

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION transferring \$176,000.00 within the 2018 General Fund and authorizing the Chair of the Legislature to execute a Second Addendum to the Agreement with Williams & Campo, P.C., of Lee's Summit, MO, to serve as Legal Advisor to the Jackson County Legislature, at an additional cost to the County not to exceed \$96,000.00.

RESOLUTION NO. 20007, October 8, 2018

INTRODUCED BY Scott Burnett, County Legislator

WHEREAS, the Chair of the Legislature requests an increase in the contract for with Williams & Campo, P.C., for services as the Legal Advisor to the Legislature, to cover billed services rendered or to be rendered in 2018, including mediation fees, at an additional cost not to exceed \$96,000.00; and,

WHEREAS, the County Counselor has also advised of a need for additional funds to cover certain legal services engaged by his office through the end of the year; and,

WHEREAS, by Ordinance 5062, dated December 6, 2017, the Legislature did establish certain Reserve Accounts for certain budget lines within the 2018 County budget; and,

WHEREAS, certain funds appropriated in such a Reserve Account within the 2018 General Fund are needed to cover the cost of outside legal services for the Legislature and County Counselor; and,

WHEREAS, there are numerous disputes between the County Executive and the Legislature regarding the validity of Ordinance 5062, relating to its construction and interpretation, and multiple related issues; and,

WHEREAS, the Chief Administrative Officer has recommended the adoption of this Resolution, without waiving any previous position taken in reliance upon the memorandum of the County Counselor dated December 22, 2017, regarding Ordinance 5062, and without waiving any position taken in reliance upon other legal memorandums provided by the Office of the County Counselor; and,

WHEREAS, the Legislature recognizes that funds identified as Reserve Funds in the adopted 2018 Budget within the General Fund are required to be designated for use by the Legislature and County Counselor for outside legal services; and,

WHEREAS, the Chief Administrative Officer has requested that the funds identified in this Resolution be made available for such use by the Legislature and County Counselor within the 2018 budget; and,

WHEREAS the County Legislature agrees that funds described in this Resolution should be made available for such use by posting to a certain budget line item in the Legislatures budget or otherwise for calendar year 2018 by the County's Finance and Purchasing Department; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the following transfer or equivalent documentation/identification, to accomplish posting of the funds in the Jackson County Budget management system so that the funds are available for immediate use and expenditure within the 2018 budget, be and hereby is authorized:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
General Fund			
Legislature as a Whole			
001-0112	56080-Other Professional Svc	\$10,000	
001-0112	56790- Other Contractual Svc	\$20,000	
Reserve			
001-8006	56835- Reserve-Operating	\$146,000	
Legislature as a Whole			
001-0112	56020-Legal Services		\$96,000
County Counselor			
001-1101	56020-Legal Services		\$80,000

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Chair of the Legislature be and hereby is authorized to execute a Second Addendum to the Agreement with Williams & Campo, P.C., for the position of Legal Advisor at a cost to the County not to exceed \$96,000.00;and,

BE IT FURTHER RESOLVED that the Department of Finance and Purchasing be and hereby is authorized to make all payments, including final payment on the Agreement and all Addenda thereto.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:


Chief Deputy County Counselor


County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 20007 of October 8, 2018, was duly passed on October 15, 2018 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

Nays 0

Abstaining 0

Absent 0
Excused 1

10-15-18
Date


Mary Jo Spino, Clerk of Legislature

Funds sufficient for the above-described transfer or equivalent documentation and/or identification to accomplish posting of the funds in the Jackson County Budget management system so that the funds are available for immediate use and expenditure are available in the source indicated below.

ACCOUNT NUMBER: 001 0112 56835
ACCOUNT TITLE: General Fund
Legislature as a Whole
Other Professional Services
NOT TO EXCEED: \$10,000.00

ACCOUNT NUMBER: 001 8006 56835
ACCOUNT TITLE: General Fund
Legislature as a Whole
Other Contractual Services
NOT TO EXCEED: \$20,000.00

ACCOUNT NUMBER: 001 8006 56835
ACCOUNT TITLE: General Fund
Reserve Operating
NOT TO EXCEED: \$146,000.00

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

ACCOUNT NUMBER: 001 0112 56020
ACCOUNT TITLE: General Fund
Legislature as a Whole
Legal Services
NOT TO EXCEED: \$96,000.00

ACCOUNT NUMBER: 001 0112 56020
ACCOUNT TITLE: General Fund
County Counselor
Legal Services
NOT TO EXCEED: \$80,000.00

10-15-2018
Date


Director of the Department of Finance and
Purchasing