Kansas. The agreement will allow the cities to work together and with the Mid-America Regional Council to develop and submit an Assessment of Fair Housing (AFH) to HUD as required by federal law, submitted by Wilba Miller, Director of Community Development.

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Wilba Miller, Director of Community Development, said HUD has requested for the last several years that we do analysis of impediment to fair housing. This collaboration agreement is between the city of Kansas City, Missouri, I believe Blue Springs, Lee's Summit, and Leavenworth, Kansas and Kansas City, Kansas to prepare a Regional Fair Housing Study. HUD has requested that everyone sign the collaboration agreement. Legal is here if you have some questions about the actual agreement. If not, I did pass out a brochure to you showing our first meeting, our public meeting, for fair housing. We're going to have it at the NRC on the 18th of July and invite the public to talk about how they feel about fair housing and whether or not they've been discriminated against or if there were other things that this city as well as the other cities in the region could do.

Chairman Markley asked how will this brochure get out into the world? **Ms. Miller** said the brochure was just approved last week, we've already started by—we're just distributing it to everybody in the groups. We are also working on an ad. The ad will be put in all of our local papers just like all of the other Community Development ads and then of course the UG website, Twitter, Facebook, all of those things.

In addition, some of the staff from LISC, the equity assessment network is going to be working with distributing to the public.

Commissioner Philbrook said so the public also understands that this kind of falls on the hills of the new continuum consortium for Continuum of Care for our region coming together under HUD, and we're the baby on that, and I think this falls right along that category of trying to go regional so we can operate more efficiently. This works right along with the new continuum of care so I want to thank them for doing this. It will make it easier on the homeless.

Ms. Miller said Julian Castro from the Secretary of Housing and Urban Development came in March, I believe, and Melissa, Gordon, and I sat in on that meeting as well as the Mayor's Staff, where they really are requesting KCK, KCMO, the region to be the first region to adopt a fair housing on a regional basis. One of the things that happens with that is not only do you have to talk about fair housing in your community but also how your community fits in regionally. Each city that is going to be doing one of these, everybody that gets CDBG funds has to do this,

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all Housing Authorities will have to do this and compare themselves to the region. This is a big deal.

Action: **Commissioner Philbrook made a motion, seconded by Commissioner Kane, to approve.** Roll call was taken and there were four “Ayes,” Phibrook, Kane, Bynum, Markley.

ITEM NO. 3 – 16652...COMMUNICATION: AMENDING CONCEAL CARRY

Synopsis: Amending the Human Resources Guide to allow employees to conceal carry a firearm while engaged in the duties of employment, outside UG buildings, including while in a vehicle, in accordance with State law, submitted by Jenny Myers, Senior Attorney. This item was scheduled to appear before the Administration & Human Services Standing Committee, chaired by Commissioner Markley, on June 27, 2016. It was requested, and approved by the Mayor, to fast track this item to the June 30, 2016 full commission meeting.



Jenny Myers, Senior Attorney, said due to recent legislation we had a need to update our Human Resources Guide to allow for concealed carry by employees.

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HB 2502
K.S.A 75-7C10

- ▶ No public employer shall restrict or otherwise prohibit by personnel policies
- ▶ any employee
- ▶ who is legally qualified
- ▶ from carrying any concealed handgun while engaged in the duties of such employee's employment
- ▶ outside of such employers' place of business
- ▶ including while in a means of conveyance.

This was House Bill 2502 and I basically gave you the language right out of the House Bill so you can see why we did this. Basically it says no public employer shall restrict or prohibit through policies any employee who is legally qualified from carrying any concealed handgun while engaged in the duties of such employee's employment, outside the employer's place of business, including while in a means of conveyance. This basically says that we have to adopt it, we can no longer prohibit it.

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NO GUNS IN UNIFIED GOVERNMENT BUILDINGS

- ▶ All Unified Government buildings are exempt from the 2013 law
- ▶ No guns, concealed or open, by anyone in all UG buildings
- ▶ Buildings exempt until December 31, 2017.

A white square icon with a black silhouette of a handgun and a red circle with a diagonal slash through it, indicating a prohibition on guns.

Just to be clear there are still no guns in Unified Government buildings. In 2013, we exempted all UG buildings from the law. We have that exemption for four years, so this will be at least through the end of 2017. There will be no guns by any one in any UG building.

“LEGALLY QUALIFIED”

- ▶ No longer a requirement that anyone have a license to conceal carry
- ▶ Legally qualified = Not otherwise prohibited
 - ▶ i.e. convicted felons, misdemeanor crime of domestic violence, etc...

A photograph showing a person's hands holding a handgun. The person is wearing a dark jacket and a white shirt. The background is white.

Legally Qualified. No one has to have a conceal carry permit anymore. That's not only UG employees, that's all citizens can now conceal carry legally without going through background

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checks, training, education, fees, anything like that. Legally qualified in this term means basically not otherwise prohibited. We may have some employees who are not legally allowed to conceal carry if they have prior felonies, crimes in misdemeanor, domestic violence; those people cannot carry regardless of employment with us or not.

