



COUNTY LEGISLATURE JACKSON COUNTY, MISSOURI

MARY JO SPINO

CLERK OF THE COUNTY LEGISLATURE
415 East 12th Street
Kansas City, MO 64106

201 West Lexington, 2nd Floor
Independence, MO 64050

April 28, 2023 – May 4, 2023

- 4-28-2023 Friday 8:00 A.M. – Red Cross Blood Drive –
4:00 P.M. – Jackson County Courthouse, 415 East 12th Street,
2nd Floor, Foyer outside of the Kansas City Legislative
Assembly Area
- 5-01-2023 Monday NO ANTI-CRIME, HEALTH & ENVIRONMENT, INTER-
GOVERNMENTAL AFFAIRS, PUBLIC WORKS, RULES,
911 OVERSIGHT, DIVERSITY, EQUITY, & INCLUSION,
VETERANS COMMITTEE MEETINGS –
- 2:10 P.M. Justice & Law Enforcement Committee Meeting –
Jackson County Courthouse, 415 East 12th Street,
2nd Floor, Kansas City Legislative Assembly Area
- 2:15 P.M. Finance & Audit Committee Meeting –
Jackson County Courthouse, 415 East 12th Street,
2nd Floor, Kansas City Legislative Assembly Area
- 2:25 P.M. Budget Committee Meeting –
Jackson County Courthouse, 415 East 12th Street,
2nd Floor, Kansas City Legislative Assembly Area
- 2:35 P.M. Land Use Committee Meeting –
Jackson County Courthouse, 415 East 12th Street,
2nd Floor, Kansas City Legislative Assembly Area
- 3:00 P.M. **LEGISLATIVE MEETING -**
Jackson County Courthouse, 415 East 12th Street,
2nd Floor, Kansas City Legislative Assembly Area
- Closed Meeting per Resolution #21259**
- 5-02-2023 Tuesday NO MEETINGS –

5-03-2023 Wednesday

NO MEETINGS –

5-04-2023 Thursday

9:00 A.M. –
1:00 P.M.

Budget Committee Hearing – Outside Agencies
Jackson County Courthouse, 415 East 12th Street,
2nd Floor, Kansas City Legislative Assembly Area

5-05-2023 Friday

9:00 A.M. –
1:00 P.M.

Budget Committee Hearing – Outside Agencies
Jackson County Courthouse, 415 East 12th Street,
2nd Floor, Kansas City Legislative Assembly Area

Persons with disabilities wishing to participate in the above meetings and who require reasonable accommodation may call the County Clerk's Office at 881-3242 or 1-800-735-2466 (Missouri Relay). Forty-eight (48) hours' notice is required. To put information on the Activity Calendar, please contact the County Clerk's Office by NOON Wednesday of each week.

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$12,500.00 from the undesignated fund balance of the 2023 Recorder's Fee Fund to cover increased rent costs for the County Records Center.

ORDINANCE NO. 5739, May 1, 2023

INTRODUCED BY Megan L. Marshall, County Legislator

WHEREAS, there is a need to cover additional common area maintenance rent for the County Records Center located in the Space Center Executive Park in Independence, MO; and,

WHEREAS, under the current lease the landlord of the facility has the right to adjust the rent for increasing property taxes; and,

WHEREAS, an additional \$12,500.00 will cover increased costs for 2022, in the amount of \$5,956.06, and the projected increased 2023 costs in the amount of \$6,544.00; and

WHEREAS, an appropriation is necessary to cover these increased rent costs; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that the following appropriation be and hereby is made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Recorder's Fee Fund 044-9999	32810- Undesignated Fund Balance	\$12,500.00	
Records Center Rent 044-3005	56620- Rent- Buildings		\$12,500.00

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

Opus D. Hodson
Chief Deputy County Counselor

Byron O. Binkley
County Counselor

I hereby certify that the attached ordinance, Ordinance No. 5739 introduced on May 1, 2023, was duly passed on _____, 2023 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

This Ordinance is hereby transmitted to the County Executive for his signature.

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5739.

Date

Frank White, Jr., County Executive

Funds sufficient for this appropriation are available from the source indicated below.

ACCOUNT NUMBER: 044 9999 32810
ACCOUNT TITLE: Recorder's Fee Fund
Undesignated Fund Balance
NOT TO EXCEED: \$12,500.00

4/26/2023
Date


Chief Administrative Officer

Request for Legislative Action

Ordinance No.: 5739
Sponsor: Megan L. Marshall
Date: May 1, 2023

Completed by County Counselor's Office			
Action Requested:	Ordinance	Res.Ord No.:	5739
Sponsor(s):	Megan L. Marshall	Legislature Meeting Date:	5/1/2023

Introduction
Action Items: ['Appropriate']
Project/Title:
Appropriating \$12,500 from the Undesignated Fund Balance of the Recorder's Fee Fund (No. 044) for the purpose of funding unbudgeted rent costs associated with the County Records Center for total estimated rent of \$227,412 for FY 2023.

Request Summary
This ordinance requests the appropriation of an additional \$12,500 from the Undesignated Fund Balance of the Recorders Fee Fund (No. 044) for the purpose of covering additional common area maintenance rent for the County Records Center located in Space Center Executive Park in Independence, Missouri. Under the current lease, the landlord of the County facility has the right to adjust rent for increasing property taxes. An additional \$12,500 will cover the unanticipated costs of \$5,956.06 from 2022 and a projected additional increase of \$6,544 for 2023. This bill was received after the 2023 budget was submitted for consideration by the County Legislature

Contact Information			
Department:	Recorder of Deeds	Submitted Date:	4/18/2023
Name:	Troy Schulte	Email:	TSchulte@jacksongov.org
Title:	County Administrator	Phone:	816-881-1079

Budget Information			
Amount authorized by this legislation this fiscal year:			\$12,500
Amount previously authorized this fiscal year:			\$214,912
Total amount authorized after this legislative action:			\$227,412
Is it transferring fund?			No
Single Source Funding:			
Fund:	Department:	Line Item Account:	Amount:
044 (Recorder's Fee Fund)	9999 (*)	32810 (Undesignated Fund Balance)	\$12,500
044 (Recorder's Fee Fund)	3005 (Records Center Rent)	56620 (Rent - Buildings)	\$12,500

Request for Legislative Action

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
Prior Resolution	
Resolution:	Resolution date:

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

Compliance	
Certificate of Compliance	
Not Applicable	
Minority, Women and Veteran Owned Business Program	
Goals Not Applicable for following reason: Contract is for real property	
MBE:	.00%
WBE:	.00%
VBE:	.00%
Prevailing Wage	
Not Applicable	

Fiscal Information
<ul style="list-style-type: none"> Funds sufficient for this appropriation and/or transfer are available from the source indicated on the budget information tab.

Request for Legislative Action

History

Submitted by Recorder of Deeds requestor: Troy Schulte on 4/18/2023. Comments:

Approved by Department Approver Diana M. Smith on 4/18/2023 1:00:22 PM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 4/18/2023 1:06:20 PM.
Comments:

Approved by Compliance Office Approver Ikeela Alford on 4/18/2023 2:02:29 PM. Comments:

Approved by Budget Office Approver David B. Moyer on 4/19/2023 1:24:54 PM. Comments:

Approved by Executive Office Approver Sylvya Stevenson on 4/19/2023 1:39:35 PM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 4/27/2023 9:41:32 AM. Comments:

Supplemental Appropriation Request Jackson County, Missouri

Funds sufficient for this appropriation are available from the source indicated below.

Date: April 19, 2023

Ord #	<u>5739</u>
eRLA ID #:	<u>884</u>

<u>Org Code/Description</u>	<u>Object Code/Description</u>	<u>From</u>	<u>To</u>
<u>044 Recorder's Fee Fund</u>			
<u>9999 -</u>	<u>32810 Undesignated Fund Balance</u>	<u>\$ 12,500</u>	<u>\$ -</u>
<u>3005 Records Center Rent</u>	<u>56620 Rent - Buildings</u>		<u>12,500</u>
		<u>\$ 12,500</u>	<u>\$ 12,500</u>

David Moyer
Budget Office

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$3,500,000.00 from the undesignated fund balance of the 2023 American Rescue Plan Fund to support the COVID-19 recovery efforts of the Jackson County Health Department and supporting public health infrastructure for the 2023 fiscal year.

ORDINANCE NO. 5740, May 1, 2023

INTRODUCED BY Megan L. Marshall, County Legislator

WHEREAS, U.S. President Joseph R. Biden, Jr., Missouri Governor Mike Parson, and County Executive Frank White, Jr., have all declared or affirmed, in one form or another, that the ongoing Coronavirus/COVID-19 pandemic is a public health emergency; and,

WHEREAS, the County, through its various efforts, plays a significant role in the public health of its citizens and employees; and,

WHEREAS, an appropriate response by the County to this emergency will require significant expenditures from the County's American Rescue Plan Fund, which consists of monies provided by the U.S. Treasury for this purpose; and,

WHEREAS, with the funding provided by this appropriation, the Jackson County Health Department will maintain the continued efforts that include providing testing resources, vaccinations, and community health worker referrals to mitigate the impact of COVID-19 on County residents; now therefore,

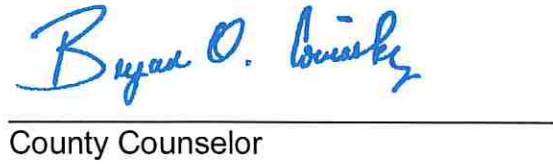
BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that the following appropriation be and hereby is made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
American Rescue Plan Fund 050-9999	38210- Undesignated Fund Balance	\$3,500,000	
Jackson County Health Department 050-2603	56072- Health Department Expense		\$3,500,000

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:


Chief Deputy County Counselor


County Counselor

I hereby certify that the attached ordinance, Ordinance No. 5740 introduced on May 1, 2023, was duly passed on _____, 2023 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

This Ordinance is hereby transmitted to the County Executive for his signature.

Date

Mary Jo Spino, Clerk of Legislature

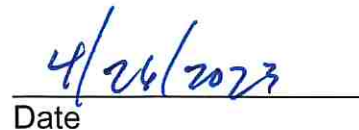
I hereby approve the attached Ordinance No. 5740.

Date

Frank White, Jr., County Executive

Funds sufficient for this appropriation are available from the source indicated below.

ACCOUNT NUMBER: 050 9999 38210
ACCOUNT TITLE: American Rescue Plan Fund
Undesignated Fund Balance
NOT TO EXCEED: \$3,500,000.00


Date


Chief Administrative Officer

Request for Legislative Action

Ord. #5740

Sponsor: Megan L. Marshall

Date: May 1, 2023

Completed by County Counselor's Office

Action Requested:	Ordinance	Res.Ord No.:	5740
Sponsor(s):	Megan L. Marshall	Legislature Meeting Date:	5/1/2023

Introduction

Action Items: ['Appropriate']

Project/Title:

Appropriating \$3,500,000 from the Undesignated Fund Balance of the American Rescue Plan Fund (No. 050) for the purpose of funding COVID-19 recovery efforts and supporting public health infrastructure of the Jackson County Health Department for fiscal year 2023.

Request Summary

This ordinance seeks legislative approval of the Jackson County Health Department's continuing COVID-19 recovery efforts and core infrastructure support for County fiscal year 2023. A total of \$3.5 million is estimated to be spent by the Health Department/University Health in 2023 for the ongoing recovery efforts that include providing testing resources, vaccinations, and community health worker referrals to mitigate the impact of COVID-19 on County residents who live outside of the cities of Kansas City and Independence. A total of \$1.6 million of the projected \$3.5 million will be spent on salaries and benefits of Health Department staff whose positions are critical to maintaining a strong public health infrastructure that ensures the capacity of communities to prevent disease, promote health and prepare for and respond to both emergencies, and ongoing challenges to public health. The County response to the COVID-19 pandemic has been funded from federal COVID-19 response funds (CARES and ARPA) since the beginning and is expected to continue through at least 2023.

Contact Information

Department:	Jackson County Health Department	Submitted Date:	4/19/2023
Name:	Troy Schulte	Email:	TSchulte@jacksongov.org
Title:	County Administrator	Phone:	816-881-1079

Budget Information

Amount authorized by this legislation this fiscal year:	\$3,500,000,000
Amount previously authorized this fiscal year:	\$ 0
Total amount authorized after this legislative action:	\$3,500,000,000
Is it transferring fund?	Yes
Transferring Fund From:	

Request for Legislative Action

Fund:	Department:	Line Item Account:	Amount:
050 (American Rescue Plan Fund)	9999 (*)	32810 (Undesignated Fund Balance)	\$3,500,000
Transferring Fund To:			
Fund:	Department:	Line Item Account:	Amount:
050 (American Rescue Plan Fund)	2603 (Jackson County Health Department)	56072 (Health Department Expense)	\$3,500,000

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
5545	September 20, 2021
5491	March 8, 2021
5369	June 21, 2021
5340	May 18, 2020
5333	May 4, 2020
Prior Resolution	
Resolution:	Resolution date:
20986	June 13, 2022

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

Compliance	
Certificate of Compliance	
Not Applicable	
Minority, Women and Veteran Owned Business Program	
Goals Not Applicable for following reason: Appropriation-Not spending funds	
MBE:	.00%
WBE:	.00%
VBE:	.00%
Prevailing Wage	
Not Applicable	

Request for Legislative Action

Fiscal Information

- Funds sufficient for this appropriation and/or transfer are available from the source indicated on the budget information tab.

History

Submitted by Jackson County Health Department requestor: Troy Schulte on 4/19/2023. Comments: This was originally submitted as erla 863. Resubmitting due to technical problems.

Approved by Department Approver Lisa Honn on 4/19/2023 11:12:07 AM. Comments: Approving for Bridgette Shaffer, Health Director for Jackson County Health Department.

