

**MINUTES OF THE
BOARD OF POLICE COMMISSIONERS MEETING
TUESDAY, FEBRUARY 12, 2013**

A meeting of the Board of Police Commissioners of Kansas City, Missouri was held on Tuesday, February 12, 2013, at Police Headquarters, 1125 Locust, 6th Floor, Kansas City, Missouri.

PRESENT:

Commissioner Alvin L. Brooks, Vice President
Commissioner Angela Wasson-Hunt, Treasurer
Commissioner Patrick A. McInerney, Member
Mayor Sylvester "Sly" James, Jr., Member
Mr. David V. Kenner, Secretary/Attorney

ABSENT:

Darryl Forté, Chief of Police
Commissioner Lisa Pelofsky, President

This meeting was called to order at 9:05 a.m. by Commissioner Brooks. The invocation was provided by Pastor John Miles.

1. Awards and commendations.

The Meritorious Service Award was presented to Forensic Specialist Stephen Warlen for his long term, continuous, and exemplary service to the police department. Mr. Warlen has been with the police department for 46 years.

2. Councilman John Sharp, Public Safety and Emergency Services

Committee. Councilman Sharp said the City Council recently passed an ordinance that addresses the sale of rolling papers and tobacco products to underage people. In a recent test, 56 of 99 times, an underage person was able to make an improper purchase. This ordinance will empower Regulated

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Industries to enforce the limitation on selling rolling papers and tobacco products to underage people in the same manner as they do for alcohol. Violations may result in the revocation of a business' license to sell cigarettes. Also passed was a similar ordinance that allows for the revocation of business licenses for businesses that have been convicted of operating a "nuisance business", i.e. a party house, drug house, selling alcohol without a license, etc. Regulated Industries will assist with the enforcement of these two new ordinances.

Councilman Sharp said he will attend the annual legislative conference of the Missouri Municipal League in Jefferson City. He said he and Councilman Scott Wagner will testify on a house bill which would put in place statewide restrictions of scrap metal dealers to buy catalytic converters without proof of ownership. They will also support a law to permit tax credits to assist in the development of the former Bannister Mall site.

He again said he is very pleased with the location of the new SPD/SOD and plans to utilize the facility as much as possible for neighborhood association meetings and will hold a budget meeting there on February 23.

3. Approval of the minutes.

A motion was made by Commissioner Wasson-Hunt with a second by Commissioner McInerney approving the minutes of the January 15, 2013 meeting. The vote was 4-0 in favor.

4. City Architects Report.

Mr. Eric Bosch provided an update on current construction projects. With regard to headquarters, he said the good weather has been helpful in getting the

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addition completed. The walls have been poured for the new community room and indoor work will begin in April 2013.

Demolition continues for the new EPD/Crime Lab project. Seven homes have been removed and asbestos abatement is occurring in seven more homes. Two demolition contracts begin this week for 10 more homes. Bids will be submitted for 11 more.

Commissioner Brooks inquired about the timeline for completion minus the homes that are still in litigation. Mr. Bosch said that by the end of March 2013 the City will have possession of every home. Complete demolition will not be complete until December 2013.

With regard to the demolition contractors, Commissioner Brooks asked how many are minority owned. Mr. Bosch said every contract contains an element of Section 3. He said the first contract was not a minority general contractor, however, the abatement company was a minority contractor as well as a Section 3 contractor.

Mr. Bosch said the average cost of abatement and tearing down the home is about \$10,000 per home.

Mr. Bosch said under Deputy Chief Gallagher's tab there is an amendment to the Helix Architectural contract for headquarters which involves several changes to include replacing sidewalks at 11th and Locust, additional renovations to inside, and work at 901 Charlotte related to the Law Enforcement Resource Center (LERC). There will be a cost savings in the electrical budget of about \$100,000 as the result of a switch from copper to aluminum wiring.

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5. Investigations Bureau. Major Randy Hopkins reported that year-to-date there have been 16 homicides with 10 for the same time period in 2012.

For 2013, Major Hopkins said there are 382 cases that have been presented to the prosecutor and charges were filed in 318 of these.

