

## IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

**A Resolution** setting the parameters for which to the legislature will select an interim county executive if the duly elected executive is recalled

**Resolution NO**

**INTRODUCED BY** Manny Abarca, County Legislature

WHERE AS in accordance with the Jackson County Charter. Article II. Section 16. Subsection 1: stating, “Exercising all legislative powers now or hereafter conferred upon counties, county courts, county governing bodies and county officers by the constitution, by law, and by this Charter, and to determine and make provision for any matter of County government not otherwise provided herein, including any matter involved in the transition to the form of government provided by this charter”, AND,

WHEREAS, the Jackson County Charter Article II Section 16. Sub-section 9 empowers the Legislature to “establish procedures for the safekeeping, deposit, investment, and disbursement of all moneys in or due the county treasury and to require and prescribe the form of financial reports from the county officers and offices; AND

WHEREAS, the Jackson County Charter Article II Section 16. Sub-section 42 empowers the Legislature to “Make all necessary or proper provisions for carrying into execution the foregoing powers; AND

WHEREAS, the Jackson County Charter Article II Section 16. Sub-section 43 empowers the Legislature to, “exercise all powers and duties of counties and county officers as prescribed by law, the exercise of which is not otherwise provided for in this charter”; AND,

BE IT RESOLVED that upon immediately receiving the unofficial certified election results from the necessary election jurisdictions, the chairperson notify the Clerk of the County Legislature by 8am the next Wednesday, preceding the Tuesday election of the recall, their selection of the temporary interim county executive as to prevent any attempt to barter with a temporary appointee position for which that candidate may assume the full rights of the executive roll if the official certified results are announced prior the legislature choosing a permanent interim county executive to fulfill the remainder of the available term of office; AND

BE IT RESOLVED that the Chairperson of the Legislature also immediately place notice and qualifications for nomination within at least two printed periodicals within each at-large boundary that make up a diverse representation geographically, and socially to notify taxpayers of the opportunity to become the permanent interim executive; and

BE IT RESOLVED that the Chairperson of the Legislature may not name themselves as the temporary interim executive but may vacate their position as chairperson to become a candidate for the selection of the permanent interim executive position; and

BE IT RESOLVED that if the Chairperson is to be considered for a permanent interim executive position, the Vice-Chair will fill the roll of the chair only for that specific meeting for which a permanent interim executive is to be named and a new chair must be duly elected amongst the legislative body, as a to not create a direct conflict of interest with the Vice Chair receiving a direct benefit from the vacation of the current chair and further eliminate the potential for quid pro quo actions; AND,

BE IT RESOVLED that if any member of the sitting legislature is to be considered for the temporary interim executive position, they must resign from their legislative seat prior to assuming the temporary interim executive roll as to not serve in two capacities within county office and subsequently the legislature would then fill the legislative vacancy; and

BE IT RESOLVED that if any member of the sitting legislature is to be considered for the permanent interim executive position, they must resign within the hour of receiving a majority of votes in favor of appointment to the permanent interim executive role and ascend to office no later than four days after resignation; and

BE IT RESOLVED that any person qualified to fill the permanent interim county executive roll must receive a nomination and second from sitting members of the legislature and be a duly paid member of their appropriately corresponding party with a letter of good standing from the same party; and

BE IT RESOLVED that the election of a permanent interim county executive be placed on the agenda of the next meeting of the legislature and the selection take priority over all other business within the County Legislative agenda; AND,

BE IT RESOLVED that if the Legislature fails to select a permanent interim county executive within the first round of voting, the nominee with the least amount of votes is removed from the selection pool as to ensure that the highest vote getting nominees rise toward a final vote between fewer candidates with no new candidates being added without at least the amount of rounds as nominees in the selection pool; and,

BE IT RESOLVED that if at the point where no fewer than two candidates are left; the legislature must recess for at least an hour prior to the final round of votes being cast; and

BE IT RESOLVED that if within the final round of voting no nominee receives a majority of votes then a second balloting will be initiated with nominations reopening at the next legislative meeting and notice of the opening must be placed in at least two printed periodicals within the at-large Legislative subdistricts prior to the next nominations process; and

BE IT RESOLVED that all ballots cast for permanent interim executive be made via secret ballot and only a total vote tally be read publicly after a nominee has received five votes to fill the permanent interim executive position by the Clerk of the Legislature and that vote be recorded in the public journal with the announcement of the permanent interim executive; and