Not applicable by Purchasing Office Approver Barbara J. Casamento on 4/19/2023 11:27:28 AM. Comments:

Approved by Compliance Office Approver Jaime Guillen on 4/19/2023 3:37:08 PM. Comments:

Approved by Budget Office Approver Sarah L. Matthes on 4/20/2023 7:55:39 AM. Comments: Fiscal Note Attached

Approved by Executive Office Approver Sylvya Stevenson on 4/20/2023 9:59:19 AM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 4/27/2023 9:42:42 AM. Comments:

Supplemental Appropriation Request Jackson County, Missouri

Funds sufficient for this transfer are available from the source indicated below.

Date: April 20, 2023

ORD/RES # 5740
eRLA # 888

Department / Division	Character/Description	From	To
American Rescue Plan Fund - 050			
9999 - Non-Specific Department	38210 - Undesignated Fund Balance	3,500,000	
2603 - Jackson County Health Department	56072 - Health Department Expense		3,500,000
<div style="border: 1px solid green; padding: 2px; display: inline-block;"> APPROVED <small>By Sarah Matthes at 7:54 am, Apr 20, 2023</small> </div>		\$ 3,500,000	\$ 3,500,000

Budgeting

BUDGET

Jackson County Health Department

1.1 COVID-19 Vaccination	\$	259,000.00
1.2 COVID-19 Testing	\$	406,000.00
1.3 COVID-19 Contact Tracing	\$	45,000.00
1.5 Personal Protective Equipment	\$	75,000.00
1.8 Other COVID-19 Public Health Expenses	\$	660,000.00
1.14 Other Public Health Services	\$	150,000.00
2.19 Social Determinants of Health: Community Health Workers	\$	115,000.00
3.1 Payroll & Benefit Costs for Public Health	\$	1,600,000.00
4.1 Premium Pay	\$	190,000.00
	\$	3,500,000.00

DESCRIPTION

1.1 COVID-19 Vaccination

Staffing to support COVID vaccination efforts; digitizing COVID vaccination records; purchase of COVID vaccine; software for vaccine registration form

1.2 COVID-19 Testing

Testing supplies, lab costs, at-home test kit distribution, courier service, and staffing to support testing efforts

1.3 COVID-19 Contact Tracing

Maintain an Office Assistant to support outbreak management, especially in high risk, congregate settings

1.5 Personal Protective Equipment

KN95 masks for community distribution, hand sanitizer, masks for clinic use, sanitizing wipes

1.6 Medical Expenses

Medical supplies to support vaccination and testing efforts

1.8 Other COVID-19 Public Health Expenses

General & office supplies, minor equipment, printed forms, postage, marketing, staff training & workforce development, telecommunications equipment, software licenses, mileage/travel, subscriptions, moving expenses, wraps for purchased mobile health van and vehicle

1.14 Other Public Health Services

Staffing to support community health initiatives planning and delivery with a focus on equity and social determinants of health; strategies/activities to address complex social and health challenges identified through the community health improvement process (ex. housing, food access, access to services)

2.19 Social Determinants of Health: Community Health Workers

Staffing to support recovery efforts; IRIS referral network software that connects to social service agencies, NGOs, and healthcare

3.1 Payroll Costs for Public Health

Payroll expenses for COVID response and recovery for public health. Includes positions focused in community engagement and policy, communicable disease and analytics, communications, public health emergency preparedness, fiscal administration, and public health strategy

4.1 Premium Pay

A one-time employee retention incentive to combat high turnover within our public health workforce

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE imposing a countywide sales tax of three percent on all tangible personal property retail sales of adult use, non-medicinal marijuana.

ORDINANCE NO. 5741, May 1, 2023

INTRODUCED BY Manuel Abarca IV, County Legislator

WHEREAS, article XIV, section 2.6(5) of the Missouri Constitution authorizes the governing body of a county to impose a countywide sales tax on all tangible personal property retail sales of adult use non-medicinal marijuana sold in such county; and,

WHEREAS, article XIV, section 2.6(5) provides that the tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary, or special election, a proposal to authorize the governing body of the county to impose the tax; and,

WHEREAS, by Ordinance 5710, dated January 24, 2023, the County submitted to its voters, at a special election held on April 4, 2023, a question authorizing the County to impose a countywide sales tax of three percent on all tangible personal property retail sales of adult use, non-medicinal marijuana, with the proceeds to be used to fund community services, veteran services, and other public purposes authorized for the expenditure of County general revenues; and,

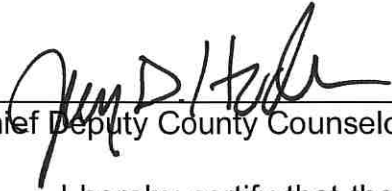
WHEREAS, at this special election, by a vote of 65% to 35%, the voters of Jackson County did approve this countywide sales tax; and,

WHEREAS, it is now appropriate that the County adopt this Ordinance imposing the sales tax and authorizing the Missouri Department of Revenue to begin collecting such revenues; now therefore,


BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that a countywide sales tax is hereby imposed at the rate of three percent on all tangible personal property retail sales of adult use, non-medicinal marijuana in Jackson County, with the proceeds to be used for community services, veteran services, and other public purposes authorized for the expenditure of County general revenues.

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:



Chief Deputy County Counselor



County Counselor

I hereby certify that the attached Ordinance, Ordinance No. 5741 introduced on May 1, 2023, was duly passed on _____, 2023 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

This Ordinance is hereby transmitted to the County Executive for his signature.

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5741.

Date

Frank White, Jr., County Executive

Request for Legislative Action

Ord. #5741
Sponsor: Manuel Abarca IV
Date: May 1, 2023

Completed by County Counselor's Office			
Action Requested:	Ordinance	Res.Ord No.:	5741
Sponsor(s):	Manuel Abarca IV	Legislature Meeting Date:	5/1/2023

Introduction
Action Items: ['Authorize']
Project/Title:
An Ordinance imposing a countywide sales tax of three percent on all tangible personal property retail sales of adult use, non-medicinal marijuana.

Request Summary
<p>Article XIV, section 2.6(5) of the Missouri Constitution authorizes the governing body of a county to impose a countywide sales tax on all tangible personal property retail sales of adult use non-medicinal marijuana sold in such county.</p> <p>Article XIV, section 2.6(5) provides that the tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary, or special election, a proposal to authorize the governing body of the county to impose the tax.</p> <p>By Ordinance 5710, dated January 24, 2023, the County authorized a ballot question on the April 4, 2023, election submitting to the qualified voters of Jackson County, Missouri, at a special election to be held on April 4, 2023, a question authorizing Jackson County to impose a countywide sales tax of three percent on all tangible personal property retail sales of adult use, non-medicinal marijuana.</p> <p>At the special election held on April 4, 2023, by a vote of 65% to 35%, the voters of Jackson County did approve this countywide sales tax. It is now appropriate that the County should approve an ordinance imposing the sales tax and authorizing the Missouri Department of Revenue to begin collecting such revenues.</p>

Contact Information			
Department:	Clerk of Legislature	Submitted Date:	4/19/2023
Name:	Tedi H. Rowland	Email:	TRowland@jacksongov.org
Title:	Deputy County Clerk	Phone:	816-881-3246

Budget Information	
Amount authorized by this legislation this fiscal year:	\$ 0

Request for Legislative Action

Amount previously authorized this fiscal year:	\$ 0
Total amount authorized after this legislative action:	\$
Is it transferring fund?	No
Single Source Funding:	
Fund:	Department:
Line Item Account:	Amount:
	!Unexpected End of Formula

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
5710	January 24, 2023
Prior Resolution	
Resolution:	Resolution date:

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

Compliance	
Certificate of Compliance	
Not Applicable	
Minority, Women and Veteran Owned Business Program	
Goals Not Applicable for following reason: Not spending money	
MBE:	.00%
WBE:	.00%
VBE:	.00%
Prevailing Wage	
Not Applicable	

Fiscal Information
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Request for Legislative Action

History

Submitted by Clerk of Legislature requestor: Tedi H. Rowland on 4/19/2023. Comments: Please prepare for the May 1, 2023 agenda. Jeanie Lauer will sponsor.

Approved by Department Approver Mary Jo Spino on 4/19/2023 4:20:32 PM. Comments: mjs

Not applicable by Purchasing Office Approver Craig A. Reich on 4/19/2023 4:30:33 PM. Comments:

Approved by Compliance Office Approver Jaime Guillen on 4/19/2023 4:36:42 PM. Comments:

Approved by Budget Office Approver David B. Moyer on 4/20/2023 8:49:24 AM. Comments:

Approved by Executive Office Approver Sylvya Stevenson on 4/21/2023 12:51:24 PM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 4/27/2023 9:44:11 AM. Comments:

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION awarding a twelve-month term and supply contract, with one twelve-month option to extend, for the furnishing of vehicle rental services for use by various County departments to Enterprise Leasing Company of Kansas, LLC, of Merriam, KS, under the terms and conditions of Request for Proposals No. 23-007.

RESOLUTION NO. 21256, May 1, 2023

INTRODUCED BY Megan L. Marshall, County Legislator

WHEREAS, the Director of Finance and Purchasing has solicited written proposals pursuant to Request for Proposals No. 23-007 for vehicle rental services for use by various County departments for the upcoming twelve-month period; and,

WHEREAS, a total of twenty-five notifications were distributed and viewed and two responses were received, from the following:

BIDDER

Enterprise Leasing Company of Kansas, LLC
Merriam, KS

Herc Rentals, Inc.
Kansas City, (Jackson County), MO

and,

WHEREAS, pursuant to section 1054.6 of the Jackson County Code, the Director of Finance and Purchasing recommends the award for vehicle rental services to Enterprise Leasing Company of Kansas, LLC, of Merriam, KS, as it has submitted the lowest and best bid received; and,

WHEREAS, this award is made on an as needed basis and does not obligate Jackson County to pay any specific amount, with the availability of funds for specific purchases subject to annual appropriation; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that award be made as recommended by the Director of Finance and Purchasing, and that the Director be, and is hereby, authorized to execute for the County any documents necessary to the accomplishment of the award; and,

BE IT FURTHER RESOLVED that the Director of Finance and Purchasing is authorized to make all payments, including final payment on the contract and any extension thereto, to the extent that sufficient appropriations to the using agencies are contained in the then current Jackson County budget.

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. 21256 of May 1, 2023, was duly passed on _____, 2023 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____


Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases is subject to annual appropriation.



Date



Chief Administrative Officer

Request for Legislative Action

Res. #21256
Sponsor: Megan L. Marshall
Date: May 1, 2023

Completed by County Counselor's Office

Action Requested:	Resolution	Res.Ord No.:	21256
Sponsor(s):	Megan L. Marshall	Legislature Meeting Date:	5/1/2023

Introduction

Action Items: ['Award']

Project/Title:

Awarding a Twelve (12) Month Term and Supply Contract with One (1) Twelve (12) Month Option to Extend for the furnishing of Vehicle Rental Services for use by Various County Departments to Enterprise Leasing Company of Kansas, LLC of Merriam, Kansas under the terms and conditions of Request for Proposal No. 23-007.

Request Summary

Various County Departments require a Term and Supply Contract for the furnishing of Vehicle Rental Services. The Purchasing Department issued Request for Proposal No. 23-007 in response to those requirements. A total of Twenty-Five (25) notifications were distributed, eleven (11) document takers and two (2) responses were received and evaluated.

- Enterprise Holdings
- Herc Rentals

An Executive Summary of the Invitation to Bid, including the Contractor's Quotation Sheet and the using County Departments Recommendation Memos are attached.

Pursuant to Section 1054.6 of the Jackson County Code, the Purchasing Department and the using Departments recommend the award of a Twelve (12) Month Term and Supply Contract with One (1) Twelve (12) Month Option to Extend for the furnishing of Vehicle Rental Services for use by Various County Departments to Enterprise Leasing of Kansas LLC of Merriam, Kansas as the lowest and best bid under the terms and conditions of Request for Proposal No. 23-007.

The County Departments estimated Annual Usage: \$256,000. This award is made on a "As Needed" basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchase(s) is subject to annual appropriations.

Compliance has been checked and is current.

Contact Information

Department:	Finance	Submitted Date:	4/17/2023
Name:	Keith E. Allen	Email:	keallen@jacksongov.org
Title:	Senior Buyer	Phone:	816-881-3465

Request for Legislative Action

Budget Information			
Amount authorized by this legislation this fiscal year:			\$ 0
Amount previously authorized this fiscal year:			\$ 0
Total amount authorized after this legislative action:			\$
Is it transferring fund?			No
Single Source Funding:			
Fund:	Department:	Line Item Account:	Amount:
			!Unexpected End of Formula

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
Prior Resolution	
Resolution:	Resolution date:
20596	January 4, 2021

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	Yes
Chapter 10 Justification:	Formal Bid
Core 4 Tax Clearance Completed:	Yes
Certificate of Foreign Corporation Received:	Yes
Have all required attachments been included in this RLA?	Yes

Compliance	
Certificate of Compliance	
In Compliance	
Minority, Women and Veteran Owned Business Program	
Goals are waived - insufficient MBE or WBE firms available	
MBE:	.00%
WBE:	.00%
VBE:	.00%
Prevailing Wage	

Request for Legislative Action

Not Applicable	
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Fiscal Information

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.

