

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION transferring \$148,000.00 within the 2018 General Fund and \$52,000.00 within the 2018 Health Fund to cover the cost of outside legal counsel to represent the County and individual defendants in pending class action litigation relating to the Jackson County Detention Center.

RESOLUTION NO. 19807, April 2, 2018

INTRODUCED BY Dennis Waits, County Legislator

WHEREAS, the County Counselor's Office desires to retain expert outside legal counsel to represent the County and individual defendants in pending class action litigation relating to the Jackson County Detention Center; and,

WHEREAS, a transfer is needed to place the funds for this service in the proper spending accounts; and,

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

WHEREAS, certain funds appropriated in such Reserve Accounts within the 2018 General and Health Funds are needed to provide funds necessary retain expert outside counsel; and,

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

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

WHEREAS, the Legislature recognizes that funds identified as Reserve Funds in the adopted 2018 budget within the General and Health Funds are needed to provide funds necessary to retain outside counsel; and,

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

WHEREAS the Legislature agrees that funds described in this Resolution should be made available for such use by posting to certain budget line items in the General and Health Funds budget; now therefore,

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

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
General Fund Reserve 001-8006	56835 – Reserve – Operating	\$148,000	
Non-Departmental 001-5101	56020 -- Legal Services		\$148,000
Health Fund Reserve 002-8006	56835 – Reserve- Operating	\$52,000	
Non-Departmental 002-5102	56020 – Legal Services		\$52,000

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

APPROVED AS TO FORM:

[Signature]
Chief Deputy County Counselor

[Signature]
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 19807 of April 2, 2018, was duly passed on April 9, 2018 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

Nays 0

Abstaining 0

Absent 1

4-9-18
Date

[Signature]
Mary Jo Spino, Clerk of Legislature

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

ACCOUNT NUMBER: 001 8006 56835
ACCOUNT TITLE: General Fund
Reserve
Reserve - Operating
NOT TO EXCEED: \$148,000.00

ACCOUNT NUMBER: 002 8006 56835
ACCOUNT TITLE: Health Fund
Reserve
Reserve - Operating
NOT TO EXCEED: \$52,000.00

3/29/18
Date

[Signature]
Chief Administrative Officer