

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$50,000.00 from the undesignated fund balance of the 2012 Health Fund in acceptance of settlement proceeds relating to the construction of the Regional Animal Shelter.

ORDINANCE NO. 4492, December 3, 2012

INTRODUCED BY Dennis Waits, County Legislator

WHEREAS, by Ordinance 4312, dated May 23, 2011, the Legislature did award a contract to R.L. Philips Construction, Inc., for the construction of the Regional Animal Shelter; and,

WHEREAS, R.L. Philips was unable to comply with the bid's specifications regarding bonding, and by Resolution 17658, dated August 22, 2011, the Legislature did partially repeal Ordinance 4312, and re-award the contract to the next lowest bidder; and,

WHEREAS, because this delayed the start and increased the cost of the construction on the Regional Animal Shelter facility, R.L. Philips Construction, Inc. agreed to a settlement with the County, in the amount of \$50,000.00; and,

WHEREAS, an appropriation is necessary to place the settlement funds in the appropriate spending account; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that the following appropriation in the 2012 Health Fund be and hereby is made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Health Fund			
Non-Department			
002-9999	47045 – Settlements/Judgments	\$50,000	
002-5102	Undesignated Fund Balance		\$50,000
002-5102	Undesignated Fund Balance	\$50,000	
002-5102	58020 – Buildings & Improvements		\$50,000

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

Andy D. Hall
Deputy County Counselor

W. Stephen Nixon
County Counselor

I hereby certify that the attached Ordinance, Ordinance No. 4492 of December 3, 2012, was duly passed on December 3, 2012 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9

Nays 0

Abstaining 0

Absents 0

This Ordinance is hereby transmitted to the County Executive for his signature.

12/3/12
Date

Mary Jo Spino
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 4492.

12/04/2012
Date

MDS
Michael D. Sanders, County Executive

Funds sufficient for this appropriation are available from the source indicated below.

ACCOUNT NUMBER: 002 2810
ACCOUNT TITLE: Health Fund
Undesignated Fund Balance
NOT TO EXCEED: \$50,000.00

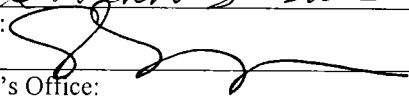
November 20, 2012
Date

[Signature]
Director of Finance and Purchasing

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:
~~Res~~/Ord No.: 4492
 Sponsor(s): Dennis Waits
 Date: December 3, 2012

<p>SUBJECT</p>	<p>Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Appropriating \$50,000 from the undesignated fund balance of the Health Fund in acceptance of settlement fees related to the Regional Animal Shelter.</u></p>										
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1" data-bbox="326 569 1203 968"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$50,000</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$0</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$50,000</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$0</td> </tr> <tr> <td>Source of funding (name of fund) and account code number:</td> <td>General Fund, Fund Balance (Settlements & Judgments) to Health Fund Non Departmental Building & Improvements 002-5102-8020</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$50,000	Amount previously authorized this fiscal year:	\$0	Total amount authorized after this legislative action:	\$50,000	Amount budgeted for this item * (including transfers):	\$0	Source of funding (name of fund) and account code number:	General Fund, Fund Balance (Settlements & Judgments) to Health Fund Non Departmental Building & Improvements 002-5102-8020
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<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date): N/A Prior resolutions and (date): N/A</p>										
<p>CONTACT INFORMATION</p>	<p>RLA drafted by (name, title, & phone): Shelley Kneuvean, Chief Operating Officer</p>										
<p>REQUEST SUMMARY</p>	<p>Jackson County, Missouri constructed a new facility for the sheltering of dogs, cats and small animals and needed a firm to manage and operate the facility. The original construction contract award had to be terminated due to the contractor having an invalid construction performance bond. The contractor, RL Phillips, entered into a settlement agreement with the County to compensate the county for the delay in an amount of \$50,000 payable monthly. The construction contract was awarded to the second lowest bidder. These payments have been completed. This Ordinance will appropriate these funds to the building & improvements fund for purchases / improvements related to the opening of the new Regional Animal Shelter.</p>										
<p>CLEARANCE</p>	<p><input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) N/A <input type="checkbox"/> Business License Verified (Purchasing & Department) N/A <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)</p>										
<p>ATTACHMENTS</p>											

REVIEW	Department Director:	Date:
	Finance (Budget Approval): If applicable <i>Allyson S Ball</i>	Date: <i>11-29-12</i>
	Division Manager: 	Date: <i>11/29/12</i>
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

Supplemental Appropriation Request Jackson County, Missouri

Funds sufficient for this appropriation are available from the source indicated below.

Date: November 29, 2012

ORD # 4492

Department / Division	Character/Description	From	To
Health Fund			
9999	47045 - Settlements/Judgements	50,000	
2810	Undesignated Fund Balance		50,000
2810	Undesignated Fund Balance	50,000	
5102 - Non-Departmental	58020 - Buildings and Improvements		50,000
		50,000	50,000

Sharon S Ball 11-29-12
Budgeting