With regard to drive-by shootings, there have been 229 for the year 2012, as compared to 220 for the year 2011.

Deputy Chief Hopkins submitted the Narcotics and Vice Summary for January 2013. This report is Attachment "A" and is made a part of these minutes.

Commissioner McInerney inquired about the homicide clearance rate percentage for 2012. Deputy Chief Hopkins said he will send that information to Commissioner McInerney.

Deputy Chief Hopkins said due to the number of homicides year-to-date for 2013, he examined trends and patterns. It was determined that the homicides were sporadic and separate events with no specific connections. The homicides ranged from road rage to the consequences of a high risk lifestyle, i.e., dealing drugs.

Commissioner Brooks noted that January, March, June and November are the highest months for homicides.

Commissioner McInerney also noted that narcotics prosecutions are down. Deputy Chief Hopkins responded that the staff in the Narcotics and Vice Division is down. However, the police department is addressing this issue and there have been some large seizures.

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6. Executive Officer.

a. Monthly report, OCC investigations. Captain Mark Francisco submitted the monthly OCC investigations report dated February 6, 2013. There were 21 OCC's under investigation at the end of January none of which were granted extensions beyond 60 days. IAU has received a total of 14 OCC's this year compared to 13 during the same period last year. There were 12 investigations that were completed and forwarded to OCC compared to 20 for the same period last year.

7. Administration Bureau.

a. Personnel summary. Deputy Chief Randy Hundley submitted the personnel summary dated January 31, 2013. Current department strength is at 94 percent law enforcement personnel compared to 95 percent for this same time period in 2012. For civilians, department strength is at 84 percent compared to 85 percent for the same period in 2012.

8. Professional Development and Research Bureau.

Deputy Chief Cheryl Rose said the current academy class, the 148th EOC, lost two recruits due to test failure leaving 26 KCPD recruits. The police department is mandated by P.O.S.T. (Missouri Peace Officer Standards and Training) that if two tests are failed the recruit will be removed from the academy. These recruits have been placed in civilian positions as detention officers.

The 147th EOC will graduate on April 11, 2013, with 23 new KCPD officers.

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Deputy Chief Rose recommended Board approval of the two policies listed on the consent agenda.

Commissioner McInerney said he wanted to add some items to the consent agenda that appeared elsewhere on the agenda for this meeting. He requested that items, d., e., and f. which fall under Tab F, be added to the consent agenda.

A motion was made by Commissioner McInerney with a second by Commissioner Wasson-Hunt approving the following consent agenda items:

- 1) Employer representative form, endorsement sheet
- 2) Board resolutions and signature cards, endorsement sheet
- 3) Bank pledge agreement form, endorsement sheet
- 4) Budget transfers for fiscal year 2012-13
- 5) Project #525, Reserve Officer Volunteer Program
- 6) Project #534, Probationary Officer Review Panel

The vote was 4-0 in favor.

Deputy Chief Rose provided an update on the Police Athletic League (PAL). She invited the Board to a grand re-opening scheduled for 3:00 p.m., May 1, 2013 at the PAL Center. She said during 2012 PAL had the biggest period of growth with over \$750,000 in improvements and renovations.

Deputy Chief Rose said PAL Officer Shawnee Nix was presented with the Hallmark Leadership Award at the recent WIN for KC (Women's Intersport Network) luncheon. Officer Nix was recognized for her commitment and work for the underserved youth in Kansas City. Deputy Chief Rose thanked Commissioner Pelofsky for nominating Officer Nix to receive this award.

Additionally, Councilwoman Curls recognized Officer Nix with a resolution from the City for her work with PAL to benefit youth in the community.

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Commissioner Wasson-Hunt asked who some of the large PAL donors are. Deputy Chief Rose said one of the largest donors is Curry Association Management. Ms. Christine Lentz, President of Curry Association Management is also the PAL Board president. Additional donors include United Heating and Cooling, Messengers Landscape, Mark One Electric, Pyramid Roofing, and many others. The donors are greatly appreciated.

