



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

County Legislature

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

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

Monday, April 15, 2019

1:00 PM

Sixteenth Regular Meeting

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

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

1 ROLL CALL

Present 9 - Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

A motion was made by Dan Tarwater III, seconded by Scott Burnett to approve the journal of the previous meeting held on April 08, 2019. The motion passed by a voice vote.

4 HEARINGS

None.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

None.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[5214](#)

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 10.00 ± acre tract from District AG (Agricultural) to District RE (Residential Estates), to create two single family residential lots.

(Land Use Committee - 2nd. Perfection)

The Land Use Committee will have a public hearing regarding Ordinance #5214 on Monday, April 29, 2019 at 12:45 p.m. in the Kansas City Legislative Assembly Area.

[5215](#) Health and Environment Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[5208](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

A motion was made to amend Resolution #20105. See below for details.

Scott Burnett, County Legislator, read a portion of the County's request for proposal documents. "Any evaluation criteria or weighing of criteria is used by the County as a tool to assist the County in selecting the best proposal for the County. Evaluation scores or ranks alone do not create a right or expectation to a Contract/Agreement with the County. Ultimately, the County may choose to contract with any respondent, regardless of rank or score." Discussion.

Jeanie Lauer, County Legislator, said that she appreciates Mr. Burnett's amendment. She said that in reviewing the scoring on the proposals she did not find any bias or anything out of the ordinary. She said that Baum scored high on experience. She said her concern lies with setting a precedent that may limit vendors from submitting proposals. For that reason she recommends staying with the Springsted recommendation.

Scott Burnett responded that in the RFP for an owner's representative for the jail, this paragraph allowing the Legislature discrepancy on choosing a bidder was removed from the bid documents.

Theresa Galvin, Chair, said that she is part of the working group on the jail and she was not aware of the recommendation to remove that paragraph from the bid documents.

Crystal Williams said that we need to know why or who put that paragraph in our bid documents originally. She said her interpretation is that it doesn't matter how anything is scored because the Legislature can overturn any recommendation.

Mr. Tarwater said that he sees this process as a guideline. He said that this has been in our bid documents from Purchasing for over 10 years and this provision gives the Legislature the ability to negotiate on the pricing aspect. This allows the County to work toward an agreement on pricing with one bidder, and if the County cannot reach a resolution, the County can move to the next bidder.

Jalen Anderson asked if changing a vendor from the recommendation has happened in the past. Jay Haden stated that it has happened. The examples he has found were in the 90's. He is confident that this language was inserted to give the County some protection from any claims by an unsuccessful bidder wanting to pursue litigation.

Mr. Anderson said that there have been discussions for several weeks by people on the legislature supporting Baum.

Ms. Galvin asked that the Legislative Auditor be included in the evaluation for any major requests that come up in the future.

Caleb Clifford, Chief of Staff, said that the Administration has requested the removal of that paragraph from all bid documents because he believes that it is inconsistent with state law, section 50.660 of the Revised Statutes of Missouri.

[20105](#)

A motion was made by Scott Burnett, seconded by Dan Tarwater III, to amend Resolution #20105, to delete the phrase "Springsted, Inc., of St. Paul, MN" and to insert the phrase "George K. Baum of Denver, CO," after the words "County to" in the heading and to delete the phrase "as recommended by the Director of Finance and Purchasing" and to insert the phrase "to George K. Baum of Denver, CO," after the words "award be made" and to insert the phrase "of Finance and Purchasing" after the word "Director" in the fifth paragraph. The motion passed by a voice vote.

[20105](#)

A motion was made by Scott Burnett, seconded by Dan Tarwater III, to adopt Resolution #20105, awarding a twelve-month term and supply contract, with two twelve-month options to extend, for the furnishing of financial advisory services for use by the County to George K. Baum of Denver, CO, under the terms and conditions of Request for Qualifications No. 66-18. The motion passed by a roll call vote:

Yes: 5 - Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III and Theresa Galvin

No: 4 - Jalen Anderson, Crystal Williams, Tony Miller and Jeanie Lauer

(ADOPTED)

[20134](#)

Public Works Committee moved to adopt. Consent Agenda.

A motion was made by Dan Tarwater III, seconded by Ronald E. Finley, to waive the reading of Resolution #20135. The motion passed by a voice vote.

[20135](#)

Public Works Committee moved to adopt. Consent Agenda.

[20136](#)

Health and Environment Committee moved to adopt. Consent Agenda.

[20137](#) Finance and Audit Committee moved to adopt. Consent Agenda.
Action on Resolution #20138 was deferred until after the closed meeting.

[20138](#) A motion was made by Dan Tarwater III, seconded by Scott Burnett, to adopt Resolution #20138, authorizing the County Counselor to execute Legal Services Agreements with Seyferth, Blumenthal & Harris LLC of Kansas City, MO, at an aggregate cost to the County in 2019 not to exceed \$127,000.00. The motion passed by a roll call vote:

Yes: 8 - Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

Absent: 1 - Charlie Franklin

(ADOPTED)

A motion was made by Dan Tarwater III, seconded by Tony Miller, to waive the reading of Resolution #20139. The motion passed by a voice vote.

[20139](#) Finance and Audit Committee moved to adopt. Consent Agenda.

