



Jackson County Missouri

JOURNAL

County Legislature

Jackson County Courthouse
415 East 12th Street, 2nd floor
Kansas City, Missouri 64106
(816)881-3242

Henry C. Rizzo (2nd AL), Chairman, Bob Spence (6th), Vice-Chairman,
Robert A. Stringfield (1st AL), Fred Arbanas (3rd AL), Scott Burnett (1st),
Eugene Standifer Jr. (2nd), Dennis Waits (3rd), Dan Tarwater (4th),
Rhonda L. Shoemaker (5th)

Thursday, March 23, 2006

1:00 PM

Thirteenth Regular Meeting

K.C. Legislative Assembly Area, Kansas City, Missouri

Henry C. Rizzo, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present: Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dan Tarwater moved to approve the journal of the previous meeting held on 3/20/2006.
Seconded by Scott Burnett.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

None.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Katheryn Shields, County Executive, reported that the development agreements with the teams have been finalized.

Mike White, attorney for the Jackson County Sports Authority, said he and Steve Mitchell, counsel for Jackson County, would try to bring the Legislature up to speed on the essential elements of the agreements. The Sports Authority believes the most important part of the agreement is the oversight of the construction by the Sports Authority which will result in these facilities being good as new facilities for half the price of building new ones. There will be a public owner representative, which will be a firm, that is expert in these matters. They will be the watchdog to monitor the design, plans, specifications, construction drawings and payments from bond proceeds. The firm will report to the County Legislature and to the Sports Authority on a monthly basis. Whether the teams use a construction manager or a general contractor, either way the company will be subject to approval by two-thirds of the Chairman of the Jackson County Legislature, the County Executive and the Chairman of the Sports Authority. The concept plan for the improvements is set forth in Exhibit A.

The plan forms the basis for the program and the schematic designs, plans and specifications to be approved by the Sports Authority. The teams must provide a copy of all construction documents to the Sports Authority and to the minority work force coordinator no less than 10 days prior to time they are signed by the teams. The owners representative and the MBE coordinator, which is provided for in the Fair Share Agreement, will attend monthly updates with the teams. The teams must bond each stage of the construction, prior to the start of construction. The Sports Authority must confirm that the project is being constructed within the designs for each stage. The construction manager will report to the Authority and will provide design packages. They must verify the contents of each final construction document package. They have to confirm that there will be no material changes or reductions in the required elements which are spelled out in the agreements. The owners representative's responsibilities are spelled out in Exhibits G and H. If the Sports Authority objects to any submission by the teams, the teams must resubmit, and if an agreement cannot be reached, it is sent to an expedited dispute resolution. Scope and value engineering changes are allowed, the party at risk has the right to them. However, the changes cannot eliminate any of the required elements nor can they amount to a material change and if they do they must have the consent of the Sports Authority. The disbursement account in which the bond proceeds will be deposited will be administered and controlled by the Sports Authority and the teams will submit draw requests with invoices and documentation substantiating costs. The owners representative has to counter sign the requisitions in order for them to be paid by the bond trustee.

Taylor Fields is present and helped negotiate the Fair Share Agreement. They believe they have reached an agreement that is going to be a model for public construction projects across the country. It was based on the Dallas Cowboys Fair Share Agreement and will result in more fairness in this community.

Steve Mitchell, from Lathrop and Gage, was special counsel to Jackson County on this project along with Jack Craft. He spoke about the 4 major parts of the development agreement. First is the caps, which means that any cost over runs on this project will be paid by the teams, and it is included in the agreements. The cost sharing is as follows: the teams contribute 100 million dollars, the State of Missouri contributes 50 million and the sales tax will generate 425 million dollars. Second is the comprehensive oversight and protection of the county and public funds. Third is the public owner representative which the teams bought into and it will be a model of protection to the county and the public's money. Fourth is the Sports Complex Fair Share Agreement which includes a fairness committee made up of leading people of the community with varied interests. The fairness committee will develop a program. The Project Repair with the Full Employment Council will result in 200 unskilled workers who will be trained and have the opportunity to work on this project. Finally, he spoke about Exhibit D, minimum required elements which are absolutely guaranteed to take place regardless of the cost. One unique aspect of the agreement is two-thirds approval needed on major decisions and hiring which is added protection.

Dan Tarwater said the two thirds approval comes from the Chairman of the Legislature, the County Executive and the Chairman of the Sports Authority.

Taylor Fields, attorney, added that the Fair Share Agreement is the most comprehensive agreement of its kind evidenced in Kansas City connected to a project of this type. It aims to ensure that opportunities are maximized for minority and women owned business enterprises. Also it is to ensure that opportunities for women and minorities employed on the project are maximized. The agreement incorporates specific, aggressive goals for minority and women owned business enterprises and also seeks to enhance the participation of local minority/women owned businesses. One of the important features of the Fair Share Agreement is the requirement of the teams and their contractors to enter into a Memorandum of Understanding with the Full Employment Council and the Skilled

Trades. The Full Employment Council will oversee the selection and training of 200 individuals. At the end of the training they will enter the skilled trades and be guaranteed jobs on this project. The coordinator will undertake the day to day monitoring and make sure the teams are meeting the work force and contracting goals required of the project. The fairness committee will be composed of individuals selected from the business, construction and minority communities. They will primarily have two functions: to resolve disputes that may arise under the agreement and to ensure that a policy is developed that can be followed to assist in implementing the goals of the work force and contractors.

