

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 130252

Enacting a new Section 2-1993, Code of Ordinances, entitled “Requests for expenditure of funds” to establish a procedure for a request that the City Manager or any department expend funds for a specific purpose.

WHEREAS, during the course of a fiscal year unanticipated opportunities for providing financial support for various programs and activities may arise; and

WHEREAS, because those opportunities may not have been presented to the City Council through the annual budget process; and

WHEREAS, it is the intent of the Mayor and Council to establish a specific transparent procedure by which requests for funding for identifiable programs or projects may be made of the City Manager; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That a new Section 2-1993, Code of Ordinances, entitled “Requests for expenditure of funds” is enacted to read as follows:

Sec. 2-1993. Requests for expenditure of funds.

- (a) *Covered requests.* This section shall apply under the following circumstances:
- (1) A funding request from any source is made to the City Manager or to any department, board or commission; and
 - (2) The requestor seeks to provide through the City Manager or any department, board or commission funding for a particular event or organization; and
 - (3) The funding has not been provided through normal sources, such as the Neighborhood Tourism Development Fund, Public Improvement Advisory Committee, or approved processes; and
 - (4) There is no specific and identifiable line item in the currently adopted City budget.

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(b) *Application.*

- (1) ***Provided by City Manager.*** A request for funding under this section shall be made in writing, signed by the requestor on a form provided for this purpose by the City Manager.
- (2) ***Contents.*** The request for funding shall include at least the following items:
 - a. Detailed description of the project or activity to be funded;
 - b. Name of the organization or other entity to be funded, including detailed contact information;
 - c. Names and detailed contact information for persons representing the organization or other entity to be funded;
 - d. Amount requested;
 - e. Detailed explanation of what part or parts of the project or activity the funding will support.
- (3) ***Submission.***
 - a. Requests for funding may be submitted to the City Manager or to a relevant department director.
 - b. Requests made to a department director, board or commission shall be forwarded to the City Manager upon receipt of the request.

(c) *Processing requests.*

- (1) ***Requests less than \$10,000.00.*** All requests for funding of less than \$10,000 shall be reported by the City Manager to the City Clerk no less than monthly.
 - a. ***Duty of City Clerk.*** The City Clerk will place these reports before the City Council as a communication at the next regular legislative session of the Council following receipt of the report.
 - b. ***Content of reports.*** The report made by the City Manager will include at least the following:
 1. A copy of the signed request for funding; and

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2. Any additional relevant explanatory information obtained by the City Manager or the department director; and
 3. Identification of the funding source for the proposed disbursement.
- (2) **Requests of \$10,000.00 or more.** All requests for funding of \$10,000.00 or more, if recommended by the City Manager, shall be presented to the Council by resolution or ordinance, as appropriate. Those requests not approved by the City Manager shall be included in the monthly report required by subsection (1).
- (3) **Multiple requests.** If multiple requests are approved for less than \$10,000.00 for a single program or activity, and if subsequent requests for the same activity will bring the total amount for a program or activity to \$10,000.00 or more, that request, no matter its size, if approved by the City Manager shall be placed before the Council by resolution or ordinance, as appropriate.
- (4) **Option of resolution or ordinance.** The City Manager may forgo the procedures of this section for requests of less than \$10,000.00 and present those requests for funding directly to the Council through resolution or ordinance, as appropriate.
- (d) **Disbursement of funds.**
- (1) **Requests of less than \$10,000.00.** Absent an objection, disbursement of funds to the recipient shall be made no sooner than the first business day of the week following receipt by the Council of the City Clerk's communication reporting the request for funding. Following an objection, payment will be made no sooner than the first business day of the second week following receipt by the Council of the City Clerk's communication; if a resolution proposing denial of the funding request is introduced at the next regular Council legislative session following the objection payment will not be made unless the resolution is not adopted.
- (2) **Requests of \$10,000.00 or more.**
- a. **Resolution.** If the expenditure is authorized by resolution, disbursement of funds to the recipient shall not be made earlier than the first business day of the week following adoption of the resolution by the Council.
 - b. **Ordinance.** If the expenditure is authorized by ordinance, disbursement of funds to the recipient shall not be made earlier than the effective date of the ordinance.

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- (3) ***Compliance with ordinance.*** No disbursement shall be made unless all terms of this section are met.
- (4) ***Contracting requirements.*** This section does not supersede any other requirement, including those established by City Charter, ordinances, regulations or rules, and implemented by the City Manager's Office, Finance Department, General Services Department, Law Department, or any other relevant department, board or commission.

(e) ***Mayor and Council support of independent requests.*** In the event an organization or other entity directly seeks funding from the City Manager or a department director, if the Mayor or a member of the Council indicates in any fashion support of the funding to the Manager or his executive staff, all provisions of this section shall apply, and the Mayor or member of the Council must be named as a requester/supporter on the application before the City Manager or a department director will consider the funding request.

Approved as to form and legality:

William Geary
City Attorney