9. **Executive Services Bureau.** Major Diane Mozzicato presented the following items for Board approval:

a. **Headquarters renovation project filing solutions.** A memorandum dated January 29, 2013, was submitted to recommend approval to add Southwest Solutions Group to the vendor list to purchase filing storage using the City of Kansas City, Missouri contract.

A motion was made by Commissioner Wasson-Hunt with a second by Commissioner McInerney approving the addition of Southwest Solutions Group to the vendor list for headquarters renovations. The vote was 4-0 in favor.

b. **Bid No. 2013-4, new 2013 model year police pursuit vehicles.** A memorandum dated January 28, 2013, was submitted recommending approval to purchase 20 new Ford sedans, and 20 new Ford SUV's from Dick Smith Ford for a total anticipated expenditure of \$999,660.

A motion was made by Commissioner McInerney with a second by Commissioner Wasson-Hunt approving the purchase of 40 new police vehicles from Dick Smith Ford. The vote was 4-0 in favor.

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c. Bid No. 2013-5, new 2013 model year police pursuit vehicles. A memorandum dated January 28, 2013, was submitted recommending approval to purchase 20 Dodge Chargers from Landmark Dodge for a total anticipated expenditure of \$470,920. Five companies were invited to bid and two responded.

A motion was made by Commissioner McInerney, with a second by Commissioner Wasson-Hunt approving the purchase of 20 new police vehicles from Landmark Dodge. The vote was 4-0 in favor.

d. Supplemental appropriations for fiscal year 2012-13. A memorandum dated January 18, 2013, was submitted recommending approval to transfer \$5 million dollars from the unappropriated fund balance of the general fund to the Board of Police Commissioners.

A motion was made by Commissioner Wasson-Hunt with a second by Mayor James approving the establishment of supplemental appropriations as presented. The vote was 4-0 in favor.

e. Bank renewal, endorsement sheet. A memorandum dated January 29, 2013, was submitted recommending approval to renew the banking services contract with UMB for a one year period. The cost for the one year contract is \$9,933.85.

A motion was made by Commissioner Wasson-Hunt, with a second by Commissioner McInerney approving the one year contract with UMB for a total cost of \$9,933.85. The vote was 4-0 in favor.

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10. Patrol Bureau.

a. Crime and traffic summary. Major Robin Houston presented the monthly crime summaries for November and December of 2012. These reports are Attachment "B" to these minutes. With regard to the NIBRS statistical report that does not appear in the Board book, Major Houston said she spoke with Captain Volker who advised that due to mandated federal changes, the NIBRS system will need reprogramming. This process will take several months. The changes are related to the categorization of sexual assaults.

In regard to the Traffic Summary, there were four fatalities during January 2013, compared to five in January 2012. All four fatalities were single car accidents. A copy of the Traffic Summary is marked as Attachment "C" and attached to these minutes.

b. Headquarters renovation, Helix Amendment 4. Major Houston presented a memorandum dated February 1, 2013, recommending approval of this amendment and the use of public safety sales tax in the amount of \$82,025. This amendment was previously discussed in more detail by Mr. Eric Bosch during his presentation on this date.

A motion was made by Commissioner Wasson-Hunt, with a second by Mayor James approving the Helix contract amendment in the amount of \$82,025 as presented. The vote was 4-0 in favor.

Commissioner McInerney asked if there are any more anticipated amendments to this project. Major Sharon Laningham said there is nothing pending.

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11. **Audit Committee update.** Commissioner Wasson-Hunt had nothing to report.

12. **Fraternal Order of Police Lodge No. 99.** The FOP had no comments.

13. **Mr. David Kenner.**

Mr. Kenner thanked the police department for the consideration and assistance given to his firm as a result of the recent accident involving two of his law firm partners. He said it is very much appreciated.

14. **Mayor Sylvester “Sly” James, Jr.** Mayor James said he asked the faith based community to assist with KC NoVA efforts. Mayor James said approximately 50 clergy came to a press conference held last week at the northwest corner across from Municipal Court and City Hall. Additionally, Commissioner Brooks, Councilman Sharp and Reed were there along with many agencies such as the police department, prosecutor’s office, U.S. Attorney’s Office, FBI, ATF and others are coming together against violent crime.

