



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

County Legislature

*Theresa Galvin (6th) Chair, Dan Tarwater III (4th) Vice Chair,
Jalen Anderson (1st AL), Crystal Williams (2nd AL), Tony Miller (3rd AL),
Scott Burnett (1st), Ronald E. Finley (2nd), Charlie Franklin (3rd),
Jeanie Lauer (5th)*

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

Monday, October 14, 2019

1:00 PM

Fortieth Regular Meeting

**Eastern Jackson County Courthouse, 308 W. Kansas, Independence, Missouri, Ground
Floor, Legislative Chambers**

Theresa Galvin, Chair, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present 7 - Jalen Anderson, Tony Miller, Scott Burnett, Ronald E. Finley, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

Absent 2 - Crystal Williams and Charlie Franklin

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

A motion was made by Dan Tarwater III, seconded by Scott Burnett to approve the journal of the previous meeting held on October 07, 2019. The motion passed by a voice vote.

4 HEARINGS

Theresa Galvin, Chair, asked Ronald E. Finley, County Legislator, to introduce Melissa Patterson-Hazley. Ms. Patterson-Hazley is the County's appointed representative on the Central City Economic Development Sales Tax District Board, which governs the implementation of a retail sales tax for the support of development and revitalization along the Prospect Avenue corridor. Ms. Patterson-Hazley was reappointed to the Board pursuant to Resolution #20288. See page 8 for details.

Jean Peters Baker, Prosecuting Attorney, presented information related to the audit of Jackson County COMBAT issued by BKD, LLP. Ms. Baker said that she previously stated she would order an audit of COMBAT in the event the administration was transferred to her department. She said she did not lobby to take over COMBAT, but she is open to any recommendations to improve COMBAT and make the program more transparent. She said that the report from BKD was completed without any

redactions and is available for review by the public on the COMBAT website.

Ms. Baker introduced Vince Ortega, Executive Director of COMBAT. Mr. Ortega said that BKD made 37 recommendations for improvement to COMBAT. These improvements centered on two primary categories: 1) COMBAT and other County departments and 2) COMBAT-funded agencies. The first category relating to COMBAT and other County departments covered the sales tax revenue projections and budgeting, COMBAT operations and procedures, COMBAT funding formula, other departments use of Anti-Crime Funds, employee salaries and benefits, and capital improvements and emergencies.

The second category relates to COMBAT-funded agencies and covered the areas of program monitoring and evaluation and expense reports.

BKD recommended that the COMBAT Administration add a Budget Coordinator position who would be responsible for all COMBAT budgeting and financial matters. This position would track all COMBAT funding and expenditures and would work closely with the Finance Department.

BKD also recommended that the COMBAT Administration have Community Engagement Program Monitors who would be responsible for site visits and ensuring that COMBAT funds are used for the appropriate intended purpose.

Mr. Ortega told the story of Tommy McGee, one of 13,684 people who benefitted from COMBAT funds, stating that these funds make a difference in the lives of people within our community.

Jean Peters Baker said that she hoped everyone would see this as an opportunity to turn the page on COMBAT. She wants to institute changes to make COMBAT programs better and to put the past in the past.

Ms. Baker said that there is another audit coming from the Missouri State Auditor, but she is hopeful that everyone can look forward and allow the COMBAT tax to do the work it does well – fighting violent crime and providing treatment programs for drug abuse. She said that they have instituted a series of listening sessions and have established a mechanism for reporting potential fraud and abuse. Ms. Baker said that the COMBAT agencies have been notified that their reports to COMBAT may change as a result of these new policies.

A copy of the Prosecuting Attorney's PowerPoint presentation is available in the Clerk of the County Legislature's Office.

Caleb Clifford, Chief of Staff, and Jaime Masters, Chief of Health Services, presented a report in response to the BKD audit.

Mr. Clifford presented information on crime statistics for Jackson County covering the last five years. He included information from the National Institute of Justice on its evaluation of the effectiveness of DARE programs.

Mr. Clifford said that all COMBAT funds spent were appropriated by the Legislature and were pursuant to a lawfully executed contract. There was no finding in the audit that any state or county law was violated. He said that his report highlights 10 errors that the administration believes are in the BKD report. He said that many officials were not interviewed as part of the audit, that the reported revenue in the report is not accurate, and that the funding percentages for County departments were set by Resolution #10950, which is a statement of intent only and not legally binding. Mr. Clifford presented a list of questions for BKD representatives such as areas of investigation they did not cover, certain people they were told to not contact, and what was in previous versions of the report.

A copy of the administration's response to the BKD audit is available in the Clerk of the County Legislature's Office.

The County Legislature went into recess at this time.

The County Legislature recovered.