History

Submitted by Finance requestor: Keith E. Allen on 4/17/2023. Comments:

Approved by Department Approver Bob Crutsinger on 4/17/2023 1:20:46 PM. Comments:

Approved by Purchasing Office Approver Barbara J. Casamento on 4/17/2023 1:28:06 PM. Comments:

Approved by Compliance Office Approver Jaime Guillen on 4/17/2023 5:31:03 PM. Comments:

Approved by Budget Office Approver David B. Moyer on 4/18/2023 8:31:30 AM. Comments:

Approved by Executive Office Approver Sylvya Stevenson on 4/18/2023 2:31:43 PM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 4/27/2023 9:33:42 AM. Comments:



JACKSON COUNTY DRUG TASK FORCE

MEMORANDUM

From: Cari Beeman, Operations Administrator

To: Keith Allen, Buyer, Purchasing Department

Date: 3/23/23

Subject: Bid 23-007 – Rental Vehicle Services, Term and Supply Contract Recommendation

Keith,

This memorandum is being prepared and submitted in response to your request for feedback regarding the above contract being awarded by Jackson County for Enterprise Holdings on a Term and Supply basis.

The Drug Task Force would like to recommend moving forward with Enterprise Holdings, a vendor who applied for this contract. Enterprise Holdings has been in service for many years covering a wide variety of vehicles that meet our needs. Their competitive pricing and vehicle selection led me to recommend them. Annual spend will be around \$235,000.00 for vehicles.

Thank you

A handwritten signature in blue ink that reads "Cari Beeman".

Cari Beeman

Operations Administrator



Office of the JACKSON COUNTY SHERIFF

Sheriff Darryl Forté

INTER-OFFICE MEMO

TO: Keith Allen, Purchasing
FROM: Beth Money, Office Administrator
CC: Sgt. Eli Postlethwait
RE: Recommendation Memo 23-007 – Rental Vehicle Services
Date: March 23, 2023

The Sheriff's Office has an ongoing need for a vendor to provide rental vehicles. We have reviewed the bids submitted by Enterprise Holdings and Herc Rentals. We recommend awarding a contract to Enterprise Holdings as they offer acceptable pricing, and their services will meet our needs.

The Sheriff's Office will spend approximately \$21,000 annually using this contract.



23-007 - Rental Vehicle Services

Project Overview

Project Details	
Reference ID	23-007
Project Name	Rental Vehicle Services
Project Owner	Keith Allen
Project Type	RFP
Department	Various Departments
Budget	\$0.00 - \$0.00
Project Description	Jackson County, Missouri is seeking proposals for the furnishing of Rental Vehicle Services for use by various Jackson County, MO Departments on a Twelve (12) Month Contract with a Twelve (12) Month Option to Extend.
Open Date	Jan 25, 2023 1:00 PM CST
Intent to Bid Due	Feb 28, 2023 1:30 PM CST
Close Date	Feb 28, 2023 2:00 PM CST

Highest Scoring Supplier	Score
Enterprise Holdings	95 pts



Seal status

Requested Information	Unsealed on	Unsealed by
Cover Letter	Feb 28, 2023 2:12 PM CST	Keith Allen
Executive Summary	Feb 28, 2023 2:12 PM CST	Keith Allen
Affidavit	Feb 28, 2023 2:12 PM CST	Keith Allen
Certificate of Compliance	Feb 28, 2023 2:12 PM CST	Keith Allen
Addenda	Feb 28, 2023 2:12 PM CST	Keith Allen
Page 9 of Scope of Services	Feb 28, 2023 2:12 PM CST	Keith Allen
Exhibit F - Exceptions	Feb 28, 2023 2:12 PM CST	Keith Allen
Attachment 1 - Quotation Sheet	Feb 28, 2023 2:12 PM CST	Keith Allen



Scoring Summary

Active Submissions

	Total	A - Purchasing Evaluation	A-1 - Cover Letter	A-2 - Executive Summary	A-3 - Affidavit
Supplier	/ 100 pts	/ 0 pts	Pass/Fail	Pass/Fail	Pass/Fail
Enterprise Holdings	95 pts	0 pts	Pass	Pass	Pass
Herc Rentals Inc.	50 pts	0 pts	Pass	Pass	Pass

	A-4 - Certificate of Compliance	A-5 - Addenda	A-6 - Page 9	A-7 - Exhibit F - Bidder's Exceptions	A-8 - Attachment 1 - Quotation Sheet
Supplier	Pass/Fail	Pass/Fail	Pass/Fail	Pass/Fail	Pass/Fail
Enterprise Holdings	Pass	Pass	Pass	Pass	Pass
Herc Rentals Inc.	Pass	Pass	Pass	Pass	Pass



	A-9 - Company's Location	A-10 - Rental Form	B - Department Evaluation	B-1 - Exhibit F - Bidder's Exceptions	B-2 - Executive Summary
Supplier	Pass/Fail	Pass/Fail	/ 20 pts	/ 5 pts	/ 15 pts
Enterprise Holdings	Pass	Pass	20 pts	5 pts	15 pts
Herc Rentals Inc.	Pass	Pass	10 pts	2.5 pts	7.5 pts

	C - Pricing	C-1 - Attachment 1 - Quotation Sheet
Supplier	/ 80 pts	/ 80 pts
Enterprise Holdings	75 pts	75 pts
Herc Rentals Inc.	40 pts	40 pts



GLOBAL CORPORATE RATE AGREEMENT

EAN Services, LLC (“EAN”) and

Jackson County, Missouri (“Company”)

Effective: (Effective Date)

Agreement Details			
Brands	Enterprise Rent-A-Car and National Car Rental (the “Brands”)		
Term	This Agreement is effective on the Effective Date and shall remain in effect until terminated by either party by providing thirty days’ prior written notice or as otherwise provided for in the General Terms and Conditions (the “Term”).		
Rates	The vehicle rental rates extended under this Agreement are set forth on the attached Schedule 1 (the “Rates”) and are available for booking by employees and contractors of Company (“Eligible Renters”) using the Account Number(s) provided by EAN. Subject to the General Terms and Conditions, the Rates shall be in effect for twelve (12) months from the Effective Date and thereafter may be modified by EAN effective at each anniversary of: (a) the Effective Date; or (b) the date of the last Rate increase.		
Protection Products and Additional Terms	Schedule 2 sets forth any protection products or other optional products or services included in the Rates and the terms thereof, as well as any additional terms applicable to Company under this Agreement.		
Volume Benchmark	Company intends to spend at least \$320,000.00 annually on Business Rentals with the Brands during the Term (“Volume Benchmark”), and EAN has agreed to Rates and other benefits based on that volume expectation. EAN may renegotiate the Rates and other benefits in the event Company’s time and mileage spend during any six (6) month period during the Term does not exceed 40% of the Volume Benchmark.		
EAN Status	Company agrees to recommend the Brands as a preferred option to its personnel and partners.		
Customer Contact	Keith Allen keallen@jacksongov.org 415 E 12th St Kansas City, MO 64106	EAN Account Manager	Drew Wedel, Account Manager Senior drew.wedel@ehi.com 600 Corporate Park Drive St. Louis, MO. 63105
Agreement	These Agreement Details together with the attached General Terms and Conditions and the Schedule(s) attached hereto, all of which are incorporated herein by reference, form the entire agreement between EAN and Company. Terms used but not defined herein have the meanings given them in the General Terms and Conditions. EAN enters into this Agreement for itself and as agent for the Renting Entities.		

The undersigned hereby confirms that it is authorized to sign this Agreement on behalf of Company and bind Company to the terms of this Agreement.

EAN	Company
Signature: _____	Signature: _____
Name: _____	Name: _____
Title: _____	Title: _____
Date: _____	Date: _____

GENERAL TERMS AND CONDITIONS

Definitions.

Agreement shall mean the Global Corporate Rate Agreement, comprised of the Agreement Details, the Schedules and these General Terms and Conditions. Terms used but not defined in these General Terms and Conditions mean as set forth in the Agreement Details and Schedules.

Additional Authorized Driver shall have the meaning set forth in the applicable Rental Contract and for Business Use rentals shall also include the employer and any fellow employee(s) of the Eligible Renter.

Affiliate means any entity that owns directly or indirectly, is owned by, or is under common control with another entity.

Business Use means rentals which are paid for (including through reimbursement), in whole or in part, by Company or its Affiliates.

Franchisees means EAN's network of independently owned franchisees and licensees operating locations under the Brands.

Location Surcharges means geographic surcharges in addition to the Rate that vary depending on the originating location of rental, as set forth on one or more Schedules and which are determined by and may be changed or modified in the sole discretion of EAN on written notice.

Rental Contract means any agreement between Company or an Eligible Renter and Renting Entity for the rental of a vehicle.

Rates means the rates which differ by rental type, brand and location as set out in the Schedule(s), increased in accordance with this Agreement.

Renting Entity means the provider of the rental, which is the EAN Affiliate or Franchisee operating the facility where the rental originates, as identified in the Rental Contract and available upon request. Each Renting Entity (not EAN) is a principal for purposes of this Agreement.

Rental Program and Rates. Each Renting Entity shall ensure that vehicles are made available to Eligible Renters for rental for Business Use (and leisure use, if applicable and set forth on a particular Schedule) at the Rates provided in the Agreement when the Eligible Renter makes an advance reservation, subject to availability. Rates apply to locations operating under the Brands in the jurisdictions set forth in the applicable Schedule(s). To be eligible for the Rates, eligible rentals must be made through an EAN approved booking channel using the Account Number(s) assigned to Company. Location Surcharges in a Schedule shall apply to all Schedules unless otherwise noted. Except as expressly provided in this Agreement, Rates do not include applicable taxes, fees, surcharges, licensing fees, refueling, drop-off, no-show, delivery, youthful driver, additional driver, pickup charges, one-way charges, or any optional products. Rates may not apply in certain cities during special events, and major holidays, and Rates do not apply in Manhattan, NY Boroughs and certain other NYC Tri-State Area locations from 12:01am Friday to 12:59pm Sunday. Reservations for these rentals may require a financial guarantee and the location's standard, undiscounted daily rates shall apply. DW and liability protection, if included in the Rate, shall not apply for rentals of exotics, high line and premium selection vehicles (each determined by EAN). Vehicles shall not be driven across the U.S.-Canada or U.S.-Mexico borders without Renting Entity's prior written consent. Rental rates may be available for Eligible Renters in car classes and/or jurisdictions not scheduled under the Agreement when Company's Account Number is used, and such rates shall be as quoted at the time of reservation through the EAN designated booking channel(s) and exclude DW and liability protection unless the rate quote specifies otherwise. In general, DW and liability protection are not included in Rates unless and to the extent set forth in the Agreement, the Rate quote or if the Eligible Renter elects to purchase one or both at the origin of the rental (where available).

Entire Agreement; Amendment; Conflicts; Signature. This Agreement (which supersedes any existing business rental agreement) sets forth the entire understanding between the parties with respect to the subject matter hereof and may only be amended in a written document signed by each party. To the extent of a conflict between the terms of the Agreement Details and a Schedule, the terms of the Schedule prevail. To the extent of a conflict between the terms of the Agreement Details or a Schedule and these General Terms and Conditions, the terms of the Agreement Details or Schedule prevail. This Agreement may be executed in any number of counterparts and each counterpart is deemed an original, but all such counterparts together constitute but one and the same agreement. Notices shall be delivered to the addresses set forth in the Agreement Details.

Eligible Renters/Rental Contracts. In order to rent, Eligible Renters must meet the normal renter qualifications of the Renting Entity and shall enter into the applicable Rental Contract of the Renting Entity, which will govern the applicable vehicle rental. If no rental contract is executed but an Eligible Renter or Additional Authorized Driver operates a vehicle, such individual and Company shall be deemed to have entered into the Renting Entity's standard rental contract at the time of the rental. Optional Products are subject to the terms and conditions of the applicable Rental Contract and any applicable insurance policy. Company may be required to confirm the status of any person claiming to be an Eligible Renter or Additional Authorized Driver and whether the rental was Business Use. If, Company does not confirm rental type or status, any Optional Products will be voided for such rental. Company is responsible for controlling access to/use of Account Number(s) and booking tools. EAN cannot guarantee the type of rental vehicle, and Renting Entity determines the vehicles within each class. Vehicle classes may be restricted by driver's age. A rental day is any 24-hour period or portion thereof.

Termination. In addition to any other termination rights in this Agreement, (i) EAN and Company may terminate this Agreement in the event of a breach of the Agreement (including nonpayment) by the other, which breach is not cured within thirty days after notice of same, and (ii) EAN may terminate this agreement in the event Company fails to meet the Volume Benchmark and the parties cannot agree on a revised rate structure reflecting same.

Payment and Company Responsibility - Business Use Rentals Unless paid at the time of rental by an Eligible Renter, Company shall pay and reimburse EAN for any and all Rates, Location Surcharges or other amounts owed under a Rental Contract for a Business Use rental (including, without limitation, for amounts arising from traffic violations, tolls, parking fines and fees, excess amounts, vehicle damage and loss not covered by any applicable DW, and reimbursement for third party demands, claims and losses not covered by any applicable liability protection, including attorney's fees, collectively "Unpaid Business Use Charges"). Amounts already paid shall be deducted and Company shall pay and reimburse EAN for all outstanding Unpaid Business Use Charges within thirty days of receipt of invoice. For amounts not paid by Company within thirty days after the date due, Company shall pay a late charge of 1.5% per month on the unpaid amount not to exceed the maximum legal rate. EAN may, from time to time, and upon notice to Company, offset any amounts that are owed to EAN or any Renting Entity by Company against amounts owed by EAN or any Renting Entity to Company.

Insurance. The Schedules may include certain insurance that Company is required to maintain on all Business Use rental vehicles during the Term; provided, however, any such insurance shall only apply to the extent DW and liability protection do not.

Compliance with Laws; Data; Confidentiality. EAN, Company and the Renting Entity shall comply with all laws (including without limitation data protection laws) applicable to their respective businesses; EAN and Renting Entities may use any information provided by Company, its affiliates and Eligible Renters for its own administrative and customer service purposes and for any other purpose set forth in this Agreement, the relevant Rental Contract, the Enterprise Holdings privacy policy and the Emerald Club ((EC) Master Rental Agreement. Company shall maintain the confidentiality of the pricing and the terms of this Agreement. If renter data is transferred to EAN or Affiliates by Company (such as for EC Enrollment), Company shall ensure it is transferred in accordance with applicable laws and EAN is entitled to rely on Company's instructions to send Eligible Renters an EC Welcome Email.

