



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, August 16, 2021

10:00 AM

Thirtieth 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 Theresa Cass Galvin, seconded by Scott Burnett to approve the journal of the previous meeting held on August 09, 2021. The motion passed by a voice vote.

4 HEARINGS

Doug Cowan, Chief Executive Officer of the Community Services League, presented an update on the Emergency Rental Assistance Program. Jim MacDonald, Chief Community Impact Officer with the United Way was also present. The program has made great progress since it was implemented in April 2021. They anticipate all funds will either be expended or encumbered by next week. The portal remains open for applications. Mr. Cowan said out of 1,418 cases, six were instances in which funds were paid directly to tenants. Case workers work collaboratively with other jurisdictions that share a common court system in the 16th Circuit Court. They continue to give applicants information on the state sponsored program (SAFHR) or other available assistance. Jackson County may be eligible for a reallocation of funds from other jurisdictions that do not expend all of their rental assistance funds by September 30, 2021. The City of Kansas City has its own program that has contracted with 15 agencies to assist with its rental assistance

program through the City's Housing and Community Development Office. Mr. Cowan said he has heard from many landlords who appreciate this critical program. A copy of Mr. Cowan's presentation is available under the Meeting Details for the August 16, 2021, Legislative Meeting at <https://jacksonco.legistar.com/MeetingDetail.aspx?ID=886181&GUID=CE8CA02D-EEE1-493D-A551-AEF3C3C08670&Options>

Charlie Franklin, County Legislator, asked Crissy Wooderson, Legislative Auditor, to explain the Auditor's Office role in the Emergency Rental Assistance Program. Ms. Wooderson said her officer performed a site visit on the ERAP program. They offered four areas of recommendations: 1. Website construction – making sure there are no inconsistencies, 2. Stressing need for third party verification of the income guidelines, 3. Making sure the payments are correct for any amounts over the fair market rent value, 4. Clarifying the need for procedures on second requests for funding. One area of needed attention was the direct payments to tenants. One payment given was seven times the average rental assistance. The landlord responded they did not receive all of the payments and there are ongoing discussions with the County Counselor's Office regarding this situation.

Theresa Cass Galvin, County Legislator, said it was the intent of the Legislature to pay funds directly to landlords and this one instance stands out. Mr. Cowan said he agrees with the concerns on this case. He said his contract is with the County, but he is subject to the federal guidelines for this program. Crystal Williams said six out of 1,400 cases is a good track record. Dan Tarwater III, County Legislator, said this one instance makes the whole program look bad. Tony Miller, County Legislator, said under the federal regulations, CSL and their partners are not in a position to deny payments to a tenant in a case in which the landlord refuses to accept the payment directly. Ronald E. Finley, County Legislator, said it is enlightening to him that the City of Kansas City has 15 agencies working on the ERAP program and the County has these two agencies, CSL and United Way. He is concerned about the ability of people to access the program through the Internet. Mr. Cowan said case workers take applications over the phone or in person. They will assist applicants with completing the process in person or on portable devices. Mr. Finley asked if there will be another rental assistance allocation of funds. Mr. Cowan said the State of Missouri received \$400,000,000. Of that amount, \$80,000,000 was distributed based on population to Jackson County, Clay County, Greene County, the City of Kansas City and St. Louis City and County. The largest amount went to the State of Missouri. As more people

come forward with needs, CSL will assist them in accessing the State portal to receive assistance from the State's allocation.

Troy Schulte, County Administrator, said the County has received an additional ERAP allocation of about \$3.5 million. They will make a recommendation to the Legislature on the second round of funding. The Administration has been pleased with the roll out of the current program. Early on there was talk at the federal level that unspent funds could be reallocated, but it is uncertain what the federal government will do next.

Mr. Finley said he believes there is still work to be done and he has concerns about the access people have to State funding.

Theresa Cass Galvin said she saw Mr. Cowan featured on Channel 4 segment Pay It Forward. She said this speaks volumes about CSL's commitment to assisting the community.

Tony Miller read from the Department of Treasury's guidelines on the ERAP program, which says what outreach must be made by a grantee to a landlord or utility provider before determining that the landlord or utility provider will not accept direct payment from the grantee.

"Treasury expects that in general, rental and utility assistance can be provided most effectively and efficiently when the landlord or utility provider participates in the program. However, in cases where a landlord or utility provider does not participate in the program, the only way to achieve the statutory purpose is to provide assistance directly to the eligible household."

Dan Tarwater III invited Presiding Judge Dale Youngs to speak to recent publicity regarding the court's role in the rental assistance program and evictions. Judge Youngs said the court works to provide information to tenants regarding filing a declaration that the tenant is impacted by COVID and are provided contacts for the assisting agencies. He said the court did not provide the numbers quoted locally in news articles. Judge Youngs said the narrative portraying the court as biting at the bit to evict tenants is false and unfair. Scott Burnett, County Legislator, asked about the three-day gap in the eviction moratorium. Claims in the media are that there was a flood of evictions during the gap in the implementation of a new moratorium. Judge Youngs said there is a three step process to file an eviction. A petition must be filed and served. The petition is set forth in a docket call. Typically, there is a second docket call to resolve any outstanding issues. Only after all issues are resolved will the case be set

for trial. There is no writ of execution until there is a trial and a judgment. There is no basis for statements that there was a mass eviction of tenants during the gap in the moratorium.