CONCEALED CARRY OF A HANDGUN

- ▶ "Concealed handgun" means a handgun that is carried on one's person or under one's control in such a manner as to not be visible to an ordinary person under normal circumstances.
- ▶ "Printing" should be avoided
 - ▶ Printing is where the outline of a handgun can be discerned beneath the employee's clothing.



Concealed carry of a handgun. We defined that in the policy so that handgun must be carried on one's person or under one's control in such a manner as to not be visible to an ordinary person under normal circumstances. This is concealed carry only. This is not open carry. If an employee chooses to carry, it must be concealed at all times. We put printing should be avoided. Printing is when you carry a handgun to where you can see the outline of it, so basically everybody knows you're carrying, we're going to try to limit that.

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CONCEALED CARRY

- ▶ Must be completely concealed at all times
- ▶ In the immediate control of the employee at all times
- ▶ May not be left unattended at any time
- ▶ May not be left in a UG vehicle
- ▶ May possess a handgun in a private vehicle, including while on UG property

Must be completely concealed at all times. No printing, no outlines. It must be in the immediate control of the employee at all times. It's got to be on their person. It may not be left unattended. It may not be left in a UG vehicle. We have to allow them to carry it in a UG vehicle when they're outside of UG buildings on duty. They cannot leave it in the UG vehicle unattended. Employees are still allowed to possess handguns in their personal vehicles on UG property. We amended that last year for state law.

PROHIBITED ACTS

- ▶ No physical or verbal reference that an employee is carrying
- ▶ No display of a weapon
 - ▶ Includes any situation in which a handgun is not reasonably concealed and can easily be detected or visible by others
- ▶ Open carry is prohibited
- ▶ Failure of an employee to keep gun in his or her immediate possession and control
 - ▶ Includes leaving a handgun in a UG vehicle
- ▶ Unlawful use of a handgun in the workplace
- ▶ Possession by an employee who is not legally qualified

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The prohibited acts. No physical or verbal reference that an employee is carrying. You cannot display a weapon. Open carry for all employees is prohibited. Failure of an employee to keep a gun in their immediate possession and control including leaving it in the vehicle. They cannot use the handgun. They may carry the handgun, but they are not allowed to discharge it. Possession by an employee who is not legally qualified. If we find out that we do have a felon who is in possession, they can be disciplined subject to the policies.

Commissioner Kane said asked could you go back please. The part where he can't use it. Where's that at? **Ms. Myers** stated unlawful use of a handgun in the workplace, the second from the bottom. **Commissioner Kane** said so if somebody is pointing a gun at him, even though he's working, he's not supposed to pull a gun out. **Ms. Myers** said they can carry, we're not going to tell them when they can and cannot use it. This is mainly, I would say, so we don't have target practice out in the field so we're not shooting animals, not shooting it in the air. I think if it came to a legal justification, we could deal with that accordingly.

Commissioner Philbrook said so basically your just throwing the unlawful use on there to remind people that they have to attend to they're using they're gun. **Ms. Myers** said yes. **Commissioner Philbrook** said got it. **Ms. Myers** said there is a city ordinance that also, it's illegal to discharge a firearm within the city limits so this would be consistent with that.

CARRYING WHILE ON DUTY

- ▶ Employees must abide by all applicable laws regarding concealed carry when going to non-Unified Government locations
- ▶ Cannot carry in UG buildings



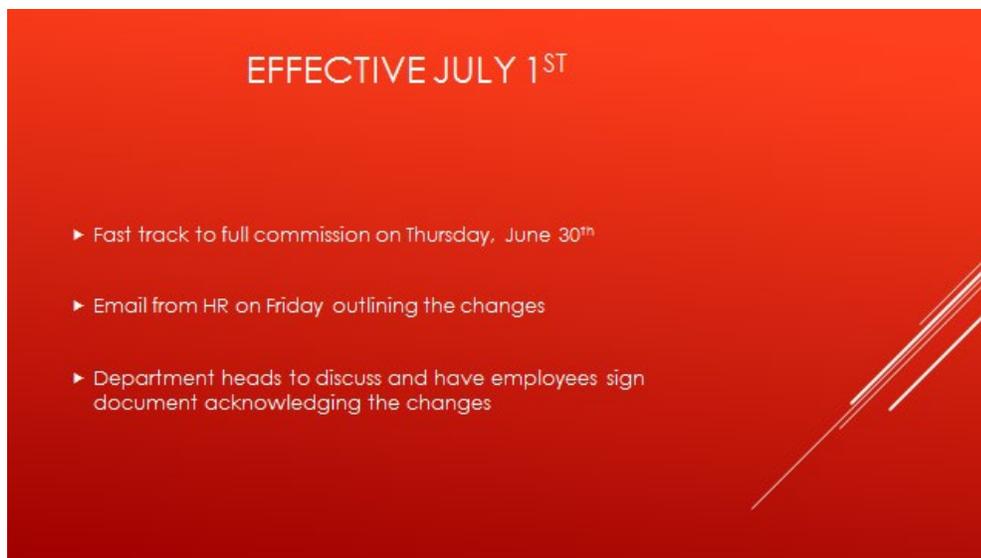
Conceal carry while on duty. If they are going to be out in the field they have to abide by all applicable laws of other buildings they are going to. If while on duty they're going to go into a school, they cannot conceal carry into that school. If they're going to go to a restaurant that doesn't allow it, they cannot carry. They cannot carry into any UG buildings, but they also cannot leave that firearm in a UG vehicle. If they cannot carry into the building, they cannot leave it in the UG vehicle unattended.