Henry C. Rizzo, Chairman, asked about the impact of the 3/8th cent sales tax on each individual.

Katheryn Shields, County Executive, said the sales tax (Question 1) will cost the average person in Jackson County \$18 per year or \$1.50 per month. The use tax (Question 2) which pays for the rolling roof is paid almost entirely by major corporations in the area. It is a business tax, that for the most part, does not fall on the individual citizen. She said the dollars raised from the sales tax (Question 1), 40% is from individuals who live outside Jackson County. She said the stadiums were built by using property taxes which fell solely on the shoulders of Jackson County residents.

Henry C. Rizzo asked if handicap accessibility has been addressed.

Mike White said everything outside the bowl has to be brought up to Americans Disability Act (ADA) compliance.

Katheryn Shields said with any new construction you must meet the ADA requirements.

Steve Mitchell said the agreements clearly require the teams to take care of handicap accessibility issues.

Henry C. Rizzo asked if on game day the Royals have to share revenues with Major League Baseball (MLB)?

Mark Gorris, Kansas City Royals, said they do share 34% of the revenues with MLB.

Henry C. Rizzo asked how many groups participated in the Fairness Agreement and if there is a preference.

Taylor Fields said 19 different groups participated. He said there is preference for companies located in Jackson County.

Eugene Standifer, County Legislator, asked that they explain the benefits that will be received by Jackson County residents if this tax is approved by the voters.

Katheryn Shields said voting yes on April 4th means to participate in keeping this community major league which is a benefit for all Jackson County residents. It is a benefit in terms of attracting corporations and keeping those that are located in the county. It is a benefit for bringing our children back home after they go away to college. So when they come back home they will have well paying jobs.

Mike White said if Question 1 passes we will have an All Star game and we will have 1/2 billion dollars in construction spent mostly on local companies. If Question 2 passes we will have a Super Bowl. These two events will make us a world attraction.

Steve Mitchell said if Question 1 and 2 pass there will be a good chance that we will have a Final Four in Kansas City since there will be a roof on the stadiums. Other basic benefits include discounts on Chiefs merchandise, parking, tickets, and priority tickets. The Royals are offering a 2 for 1 ticket, parking discounts and priority parking.

Fred Arbanas, County Legislator, said the County Executive and County Legislature will not be able to spend the money generated by this tax on other projects.

Mike White said the sales tax is being voted under the capitol improvement tax statute which makes it prohibitive.

Dan Tarwater, County Legislator, said no money goes into general revenue from this tax. He said each year there are audited financials for the county and this information is available on the Internet.

Katheryn Shields said once the bonds are sold, the money will be deposited into a separate account and a trustee will be assigned to it. The trustee will not release any bond proceeds without documentation signed by the teams, the architect, owner's representative and the county's representative stating the money is spent solely for construction at the Truman Sports Complex.

Dan Tarwater said all bonds will be bid so the County and taxpayers will get the best value for their dollar.

Rhonda L. Shoemaker, County Legislator, said everything for this project will be competitively bid, not just the bonds. She thanked the Chiefs for allowing the tour on Saturday.

Katheryn Shields mentioned that they will be doubling the number of men and women restrooms. She said there will be enhanced opportunities to purchase concessions. She explained that the Fair Share Agreement is not only creating 200 new jobs but provides for 200 people trained in construction skills which they can carry with them into their future.

Bill Snyder, Deputy County Counselor, said in writing the ballot propositions research was done and it is included in the ballot language that revenues collected will only be used for improvements at the stadiums.

Henry C. Rizzo acknowledged Clark and Lamar Hunt in the audience. He complimented the Chiefs and Royals for their participation in the Fair Share Agreements. He thanked Mike White, Steve Mitchell, Jack Craft, Jack Holland and County Executive, Katheryn Shields.

Bob Spence, County Legislator, said he really likes the amenities. He said these kinds of amenities like the Halls of Fame and museums will trigger more economic activity and construction in the area. He congratulated the teams on thinking of these amenities that the fans will enjoy and that will attract visitors.

Fred Arbanas said the stadiums belong to the people in Jackson County. He said the stadiums need repair as they get older and for a minimal amount we can make those improvements. He said he will continue to inform others of the solid agreements Jackson County has reached with the teams. He said players on both teams raise money for local foundations and are active in the community and he would like for that to continue. He said we must continue to campaign for the passage of Question 1 and 2. He mentioned that Albert Riederer and Jack Holland have been working hard to promote these ballot issues.

Henry C. Rizzo asked that all legislators be added as sponsors to Resolution #15831, if there is no objection.

No objection was noted.

Dan Tarwater thanked Kevin Gray, President of the Greater Kansas City Sports Commission, for his assistance.

Fred Arbanas said Henry Rizzo has worked very hard, spent many hours on this issue and deserved applause.

Henry C. Rizzo thanked everyone but said the big booster is Fred Arbanas.