5 COMMUNICATIONS WITH AND REPORTS OF THE COUNTY EXECUTIVE

Frank White, Jr., County Executive, said that he agreed that it was time to move forward. He recommended that there be more communication between County officials. He said that when he became County Executive Jackson County was in a time of turmoil, but now is the time to work together on issue of infrastructure, salary study, and improvements at the Detention Center. He urged everyone to move forward in a positive manner and do the best for taxpayers.

Dan Tarwater III, County Legislator, asked for an update on the compensation study. Ed Stoll, Chief Administrative Officer, said that they should have a draft report from Evergreen within two weeks and a final report by November 1, 2019.

Theresa Galvin, Chair, said that she had requested that the reports be sent to the Clerk of the Legislature, but those reports have been routed through the Human Resources Department. She requested that reports be sent directly to the Clerk's Office.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[5271](#)

Land Use Committee moved to perfect.

Ronald E. Finley objected to the Consent Agenda.

[5271](#)

A motion was made by Dan Tarwater III, seconded by Jalen Anderson to perfect Ordinance #5271. The motion passed by a voice vote.

(PERFECTED)

[5271](#)

A motion was made by Dan Tarwater III, seconded by Jalen Anderson, to adopt Ordinance #5271 amending sections 24002, 24004., and 24005., Jackson County Code, 1984, relating to land use and development. The motion failed by a roll call vote:

Yes: 5 - Jalen Anderson, Tony Miller, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

No: 1 - Ronald E. Finley

Absent: 3 - Crystal Williams, Scott Burnett and Charlie Franklin

(DEFEATED)

[5272](#)

A motion was made by Tony Miller, seconded by Dan Tarwater III to perfect Ordinance #5272. The motion passed by a voice vote.

(PERFECTED)

[5272](#)

A motion was made by Tony Miller, seconded by Dan Tarwater III, to adopt Ordinance #5272, amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 11.94 ± acre tract from District AG (Agricultural) to District RE (Residential Estates). The motion passed by a roll call vote:

Yes: 6 - Jalen Anderson, Tony Miller, Ronald E. Finley, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

Absent: 3 - Crystal Williams, Scott Burnett and Charlie Franklin

(ADOPTED)

[5273](#)

A motion was made by Tony Miller, seconded by Dan Tarwater III to perfect Ordinance #5273. The motion passed by a voice vote.

(PERFECTED)

[5273](#)

A motion was made by Tony Miller, seconded by Dan Tarwater III, to adopt Ordinance #5273 amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 3.00 ± acre tract from District AG (Agricultural) and District GB (General Business) to District LI (Light Industrial). The motion passed by a roll call vote:

Yes: 6 - Jalen Anderson, Tony Miller, Ronald E. Finley, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

Absent: 3 - Crystal Williams, Scott Burnett and Charlie Franklin

(ADOPTED)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

A motion was made by Dan Tarwater III, seconded by Jalen Anderson, to waive the reading of Resolution #20237. The motion passed by a voice vote.

[20237](#)

A RESOLUTION authorizing the County Executive to execute an Intergovernmental Cooperative Agreement with the Jackson County Sports Complex Authority concerning the disposition of County-owned personal property located at the Harry S. Truman Sports Complex.

(Rules Committee - 6th. Meeting)

[20275](#)

Public Works Committee moved to adopt. Consent Agenda.

[20277](#)

A motion was made by Scott Burnett, seconded by Ronald E. Finley to approve the Finance and Audit Committee Amendment dated October 14, 2019, to delete the figure "\$39,950.00" and insert the figure "\$20,350.00" after the word "transferring", to insert the word "additional" after the word "actual" both in the heading; to insert the first paragraph "WHEREAS, by Resolution 20153, dated April 29, 2019, the Legislature did authorize the execution of a Legal Services Agreement with Hogan Lovells LLP of Washington, D.C. for the furnishing of legal representation related to the Rock Island Rail Corridor administrative proceeding, at a cost to the County not to exceed \$112,150.00; and,"; to delete the figure "\$39,950.00" and insert the figure "\$20,350.00" in the FROM and TO column on page 2; to delete the figure "\$39,950.00" and insert the figure "\$20,350.00" after the words "Regular Salaries NOT TO EXCEED" on page 3. Consent Agenda.

9 CONSENT AGENDA

[20275](#) A RESOLUTION transferring \$120,000.00 within the 2019 General Fund, to cover the costs of maintenance and repairs within Department of Corrections' facilities.

(ADOPTED)

[20277](#) A RESOLUTION transferring \$20,350.00 within the 2019 General Fund and authorizing the County Counselor to execute an addendum to the Legal Services Agreement with Hogan Lovells LLP of Washington, D.C., at an actual additional cost to the County not to exceed \$169,000.00, for services to be performed in 2019.

(ADOPTED)

Resolutions #20275 and #20277 were moved to the Consent Agenda for adoption.

