



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

Jackson County Courthouse
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County Legislature

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

Monday, December 6, 2021

10:00 AM

Forty-seventh Regular Meeting

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

Dan Tarwater III, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

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

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

A motion was made by Scott Burnett, seconded by Theresa Cass Galvin to approve the journal of the previous meeting held on November 29, 2021. The motion passed by a voice vote.

4 HEARINGS

Michael Short and Matt Webster, Stifel, Nicolaus & Company, and Douglas Coe, Moody Reid, presented an update regarding potential refunding of the Series 2014 Special Obligation Refunding Bonds (Harry S. Truman Sports Complex). Mr. Short also introduced Katherine Fox, Director of the KC2026 FIFA World Cup Bid with the Kansas City Sports Commission. A copy of Mr. Short's presentation is available under the Meeting Details for the December 6, 2021, Legislative Meeting, located at <https://jacksonco.legistar.com/MeetingDetail.aspx?ID=910365&GUID=93D86311-2360-4BAD-9C0E-75E315F9236A&Options>.

One aspect of this bond transaction is to provide some of the funds required for site improvements should Kansas City be selected to host the 2026 FIFA World Cup.

Mr. Short said that if the County decides to immediately pursue a prepaid forward bond purchase contract with Morgan Stanley, one of the County's approved Bond Underwriters, the transaction can be closed by the end of January 2022.

Dan Tarwater III, County Legislator, asked if this transaction will impact the County's bond rating. Mr. Short said it does not and it could even be a good move for the bond rating. Mr. Tarwater asked how this transaction works. If interest rates go up by 2024, is Morgan Stanley still committed to the project? Mr. Short explained that the County will pay a certain premium on the rate and Morgan Stanley will assume the risk. They believe it is a fair and reasonable risk and a straightforward proposal. Mr. Tarwater said this will give the County an immediate \$13 million in cost savings which can only be used on the County's asset – the stadiums.

Jeanie Lauer, County Legislator, asked if the term of this bond measure coincides with the term of the lease with the teams. Matt Webster said yes but the bond issue does not impact the lease agreement. The funds can only be used on actual improvements at the stadiums.

Scott Burnett, County Legislator, asked if Kansas City is selected for the FIFA World Cup, what is the source for the remaining \$27 million that will be needed for improvements related to the World Cup. Mr. Short said Morgan Stanley had proposed a different funding measure if Kansas City were selected to host the World Cup. Kansas City will not know until late in 2022 if they are a FIFA site. There are other regional partners involved with this bid that could contribute to the funding requirements.

Dan Tarwater III said the County could rely on other local stakeholders for the additional funds. This action does not commit the County to anything beyond the \$13 million for stadium improvements. This does not cost the taxpayer anything.

Tony Miller, County Legislator, asked if officials should be discussing this plan with members of the Sports Complex Authority. Matt Webster said the Sports Complex Authority are the County's partners. Stifel has a fiduciary responsibility to the County, and it is not their place to speak to officials at the Sports Complex Authority. They recommend not leaving anyone out of the discussion.

Dan Tarwater III said this money can be used to attract FIFA, but if Kansas City loses the bid, the funds will still be used for the benefit of the stadiums. Michael Short said it is their understanding the teams are in

favor of this bond transaction. Dan Tarwater III said in accordance with their lease the teams share assets, but if the FIFA bid comes through, the Royals are in favor of these funds being used to modify Arrowhead to attract FIFA.

Caleb Clifford, Chief of Staff, said he had a conversation with Mark Donovan with the Chiefs, and they are generally in support of this action, but a lot depends on what happens with FIFA.

Katherine Fox with the Kansas City Sports Commission said she participated in a presentation to governmental affairs officials in the region. The teams and regional stakeholders are in support of doing whatever is necessary to attract the World Cup. Time is of the essence. They must submit the final bid package by December 31.

Frank White, Jr., County Executive, said he is not opposed to this bond issue but is concerned about having an agreement with the teams regarding how the funds are spent and where additional funds will come from if the region succeeds in its World Cup bid.

Tony Miller said he doesn't see how the County can lose. If the World Cup comes to Kansas City, the County can worry about securing the additional funds down the road.

Jeanie Lauer said she expects both teams have a list of projects that could be done immediately if they receive this funding.

Matt Webster said when financing, the funds are kept in separate accounts to be used for specific improvements related to the stadiums. There are common areas for both stadiums and the funds can be used for deferred maintenance on these common areas.

Dan Tarwater III asked about the next steps. Michael Short said they need the Administration to send an email stating the County intends to move forward. Stifel will notify representatives at Morgan Stanley. Second, Mr. Short said, the Financial Advisor contract expires on December 31, 2021. This contract will need to be extended for the firm to work on this issue. Mr. White said he would review the Financial Advisor contract and provide an answer today regarding extending that agreement.

