

**ADMINISTRATION AND HUMAN SERVICES
STANDING COMMITTEE MINUTES
Monday, March 23, 2020**

The meeting of the Administration and Human Services Standing Committee was held on Monday, March 23, 2020, at 5:13 p.m., in the 5th Floor Conference Room of the Municipal Office Building. The following members were present via phone: Commissioner Markley, Chairman; Commissioners Philbrook, Kane, Ramirez, and Bynum. The following officials were also in attendance: Melissa Sieben and Alan Howze, Assistant County Administrators; and Ken Moore, Chief Legal Counsel.

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

Chairman Markley said there are no revisions to tonight's agenda.

Approval of standing committee minutes from January 27, 2020. **On motion of Commissioner Bynum, seconded by Commissioner Ramirez, the minutes were approved.** Motion carried unanimously.

Committee Agenda:

Item No. 1 – 2058...DISCUSSION: AMENDING CODE RELATING TO THE BOARDS COMMITTEE & COMMISSIONS WHOSE MEMBERS ARE APPOINTED BY THE UG COMMISSIONERS

Synopsis: Discussion of a draft ordinance relating to the nomination, appointment and term of members, vacancies and removal of members, compensation and meetings, of the various agencies, boards, committees and commissions created by or under the authority of the Unified Government Commission, submitted by Ken Moore, Chief Counsel. On February 24, 2020, the committee voted to defer a vote until further information was provided.

Chairman Markley said we have one item on our Committee Agenda this evening. It's an item that's been before us previously for discussion and we had some items to work out. It is an amendment in our codes relating to boards, committees and commission members appointed by the Unified Government Commissioners. Is Ken Moore available to present?

Ken Moore, Chief Counsel, said yes, I don't know if we have a PowerPoint. **Chairman Markley** said we received your PowerPoint by—or I think in PDF form by email, I believe. **Mr. Moore** said okay, good. Well, to go to the beginning of it.

OBJECTIVE & SCOPE

- To standardize the nomination, appointment and terms of members, vacancies and removal, and rules applicable to meetings of the Committees whose members are appointed by UG Commissioners.

The objective of this ordinance amendment is to standardize the nomination appointment in terms of members in the rules applicable to the meetings of committees, whose members are appointed by the UG Commissioners. These would be committees, boards, commissions that would have generally, at least 11 members.

OBJECTIVE & SCOPE

- Primarily addresses 9 committees:
 - Commission on Human Relations and Disabilities Issues
 - Alcohol and Drug Fund Advisory Committee
 - Area-Wide Advisory Council on Aging
 - Golf Advisory Board
 - Housing Authority
 - Landmarks Commission
 - Law Enforcement Advisory Board
 - Planning Commission and Board of Zoning Appeals
 - Downtown Kansas City, Kansas Self-Supported Municipal Improvement District (SSMID)

It primarily addresses nine committees that fall in that category: the Commission on Human Relations and Disabilities Issues, the Alcohol and Drug Fund Advisory Committee, the Area-Wide Advisory Council on Aging, the Golf Advisory Board, the Housing Authority, the Landmarks Commission, the Law Enforcement Advisory Board, the Planning Commission & Board of Zoning Appeals, and the Downtown SSMID.

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Membership

- Members are nominated by a Commissioner and appointed by the full Commission.
- Terms *coincide* with the term of the appointing Commissioner.
- Members continue to serve until successor appointed.
- Office automatically forfeited for failing to attend 3 consecutive meetings
- Members serve without compensation; expenses may be reimbursed.
- Members can be removed by the nominating Commissioner or the Mayor without cause, subject to approval of full Commission
- Members can be removed by other Commissioners for cause.

What we presented last time, and has not changed, is that: the members are nominated by the individual commissioners and appointed by the full Commission, their terms coincide with the appointing commissioner, and the members serve until their successors appointed so that would give time for a new commissioner to be able to determine who they wanted to appoint and make that appointment. The previous commissioner, or board member, would remain.

They automatically forfeit their position if they fail to attend three consecutive meetings. They serve without compensation, but expenses may be reimbursed, and members can be removed by the nominating commissioner or the mayor without cause, but subject to the approval of all the commissioners, the full Commission. Members can be removed by any other commissioners, but only for cause.

QUORUM & MEETINGS

- 51% of the Membership constitutes a quorum.
- Action can be taken by a majority of a quorum.
- Meetings are called by the Chair and can be held anywhere within the boundary of operations.
- Minutes of Meetings are to be filed with the UG Clerk and forwarded to the UG Commission.

Fifty-one percent of the memberships constitutes a quorum, and the majority of a quorum can take action. This is different than how the Commission operates where six votes are required to take action. Meetings are called by the Chair and minutes are to be filed with the UG Clerk, and then they will be forwarded to the UG Commission.