Resolution #15831 was adopted at this time. See page 7 for details.

The Legislature recessed for 5 minutes.

The Legislature reconvened.

Dennis Waits moved to waive the reading on all other ordinances and resolutions since there were no committee meetings. Seconded by Bob Spence.

The motion passed by a voice vote. (APPROVED)

6 PERFECTON OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[3744](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RR (Residential Ranchette) a certain 10± acre tract.
(Land Use Committee - 3rd. Perfection)

[3745](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RR (Residential Ranchette) a certain 5± acre tract.
(Land Use Committee - 3rd. Perfection)

[3746](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RR (Residential Ranchette) a certain 25.6± acre tract.
(Land Use Committee - 3rd. Perfection)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

- [15816](#) A RESOLUTION authorizing the County Executive to enter into an Intergovernmental Cooperative Agreement with the City of Blue Springs, MO, and Blue Springs School District No. 4 in conjunction with improvements to North-South Liggett Road, Project No. 3053.
(Public Works Committee - 2nd. Meeting)
- [15818](#) A RESOLUTION awarding a term and supply contract on Electronic Solicitation No. BB2005118 for the furnishing of chemicals and fertilizers for use by the Parks and Recreation Department to Helena Chemical of Lenexa, KS, Grass Pad, Inc., of Olathe, KS, Lesco, Inc., of Strongsville, OH, Supreme Turf of Olathe, KS, and Floratine Midwest of Raymore, MO to provide for departmental needs for the upcoming one-year period.
(Land Use Committee - 1st. Meeting)
- [15822](#) A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement with the City of Lake Lotawana, MO, relating to road maintenance and snow removal.
(Public Works Committee - 1st. Meeting)
- [15823](#) A RESOLUTION authorizing the County Executive to execute an Agreement with H. E. Bunch, LLC, for the leasing of employee parking space, at a cost not to exceed \$27,527.88.
(Finance and Audit Committee - 1st. Meeting)
- [15824](#) A RESOLUTION authorizing the County Executive to execute Change Order No. 2 to the contract with Ideker, Inc., of St. Joseph, MO, for the Colbern Road Phase II Project, No. 2411, increasing the contract amount by \$56,359.95.
(Public Works Committee - 1st. Meeting)
- [15825](#) A RESOLUTION authorizing the Director of Public Works to execute a billboard sign Lease Termination Agreement and authorizing payment to Viacom Outdoor, Inc., in the total amount of \$20,000.00, in connection with the 85th & Troost Avenue Roadway Improvements, Project No. 2407.
(Public Works Committee - 1st. Meeting)
- [15826](#) A RESOLUTION accepting a temporary construction easement and right-of-way, and authorizing payment to the property owners, Clifford A. Johnson and Tammy Johnson, in the total amount of \$13,603.50, in connection with the 85th & Troost Avenue Roadway Improvements, Project No. 2407.
(Public Works Committee - 1st. Meeting)
- [15827](#) A RESOLUTION authorizing the County Executive to execute contracts with Meredith Corporation d/b/a KCTV 5 of Fairway, KS, and KCCP Trust d/b/a Time Warner Cable of Milwaukee, WI for use by the Parks and Recreation Department, at an aggregate cost to the County not to exceed \$72,500.00, as a sole source purchase.
(Land Use Committee - 1st. Meeting)

[15829](#)

A RESOLUTION authorizing and directing the Office of the County Counselor to institute condemnation proceedings as to a certain tract of land required for the Liggett Road Improvements, Project No. 2449.

(Public Works Committee - 1st. Meeting)

Dennis Waits moved to approve the floor amendment of Resolution #15831 dated 3/23/06, to delete the word "Improvement" and insert the word "Development" in the last WHEREAS paragraph on page 2, to delete the words "approve and", to delete the word "Improvement" and insert the word "Development", to insert the words "in a final form to be approved by the County Counselor." after the words "Clerk of the Legislature" in the BE IT RESOLVED paragraph on page 2. Seconded by Rhonda L. Shoemaker.

The motion passed by a roll call vote:

Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer, Jr., Dennis Waits, Dan Tarwater, Rhonda L. Shoemaker, Bob Spence.

(APPROVED)

[15831](#)

Dennis Waits moved to adopt Resolution #15831 as amended, authorizing the County Executive to execute a Consent and Agreement to the Arrowhead/Kauffman Stadium Development Agreements by and between the Jackson County Sports Complex Authority and the Kansas City Chiefs Football Club, Inc., and Kansas City Royals Baseball Corporation. Seconded by Dan Tarwater.

Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence

(ADOPTED)

[15833](#)

A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement with the Kansas City Area Development Council to administer the County's economic development program, at a cost to the County not to exceed \$198,235.00.

(Finance and Audit Committee - 1st. Meeting)

9 CONSENT AGENDA

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

None.

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

None.

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 **NEW BUSINESS**

None.

15 **ADJOURNMENT**

Dennis Waits moved to adjourn the meeting. Seconded by Rhonda L. Shoemaker.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, March 27, 2006 at 2:30 P.M. in the Legislative Assembly Area, Kansas City, Missouri.