Katherine Fox said there is a high level funding plan in place. Fundraising will take place over a five year period. The Sports Commission does not need the \$40 million in place in order to secure the World Cup. They need

a plan and some commitments in place for the bid process. They submit the bid and then wait.

Dan Tarwater III opened the public hearing regarding Ordinance #5570, to adopt the annual budget and set forth appropriations for the various spending agencies and the principal subdivisions thereof, for the fiscal year ending December 31, 2022, and regarding Ordinance #5571, setting the 2022 Jackson County, Missouri tentative tax levy. No one was present to speak. Mr. Tarwater closed the public hearing.

5 COMMUNICATIONS WITH AND REPORTS OF THE COUNTY EXECUTIVE

Frank White, Jr., said last night Buck O'Neill was elected to the National Baseball Hall of Fame in an overwhelming vote.

Mr. White said the numbers of COVID-19 cases and hospitalizations have increased since the mask mandate was lifted. He expressed concern about the increase in cases and the possible impact of the Omicron variant. He said Bridgette Shaffer, Director of the Jackson County Health Department, will be available next week to give an update.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[5570](#) AN ORDINANCE to adopt the annual budget and set forth appropriations for the various spending agencies and the principal subdivisions thereof, for the fiscal year ending December 31, 2022.

(Legislature As A Whole - 3rd. Perfection)

[5571](#) AN ORDINANCE setting the 2022 Jackson County, Missouri tentative tax levy.

(Legislature As A Whole - 3rd. Perfection)

[5573](#) Land Use Committee moved to perfect. Consent Agenda.

[5574](#) A motion was made by Theresa Cass Galvin, seconded by Jalen Anderson, to approve the Budget Committee Substitute dated December 6, 2021. The motion passed by a voice vote.

(APPROVED)

[5574](#) A motion was made by Theresa Cass Galvin, seconded by Jalen Anderson, to perfect the Budget Committee Substitute dated December 6, 2021 for Ordinance #5574. The motion passed by a voice vote.

(PERFECTED)

[5574](#)

A motion was made by Theresa Cass Galvin, seconded by Jalen Anderson, to adopt Ordinance #5574, establishing the "American Rescue Plan Fund" as a separate special revenue fund of the County and accepting \$16,048,014.00 from the federal government. The motion passed by a roll call vote:

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

(ADOPTED)

[5575](#)

A motion was made by Charlie Franklin, seconded by Theresa Cass Galvin, to approve the Finance and Audit Committee Amendment dated December 6, 2021 for Ordinance #5575, to delete the figure "275,000.00" and insert the figure "175,000.00" in two places in the heading on page 1, in the body on page 2 and in the fiscal note on page 4. The motion passed by a voice vote.

[5575](#)

A motion was made by Charlie Franklin, seconded by Theresa Cass Galvin, to perfect the Finance and Audit Committee Amendment for Ordinance #5575. The motion passed by voice vote.

(PERFECTED)

[5575](#)

A motion was made by Charlie Franklin, seconded by Theresa Cass Galvin, to adopt Ordinance #5575, appropriating \$175,000.00 from the undesignated fund balance of the 2021 CARES Act Fund to provide COVID-19 testing for unvaccinated Jackson County and 16th Circuit Court associates through the end of 2021 at a cost to the County not to exceed \$175,000.00. The motion passed by a roll call vote:

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

(ADOPTED)

[5576](#)

A motion was made by Charlie Franklin, seconded by Theresa Cass Galvin to perfect Ordinance #5576. The motion passed by a voice vote.

(PERFECTED)

[5576](#)

A motion was made by Charlie Franklin, seconded by Theresa Cass Galvin, to adopt Ordinance #5576, appropriating \$11,390.00 from the undesignated fund balance of the 2021 CARES Act Fund to cover an unanticipated budgetary shortfall within the indigent cremation and burials account in connection with the ongoing Coronavirus/COVID-19 pandemic. The motion passed by a roll call vote:

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

(ADOPTED)

[5577](#)

A motion was made by Charlie Franklin, seconded by Theresa Cass Galvin to perfect Ordinance #5577. The motion passed by a voice vote.

(PERFECTED)

[5577](#)

A motion was made by Charlie Franklin, seconded by Theresa Cass Galvin, to adopt Ordinance #5577, appropriating \$350,000.00 from the undesignated fund balance of the 2021 CARES Act Fund to enable the County to assume responsibility for e-check and transaction fees to encourage Jackson County taxpayers to pay real estate and personal property taxes online in connection with the fight against the ongoing Coronavirus/COVID-19 pandemic. The motion passed by a roll call vote:

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

(ADOPTED)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

[20821](#)

A RESOLUTION expressing the intent of the Legislature that Jackson County reverse all prior voluntary reductions of property tax rates.