INDIRECT AND CONSEQUENTIAL DAMAGES. EAN, RENTING ENTITY AND COMPANY SHALL NOT BE LIABLE TO ONE ANOTHER FOR ANY LOSS OF REVENUE, PROFITS OR GOODWILL OR FOR ANY INDIRECT OR CONSEQUENTIAL LOSSES RESULTING FROM A BREACH OF THIS AGREEMENT OR ANY SERVICES PROVIDED THEREUNDER.

Assignment. Company may not assign or otherwise transfer any of its rights or obligations under this Agreement without the prior written consent of EAN, which shall not be unreasonably withheld or delayed.

Governing law and venue. Except as otherwise set forth in a Schedule, this Agreement and all claims relating to it are governed by the laws of Missouri, without regard to its conflict of laws rules or principles. Rental Contracts are governed by the laws of the jurisdiction in which they are executed, or for EC rentals, the laws of the country in which the rental originates. Except as provided in the Agreement, the parties shall bring any claim or action arising under the Agreement only in the State or Federal Courts located in Missouri. Notwithstanding the foregoing, a Renting Entity or Company can bring any claim or action arising under a Rental Contract in the jurisdiction set forth in the relevant Rental Contract.

**Global Corporate Rate Agreement
Schedule 1
Rates and Rate Terms & Conditions**

This schedule applies to rentals originating and terminating from the same location operating under the Brands in the United States (including Puerto Rico) and Canada.

(Account Numbers: Business - XZ05365; Kansas City, Missouri Rentals - XZ05344)



When renting with Account Number XZ05365, for rentals in the United States, Puerto Rico, and Canada, the renting location from which the rental originates will apply a ten percent (10%) discount off the standard, undiscounted daily, weekly, and monthly rates charged at all the participating National brand locations ("Rate Discount").



When renting with Account Number XZ05365, for rentals in the United States, Puerto Rico, and Canada, the renting location from which the rental originates will apply a five percent (5%) discount off the standard, undiscounted daily, weekly, and monthly rates charged at all the participating home city and airport Enterprise brand locations ("Rate Discount").

**Rates for rental transactions at Enterprise brand locations
in Kansas City, Missouri are as follows when renting with Account Number XZ05344:**

VEHICLE SIPP CODES	VEHICLE CLASS	DAILY RATES
ICAR	Intermediate	\$45.00
SCAR	Standard	\$45.00
FCAR	Full Size	\$50.00
PCAR	Premium	\$60.00
MVAR	Minivan	\$60.00
SFAR	Standard SUV	\$60.00
FFAR	Large SUV	\$75.00
PFAR	Premium SUV	\$85.00
SPAR	½ ton Standard Truck	\$65.00
PPAR	½ ton Full Size Truck	\$70.00
SKAR	Cargo Van	\$70.00
RVAR	12 Passenger Van	\$125.00
FVAR	15 Passenger Van	\$125.00

Any location surcharges listed in this Agreement do not apply to the location(s) above.

Rate Terms and Conditions:

Emerald Club Rates: For Emerald Club members using the Emerald Aisle in the United States or Canada, the Rate charged shall be the intermediate car (ICAR) rate. For rentals outside of the Emerald Aisle (including Emerald Club Members renting at non-Emerald Aisle locations), the Rate charged shall be the rate for the vehicle rented.

Weekly and Monthly Rates: When renting with Account Number XZ05344, for rentals by the same Eligible Renter, weekly rates are five (5) times the Daily Rate for the Vehicle Class rented, and the monthly rate will be four (4) times the Weekly Rate for the Vehicle Class rented.

Mileage/Kilometers: When renting with Account Number XZ05365, any mileage/kilometer fees charged by the renting location from which the rental originates will apply.

When renting with Account Number XZ05344, Rates include free miles up to 3,000 miles per rental for all vehicle classes. Any additional miles will incur an additional charge of \$0.20 per mile.

Vehicle Classes: This Agreement shall apply to all rentals hereunder; provided, however, that DW and third party liability, if included in the Rate, shall not apply for vehicle classes not listed herein or for rentals of exotics and high line vehicles, including, without limitation, vehicles available through the Exotic Car Collection by Enterprise and the National Premium Selection, the makes and models of which may be changed from time to time by the applicable Renting Entity in its sole discretion; and provided, further, that any third party liability insurance prescribed by the applicable Canadian province shall apply. For vehicle classes not listed herein, all National brand locations will apply up to a 15% discount off of the then-current rates the Renting Entity charges its business customers, which rate varies from time to time, differs by Renting Entity location, and is provided at the time the reservation is made, and rates for all Enterprise brand locations will be determined by the applicable Renting Entity in its sole determination.

Direct Billing: If EAN and Company have agreed to a direct billing arrangement, Company will ensure the direct billing code provided by EAN is only accessible by Eligible Renters and is not available to or accessible by the general public. In the event EAN identifies irregular or suspicious rental activity, Company shall cooperate with EAN to investigate such activity. If EAN determines in its sole and absolute discretion that such activity is attributable to non-Eligible Renters, then EAN shall have the right (but not any obligation) to take such actions as may be necessary or appropriate to control the activity, including but not limited to suspending this Agreement, and/or cancelling and re-issuing Account Numbers and other direct billing code(s). Except to the extent of fault on the part of EAN, Company shall be responsible for all amounts owed pursuant to, arising out of, or in connection with a rental by any non-Eligible Renter (including, without limitation, amounts arising from traffic violations, tolls, parking fines and fees, vehicle damage and loss, and reimbursement for third party demands, claims and losses, including attorneys' fees) and shall promptly pay EAN all such amounts upon demand.

**Global Corporate Rate Agreement
Schedule 2
Protection Products and Additional Terms**

DRIVER PROTECTION PRODUCTS WHEN RENTING WITH ACCOUNT NUMBER XZ05365:

Damage Waiver (DW): Not included in Rates.

Liability Protection: Not included in Rates.

For rentals originating and terminating in the United States and Puerto Rico, the company shall maintain throughout the term of this Agreement, at its expense, Physical Damage Insurance (Collision & Comprehensive: Actual cash value of the applicable vehicle) and Commercial Automobile Liability Insurance with limits of at least \$1,000,000 combined single limit covering all vehicles rented for Business Use pursuant to this Agreement; provided that such coverage shall only apply to the extent any DW or liability protection is not applicable. Company agrees that each required policy of insurance will be by appropriate endorsement or otherwise name Enterprise Holdings, Inc., its subsidiary and affiliated companies, limited liability companies and Franchisees as loss payees under the Physical Damage Insurance and as additional insureds under the liability insurance, as their respective interests may appear.

DRIVER PROTECTION PRODUCTS WHEN RENTING WITH ACCOUNT NUMBER XZ05344:

Damage Waiver (DW): For Enterprise brand rentals to Eligible Renters in Kansas City, Missouri for Business Use only, Rates include DW (may be described as LDW or CDW in the applicable Rental Contract), with a \$1,000 retained responsibility per incident and payable by Company, upon the terms and subject to the limitations set forth in the applicable Rental Contract. Company will advise Eligible Renters that DW applies to their Business Use rentals only. Company will verify that a rental was a Business Use rental in the event of an accident or in the event the vehicle suffers loss or damage. If the Company cannot provide such verification, the applicable Renting Entity is not obligated to provide DW and may void DW.

Liability Protection: For Enterprise brand rentals in Kansas City, Missouri to Eligible Renters for Business Use only, Rates include Liability Protection for accidents arising out of the operation or use of the rental vehicle with a combined single limit of \$1,000,000.00 upon the terms and subject to the limitations set forth in the Rental Contract and in the insurance policy which provides coverage. Unless required by law, Liability Protection excludes any protection afforded under: first party benefits; personal injury protection; medical payments; no-fault; and uninsured or underinsured motorist. Liability Protection provides no coverage for physical damage to, or theft of, the rental vehicle. Insurer and policy terms are subject to change without prior notice to Company. Company will advise Eligible Renters that the Liability Protection described herein applies to their Business Use rentals only. Company will verify that a rental was a Business Use rental in the event they are involved in an accident. If Company cannot provide such verification, the applicable Renting Entity is not obligated to provide Liability Protection and may void Liability Protection. For leisure rentals on all rates and discounts, the limits of liability described in the paragraph above do not apply. In these instances, Liability Protection for third party claims, if applicable, will be as specified in the applicable Rental Contract. For rentals in Canada, each applicable Renting Entity has arranged for motor vehicle liability insurance with an authorized insurer, to provide coverage in accordance with the standard automobile insurance policy, to at least the minimum limits for third party liability prescribed by the applicable province, territory, or other jurisdiction. Provincial or other laws determine minimum limits and priority of coverage for motor vehicle liability insurance.

For rentals originating and terminating in Kansas City, Missouri, the company shall maintain throughout the term of this Agreement, at its expense, Physical Damage Insurance (Collision & Comprehensive: Actual cash value of the applicable vehicle) and Commercial Automobile Liability Insurance with limits of at least \$1,000,000 combined single limit covering all vehicles rented for Business Use pursuant to this Agreement; provided that such coverage shall only apply to the extent any DW or liability protection is not applicable. Company agrees that each required policy of insurance will be by appropriate endorsement or otherwise name Enterprise Holdings, Inc., its subsidiary and affiliated companies, limited liability companies and Franchisees as loss payees under the Physical Damage Insurance and as additional insureds under the liability insurance, as their respective interests may appear.

Additional Terms:

Bulk Rental Transactions: Requests for multiple or bulk rentals will be considered by EAN on a case-by-case basis and may be subject to cancellations, additional fees and/or surcharges. Your account representative must be contacted in advance of these bookings.

Waive Youthful Driver Surcharge: EAN agrees to waive the youthful driver surcharge for Eligible Renters who are twenty-one (21) to twenty-four (24) years old renting for Business Use pursuant to this Agreement.

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION awarding a twelve-month term and supply contract, with two twelve-month options to extend, for the furnishing of steam HVAC parts for use by the Facilities Management Division of the Public Works Department to Spence Engineering/Control Products of Fenton, MO, as a sole source purchase.

RESOLUTION NO. 21257, May 1, 2023

INTRODUCED BY Jeanie Lauer, County Legislator

WHEREAS, the downtown Jackson County Courthouse and Detention Center are heated by a steam system that is stepped-down to a usable temperature, utilizing high pressure valves and routed to individual radiator units; and,

WHEREAS, the specialized high pressure valves, bellows, and pilot valves needed to rebuild and repair the County's steam radiators are proprietary items manufactured solely by Spence Engineering/Control Products of Fenton, MO; and,

WHEREAS, pursuant to section 1030.1 of the Jackson County Code, the Director of Finance and Purchasing recommends the purchase of steam HVAC parts from Spence Engineering/Control Products of Fenton, MO, as a sole source purchase; and,

WHEREAS, this award is made on an as needed basis and does not obligate Jackson County to pay any amount, with the availability of funds for specific purchases remaining subject to annual appropriation; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that award be made as recommended by the Director of Finance and Purchasing and that the Director be and hereby is authorized to execute for the County any documents necessary for the accomplishment of the award; and,

BE IT FURTHER RESOLVED that the Director of Finance and Purchasing be and hereby is authorized to make all payments, including final payment, on the contract to the extent that sufficient appropriations to the using spending agency are available in the then current Jackson County budget.

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. 21257 of May 1, 2023, was duly passed on _____, 2023 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases is subject to annual appropriation.



Date



Chief Administrative Officer

Request for Legislative Action

Res. #21257
Sponsor: Jeanie Lauer
Date: May 1, 2023

Completed by County Counselor's Office

Action Requested:	Resolution	Res.Ord No.:	21257
Sponsor(s):	Jeanie Lauer	Legislature Meeting Date:	5/1/2023

Introduction

Action Items: ['Authorize']

Project/Title:

Authorizing a Twelve (12) Month Term and Supply Contract with Two (2) Twelve (12) Month Option to Extend for the furnishing of Steam HVAC Parts for use by the Facilities Management Division of Public Works to Control Products of Fenton, Missouri as a Sole Source purchase.

Request Summary

The Downtown Courthouse and the Jackson County Detention Center are heated by a steam system that is supplied by a city provider. The steam is "stepped down" to a usable temperature utilizing high pressure valves and then routed to the individual radiator units. The high-pressure valves, bellows, and pilot valves needed to rebuild and repair the County radiators are manufactured by Control Products of Fenton, Missouri.

Pursuant to Section 1030.1 of the Jackson County Code, the Purchasing Department recommends the purchase of Steam HVAC Parts from Control Products of Fenton, Missouri as a Sole Source purchase. Research done by both the Purchasing Department and the Facilities Management Division of Public Works indicates these parts can only be obtained by the manufacturer of the radiators, high pressure valves, bellows, and pilot valves.

The Facilities Management Division of Public Works estimates an annual usage of \$65,000. The award is made on an "as needed" basis and does not obligate Jackson County, Missouri for any specific amount. The availability of funds for specific purchases is subject to appropriation.

Compliance has been checked and the vendor has a current certificate on file.