A motion was made by Dan Tarwater III, seconded by Tony Miller, to approve the Consent Agenda. The motion passed by a roll call vote:

Yes: 6 - Jalen Anderson, Tony Miller, Ronald E. Finley, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

Absent: 3 - Crystal Williams, Scott Burnett and Charlie Franklin

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[5276](#) Appropriating \$1,200.00 from the undesignated fund balance of the 2019 Health Fund in acceptance of funds received from the Missouri Department of Health and Senior Services Summer Food Services Program.

(Assigned to the Health and Environment Committee.)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[20280](#) A motion was made by Tony Miller, seconded by Jalen Anderson, to adopt Resolution #20280, declaring certain property within the Parks + Rec Department as surplus and unusable personal property and authorizing its donation. The motion passed by a roll call vote:

Yes: 6 - Jalen Anderson, Tony Miller, Ronald E. Finley, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

Absent: 3 - Crystal Williams, Scott Burnett and Charlie Franklin

(ADOPTED)

[20281](#) Transferring \$56,000.00 within the 2019 General Fund for a reallocation of budgeted funds within the Sixteenth Judicial Circuit Court.

(Assigned to the Budget Committee.)

[20282](#) Transferring \$22,000.00 within the 2019 Health Fund to cover the purchase of a replacement vehicle for use by Health Services, under an existing term and supply contract.

(Assigned to the Health and Environment Committee.)

[20283](#) Transferring \$15,000.00 within the 2019 Health Fund to cover the cost of boarding for three horses at the direction of Health Services.

(Assigned to the Health and Environment Committee.)

[20284](#) A motion was made by Dan Tarwater III, seconded by Jalen Anderson, to adopt Resolution #20284, authorizing the County Executive to execute a Third Addendum to the Agreement with the Ad Hoc Group Against Crime of Kansas City, MO, for the furnishing of victim and witness support services for use by the Prosecuting Attorney's Office, at no additional cost to the County. The motion passed by a roll call vote:

Yes: 6 - Jalen Anderson, Tony Miller, Ronald E. Finley, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

Absent: 3 - Crystal Williams, Scott Burnett and Charlie Franklin

(ADOPTED)

[20285](#) Authorizing the County Executive to execute an Amendment to the audit contract with BKD, LLP, relating to Governmental Accounting Standards Board (GASB) Statement 75, Other Post-Employment Benefits, at an additional cost to the County for 2019 not to exceed \$4,200.00.

(Assigned to the Finance and Audit Committee.)

[20286](#) Transferring \$19,710.00 within the 2019 Park Enterprise Fund to cover the purchase of picnic tables for use by the Parks + Rec Department.

(Assigned to the Land Use Committee.)

[20287](#) Authorizing the Jackson County Legislature to hold a closed meeting on Monday, October 14, 2019, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under section 610.021(1) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting.

(WITHDRAWN BY SPONSOR DAN TARWATER III. CONCURRED BY JALEN ANDERSON AND TONY MILLER.)

[20288](#)

A motion was made by Ronald E. Finley, seconded by Dan Tarwater III, to adopt Resolution #20288, reappointing Melissa Patterson-Hazley to the Central City Economic Development Sales Tax District Board, for a new term to expire November 14, 2023. The motion passed by a roll call vote:

Yes: 6 - Jalen Anderson, Tony Miller, Ronald E. Finley, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

Absent: 3 - Crystal Williams, Scott Burnett and Charlie Franklin

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

APPOINTMENT TO THE COMMUNITY ACTION AGENCY OF GREATER KANSAS CITY

[19-26](#)

I hereby appoint Cathy I. Jackson as a Public Sector Director on the Board of Directors of the Community Action Agency of Greater Kansas City to serve as the representative of the Jackson County Executive for a term to expire October 17, 2023, to fill the vacancy occasioned by the resignation of Deidre M. Anderson. A copy of Ms. Jackson's resume is attached.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

Closed meeting per Resolution #20287 was withdrawn, therefore no closed meeting was held.

Theresa Galvin introduced Michele Newman, Director of Parks + Rec Department. Ms. Newman invited everyone to participate in Walktober trail events held every Sunday in October. Angie Jeffries, Director of Communications, said they have created commemorative buttons to highlight each of the trails. Next week will feature the Blue River Trail and the final week will be the Brush Creek Trail. Ms. Newman also invited everyone to participate in Dogtoberfest to be held October 20, 2019 from 10 a.m. to 4 p.m., at the Kemper Outdoor Recreation Center. Admission is a donation of dry dog food.

15 ADJOURNMENT

A motion was made by Dan Tarwater III, seconded by Jalen Anderson, to adjourn the meeting. The motion passed by a voice vote.

Meeting adjourned until Monday, October 21, 2019 at 1:00 P.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.