(Legislature As A Whole - 3rd. Meeting)

Tony Miller asked if the Legislature can have a hearing next week regarding the County's ongoing obligations presented by this resolution. Crissy Wooderson, Legislative Auditor, said this action will have a \$5.3 million impact to the General Fund and minor impacts to the Health, Parks and Road and Bridge Funds. This translates into an impact of about \$14.80 per \$100,000.00 on a house. Troy Schulte, County Administrator, said of the \$14.80 per \$100,000.00, \$5.59 is the tax levy amount for the Board of Services for the Developmentally Disabled and the Mental

Health Fund. The Administration does not intend to reduce these tax levies. He said the impact of the General Fund is \$8.30 per \$100,000 to homeowners. His recommendation is if the Legislature wants to reduce the levy that they reduce the amount of money in the County Improvement Fund.

Dan Tarwater III said in 2008 the County did a voluntary reduction of its tax levy in response to the financial crisis of 2008. In 2019, the County reversed that rollback and \$19.5 million was generated for building improvements.

Tony Miller said there is a distinction between raising taxes by increasing the levy and collecting the funds that the law already says we should collect. Troy Schulte said \$5.59 per \$100,000.00 of the tax collected will be distributed \$3.90 for the Board of Services for the Developmentally Disabled and \$1.69 for the Community Mental Health. Frank White, Jr., said the vote on this resolution is a two-year commitment by the Legislature. He said when Jackson County reduced the tax levy, other surrounding taxing jurisdictions increased their levies.

Theresa Cass Galvin, County Legislator, asked why the Primary and General elections are being funded out of the County Improvement Fund. Mr. Schulte said the County has an ongoing problem in the General Fund where we have more expenses than incoming revenues. He is trying to get the county to have current revenues meeting current expenditures in the General Fund but it has not yet been accomplished. If the County continues to overspend, they will need to tap into reserves. If the County did not fund elections from the County Improvement Fund, then the County would need to fund them out of the organization.

Ronald E. Finley, County Legislator, asked why the County needs to adopt Resolution #20821. Troy Schulte said so they can set the budget. The final decision on the tax levy does not need to be made until September of 2022 when the levy is set. The Administration is being transparent to let the County Legislature know that in order to adopt the budget as planned, it will require the County to take this action with the tax levy rates. If the Legislature does not approve this resolution, the Administration will have to adjust the budget accordingly.

Tony Miller asked how much the gap in the budget will be if the County does not reverse the voluntary reductions. Troy Schulte said the gap will be \$5.3 million. The County could reduce the County Improvement Fund to make up the difference.

[20823](#)

A motion was made by Theresa Cass Galvin, seconded by Tony Miller, to adopt Resolution #20823, requesting the County Administration issue the Request for Qualifications for Design-Build firms interested in bidding on the design and construction of the new Jackson County Detention Center project as soon as possible. The motion passed by a roll call vote:

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

No: 1 - Crystal Williams

(ADOPTED)

Theresa Cass Galvin said it is her understanding that the RFQ is approved and ready to go out. Troy Schulte said they have incorporated the language requested by the outside attorney Colette Holt. Sylvya Stevenson, Chief Administrative Officer, said they will get the RFQ to Barb Casamento, Purchasing Administrator, by the end of the day or first thing tomorrow morning. Tony Miller asked Jay Haden, Chief Deputy County Counselor, whether the resolution has his approval. Mr. Haden said he does not think the resolution matters. He said the RFQ is 99.5 percent complete and no matter what happens the RFQ will still go out at the same time.

Ronald E. Finley asked about input from Colette Holt. Crissy Wooderson said they are in consensus with the language included in the Request for Qualifications (RFQ). The goals will be mentioned in the RFQ without any binding language. The specifics will be included in the Request for Proposal (RFP). Troy Schulte said the RFQ is approximately 10 pages. He will send a draft to legislators as soon as it is completed. Crissy Wooderson said the RFQ gives a baseline of 12.3 percent for MBE and 10.7 percent for WBE which is subject to change. Jay Haden said that Colette Holt is an excellent attorney and her goal is to balance the interests of all parties involved. Ms. Holt is satisfied with the RFQ.

9 CONSENT AGENDA

[5573](#)

AN ORDINANCE repealing Schedule I, Chapter 50, Jackson County Code, 1984, relating to park fees and charges and enacting, in lieu thereof, one new schedule relating to the same subject.

(PERFECTED)

Ordinance #5573 was moved to the Consent Agenda for perfection.