Contact Information

Department:	Public Works	Submitted Date:	4/6/2023
Name:	Keith E. Allen	Email:	keallen@jacksongov.org
Title:	Senior Buyer	Phone:	816-881-3465

Budget Information

Amount authorized by this legislation this fiscal year:	\$ 0
Amount previously authorized this fiscal year:	\$ 0

Request for Legislative Action

Total amount authorized after this legislative action:			\$
Is it transferring fund?			No
Single Source Funding:			
Fund:	Department:	Line Item Account:	Amount:
			!Unexpected End of Formula

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
Prior Resolution	
Resolution:	Resolution date:
20663	May 3, 2021

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	Yes
Chapter 10 Justification:	Sole Source
Core 4 Tax Clearance Completed:	Not Applicable
Certificate of Foreign Corporation Received:	Not Applicable
Have all required attachments been included in this RLA?	Yes

Compliance	
Certificate of Compliance	
In Compliance	
Minority, Women and Veteran Owned Business Program	
Goals Not Applicable for following reason: Sole Source	
MBE:	.00%
WBE:	.00%
VBE:	.00%
Prevailing Wage	
Not Applicable	

Fiscal Information	
<ul style="list-style-type: none"> This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order. 	

Request for Legislative Action

History

Submitted by Public Works requestor: Keith E. Allen on 4/6/2023. Comments:

Approved by Department Approver Kristina J. Miller on 4/10/2023 4:03:16 PM. Comments:

Returned for more information by Purchasing Office Approver Barbara J. Casamento on 4/11/2023 8:35:32 AM. Comments: Need estimated annual amount in summary

Submitted by Requestor Keith E. Allen on 4/11/2023 8:40:21 AM. Comments:

Approved by Department Approver Kristina J. Miller on 4/18/2023 2:14:46 PM. Comments:

Approved by Purchasing Office Approver Barbara J. Casamento on 4/18/2023 2:28:48 PM. Comments:

Approved by Compliance Office Approver Jaime Guillen on 4/18/2023 4:17:56 PM. Comments:

Approved by Budget Office Approver David B. Moyer on 4/19/2023 8:36:08 AM. Comments:

Approved by Executive Office Approver Sylvya Stevenson on 4/19/2023 1:41:07 PM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 4/27/2023 9:35:03 AM. Comments:



PURCHASING DEPARTMENT

415 East 12th Street
Kansas City, Missouri 64106

816-881-3465
Fax 816-881-3268

DISPOSITION OF TERM & SUPPLY CONTRACT MEMORANDUM

TO: Rick Gerla, Facilities
FROM: Keith Allen, Senior Buyer, Purchasing
DATE: April 3, 2023
RE: Term & Supply Contract: SS20663 (Steam HVAC Parts)

The above referenced Term & Supply Contract will expire on **May 2, 2023**. There is no extensions remaining.

Please review the specifications and advise me of the following:

- ~~A. Extend Contract for 12 months. Department needs service.~~
- B. Rebid with attached changes.
- C. Rebid with specifications as they stand.
- D. Department does not require services of this bid.

Department: Facilities Management Div. Estimated annual usage: \$ 65,000.00

Please return a copy of this memorandum and any requested changes to my attention **AS SOON AS POSSIBLE**, so that appropriate action can be taken.

If you have any questions, please feel free to call me at 881-3465. Thank you.



JACKSON COUNTY **Facilities Management Division**

Jackson County Courthouse
415 East 12th Street, Third Floor Mezzanine
Kansas City, Missouri 64106
jacksongov.org

(816) 881-3258
Fax: (816) 881-3583

MEMORANDUM

From: Rick Gerla Facilities Management Administrator

To: Keith Allen, Senior Buyer, Purchasing Department

Date: 4/3/2023

Subject: Control Products Inc. (Spence Engineering) Sole Source

Keith,

This memorandum is being prepared and submitted to request the use of Control Products of Fenton, MO as a sole source vendor for HVAC parts relative to the Facilities Management Division's needs.

The Downtown Courthouse and The Jackson County Detention Center are provided heat via a steam system that is supplied to these buildings by a city provider. This steam is "stepped down" to a usable temperature utilizing high pressure valves that then route this steam to the individual radiator units in the respective complexes. These specific, high pressure valves are manufactured by Spence Engineering. Spence is also the manufacturer of a majority of the valves, bellows, and pilot valves that correspond to radiators throughout the county.

With the ongoing maintenance of these facilities, the Facilities Management Division has identified Control Products as the solitary regional distributor and manufacturer of these Spence types of equipment and are willing and able to ship them for next-day installation.

I am requesting Control Products be designated as a sole source Term and Supply distributor for HVAC material and equipment.

Your consideration in this matter is greatly appreciated.

Thank you,

Rick Gerla
Facilities Management Administrator

Frank White, Jr., County Executive

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION awarding a contract for video closed captioning services for use by the Office of the Clerk of the County Legislature to Granicus of St. Paul, MN, at an actual cost to the County in the amount of \$23,695.00 for 2023, as a sole source purchase.

RESOLUTION NO. 21258, May 1, 2023

INTRODUCED BY Megan L. Marshall, County Legislator

WHEREAS, by Resolution 21093, dated November 14, 2022, the Legislature awarded a contract for software maintenance for use by the Clerk of the County Legislature; and,

WHEREAS, Granicus, of St. Paul, MN is the developer of the Clerk's software that provides encoding, Open Platform Suite, and Meeting Efficiency Suite to facilitate the Office's agenda, journal, and video services for the legislative and committee meetings; and,

WHEREAS, the Clerk's office has a need for closed captioning services for its video meeting software to make Legislature meetings more accessible to the public and Granicus of St. Paul, MN, as the County's current vendor for video services, can supply closed captioning services at a cost for 2023 in the amount of \$23,625.00; and,

WHEREAS, the Clerk of the County Legislature and Director of Finance and Purchasing recommend award of the contract to Granicus for closed captioning services as a sole source for the reason that, as the video supplier and software developer, only Granicus can supply these services; and,

WHEREAS, pursuant to section 1030.1 of the Jackson County Code, 1984, the Director of Finance and Purchasing and Clerk of the Legislature recommend the award of a contract for video closed captioning services and support for use by the Office of the Clerk of the County Legislature to Granicus of St. Paul, MN, at an actual cost to the County in the amount of \$23,625.00 for 2023, as a sole source purchase; now therefore,

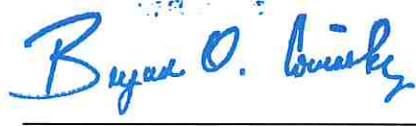
BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that award be made as recommended by the Director of Finance and Purchasing and Clerk of the County Legislature, and that the Director be and hereby is authorized to execute for the County any documents necessary for the accomplishment of the award; and,

BE IT FURTHER RESOLVED that the Director of Finance and Purchasing is authorized to make all payments, including final payment, on the contract.

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. 21258 of May 1, 2023, was duly passed on _____, 2023 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____


Absent _____

Date

Mary Jo Spino, Clerk of the Legislature

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 0201 56663
ACCOUNT TITLE: General Fund
Legislature - Clerk of the County
Software As A Service
NOT TO EXCEED: \$23,625.00


Date


Chief Administrative Officer

Request for Legislative Action

Res. #21258

Sponsor: Megan L. Marshall

Date: May 1, 2023

Completed by County Counselor's Office

Action Requested:	Resolution	Res.Ord No.:	21258
Sponsor(s):	Megan L. Marshall	Legislature Meeting Date:	5/1/2023

Introduction

Action Items: ['Award']

Project/Title:

A Resolution awarding a contract for video closed captioning services for use by the Office of the Clerk of the County Legislature to Granicus of St. Paul, MN, at an actual cost to the County in the amount of \$23,625.00 for 2023, as a sole source purchase.

Request Summary

Resolution 21093 dated November 14, 2022, approved software maintenance for the Clerk of the County Legislature's Granicus software. Granicus, of St. Paul, MN is the developer of software that provides encoding, Open Platform Suite, and Meeting Efficiency Suite to facilitate the Clerk's Office's agenda, journal, and video services for the legislative and committee meetings.

The Clerk's office has a need for closed captioning services for its meeting video software. Granicus of St. Paul, MN, as the County's current vendor for video services, can supply closed captioning services at a cost for 2023 in the amount of \$23,625.00.

The Clerk of the County Legislature recommends the award of a contract to Granicus for closed captioning services as a sole source for the reason that, as the video supplier and software developer, only they can supply these services.

Contact Information

Department:	Clerk of Legislature	Submitted Date:	4/19/2023
Name:	Tedi H. Rowland	Email:	TRowland@jacksongov.org
Title:	Deputy County Clerk	Phone:	816-881-3246

Budget Information

Amount authorized by this legislation this fiscal year:	\$23,625
Amount previously authorized this fiscal year:	\$ 0
Total amount authorized after this legislative action:	\$23,625
Is it transferring fund?	No
Single Source Funding:	

Request for Legislative Action

Fund:	Department:	Line Item Account:	Amount:
001 (General Fund)	0201 (Clerk of the Legislature)	56663 (Software As A Service)	\$23,625

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
Prior Resolution	
Resolution:	Resolution date:
21093	November 14, 2022

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

Compliance	
Certificate of Compliance	
In Compliance	
Minority, Women and Veteran Owned Business Program	
Goals Not Applicable for following reason: Less than \$50000	
MBE:	.00%
WBE:	.00%
VBE:	.00%
Prevailing Wage	
Not Applicable	

Fiscal Information
<ul style="list-style-type: none"> Funds sufficient for this appropriation and/or transfer are available from the source indicated on the budget information tab.

Request for Legislative Action

History

Submitted by Clerk of Legislature requestor: Tedi H. Rowland on 4/19/2023. Comments: Please prepare for the May 1, 2023 agenda. Megan L. Marshall and Manuel Abarca IV will sponsor.

Approved by Department Approver Mary Jo Spino on 4/19/2023 4:23:25 PM. Comments: mjs

Megan Marshall and Manuel Abarca IV will sponsor this legislation.

Approved by Purchasing Office Approver Craig A. Reich on 4/19/2023 4:32:06 PM. Comments:

Approved by Compliance Office Approver Jaime Guillen on 4/19/2023 4:39:47 PM. Comments:

Approved by Budget Office Approver David B. Moyer on 4/20/2023 12:02:50 PM. Comments:

Approved by Executive Office Approver Sylvya Stevenson on 4/20/2023 12:55:49 PM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 4/27/2023 9:36:47 AM. Comments:

Fiscal Note:

This expenditure was included in the Annual Budget.

PC# _____

Date: April 20, 2023

RES # 21258
eRLA ID #: 890

<u>Org Code/Description</u>	<u>Object Code/Description</u>	<u>Not to Exceed</u>
001 General Fund		
0201 Legislature - Clerk of the County	56663 Software As A Service	\$ 23,625
		<u>\$ 23,625</u>

David Moyer
Budget Office



Invoice

Granicus
Dept CH – Box 19634
Palatine, IL 60055 - 9634

Please remit via ACH to:
Routing #: 022000020 Acct #: 269099115

Date	2/28/2023	Invoice #	162737
Terms	Net 30	Due Date	3/30/2023
P.O. Number			

Bill To
Clerk of the Legislature Jackson County Courthouse 415 E. 12th Street 2nd Floor Kansas City MO 64016 United States

Sold To
Clerk of the Legislature Jackson County Courthouse 415 E. 12th Street 2nd Floor Kansas City MO 64016 United States

Description	Term Start Date	Term End Date	Amount
Recurring Captioning Services <i>Cloud Captioning</i>	2/24/2023	2/23/2024	23,625.00

For any questions about your invoice, please contact us at
AR@granicus.com or 1-800-314-0147

Thank you for your business

Total	\$23,625.00
Amount Due	\$ 23,625.00 USD




MARY JO SPINO

CLERK OF THE COUNTY LEGISLATURE

415 EAST 12TH STREET, 2nd FLOOR
KANSAS CITY, MO 64106
(816) 881-3242
FAX: (816) 881-3234

201 W. LEXINGTON, 2nd FLOOR
INDEPENDENCE, MO 64050
(816) 881-1626
FAX: (816) 881-4473

TO: CRAIG REICH, SENIOR BUYER

FROM: MARY JO SPINO, CLERK OF THE COUNTY LEGISLATURE 

DATE: APRIL 17, 2023

RE: GRANICUS CLOSED CAPTIONING – SOLE SOURCE

Granicus is the County's sole source provider for legislative tracking software primarily used by the County Clerk's Office. Services include closed captioning, agenda and journal preparation, and live streaming for the legislative meetings in Kansas City.

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the Jackson County Legislature to hold a closed meeting on Monday, May 1, 2023, for the purpose of conducting confidential communications under section 610.021(12) of the Revised Statutes of Missouri and closing all records prepared for discussion at said meeting.

RESOLUTION NO. 21259 May 1, 2023

INTRODUCED BY DaRon McGee, County Legislator

WHEREAS, the Jackson County Legislature desires to hold a closed meeting on Monday, May 1, 2023, during the regularly scheduled meeting of the Legislature; and,

WHEREAS, public notice of such closed meeting has been given by inclusion of this Resolution on the published agenda for said meeting; and,

WHEREAS, the purpose of such closed meeting is to conduct privileged and confidential communications concerning documents related to a negotiated contract that has not been executed; and,

WHEREAS, such closed meeting is allowable under section 610.021(12) of the Revised Statutes of Missouri; now therefore,

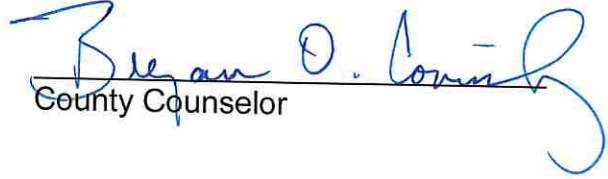
BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Legislature be and hereby is authorized to hold a closed meeting during the regularly scheduled meeting of the Legislature on Monday, May 1, 2023, pursuant to section 610.021(12), RSMo, and closing all records prepared in connection therewith.

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. 21259 of May 1, 2023, was duly passed on _____, 2023 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the Sheriff to execute a State Plan of Operation and Application for Participation relating to the Missouri Department of Public Safety and the U.S. Department of Defense's Law Enforcement Support Office Program (LESO), at no cost to the County.