9 CONSENT AGENDA

[5215](#) AN ORDINANCE appropriating \$3,154.00 from the undesignated fund balance of the 2019 Health Fund in acceptance of insurance proceeds for the repair of a vehicle for use by the Environmental Health Division of the Public Works Department.
(PERFECTED)

[5208](#) AN ORDINANCE repealing sections 525., Jackson County Code, 1984, relating to County fiscal policy.
(ADOPTED)

[20134](#) A RESOLUTION transferring \$25,000.00 within the 2019 General Fund to cover the cost of temporary staffing within the Public Works Department's Facilities Management Division.
(ADOPTED)

[20135](#) A RESOLUTION awarding a twelve-month term and supply contract with two twelve-month options to extend for the furnishing of heavy equipment maintenance and repair, for use by the Public Works Department to G.W. Van Keppel of Kansas City, KS, as a sole source purchase.
(ADOPTED)

[20136](#) A RESOLUTION authorizing the County Executive to execute a Program Agreement with the Missouri Department of Health and Senior Services for a summer food service program, with reimbursed costs to be paid to the County.

(ADOPTED)

[20137](#) A RESOLUTION awarding a twelve-month term and supply contract with four twelve-month options to extend, for the furnishing of drug and alcohol testing for use by the Human Resources, Public Works, and Parks + Rec Departments, and the Sheriff's Office, to Test Smartly Labs of Overland Park, KS, under the terms and conditions of Request for Proposals No. 03-19.

(ADOPTED)

[20139](#) A RESOLUTION authorizing the Director of Finance and Purchasing to execute an installment payment agreement with ConvergeOne Inc., of Overland Park, KS, under an existing term and supply contract, for the furnishing of a hyper-converged virtual server platform for use by the Information Technology Department, at an actual cost to the County of \$105,011.30 for 2019, and a total five-year cost of \$525,056.48.

(ADOPTED)

*Ordinance #5215 was moved to the Consent Agenda for perfection.
Ordinance #5208 and Resolutions #20134, #20135, #20136, #20137, and #20139 were moved to the Consent Agenda for adoption.*

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

Yes: 9 - Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

None

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[20140](#)

A motion was made by Dan Tarwater III, seconded by Crystal Williams, to adopt Resolution #20140, authorizing the Jackson County Legislature to hold a closed meeting on Monday, April 15, 2019, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under section 610.021(1) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting. The motion passed by a roll call vote:

Yes: 9 - Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

(ADOPTED)

[20141](#)

Awarding twelve-month term and supply contracts for the furnishing of golf course chemicals and fertilizers for use by the Parks + Rec Department to Helena Chemical of Shawnee, KS, Reinders, Inc., of Olathe, KS, SiteOne Landscape Supply of Cleveland, OH, and Supreme Turf Products of Olathe, KS, under the terms and conditions of Invitation to Bid No. 6-19.

(Assigned to the Land Use Committee.)

[20142](#)

Authorizing the County Executive to execute a month-to-month lease with Truman Medical Center, for the furnishing of office space for use by the Medical Examiner's Office, at an annual cost to the County of \$1.00.

(Assigned to the Health and Environment Committee.)

[20143](#)

Awarding a twelve-month term and supply contract with two twelve-month options to extend for the furnishing of LEWeb law enforcement computer information services for use by various County departments to the Regional Justice Information Service (REJIS) Commission of St. Louis, MO, as an acquisition from another governmental entity.

(Assigned to the Justice and Law Enforcement Committee.)

[20144](#)

Transferring \$40,000.00 within the 2019 Anti-Drug Sales Tax Fund to cover the reclassification of a full-time assistant prosecutor attorney position to part-time within the Prosecuting Attorney's Office.

(Assigned to the Anti-Drug Committee.)

12 COUNTY EXECUTIVE ORDERS[19-15](#)

Pursuant to article VII, section 7 of the 2010 Jackson County Charter and section 1803.2 of the Jackson County Code, I hereby appoint the Honorable Judge Twila K. Rigby as Interim Jackson County Municipal Court Judge to hear and dispose of all cases set on the April 12, 2019 dockets.

[19-16](#)

I hereby make the following appointment to the Jackson County COMBAT Commission:

John B. Boyd is appointed as an At-Large Legal Professional member to fill the unexpired term occasioned by the resignation of James A. Witteman, Jr., for a term to expire December 31, 2019. A copy of Mr. Boyd's resume is attached.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

The County Legislature went into closed session pursuant to Resolution #20140.

The County Legislature reconvened.

Resolution #20138 was adopted at this time. See page 4 for details.

Dan Tarwater III, County Legislator, asked about the problems with the elevators at the Downtown Courthouse and the Administration's plan for an upgrade. He said that he understands that Travelers, the County's insurance company, will cover the repair costs but that he believes it is best to apply those funds toward an upgraded system to avoid the problems that occurred last week when six people were stuck for two hours in the elevator.

Brian Gaddie, Director of Public Works, said that he anticipates coming to the Legislature soon with a recommended bid for the elevators. Mr. Tarwater stated that he would like to move forward as soon as possible.

Scott Burnett, County Legislator, said that he read in the proposed capital improvement plan that there was \$1.3 million allocated for the elevators. He asked Mr. Gaddie if this project will be fast tracked to get it started this year.

Mr. Gaddie stated that was the projected plan prior to the flooding incident. The modernization plan would cost \$4 million and take approximately three years to complete. Mr. Gaddie said that at this point he has not been given

the instruction to move this modernization project to fruition. He said that it is correct that they would like to use part of the capital improvement money from the voluntary tax levy rollback to get this project underway.

Ronald E. Finley, County Legislator, said that he had been in discussions with Mr. Gaddie about getting an update on the County's capital improvement projects. He hopes to schedule that update soon.

15 ADJOURNMENT

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

Meeting adjourned until Tuesday, April 23, 2019 at 2:00 P.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.