

## Legislation Text

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**File #:** BILL NO. 16-247, **Version:** 1

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AN ORDINANCE AMENDING SECTION 2-530 OF THE CODE OF ORDINANCES OF THE CITY OF LEE'S SUMMIT, MISSOURI, TO UPDATE PROVISIONS PERTAINING TO CLOSED MEETINGS, RECORDS AND VOTES, TO BE IN CONFORMITY WITH THE MOST CURRENT REVISED VERSION OF MISSOURI'S SUNSHINE LAW. (Rules Cmte. 11-28-16)

Issue/Request:

To amend Section 2-530 of the Code of Ordinances of the City of Lee's Summit, Missouri to update provisions guiding the closing of records related to security systems, structural plans of real property, access codes, authorization codes, and operational guidelines and response plans for use in responding or preventing a critical incident which appears to be terrorist in nature, remove the sunset provisions and renumber the ordinance to be in conformity with the most current version of Missouri's Sunshine Law.

Proposed City Council Motions:

I move for second reading of AN ORDINANCE AMENDING SECTION 2-530 OF THE CODE OF ORDINANCES OF THE CITY OF LEE'S SUMMIT, MISSOURI, TO UPDATE PROVISIONS PERTAINING TO CLOSED MEETINGS, RECORDS AND VOTES, TO BE IN CONFORMITY WITH THE MOST CURRENT REVISED VERSION OF MISSOURI'S SUNSHINE LAW.

I move for adoption of AN ORDINANCE AMENDING SECTION 2-530 OF THE CODE OF ORDINANCES OF THE CITY OF LEE'S SUMMIT, MISSOURI, TO UPDATE PROVISIONS PERTAINING TO CLOSED MEETINGS, RECORDS AND VOTES, TO BE IN CONFORMITY WITH THE MOST CURRENT REVISED VERSION OF MISSOURI'S SUNSHINE LAW.

Background:

Missouri Revised Statute Section 610.021 which is part of the Missouri Sunshine Law has been revised by the Missouri State Legislature. The Missouri State Legislature amended Section 610.021(18) of the Missouri Revised Statutes to remove the sunset provision and allow the closing of records related to operational guidelines, policies and specific response plans developed, adopted, or maintained by a public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or health and also close records of security systems and structural plans used for the protection of public infrastructure. The City previously enacted an ordinance codified in the Code of Ordinances as Sections 2-530. The ordinance addresses when it is permissible this governmental body to close meetings, records and votes, in a manner consistent with Missouri's Sunshine Law. As a result of part of the Missouri Sunshine Law revisions, a portion of Section 2-530 is now inconsistent with Section 610.021 and needs to be revised.

Other revisions include renumbering the paragraphs so that the ordinance numbers are more reflective of where similar paragraphs can be found in the state statute.

Impact/Analysis:

Failure to amend the ordinance by closing records related to operational guidelines, policies and specific response plans developed, adopted, or maintained by a public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature or records of security systems and structural plans used for the protection of infrastructure would impair the City's ability to protect the security or safety of persons or real property.

City Council Rules Committee forwarded this item to the Council for consideration at the 11-28-16 meeting of the Committee.