RESOLUTION NO. 21260, May 1, 2023

INTRODUCED BY Venessa Huskey, County Legislator

WHEREAS, the Missouri Department of Public Safety, as the sponsoring state agency for administration of the U.S. Department of Defense's Law Enforcement Support Office (LESO) Program, has requested the execution of an updated LESO Program Application and State Plan of Operation; and,

WHEREAS, the LESO Program, formerly known as the DOD 1033 Program, provides surplus U.S. Department of Defense military equipment to state and local civilian law enforcement agencies for use in counter-narcotics and counter-terrorism operations and to enhance officer safety; and,

WHEREAS, the attached State Plan of Operation and Application for Participation set out the rights and obligations of each party participating in the LESO Program; and,

WHEREAS, the execution of these documents is in the best interest of the health, safety, and welfare of the citizens of Jackson County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Sheriff and other County officials be and hereby are authorized to execute the attached State Plan of Operation and LESO Application in connection with the LESO program, and any other documents necessary to give effect to the intent of this Resolution.

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. 21260 of May 1, 2023, was duly passed on _____, 2023 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature



DEFENSE LOGISTICS AGENCY
DISPOSITION SERVICES
74 WASHINGTON AVENUE NORTH
BATTLE CREEK, MICHIGAN 49037-3092

GPL

August 15, 2022

MEMORANDUM FOR LAW ENFORCEMENT SUPPORT OFFICE (LESO) PROGRAM
PARTICIPATING LAW ENFORCEMENT AGENCY (LEA)

SUBJECT: Addendum to LESO Program State Plan of Operation (SPO)

This addendum amends the existing State Plan of Operation (dated February 2021) between the State and Law Enforcement Agency (LEA) and is herein referred to as the SPO Addendum. The SPO Addendum implements requirements found within Presidential Executive Order (EO) 14074 (Section 12), signed on May 25, 2022. In accordance with current SPO-Paragraph 17, notice is being provided of a unilateral change to the SPO. Unless an LEA takes immediate action to terminate the current SPO, the modifications or amendments will become binding.

1) ROLES AND RESPONSIBILITIES The State Shall:

- a) Ensure each LESO Program participating Law Enforcement Agency (LEA) has signed the LESO-approved SPO Addendum no later than January 1, 2023. The SPO Addendum will be signed by the Chief Law Enforcement Official (CLEO) (or assigned designee) and the current State Coordinator (SC) (or authorized State Point of Contact [SPOC]).
- b) Provide LESO with a comprehensive list of LEAs who do not sign the SPO Addendum by January 1, 2023. LESO will restrict the LEA to ensure LEA may not request or receive "controlled" property as defined within this addendum.

2) MODIFICATION TO DEFINITION OF "CONTROLLED" PROPERTY This SPO Addendum adds the below items to the "controlled" property definitions currently found in the 2021 SPO. These items are added pursuant to EO 14074 which reestablishes EO 13688. In 2017, the Law Enforcement Equipment Working Group (established by EO 13688), further added, deleted and refined the definitions of "controlled" items in their annual equipment list review. Provisions within the 2021 MOA applicable to "controlled" property apply to the items listed below (regardless of DEMIL and/or DEMIL Integrity Code). Title and ownership of the "controlled" property listed below remains with the DoD in perpetuity and will not be relinquished to the LEA (regardless of DEMIL and/or Integrity Code). The LESO retains final authority to determine what items qualify as "controlled" property. The below items listed in Section 1.2 of Law Enforcement Equipment Working Group (LEEWG) Recommendations (as modified in 2017), will be managed and issued as controlled property unless other restrictions or conditions are noted:

- a) *Manned Aircraft, Fixed Wing*: Powered aircraft with a crew aboard, such as airplanes, that use a fixed wing for lift. (Note: These items were previously listed as controlled in LESO Program. Any aircraft without commercial application are prohibited).
- b) *Manned Aircraft Rotary Wing*: Powered aircraft with a crew aboard, such as helicopters, that use a rotary wing for lift. (Note: These items were previously listed as controlled in LESO Program. Any aircraft without commercial application are prohibited).

- c) *Unmanned Aerial Vehicles*: A remotely piloted powered aircraft without a crew onboard. (Note: These items are not currently issued in the LESO Program).
- d) *Armored Vehicles, Wheeled*: Any wheeled vehicle either purpose-built or modified to provide ballistic protection to its occupants, such as a Mine-Resistant Ambush Protected (MRAP) vehicle or an Armored Personnel Carrier (APC). These vehicles are sometimes used by law enforcement personnel involved in dangerous operating conditions, including active shooter or similar high-threat situations. These vehicles often have weapon-firing ports. (Note: These vehicles were previously considered controlled due to DEMIL code and are now prohibited unless certification requirements in Section 3 are met).
- e) *Tactical Vehicles, Wheeled*: A vehicle purpose-built to operate on- and off- road in support of military operations, such as a High Mobility Multi-purpose Wheeled Vehicle (HMMWV), 2.5-ton truck, 5-ton truck, or a vehicle with a breaching or entry apparatus attached. These vehicles are sometimes used by law enforcement in rough terrain or inclement weather for search and rescue operations, as well as other law enforcement functions. This excludes commercially available vehicles not tactical in nature, such as pick-up trucks or SUVs. (Note 1: This is LEEWG modified definition from 2017. Note 2: All tactical vehicles will now be considered controlled, and title will not pass. Note 3: Armored vehicles in this category will be considered prohibited unless certification requirements in Section 3 are met).
- f) *Command and Control Vehicles*: Any wheeled vehicle either purpose-built or modified to facilitate the operational control and direction of public safety units responding to an incident. Command and control vehicles provide a variety of capabilities to incident Commander, including, but not limited to, the provision for enhanced communications and other situational awareness capabilities. Command and Control Vehicles are similar to a recreational vehicle and can accommodate multiple people at multiple workstations in the command center. This category does not include SUVs and is not intended for other types of vehicles that could serve as a command-and-control center. (Note 1: This is the LEEWG modified definition from 2017. Note 2: Armored vehicles in this category will be considered prohibited unless certification requirements in Section 3 are met).
- g) *Specialized Firearms and Ammunition Under .50-Caliber (excludes firearms and ammunition designed for regularly assigned duties) and less lethal launchers*: Weapons and corresponding ammunition for specialized operations or assignment. This includes launchers specifically designed and built to launch less lethal projectiles. This excludes weapons such as service issued handguns, rifles or shotguns that are issued or approved by the agency to be used by all sworn officers/deputies during the course of regularly assigned duties. (Note 1: This is the LEEWG modified definition from 2017. Note 2: The LESO Program only issues weapons under .50 caliber that are designed for regularly assigned duties).
- h) *Explosives and Pyrotechnics*: Includes “flash bangs” as well as explosive breaching tools often used by special operations units. (Note: These items were previously prohibited in the LESO Program and are now specifically prohibited in EO 14074).
- i) *Breaching Apparatus*: Tools designed to provide rapid entry into a building or through a secured doorway. These tools may be mechanical in nature (a battering ram connected to a vehicle or a propellant), ballistic (slugs), or explosive. This category does not include dual purpose tools such as a sledgehammer or bolt cutter. (Note: This is the LEEWG modified definition from 2017).
- j) *Riot/Crowd Control Batons*: Non-expandable of greater length (more than 24 inches) than service-issued types and are intended to protect its wielder during crowd control situations by providing distance from assailants. This category includes all batons with advanced features such as tear gas discharge, electronic or “stun” capabilities. (Note: This is the LEEWG modified definition from 2017).

k) *Riot Helmets*: Helmets designed to protect the wearer's face and head from injury during melees from projectiles including rocks, bricks, liquids, etc. Riot helmets include a visor which protects the face. (Note 1: The LEEWG removed these items from the controlled list in 2017. Note 2: LESO does not issue Kevlar helmets based on DoD policy).

l) *Riot/Crowd Control Shields*: Shields intended to protect wielders from their head to their knees in crowd control situations. Most are designed for the protection of the user from projectiles including rocks, bricks, and liquids. Some afford limited ballistic protection as well. (Note: This is the LEEWG modified definition from 2017).

3) PROHIBITED ITEMS THAT MAY BE ISSUED FOR LIMITED PURPOSES EO 14074 lists the below items as "prohibited" for issue under the LESO Program; however identifies specific authorized uses for these "prohibited" items if requested, utilized and annually certified as being used only in authorized manners. When utilized in an authorized manner (as indicated in the below example descriptions), the items are categorized as "controlled" property.

a) *Long Range Acoustic Devices (LRAD) that do not have commercial application*- LRADs are capable of directing sound over great distances at extreme volume in more geographical precision than an ordinary speaker. Certain LRAD capabilities which are aimed at dispersing individuals or groups as a kinetic use-of-force shall not be used. Examples of LRAD capabilities that shall not be used include (but are not limited to) attention commanding alert tones, powerful warning tones and/or deterrent tones.

i) *Authorized uses*- LRADs may only be utilized as a public address system for commercial purposes. Any other use is not authorized.

ii) *Annual Certification Requirements*- During the LESO Program annual inventory, LEAs with LRADs must certify that the LRAD is utilized exclusively as a public address system for commercial purposes. An LEAs signature on the SPO Addendum agreeing to these new terms will serve as initial certification.

iii) LEAs that do not have a current SPO Addendum on file by January 1, 2023 or who fail to annually certify the LRAD is being used in an authorized manner must return LRAD(s) to DLA Disposition Services.

b) *Vehicles that do not have commercial application*- This includes all tracked and armored vehicles, such as a Mine-Resistant Ambush Protected (MRAP), Armored Personnel Carrier (APC), or Armored HMMWV. (Note: This category excludes vehicles with commercial application, such as pick-up trucks, non-armored HMMWVs, 2.5-ton trucks, 5-ton trucks, or SUVs. The LESO Program identifies/defines vehicles with "commercial application" as items with a DEMIL Code of "A" or DEMIL "Q" (with an Integrity Code of 6) that may be sold to the general public under DoD sales programs).

i) *Authorized uses*- EO 14074 allows limited transfer of vehicles that do not have commercial application if the LEA certifies that the vehicle will be used exclusively for disaster-related emergencies; active shooter scenarios; hostage or other search and rescue operations; or anti-terrorism preparedness, protection, prevention, response, recovery, or relief. Any other use of these vehicles is not authorized.

ii) *Annual Certification Requirements*- During the LESO Program annual inventory, LEAs with these vehicles must certify that the vehicle(s) is utilized exclusively for disaster-related emergencies; active shooter scenarios; hostage or other search and rescue operations; or anti-terrorism preparedness, protection, prevention, response, recovery, or relief. An LEAs signature on the SPO Addendum agreeing to these new terms will serve as initial certification.

iii) LEAs that do not have a current SPO Addendum on file by January 1, 2023 or who fail to annually certify that the vehicle(s) use is exclusively for disaster-related emergencies; active shooter scenarios; hostage or other search and rescue operations; or anti-terrorism preparedness, protection, prevention, response, recovery, or relief must return vehicle(s) to DLA Disposition Services.

4) ACQUIRING (OR RETAINING) CONTROLLED PROPERTY The State shall:

a) Review, verify and only submit to LESO for approval, requests for controlled property by LEAs who have current SPO and SPO Addendum on file with the state.

b) Ensure LEAs return controlled property to DLA Disposition Services if the Department of Justice (DOJ) determines or a Federal, State, Tribal, local, or territorial court enters a final judgment finding that the LEA has engaged in a pattern or practice of civil rights violations.

c) Ensure that prior to requesting/acquiring any controlled property, the LEAs:

i) Provide written or electronic notification to the local community of its intent to request controlled property. The notification must be translated into appropriate languages to inform individuals with limited English proficiency. The LESO Program would *recommend* that LEAs provide a notice of intent to request controlled property to the local community on or before January 1, 2023 and at the beginning of each fiscal year (October 1st) thereafter. This notification should include a comprehensive list of any controlled property that may be requested throughout the year. If this notice of intent does not include a specific controlled property item, such item may not be requested in the LESO Program until 30-days after an updated notice is published.

ii) Provide written or electronic notification to the city council or appropriate local Civilian Governing Body (CGB) of its intent to request controlled property and allow “reasonable opportunity to review” (normally 30-days). The LESO Program would *recommend* that LEAs provide a notice of intent to the CGB on or before January 1, 2023 and at the beginning of each fiscal year (October 1st) thereafter. This notification should include a comprehensive list of any controlled property that may be requested throughout the year. If this notice of intent does not include a specific controlled property item, such item may not be requested in the LESO Program until 30-days after an updated notice is published. Requests for controlled property must comport with all applicable approval requirements of the CGB.

(1) The above requirement includes elected Sheriff’s who also shall notify their CGB or city or county government within their jurisdiction.

(2) In cases of disagreement between requesting LEAs and CGB, the Governor appointed LESO Program State Coordinator (SC) will obtain an advisory opinion from the States Attorney General’s Office on whether CGBs are authorized by state law to deny the request.

iii) *Campus LEAs operating in Institutions of Higher Education (IHE)*- LEAs operating in IHEs otherwise referred to as “Campus Police” or “Campus LEAs” must also adhere to the requirements identified below:

(1) Obtain the IHE Board of Governors (or an equivalent body) *explicit approval* for the acquisition of controlled property. Such approval must be evidenced in the Campus LEAs request submitted to the LESO Program. Silence or inaction by the Campus LEAs Board of Governors does not constitute evidence of approval, and the “reasonable opportunity to review” (normally 30-days) standard does not apply to Campus LEA applications.

(2) Certify that their policies and training include specific provisions on using controlled property in a way that does not chill speech, is not disruptive to the educational environment, and does not foster a hostile climate among students.

(3) Campus LEAs who receive controlled vehicles are required to remove the militaristic appearance (i.e., painting the vehicle a different color).