A motion was made by Scott Burnett, seconded by Theresa Cass Galvin, to approve the Consent Agenda. The motion passed by a roll call vote:

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

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[5578](#) Appropriating \$170,240.00 from the undesignated fund balance of the 2021 American Rescue Plan Fund to provide for architectural services relating to the remodeling of the new Jackson County Health Department building to be provided by an existing County term and supply vendor.

(Assigned to the Budget Committee.)

[5579](#) Appropriating \$2,000,000.00 from the undesignated fund balance of the 2021 American Rescue Plan Fund and authorizing the County Executive to execute an Intergovernmental Cooperative Agreement with the Metropolitan Community College District at a cost to the County not to exceed \$2,000,000.00.

(Assigned to the Budget Committee.)

[5580](#) A motion was made by Theresa Cass Galvin, seconded by Charlie Franklin to perfect Ordinance #5580. The motion passed by a voice vote.

(PERFECTED)

[5580](#) A motion was made by Theresa Cass Galvin, seconded by Charlie Franklin, to adopt Ordinance #5580, appropriating \$18,470.00 from the undesignated fund balance of the 2021 Park Enterprise Fund in acceptance of proceeds from a recent surplus property auction and awarding a contract for chemical spraying equipment for use by the Parks + Rec Department to Van-Wall Equipment, Inc., of Lenexa, KS, under the terms and conditions of Invitation to Bid No. 67-21, at an actual cost to the County in the amount of \$27,250.00. The motion passed by a roll call vote:

Yes: 7 - Dan Tarwater III, Ronald E. Finley, Jalen Anderson, Crystal Williams, Charlie Franklin, Jeanie Lauer and Theresa Cass Galvin

Absent: 2 - Tony Miller and Scott Burnett

(ADOPTED)

[5581](#) A motion was made by Theresa Cass Galvin, seconded by Charlie Franklin to perfect Ordinance #5581. The motion passed by a voice vote.

(PERFECTED)

[5581](#)

A motion was made by Theresa Cass Galvin, seconded by Charlie Franklin, to adopt Ordinance #5581, appropriating \$58,285.00 from the undesignated fund balance of the 2021 Park Fund in acceptance of proceeds from a recent surplus property auction and awarding a contract for the furnishing of four commercial mowers to Van-Wall Equipment, Inc., of Lenexa, KS, under the terms and conditions set forth in Sourcewell Contract No. 031121-DAC, an existing competitively bid government contract, at a cost to the County in the amount of \$66,360.00. The motion passed by a roll call vote:

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

Absent: 1 - Scott Burnett

(ADOPTED)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[20825](#)

Awarding a twelve-month term and supply contract, with one twelve-month option to extend, for the furnishing of employee group dental insurance coverage as an employee benefit for use countywide to Blue Cross and Blue Shield of Kansas City, MO, under the terms and conditions of Request for Proposals No.72-21.

(Assigned to the Health and Environment Committee.)

[20826](#)

Authorizing the County Counselor to execute a Third Addendum to the Legal Services Agreement with Seyferth, Blumenthal & Harris, LLP, of Kansas City, MO, at an actual cost to the County not to exceed \$140,000.00, for services to be performed through December 31, 2021.

(Assigned to the Legislature As A Whole.)

[20827](#)

Transferring \$261,381.00 within the 2021 Special Road & Bridge Fund and awarding contracts for the furnishing of heavy equipment for use by the Public Works Department to KC Bobcat Company of Blue Springs, MO, Lawn & Leisure of Blue Springs, MO, Murphy Tractor & Equipment of Kansas City, MO, and G.W. Van Keppel Co. of Kansas City, KS, at a total cost to the County in the amount of \$261,381.00.

(Assigned to the Public Works Committee.)

[20828](#) Transferring \$254,763.00 within the 2021 Special Road & Bridge Fund and \$156,395.00 within the 2021 County Improvement Fund, and awarding a contract on Bid No. PW 08-2021 for the Wastewater Treatment Facility Improvements at the Jackson County Public Works Vehicle Center Project, No. 3256, to Shedigs It, LLC, of Blue Springs, MO, at an actual cost to the County not to exceed \$411,158.00, and authorizing the Director of Public Works to approve line item adjustments under this contract at no additional cost to the County.

(Assigned to the Public Works Committee.)

[20829](#) Transferring \$56,658.00 within the 2021 General Fund, \$64,111.00 within the 2021 Anti-Crime Sales Tax Fund, \$29,231.00 within the 2021 Inmate Security Fund, and \$40,000.00 within the 2021 CARES Act Fund to cover remaining financial obligations of the Department of Corrections through the end of 2021.

(Assigned to the Budget Committee.)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

None.

15 ADJOURNMENT

A motion was made by Theresa Cass Galvin, seconded by Jalen Anderson, to adjourn the meeting. The motion passed by a voice vote.

Meeting adjourned until Monday, December 13, 2021 at 10:00 A.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.