Disabilities and Developmental Disabilities (History)

- Advisory Committee on Disabilities Issues
- Commission on Human Relations (dates back to 1964)
- Wyandotte County Developmental Disabilities
Advisory Board (dates back to 1988)

There was a lot of conversation, some confusion, especially on my part about the various disabilities and developmental disabilities boards. Previously, we had the Advisory Committee on Disabilities Issues; the Commission on Human Relations, which dates back to 1964; and the Wyandotte County Development Disabilities Advisory Board, which was formed in 1988.

Disabilities and Developmental Disabilities (History)

In 2016:

- Advisory Committee on Disabilities Issues was merged into the Commission on Human Relations to become:

Commission on Human Relations and Disabilities Issues

At the same time:

- Wyandotte County Developmental Disabilities Advisory Board was not repealed but members have not not appointed

In 2016, the Advisory Committee on Disabilities Issues was merged into the Commission on Human Relations to become the Commission on Human Relations and Disabilities Issues, but the Wyandotte Development Disabilities Advisory Board was not repealed but has not been—no members have been appointed since 2016. It is not a staffed and functioning board at this time.

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Disabilities and Developmental Disabilities (Current)

- Commission on Human Relations and Disabilities Issues exists and the Commission has appointed members.
- Wyandotte County Developmental Disabilities Advisory Board remains in Code but has no members
- The appointment of a mental health and intellectual disability advisory board is required in K.S.A. 19-4002a
- A Council of Community Members was organized pursuant to K.A.R. 30-64-22(c).

What the current proposed ordinance does is, the Commission on Human Relations & Advisory Board, it does exist. It has members and the Wyandotte County Developmental Disabilities Advisory Board remains in the code without members.

Disabilities and Developmental Disabilities (Proposed)

- Repeal the Wyandotte County Developmental Disabilities Advisory Board
- The appointment of a mental health and intellectual disability advisory board is required in K.S.A. 19-4002a
 - Designate the Commission on Human Relations and Disabilities Issues.
 - Maintain the current Council of Community Members
 - Composition of Board requires specific characteristics: public health, judiciary, mental health, labor etc.

The recommendation is to repeal the ordinance regarding the Wyandotte County Development Advisory Board.

The one thing is that the statute and State Administrative regs require that we have an advisory board on mental health and intellectual disability advisory issues. There is an ad hoc Council of community members, which is organized pursuant to that regulation, and they perform that function. The recommended action, and what this ordinance would do, again, is repeal the Wyandotte County Developmental Disabilities Advisory Board and designate the Commission on Human Relations and Disabilities Issues as the advisory board, but also maintain the council or committee members to serve their function.

One reason we think that is important is because that advisory board requires various different characteristics. For example, you should have one person from labor, business, hospitals, mental health, family members, mental health consumers and different other

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organizations to form that advisory board and that would be very difficult for the Commission to appoint members and fill all those various qualifications. So, we recommend maintaining that board, in its current capacity, although it operates outside of our ordinance. If I see any questions, I'll be happy to try.

Chairman Markley said that all make sense to me. Commissioners, do you have questions or comments on how we sort of reformulate that side of the committee to meet our requirements?

Commissioner Bynum said, Commissioner Markley, I have a question. The composition of the board that requires specific characteristics, was that the Wyandotte County Developmental Disabilities Advisory Board that required those? **Mr. Moore** said yes, the statute also requires those for that board. **Commissioner Bynum** said so, how then are we merging that into the Advisory Commission on Human Relations and Disabilities Issues and maintaining that current board if they don't meet those specific characteristics? **Mr. Moore** said well, those characteristics can be used in—the commissioners can be aware that when they appoint members to that board, but we feel that also using the council of community members, which they adhere to that requirement more strictly, would serve that purpose and that requirement. **Commissioner Bynum** said okay. Thank you.

Chairman Markley said, so the purpose of retaining that community board, in addition to the board appointed by the commissioners, is to make sure we're fulfilling that requirement. **Mr. Moore** said that is correct. **Chairman Markley** asked, other questions? If not, and if you're ready to consider it, this is a voting item. We have an ordinance up for discussion.

Commissioner Kane asked, hey, Kenny, do you feel comfortable this time? **Mr. Moore** said I do.

Action: **Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve.**

Chairman Markley said I assume there is no public out there wishing to address this item or staff would alert me. Oh, wait. I think maybe my guide is wrong. We are supposed to be voting

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on this, Ken, right? I think my presentation says we're voting on it; my guide says we're not. I think we're ready to vote on it. Can we go ahead and do that? **Mr. Moore** said I think the confusion might be that the RFA was carried over from the last meeting. **Chairman Markley** said okay. All right, well, I have a motion and a second on an ordinance that I think we're all comfortable with.

Roll call was taken on the motion and there were five "Ayes," Philbrook, Kane, Ramirez, Bynum, Markley.

Chairman Markley said that was our only item up for discussion at the standing committee. This will conclude our meeting this evening. Thank you to staff who helped pull this together here as we embark on this new journey of virtual meetings, and thank you to Melissa Sieben for being down there to let us know if there is any public. We will adjourn for this evening. Thanks so much.

Adjourn

Chairman Markley adjourned the meeting at 5:23 p.m.

tpl

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