5) REGIONAL SHARING AGREEMENTS LESO Program participants who are part of a regional sharing agreement must also adhere to the following requirements. LEAs shall:

a) Provide information regarding the size of the region, including the number and size of the LEA with access to the requested controlled property and the estimated population served.

b) Ensure any controlled property providing support in a regional sharing agreement is utilized in accordance with the LESO Program SPO and this SPO Addendum.

c) Ensure that only LESO Program participants within the regional sharing agreement utilize the controlled property. Agencies/activities who are not LESO Program participants may not utilize or direct the use of controlled property obtained via the LESO Program.

d) Obtain SC/SPOC approval to temporarily conditionally loan property to another LESO Program participant within the regional sharing agreement (if mission requires). If the SC/SPOC approves the temporary conditional loan, it shall be done using an acceptable Equipment Custody Receipt (ECR). At the end of the temporary conditional loan, the item (s) shall be returned to the original LEA for accountability. All requests for conditional loans will be based on bona fide law enforcement requirements.

i) The LESO Program participant with controlled property on their inventory must certify that the other LESO Program participant in the regional sharing agreement requesting the property under a conditional loan:

(1) Has adopted requisite protocols (in Section 6 below) or will adopt those protocols before their personnel use the controlled property,

(2) Have provided requisite training (in Section 7 below) or will provide that training before their personnel use the controlled property, and

(3) Will adhere to the information collection and retention requirements (in Section 8 below).

ii) The LEA conditionally loaning the controlled property will remain accountable to the LESO Program to ensure the above provisions are met.

6) POLICIES/PROCEDURES LEAs must establish policies/procedures that are consistent with the standards listed below, in order to request or maintain controlled property. LEAs must:

a) Adopt and comply with general policing standards.

i) *Community Policing-* LEA policies/procedures should reflect the concept that trust and mutual respect between police and the communities they serve are critical to public safety. Community policing fosters relationships between law enforcement and the local community which promotes public confidence in LEAs therefore increasing LEA ability to investigate crimes and keep the peace.

ii) *Constitutional Policing*- LEA policies/procedures must emphasize that all police work should be carried out in a manner consistent with the requirements of the U.S. Constitution and federal law. Policies/procedures must include First, Fourth, and Fourteenth Amendment principles in law enforcement activity, as well as compliance with Federal and State civil rights laws. LEA certified law enforcement officers receive training on the rights embodied by such Constitutional Amendments and how these amendments inform policing policies/procedures.

iii) *Community Input and Impact*- LEA policies/procedures must identify mechanisms that LEAs will use to engage the communities they serve to inform them and seek their input about LEAs actions, role in, and relationships with the community. LEAs should make particular efforts to seek the input of communities where controlled property is likely to be used so as to mitigate the effect that such use may have on public confidence in the police. This could be achieved through the LEAs regular interactions with the public through community forums, town halls, or meetings with the Chief, or community outreach divisions.

b) Adopt and comply with controlled property standards.

i) *Appropriate Use of Controlled Property*- LEA policies/procedures must define appropriate use of controlled property; officers who are authorized to use controlled property must be trained on these policies/procedures. LEAs should examine scenarios in which controlled property will likely be deployed, the decision-making processes that will determine whether controlled property is used, and the potential that both use and misuse of controlled property could create fear and distrust in the community. Policies/procedures should consider whether measures can be taken to mitigate that effect (i.e., keep armored vehicles at a staging area until needed) and any alternatives to the use of such property and tactics to minimize negative effects on the community, while preserving officer safety.

ii) *Supervision of Use*- LEA policies/procedures must specify appropriate supervision of personnel operating or utilizing controlled property. Supervision must be tailored to the type of controlled property being used and the nature of the engagement or operation during which the property will be used. Policies/procedures must describe when a supervisor of appropriate authority is required to be present and actively overseeing the property being used.

iii) *Effectiveness Evaluation*- LEA policies/procedures must articulate that the LEA will regularly monitor and evaluate the effectiveness and value of controlled property to determine whether continued deployment and use is warranted on operational, tactical, and technical grounds. LEAs should routinely review after-action reports and analyze any data on, for example, how often controlled property is used or whether controlled property is used more frequently in certain law enforcement operations or in particular locations or neighborhoods.

iv) *Auditing and Accountability*- LEA must establish policies/procedures that are designed to prevent misuse, unauthorized use and/or loss of controlled property. LEA will hold personnel accountable to agree and comply with State, local, Tribal and Federal controlled property use policies/procedures.

v) *Transparency and Notice*- LEA policies/procedures must articulate that LEA will engage the community regarding controlled property, policies/procedures governing its use, and review of "significant incidents" (as defined in Section 8), with the understanding that there are reasonable limitations on disclosures of certain information and law enforcement sensitive operations and procedures.

c) Must adopt and comply with record-keeping requirements for controlled property.

i) Upon LESO request, LEAs must provide a copy of the general policing standards and specific controlled property standards that were adopted, to include any related policies/procedures.

ii) *Record-Keeping Requirement*- LEAs must retain comprehensive training records, either in the personnel file of the officer who was trained or by the LEAs training division or equivalent entity, for a period of at least three (3) years, and must provide a copy of these records, upon LESO request.

7) TRAINING LEAs that request or have acquired controlled property via the LESO Program must establish written policies/procedures for controlled property use, and all personnel who are authorized to use the controlled property will be trained on these policies/procedures. LEAs must:

a) Provide annual training on general policing standards to personnel who may use the controlled property.

b) Provide annual training on property standards to personnel who may use the controlled property.

c) Provide controlled property operational and technical training to personnel and ensure personnel are proficient prior to using controlled property.

d) Provide scenario-based training to personnel that combines constitutional and community policing principles with controlled property specific training. LEA personnel authorizing or directing the use of controlled property should have enhanced scenario-based training to examine, deliberate, and review the circumstances in which controlled property should or should not be used.

8) DOCUMENTATION REQUIRED FOR “SIGNIFICANT INCIDENTS” LEAs must collect and retain the information (described below) when any law enforcement activity involves a “Significant Incident” which requires (or results in) the use of controlled property on the LEAs inventory. A “Significant Incident” is defined as any law enforcement operation or action that involves: 1) a violent encounter among civilians or between civilians and the police, 2) a use-of-force that causes death or serious bodily injury, 3) a demonstration or other public exercise of First Amendment rights, or 4) an event that draws, or could be reasonably expected to draw, a large number of attendees or participants, such as those where advanced planning is needed. LEAs must:

a) Collect and retain documentation for controlled property used in a “Significant Incident” for a minimum of three (3) years after the incident has occurred. The LEA must provide documentation to LESO upon request.

i) Documentation should also be made available to the community the LEA serves in accordance with applicable policies/procedures with exemptions made concerning the disclosure of any sensitive information.

b) No new report or format is required for “Significant Incident” reports so long as information is easily accessible and organized. The required information may already exist in a police report, operations plan, officer daily log, incident report, after-action report or described in a use-of-force report. If required information (annotated below) is contained in a pre-existing reports, the LEA must simply ensure that the report includes information that controlled property was used. Required information is listed below:

i) Name and quantity of controlled property used, including relevant details such as make/model/serial number of controlled property used.

- ii) Description of the LEA action/operation involving the controlled property.
- iii) Identification of LEA personnel who used and directed the use of the controlled property.
- iv) Identify or describe civilians who were the subject or target of LEA action/operation. For large crowds or multiple persons, the LEA must provide general description of the civilians (i.e., a crowd of approximately 250 people).
- v) Result of the action/operation in which controlled property was used (i.e., arrests, citations, injuries or fatalities, use-of-force, victim extraction, or property damage).

9) ANNUAL CERTIFICATIONS By signing the SPO Addendum, the LEA agrees to the below certification statements. In addition, the LEA must annually certify compliance with the below certification statements during the Annual LESO Program Inventory. LEAs must:

- a) Certify they have authorization from their CGB to participate in the LESO Program.
- b) Certify they have provided their CGB and local community a comprehensive list of controlled property that may be requested through the LESO Program.
 - i) Notification may be made electronically or in writing and must be translated into appropriate languages to inform individuals with limited English proficiency. It is recommended this notification be done on an annual basis.
 - ii) If controlled property is not identified in the comprehensive list provided to the CGB and local community, an updated notification to CGB and local community must be made. The CGB and local community will be afforded 30-days to review what additional items are being requested.
- c) Certify the request for controlled property comports/complies with all applicable approval requirements of the CGB.
- d) Certify they have adopted and comply with controlled property standards (i.e., appropriate use, supervision of use, effectiveness evaluation, auditing/accountability of use, transparency/notice of use, and record-keeping requirements).
- e) Certify they have provided annual training to personnel on the maintenance, sustainment, and appropriate use of controlled property, including respect for the rights of citizens under the Constitution of the United States and de-escalation of force.
- f) (*LEAs with LRADs*) Certify that the LRAD is utilized exclusively as a public address system for commercial purposes.
- g) Certify that controlled property vehicle(s) are utilized exclusively for disaster-related emergencies; active shooter scenarios; hostage or other search and rescue operations; or anti-terrorism preparedness, protection, prevention, response, recovery, or relief.
- h) Certify that controlled property requiring a license (or other authorization), is only utilized by personnel who hold license (or other authorization) to operate such property.
- i) Certify that controlled property will be returned to DLA Disposition Services when no longer needed.
- j) Certify that they are abiding by the current LESO Program SPO and SPO Addendum, and maintain a signed copy of these documents on file.

k) Certify the Application for Participation on-file with LESO Program is current and accurately reflects the number of officers in the agency when fully staffed. (Note: If Application for Participation is not accurate, LEA must provide an updated Application for Participation to State Coordinators Office).

l) Certify they are compliant with LESO Program allocation limits. (Note: Property allocation limits are based on the number of officers at an LEA when fully staffed).

m) Certify that they agree to return the controlled property if the Department of Justice (DOJ) determines or a Federal, State, Tribal, local, or territorial court enters a final judgment finding that the LEA has engaged in a pattern or practice of civil rights violations.

n) *Campus LEAs (as described in Section 4)* must also certify that their policies and training include specific provisions on using controlled property in a way that does not chill speech, is not disruptive to the educational environment, and does not foster a hostile climate among students.

o) *Program participants who are part of a regional sharing agreement (as described in Section 5)*, must also certify that the other LESO Program participant in the regional sharing agreement requesting the property under a conditional loan: 1) Have adopted requisite protocols in (as described in Section 6) or will adopt those protocols before their personnel use the controlled property, 2) Have provided requisite training (as described in Section 7) or will provide that training before their personnel use the controlled property, and 3) Will adhere to the information collection and retention requirements (as described in Section 8).

10) SAVINGS CLAUSE/INTERPRETATION Nothing in this SPO Addendum shall be construed to impair or otherwise affect the requirements under the existing SPO between the State and LEA (dated February 2021), unless expressly amended herein. To the extent there is a disagreement concerning the interpretation of this SPO Addendum or the extent this SPO Addendum affects requirements under the existing SPO, the disagreement shall be resolved at the exclusive discretion of the LESO Program.

11) AGREEMENTS OF PARTIES By signing this SPO Addendum, the State and LEA acknowledges and accepts these changes. The SPO Addendum must be signed by LEAs no later than January 1, 2023 to remain eligible for LESO Program participation. The changes contained in this SPO Addendum are acknowledged and accepted by the following:

Governor-appointed State Coordinator State of Missouri

Title (Print): Statewide Law Enforcement Mutual Aid Coordinator

Name (Print): Kevin Virgum

Signature (Sign):  Date MM/DD/YYYY: 09/28/2022

Law Enforcement Agency Name: _____

Chief Law Enforcement Official (CLEO) Title (Print): _____

Name (Print): _____

Signature (Sign): _____ Date MM/DD/YYYY: _____

Request for Legislative Action

Resolution No.: 21260
 Sponsor: Venessa Huskey
 Date: May 1, 2023

Completed by County Counselor's Office			
Action Requested:	Resolution	Res.Ord No.:	21260
Sponsor(s):	Venessa Huskey	Legislature Meeting Date:	5/1/2023

Introduction
Action Items: ['Authorize']
Project/Title:
A resolution authorizing the Jackson County Sheriff to execute a state plan of operations between the State of Missouri and the Jackson County Sheriff's Office at no cost to Jackson County.

Request Summary
The Secretary of Defense is authorized to transfer to state law enforcement agencies property which is in excess of the needs of the United States Department of Defense. This program, formerly known as the 1033 program, is currently called the LESO program. (Law Enforcement Support Program)

Contact Information			
Department:	Sheriff	Submitted Date:	4/21/2023
Name:	Scott Goodman	Email:	SGoodman@jacksongov.org
Title:	Captain	Phone:	816-809-6191

Budget Information	
Amount authorized by this legislation this fiscal year:	\$ 0
Amount previously authorized this fiscal year:	\$ 0
Total amount authorized after this legislative action:	\$
Is it transferring fund?	No
Single Source Funding:	
Fund:	Department:
Line Item Account:	Amount:
!Unexpected End of Formula	

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
Prior Resolution	

Request for Legislative Action

Resolution:	Resolution date:
19586	September 25, 2017
20036	October 24, 2018
20395	April 6, 2020

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

Compliance	
Certificate of Compliance	
Not Applicable	
Minority, Women and Veteran Owned Business Program	
Goals Not Applicable for following reason: not spending money	
MBE:	.00%
WBE:	.00%
VBE:	.00%
Prevailing Wage	
Not Applicable	

Fiscal Information	
•	

Request for Legislative Action

History

Submitted by Sheriff requestor: Scott Goodman on 4/21/2023. Comments:

Returned for more information by Department Approver Michael L. Montgomery on 4/21/2023 2:39:12 PM. Comments: As discussed.

Submitted by Requestor Scott Goodman on 4/21/2023 2:41:57 PM. Comments: The error was corrected.