5 COMMUNICATIONS WITH AND REPORTS OF THE COUNTY EXECUTIVE

Frank White, Jr., County Executive, said he appreciates the work of the Community Services League and United Way on the Emergency Rental Assistance Program. They have done a tremendous job for Jackson County without any fanfare. They've done a great job of directing people to the State portal for additional assistance. The Administration will have a proposal to the Legislature in the next week for the second round of Emergency Rental Assistance funding.

Resolution #20738 was adopted at this time. See page 7 for details.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

A motion was made by Tony Miller, seconded by Scott Burnett, to waive the reading of Ordinances #5527, #5528, #5529, #5530, #5531, #5532, #5533, #5534, and #5535. The motion passed by a voice vote.

[5527](#)

AN ORDINANCE renewing for a period of twenty-five years a conditional use permit to operate a 208-ft., above-ground commercial communication tower as to a certain tract.

(Land Use Committee - 1st. Perfection)

[5528](#)

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 19.50± acre tract from District AG (Agricultural) to District RE (Residential Estates) and approving the preliminary plat "Pagel Estates," creating a six-lot residential subdivision.

(Land Use Committee - 1st. Perfection)

[5529](#)

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 5.00± acre tract from District AG (Agricultural) to District RE (Residential Estates).

(Land Use Committee - 1st. Perfection)

[5530](#)

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 5.00± acre tract from District AG (Agricultural) to District RR (Residential Ranchette).

(Land Use Committee - 1st. Perfection)

[5531](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 10.17± acre tract from District AG (Agricultural) to District RR (Residential Ranchette).

(Land Use Committee - 1st. Perfection)

[5532](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 1.86± acre tract from District GB (General Business) to District AG (Agricultural).

(Land Use Committee - 1st. Perfection)

[5533](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 1.03± acre tract from District AG (Agricultural) to District RS (Residential Suburban).

(Land Use Committee - 1st. Perfection)

[5534](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 10.73± acre tract from District AG (Agricultural) to District RR (Residential Ranchette).

(Land Use Committee - 1st. Perfection)

[5535](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 1.04± acre tract from District AG (Agricultural) to District RS (Residential Suburban).

(Land Use Committee - 1st. Perfection)

The Land Use Committee will have a public hearing on Ordinances #5527, #5528, #5529, #5530, #5531, #5532, #5533, #5534, and #5535 on Monday, August 23 at 9:30 A.M. in the Kansas City Legislative Assembly Area.

[5536](#) Budget Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

[20733](#) Finance and Audit Committee moved to adopt. Consent Agenda.

[20734](#) Justice and Law Enforcement Committee moved to adopt. Consent Agenda.

[20735](#) Land Use Committee moved to adopt. Consent Agenda.

9 CONSENT AGENDA

- [5536](#) AN ORDINANCE appropriating \$247,824.00 from the undesignated fund balance of the 2021 CARES Act Fund for use by the Department of Corrections, to provide for increased refuse pick-up at the Jackson County Detention Center, the purchase of personal protective equipment, and pay other costs necessary in connection with the fight against the ongoing Coronavirus/COVID-19 pandemic.
(PERFECTED)
- [20733](#) A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement with the Jackson County Historical Society for record archiving services, at an actual cost to the County in the amount of \$36,000.00.
(ADOPTED)
- [20734](#) A RESOLUTION awarding a twelve-month term and supply contract with one twelve-month option to extend for the furnishing of transportation and security services for use by the Department of Corrections to Homeland Security Protective Service of Kansas City, MO, under the terms and conditions of Request for Proposals No. 25-21.
(ADOPTED)
- [20735](#) A RESOLUTION authorizing the County Executive to execute an Intergovernmental Cooperative Agreement with the Mid-America Regional Council to participate in the first phase of the Little Blue River Watershed Feasibility Study, at an actual cost to the county in the amount of \$9,469.00.
(ADOPTED)

*Ordinance #5536 was moved to the Consent Agenda for perfection.
Resolutions #20733, #20734 and #20735 were moved to the Consent Agenda for adoption.*

A motion was made by Theresa Cass Galvin, seconded by Scott Burnett, 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

- [5537](#) Vacating a section of Johnson Road in unincorporated Jackson County and authorizing the County Executive to execute certain documents on behalf of the County to provide for a new and more efficient railroad bridge across the Missouri River and an upgraded, replacement roadway, at no cost to the County.
(Assigned to the Public Works Committee.)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE[20736](#)

Authorizing the County Executive to execute an Amendment to the License Agreement with the City of Raytown, MO, for lighting improvements adjacent to the Rock Island Corridor within the City of Raytown's right-of-way.
(Assigned to the Land Use Committee.)

[20737](#)

A motion was made by Theresa Cass Galvin, seconded by Ronald E. Finley, to adopt Resolution #20737, authorizing the County Executive to execute Cooperative Agreements with certain outside agencies to reimburse for expenses incurred while providing COVID-19 vaccination clinics for Jackson County residents, at an aggregate cost to the County not to exceed \$249,144.00. 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)

[20738](#)

A motion was made by Jalen Anderson, seconded by Theresa Cass Galvin, to adopt Resolution #20738, recognizing Amari Crawford for her service as a Legislative Intern. 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)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

None.

15 ADJOURNMENT

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

Meeting adjourned until Monday, August 23, 2021 at 10:00 A.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.