SCOPE OF EMPLOYMENT

- ▶ Carrying a concealed handgun is not within the scope of employment
- ▶ Any injury will not be considered for workers compensation or on duty injury
- ▶ Any liability will not be defended by the UG and will be of a personal nature since the carrying of a gun is not part of the employee's duties.

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Scope of employment. We added some language in there that carrying a conceal handgun is not within their scope of employment. Any injury will not be considered an on-duty injury for workers compensation. Any liability will be of a personal nature since carrying a firearm is not part of the scope of their duty so the UG will not defend that.



This is effective July 1, which is this Friday. Therefore, we need you to fast track, if approved, to this Thursday's commission meeting. If so approved, then Renee will be sending out an email to all employees this Friday as well as a letter to departments heads having each employee acknowledge the new policy and sign off on that.

Action: Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve, including the fast tracking to this Thursday's meeting.

Chairman Markley asked will that email include information about how an employee would report something if they thought that there was an improper carrying going on? **Renee Ramirez, Director of Human Resources**, said yes, that's included in the policy as well.

Chairman Markley said I just want to comment because I've already seen commentary online about this issue. To make clear for the record, we're doing this because state law requires it and **June 27, 2016**

we would love to have a choice, but we don't. So for anyone who is watching on TV that doesn't understand why this is happening, it's happening because state law requires it, that's where we are.

Commissioner Bynum said could we, the elected commissioners, also receive the memo when you put it out to all departments. **Ms. Ramirez** said yes. I'm planning on having that sent out Unified Government wide through email. I will put it on ESS and then it will go out through DOTS technology so that way it will go to every UG employee, and then department heads will be covering that with their employees and having an acknowledgement signed off that they've covered it and that they're in receipt of the policy.

Roll call was taken and there were four "Ayes," Philbrook, Kane, Bynum, Markley.

ITEM NO. 4 – 16653...COMMUNICATION: KAW RIVER BIKE/PEDESTRIAN BRIDGE GRANT APPLICATION

SYNOPSIS: An abandoned railroad bridge near Kemper Arena has been leased to a private group that is exploring the concept of a bike and pedestrian trail over the Kansas River by the City of Kansas City, MO, owner of the bridge. Interestingly, the bridge is physically located in Kansas City, KS. In order to further explore this connection opportunity between the Heritage Trail and the Kaw Valley Levee trails, as a public/private partnership, a detailed engineering analysis needs to be completed as well as community engagement around the concept of other uses with the bridge that include not only the trail, but potential enterprises such as a restaurant or other commercial uses,, submitted by Melissa Mundt, Assistant County Administrator..

Melissa Mundt, Assistant County Administrator, said this is one of the items that had a blue sheet changed for you tonight. As Kansas City, Missouri and Unified Government staff started working through this grant, it became apparent to us that the matching dollars that were noticed in the RFA that was done a couple of weeks ago were not available as we were both thinking they were. However, in conversations back and forth between our two communities it was determined that it was in our best interest to explore what was brought forward and to go ahead and start doing the due diligence to make this trail connection possible for the community. If

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you're interested in learning more about what we're hoping it looks over time, the High Line Trail in New York City, which I have never been to, but I have seen pictures of it online; it's kind of a vision concept that this is looking at. The grant has three components to it. One is to do a Phase II Engineering Study to determine that the structure is actually able to support the concepts that are being discussed, it also a really big citizen engagement component because that's what these sustainable place this grants all about. We will be learning what people's needs and interest are for this type of trail connector.

The last part will be taking that feedback and that structural analysis and actually making some very preliminary designs on how we connect the trails, the amenities that need to go with it such as parking and schematics on landscaping, and other types of stuff that we would want to look at going forward to meet that input.

\$15,000 from the UG is what we would be committing towards the trials. If you have any questions, I'd be happy to answer them

Commissioner Bynum said the second to the last sentence on the Request for Action says "Unified Government will not be required to provide any sort of matching dollars", but you just said \$15,000. **Ms. Mundt** said yes, \$15,000, that's what the blue sheet is letting you know. It came up too late for us to get that out to you, so I do apologize about that, in the eleventh hour when you're trying to submit a grant only to find out that you're needing to find money.

Action: **Commissioner Bynum made a motion, seconded by Commissioner Philbrook, to approve.** Roll call was taken and there were four "Ayes," Philbrook, Kane, Bynum, Markley.

Chairman Markley adjourned the meeting at 5:15 p.m.

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