

Request for Legislative Action

Ord. #5782

Sponsor: Manuel Abarca IV

Date: August 14, 2023

Completed by County Counselor's Office

Action Requested:	Ordinance	Res.Ord No.:	5782
Sponsor(s):	Manuel Abarca IV	Legislature Meeting Date:	8/14/2023

Introduction

Action Items: ['Authorize']

Project/Title:

A RESOLUTION setting forth guidelines for citizen initiative, referendum, and recall petitions as referenced under Article XIV of the Jackson County Charter.

Request Summary

WHEREAS, Article XIV, Section 1 of the Jackson County Charter states: The people reserve the power to propose and enact all ordinances independent of the County Legislature by initiative, to approve or reject ordinances of the County Legislature by referendum and to recall an elective county officer; and,

WHEREAS, Article II, Section 16(5) of the Jackson County Charter states, in part: The County Legislature shall have the power, pursuant to and in conformity with the constitution, and without limiting the generality of the powers vested in the County Legislature by this charter, to make such rules and regulations as may be necessary or proper to establish and carry into effect the provisions of this charter; and,

WHEREAS, due to recent inquiries to the local election officials, the County Clerk, and the County Counselor, it is recommended that certain guidelines be established to clarify procedures for citizens to propose such petitions in compliance with the County Charter and the Revised Statutes of the State of Missouri; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri that the Legislature hereby sets out the following guidelines related to citizen initiative, referendums, and recall petitions:

1. Such petitions shall include the words "*State of Missouri, County of Jackson*" at the top of each page.
2. Pursuant to Article XIV, Section 3, Jackson County Charter, petitions shall contain an enacting clause to read: "*Be it enacted by the people of Jackson County.*"
3. Pursuant to section 116.080 RSMo., petitions shall contain a circulator's affidavit with the circulator's notarized signature on each page of the petition.
4. Such petitions shall provide adequate space for ten (10) signatures, and include the signers' printed name, and address, including house number, street name, city, and zip code.
5. Pursuant to Article XIV, Sections 7, Jackson County Charter, petitions demanding the recall of any elected county officer shall be signed by registered voters equal in number to at least twenty percent of the total vote cast for County Executive, in the district or county, in the last election in which a County Executive was elected.
6. Pursuant to Article XIV, Section 8, Jackson County Charter, all petitions referred shall be filed with the offices or officers charged with conducting elections within the county, which shall be the judge of their sufficiency.

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7. Pursuant to Article XIV, Section 9, Jackson County Charter, initiative, and referendum issues shall be submitted to the voters at the next regular election held within ninety days after the petitions are filed, or if there is no regular election within such time, a special election shall be held within sixty days after the petitions are filed. A special election shall be held to consider recall of a county elected officer within sixty days after the petitions are filed.

Contact Information

Department:	Clerk of Legislature	Submitted Date:	8/7/2023
Name:	Tedi Rowland	Email:	trowland@jacksongov.org
Title:	Deputy County Clerk	Phone:	816-881-3246

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:

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?	

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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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History

Submitted by Clerk of Legislature requestor: Tedi Rowland on 8/7/2023. Comments: Prepare for August 14, 2023 Agenda. Manuel Abarca IV, sponsor. - THR

Returned for more information by Department Approver Mary Jo Spino on 8/7/2023 12:17:15 PM. Comments: mjs

Submitted by Requestor Tedi H. Rowland on 8/7/2023 12:19:46 PM. Comments:

Approved by Department Approver Mary Jo Spino on 8/7/2023 12:32:39 PM. Comments: mjs

Not applicable by Purchasing Office Approver Barbara J. Casamento on 8/7/2023 12:38:54 PM. Comments:

Approved by Compliance Office Approver Ikeela Alford on 8/7/2023 1:17:35 PM. Comments:

Approved by Budget Office Approver David B. Moyer on 8/7/2023 1:29:34 PM. Comments:

Approved by Executive Office Approver Sylva Stevenson on 8/8/2023 1:45:17 PM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 8/10/2023 12:35:07 PM. Comments: