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Stephen J. Caldeira, CFE
President and Chief Executive Officer

May 28, 2015

The Honorable Sly James
City Hall, 29th Floor
414 E 12th St
Kansas City, MO 64106

Dear Mayor James:

On behalf of the International Franchise Association (IFA), I wish to express our extreme disappointment upon learning that your office has distributed Committee Substitute for Ordinance 150217 to the City Council, which relates to Kansas City's minimum wage and discriminates against franchised businesses.

This development is unfortunate for several reasons. First, the proposed ordinance closely resembles Seattle's current minimum wage ordinance, which IFA and other groups are currently fighting in the Federal Ninth Circuit. The ordinance is also similar to that originally contemplated by the City of Chicago. However, Mayor Rahm Emanuel wisely decided to remove the section that would have treated franchised businesses unfairly as compared to non-franchised businesses.

Second, if this ordinance were enacted, it will certainly spark litigation. As the *Kansas City Business Journal* reported on March 31 of this year:

But even if the ordinance becomes law, it probably won't compel the city's business owners to start paying about \$31,000 a year for minimum-wage workers. Councilman Ed Ford, chairman of the committee, said the city's Legal Department already has presented an opinion that the city cannot raise the minimum wage because its authority is pre-empted by the state. Ford, a lawyer by trade, said he agrees with the assessment.

However, what is most striking to us about the proposed ordinance is that you serve as Co-Chair of the United States Conference of Mayors (USCM) Small Business, Franchising and Entrepreneurship Task Force. You and your fellow mayors who sit on the task force know the economic benefits that franchising brings to your cities. As you also know, IFA usually ends our presentations with the simple statement, "Franchising = jobs."

Just as we have said in Seattle on behalf of franchised businesses, "We are not asking for special treatment; we are merely asking for the same equal treatment afforded to non-franchised businesses."

Therefore, we respectfully ask in the strongest terms possible that you reconsider your proposed ordinance.

Sincerely,

Stephen J. Caldeira

cc: Tom Cochran USCM CEO and Executive Director

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