Mayor James said he is pleased with the involvement of Chief Forté and other members of the department. He said this is a good partnership and the clergy is necessary for outreach.

15. **Commissioner Alvin Brooks.** Commissioner Brooks said he appreciated Mayor James’ remarks at the press conference. He was pleased with the number of clergy at the press conference as well as the diversity of faiths in attendance.

16. **Commissioner McInerney.** Referencing the February 6, 2013 memorandum from the City Auditor’s Office included in the informational items

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section, Commissioner McInerney inquired about the overtime audit that has been initiated. Mr. White said this audit is city wide and does not include the police department.

In Commissioner Pelofsky's absence Commissioner McInerney took up the matter of Board consideration for voluntary recognition of FOP Lodge 99 as the exclusive bargaining representative for civilian Department employees, excluding all civilian managers, directors and confidential employees.

A/Chief of Police Patty Higgins advised that Chief Forté had no comment on this item, but did not object to it.

A motion was made by Commissioner McInerney, with a second by Commissioner Wasson-Hunt approving the request for voluntary recognition of FOP Lodge No. 99 as the exclusive bargaining representative for civilian Department employees, excluding all civilian managers, directors and confidential employees.

Commissioner McInerney discussed the Police Foundation meeting in which some Board members attended. Mr. David Wilkinson, president of the Atlanta Police Foundation made a presentation at the meeting and discussed their police foundation model.

A motion was made by Commissioner McInerney, seconded by Commissioner Wasson-Hunt and by vote indicated below, to adjourn its open meeting at 10:00 a.m. and reconvene in closed session at 10:22 a.m. as provided in the following resolution. The vote was 4-0 in favor.

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RESOLUTION

WHEREAS, notice of the board meeting of the Board of Police Commissioners was given on November 20, 2012, and

WHEREAS, said notice indicated that the Board of Police Commissioners might go into closed session during said meeting, and

WHEREAS, notice of the closed meeting follows the guidelines of Section 610.020 of the Revised Statutes of Missouri.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Police Commissioners go into closed session during the meeting being held on Tuesday, February 12, 2013, at 1125 Locust, 6th floor board room, Kansas City, Missouri, for the purpose of discussing employment matters, litigation matters, labor negotiations, and real estate matters.

The following Commissioners were present and voted to go into closed session as follows:

Commissioner Alvin Brooks	-	Aye
Commissioner Angela Wasson-Hunt	-	Aye
Commissioner Patrick A. McInerney	-	Aye
Mayor Sylvester "Sly" James, Jr.	-	Aye

There being a quorum present and the question of holding a closed session having received an affirmative public vote of at least three (3) members, a closed meeting was held as set forth above.

1) Following a motion by Commissioner McInerney and a second by Commissioner Wasson-Hunt, the Board voted to go into closed session to discuss employment matters, litigation matters, labor negotiations and real estate matters. The vote was 4-0 in favor. Following polling, Mayor James voted aye, Commissioner Brooks voted Aye, Commissioner McInerney voted Aye, and Commissioner Wasson-Hunt voted Aye.

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2) Following a motion by Commissioner Wasson-Hunt and a second by Commissioner McInerney, the Board voted to approve the minutes of the January 15, 2013, closed session of the Board. The vote was 4-0 in favor.

3) Following a motion by Commissioner Wasson-Hunt and a second by Commissioner McInerney, the Board voted to approve the covert location lease renewal. The vote was 4-0 in favor.

4) Following a motion by Commissioner McInerney and a second by Commissioner Wasson-Hunt, the Board voted to go into special closed session to discuss the process for the Chief's evaluation. The vote was 4-0 in favor.

5) Following a motion by Commissioner McInerney and a second by Commissioner Wasson-Hunt, the Board voted to go out of special closed session and adjourn. The vote was 4-0 in favor. Following polling, Mayor James voted aye, Commissioner Brooks voted Aye, Commissioner McInerney voted Aye, and Commissioner Wasson-Hunt voted Aye.

President

Secretary/Attorney