Approved by Department Approver Michael L. Montgomery on 4/21/2023 2:47:47 PM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 4/24/2023 10:36:40 AM. Comments:

Approved by Compliance Office Approver Ikeela Alford on 4/24/2023 10:58:55 AM. Comments:

Approved by Budget Office Approver David B. Moyer on 4/24/2023 11:19:33 AM. Comments:

Approved by Executive Office Approver Sylvya Stevenson on 4/24/2023 8:52:35 PM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 4/27/2023 9:37:57 AM. Comments:

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION honoring the life and accomplishments of Jeffrey Scott Hayes who passed away on April 20, 2023.

RESOLUTION NO. 21261, May 1, 2023

INTRODUCED BY Jalen Anderson, DaRon McGee, Megan L. Marshall, Donna Peyton, Manuel Abarca IV, Charlie Franklin, Venessa Huskey, Jeanie Lauer, and Sean E. Smith, County Legislators

WHEREAS, it is with great sadness that the Legislature mourns the passing of Jeffrey Scott Hayes, who died on April 20, 2023, at the age of 57 years, after a brief battle with cancer; and,

WHEREAS, Jeff was an active member of Local 6360 of the Communication Workers of America (CWA) from the very beginning of his career with AT&T in 2006, serving as Chief Steward, Vice President, and eventually as President of CWA Local 6360, before accepting a promotion to Campaign Lead for District 6; and,

WHEREAS, Jeff was a tireless advocate for workers' rights and an ally to the labor community, instrumental in the success of the annual charity golf tournament and the Christmas Angel program; and,

WHEREAS, Jeff's dedication and service to his colleagues, the labor movement, and the community were recognized with several distinguished honors, including the Seth Slocum Union Advocate of the Year award in 2022; and,

WHEREAS, Jeff's passion for service extended beyond the workplace, as he supported several philanthropies, including Hospice House, Soles for Christ, and Working Families' Friend; and,

WHEREAS, Jeff's love for his family and friends was immeasurable, and he cherished every moment spent with his wife Chris, daughters Kaleigh and Maddison, and grandchildren Ashlyn, Brooklyn, Hadleigh, and Baylor, as well as his extended family and friends; now therefore,

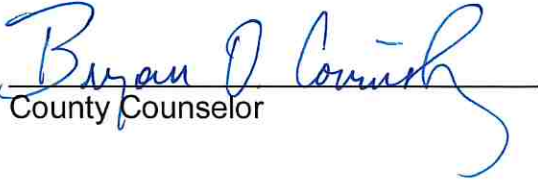
BE IT RESOLVED by the County Legislature of Jackson County, Missouri that the Legislature hereby honors the life and legacy of Jeffrey Scott Hayes and expresses deepest condolences to his family, friends, and colleagues during this difficult time; and,

BE IT FURTHER RESOLVED that the Legislature recognizes Jeff's unwavering commitment to workers' rights, his dedication to improving the lives of those around him, and his unwavering love for his family and friends.

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. 21261 of May 1, 2023, was duly passed on _____, 2023 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Executive to execute a Community Assistance Program Agreement renewal with the Missouri Department of Conservation, at no additional cost to the County.

RESOLUTION NO. 21262, May 1, 2023

INTRODUCED BY Charlie Franklin, County Legislator

WHEREAS, by Resolution 9016, dated November 12, 1991, the County did enter into an agreement with the Missouri Department of Conservation to implement a Community Assistance Program, which agreement is now up for renewal; and,

WHEREAS, under this program the Department of Conservation has agreed to manage fisheries at Lake Jacomo, Blue Springs Lake, Longview Lake, and Prairie Lee Lake; and,

WHEREAS, the Missouri Department of Conservation conducts fish surveys of the lakes, and restocks fish from its hatcheries around the state to provide fishing opportunities to citizens; and,

WHEREAS, the Community Assistance Program enables Jackson County to be eligible for grant funding assistance from the State of Missouri to improve access to lakes and rivers, which in 2023 Jackson County amounts to \$27,690.00; and,

WHEREAS, the execution of this Agreement is in the best interest of the health, safety, and welfare of the citizens of Jackson County; now therefore,

BE IT RESOLVED by the Legislature of Jackson County, Missouri, that the County Executive be and hereby is authorized to execute the attached Community Assistance Program Agreement with the Missouri Department of Conservation.

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. 21262 of May 1, 2023, was duly passed on _____ 2023, by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

**AGREEMENT BETWEEN
JACKSON COUNTY, MISSOURI
AND THE
MISSOURI DEPARTMENT OF CONSERVATION**

THIS AGREEMENT is to implement the MISSOURI DEPARTMENT OF CONSERVATION COMMUNITY ASSISTANCE PROGRAM, and is made and entered into this _____ day of _____ 20____, by and between JACKSON COUNTY, MISSOURI, on behalf of its Department of Parks + Rec (County) and the MISSOURI DEPARTMENT OF CONSERVATION (Department).

WHEREAS, the County owns or controls tracts of land in Jackson County known as the “Area”, with one, 1-acre lake known as Fleming Park Pond which is used by the County for aquatic education and fishing; four lakes collectively known as the “County Lakes” [998-acre Lake Jacomo, 953-acre Longview Lake, 720-acre Blue Springs Lake and 144-acre Prairie Lee Lake] which are used for fishing, boating, general recreation, and enjoyment of the outdoors; and two river accesses [Brown Athletic Field Access with frontage on the Blue River and Fort Osage County Park with frontage on the Missouri River] that are used for fishing, boating, general recreation, and enjoyment of the outdoors; all of which are further described in attached Exhibit A; and

WHEREAS, the County and Department entered into a Community Assistance Program Agreement on December 17, 1991, as amended on May 16, 1994, April 19, 2001 and February 24, 2003 for the Area which is hereby superseded and replaced; and

WHEREAS, the Department and County realize the importance and need for close-to-home fishing and associated outdoor activities; and

WHEREAS, the Department and County wish to take advantage of the qualities of this Area and maximize the recreational values associated with its proper management and use.

NOW, THEREFORE, in consideration of the mutual covenants of the parties contained herein, the parties hereto do mutually agree as follows:

- 1. COUNTY RESPONSIBILITIES.** The County agrees to:
 - A. Allow free use of Fleming Park Pond for County-led fishing and other educational activities focusing on children, teachers, and disabled users arranged by the County consistent with the Wildlife Code of Missouri and during hours established by mutual agreement of the County and the Department.
 - B. Allow public access and full use of the County Lakes for fishing and related recreational activities by the general public consistent with the Wildlife Code of Missouri and during hours established by mutual agreement of the County and the

Department.

- C. Allow free public access and full use of the two river accesses for fishing and related recreational activities by the general public consistent with the Wildlife Code of Missouri and during hours established by mutual agreement of the County and the Department.
- D. Provide Area maintenance as specified in attached Exhibit B.
- E. Monitor the condition of the Area's facilities and take actions necessary to ensure that they are clean, safe, and usable, including but not limited to closing facilities to public access until any dangerous conditions that may have arisen have been corrected.
- F. Provide adequate law enforcement and protective services, as much as County jurisdiction permits, for the safety and well-being of the Area's users and facilities.
- G. Give proper recognition to the Department in brochures, advertisements or other publications concerning the Area.
- H. Prohibit fish stocking other than that recommended in writing by a Department fisheries management biologist.
- I. Manage its property within the watersheds of Lake Jacomo, Longview Lake, Blue Springs Lake, Prairie Lee Lake and Fleming Park Pond to maintain the lakes' good water quality, and take no actions that will lead to the deterioration of the lakes' water quality, habitat, or aquatic communities.
- J. Comply with all local, state, and federal laws and regulations related to the performance of this Agreement to the extent that the same may be applicable to the County. The County agrees to assume all risks associated with the activities performed under this Agreement. Nothing in this Agreement shall constitute a waiver of sovereign immunity.

2. DEPARTMENT RESPONSIBILITIES. The Department agrees to:

- A. Prepare and provide a general management plan for the fishery resources of the lakes and rivers.
- B. Provide periodic fish community surveys and analyses, and manage the fisheries through proper regulations, fish stocking, manipulation of the fish population and other fisheries management actions as determined by the Department.
- C. Enact and enforce appropriate fishing rules and regulations, and assist the County in enforcing the laws of the State of Missouri and the Wildlife Code of Missouri.

D. Provide and maintain informational signs and signs recognizing the County and the Department for their roles in this cooperative project (when present).

3. JOINT RESPONSIBILITIES AND ACKNOWLEDGEMENTS. Both parties agree that:

A. The County may charge a reasonable user fee at the County lakes as agreed to by both parties. The user fee may not be increased without Departmental approval. Persons over the age 65 and children under 16 years of age may not be charged a user fee. All user fees collected must be used for maintenance and management of the lake areas

B. This Agreement is for the purpose of capitalizing on the value of the Area for public fishing and related outdoor activities.

C. The Department may fund its obligations under this Agreement with any combination of state and federal monies.

D. The required fishing permit as defined by the Wildlife Code of Missouri and the effective regulations pertaining to the taking of fish and use of the Area will be jointly publicized whenever possible.

E. This Agreement shall become effective upon execution by both parties. It shall expire twenty-five years from the effective date; provided, however, that it shall renew automatically for successive terms of one year each if neither party has advised the other in writing of its intention to terminate the same at least one hundred and twenty days prior to any applicable termination date.

F. Any electronic signatures affixed to this document are intended to authenticate this writing and to have the same force and effect as manual signatures, pursuant to the Missouri Uniform Electronic Transactions Act (§432.200 et seq., RSMo).

G. This Agreement may be amended as desired by the mutual written agreement of the parties hereto.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

**MISSOURI DEPARTMENT OF
CONSERVATION**

FISHERIES SECTION CHIEF

JACKSON COUNTY, MISSOURI

COUNTY EXECUTIVE

Attest:

County Clerk

Request for Legislative Action

Res. #21262
Sponsor: Charlie Franklin
Date: May 1, 2023

Completed by County Counselor's Office			
Action Requested:	Resolution	Res.Ord No.:	21262
Sponsor(s):	Charlie Franklin	Legislature Meeting Date:	5/1/2023

Introduction
Action Items: ['Authorize']
Project/Title:
A Resolution authorizing the County Executive to execute a Community Assistance Program Agreement with the Missouri Department of Conservation.

Request Summary
<p>In 1991 Jackson County entered into a Community Assistance Program Agreement with the Missouri Department of Conservation. The Agreement is now up for renewal, and principally authorizes the Conservation Department to manage the fisheries habitat at Lake Jacomo, Blue Springs Lake, Longview Lake, and Prairie Lee Lake. Each year the Conservation Department conducts fish surveys on the lakes, and re-stocks fish from their hatcheries around the state. Jacomo, Blue Springs, and Longview are well known around the area and state for providing excellent opportunities for fishing, thanks to this important partnership with the Missouri Department of Conservation.</p> <p>The Community Assistance Program Agreement also enables Jackson County to be eligible for grant funding assistance from the State to improve access to our lakes and rivers, including the design, engineering, and construction of boat ramps and fishing docks. For 2023, Jackson County has been awarded funding up to \$27,690 towards engineering costs for improvements to the existing boat ramps on the Blue River and Missouri River at Fort Osage.</p>

Contact Information			
Department:	Parks + Rec	Submitted Date:	4/24/2023
Name:	Brian Nowotny	Email:	bpnnowotny@jacksongov.org
Title:	Deputy Director Park Operations	Phone:	816-503-4803

Budget Information	
Amount authorized by this legislation this fiscal year:	\$ 0
Amount previously authorized this fiscal year:	\$ 0
Total amount authorized after this legislative action:	\$
Is it transferring fund?	No
Single Source Funding:	

Request for Legislative Action

Fund:	Department:	Line Item Account:	Amount:
			!Unexpected End of Formula

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
Prior Resolution	
Resolution:	Resolution date:
9016	November 12, 1991

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

Compliance	
Certificate of Compliance	
Not Applicable	
Minority, Women and Veteran Owned Business Program	
Goals Not Applicable for following reason: Contract is with another government agency	
MBE:	.00%
WBE:	.00%
VBE:	.00%
Prevailing Wage	
Not Applicable	

Fiscal Information
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Request for Legislative Action

History

Submitted by Parks + Rec requestor: Brian Nowotny on 4/24/2023. Comments:

Approved by Department Approver Michele Newman on 4/24/2023 9:57:37 AM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 4/24/2023 10:42:19 AM. Comments:

Approved by Compliance Office Approver Ikeela Alford on 4/24/2023 11:12:55 AM. Comments:

Approved by Budget Office Approver David B. Moyer on 4/24/2023 11:28:11 AM. Comments:

Approved by Executive Office Approver Sylvya Stevenson on 4/25/2023 10:04:43 AM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 4/27/2023 9:39:22 AM. Comments:



FRANK WHITE, JR.
Jackson County Executive

EXECUTIVE ORDER NO. 23-11

**TO: MEMBERS OF THE LEGISLATURE
CLERK OF THE LEGISLATURE**

**FROM: FRANK WHITE, JR.
JACKSON COUNTY EXECUTIVE**

DATE: APRIL 25, 2023

**RE: REAPPOINTMENTS TO THE UNIVERSITY HEALTH BOARD OF
DIRECTORS**

RECEIVED

APR 25 2023

**MARY JO SPINO
COUNTY CLERK**

*10:15 am
MJC*

I hereby make the following reappointments to the University Health Board of Directors:

Dr. Sarah Martin, Ph.D. MPP MPH is reappointed for a term to expire June 30, 2024.

Jon H. Otto is reappointed for a term to expire June 30, 2024.

Bonnaye V. Mims is reappointed for a term to expire June 30, 2024.

Frank White, Jr., County Executive

Date: 4/25/23

