



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

County Legislature

DaRon McGee (4th) Chairman,
Megan L. Marshall (3rd AL) Vice Chairman,
Jalen Anderson (1st AL), Donna Peyton (2nd AL),
Manuel Abarca IV (1st), Venessa Huskey (2nd), Charlie Franklin (3rd),
Jeanie Lauer (5th), Sean E. Smith (6th)

Jackson County Courthouse
415 E. 12th Street, 2nd floor
Kansas City, Missouri 64106
(816)881-3242

Tuesday, February 14, 2023

4:00 PM

Sixth Regular Meeting

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

DaRon McGee, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present 9 - DaRon McGee, Megan L. Marshall, Jalen Anderson, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, Jeanie Lauer and Sean E. Smith

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

A motion was made by Jeanie Lauer, seconded by Jalen Anderson to approve the journal of the previous meeting held on February 07, 2023. The motion passed by a voice vote.

4 HEARINGS

No hearings.

Resolution #21163 was adopted at this time. See page 5 for details.

5 COMMUNICATIONS WITH AND REPORTS OF THE COUNTY EXECUTIVE

*Frank White, Jr., said he wanted to address an email received from James Tindall, who is an employee of the County, which stated Mr. White was redirecting funding for social service programs to use those dollars for renovations. Mr. White said, this is not correct. He said the County is asking agencies to go through a bid process, as has been the practice in the past. Mr. White said the email also stated that the County has not funded the Urban Summit. Mr. White said that is also not correct. He said he has a certificate in his office thanking him for the County's support of the Urban Summit on at least two occasions. *Correction: The email was not from James D. Tindall, an employee of the County but from a different*

James Tindall.

Mr. White said he introduced a program during the COVID pandemic called Healthy KC Eastside. This program was designed to build an infrastructure to address health issues, and provide health care screenings for diabetes, cancer, COVID, and other health concerns east of the Troost corridor. Funding was added in the 2023 budget to expand the program to include infant mortality and additional screenings. The former legislature was committed to this program. These funds were cut by this Legislature. Mr. White said he takes exception to accusations that he is not supporting the urban core. He grew up in this area, he cares about this area. He said no other county executive has done more for the urban core than he has. He hopes the Legislature will restore the funding cuts to this program and continue the Healthy KC Eastside program.

DaRon McGee, County Legislator, said he appreciated the tour of the new Administration Building conducted by Troy Schulte, County Administrator.

6 PERFECTON OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[5711](#) AN ORDINANCE enacting section 5575., Jackson County Code, 1984, relating to a ban on conversion therapy for minors, with a penalty provision. *(Diversity, Equity, & Inclusion Committee - 2nd. Perfection)*

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[5712](#) Consent Agenda.

Jalen Anderson objected to the Consent Agenda.

[5712](#) A motion was made by Manuel Abarca IV, seconded by Venessa Huskey, to adopt Ordinance #5712, repealing schedule I to chapter 2, Jackson County Code, 1984, relating to County associates not within the Merit System, and enacting, in lieu thereof, one new schedule relating to the same subject. The motion passed by a roll call vote:

Yes: 6 - DaRon McGee, Megan L. Marshall, Donna Peyton, Manuel Abarca IV, Venessa Huskey and Charlie Franklin

No: 2 - Jalen Anderson and Jeanie Lauer

Abstain: 1 - Sean E. Smith

(ADOPTED)

8 RESOLUTIONS IN COMMITTEE

- [21145](#) Consent Agenda
(The Finance and Audit Committee recommended adoption of the Committee Substitute dated February 14, 2023)
- [21148](#) A RESOLUTION expressing the opposition of the Legislature to a proposed landfill in the southeastern portion of the City of Kansas City, Missouri, near the city limits of the City of Lee's Summit, Missouri.
(Land Use Committee - 2nd. Meeting)
- [21152](#) Finance and Audit Committee moved to adopt. Consent Agenda.
- [21153](#) Justice and Law Enforcement Committee moved to adopt. Consent Agenda.
- [21154](#) Finance and Audit Committee moved to adopt. Consent Agenda.
- [21155](#) Justice and Law Enforcement Committee moved to adopt. Consent Agenda.

9 CONSENT AGENDA

- [21145](#) A RESOLUTION authorizing the County Counselor to execute Addendums to existing Legal Services Agreements with certain lawyers and law firms at an aggregate cost to the County not to exceed \$97,061.00, for services to be performed in 2023.
(ADOPTED)
- [21152](#) A RESOLUTION awarding a thirty-five month term and supply contract to Unite Private Networks of Kansas City, MO, to provide wide area network and internet connectivity for use Countywide, as a sole source purchase.
(ADOPTED)
- [21153](#) A RESOLUTION awarding a twenty-four month term and supply contract with one twelve-month option to extend for the furnishing of legal process services for use by the Family Support Division of the Prosecuting Attorney's Office to D&B Legal Services of Prairie Village, KS, under the terms and conditions of Invitation to Bid No. 108-22.
(ADOPTED)

[21154](#) A RESOLUTION awarding a twelve-month term and supply contract with one twelve-month option to extend for the furnishing of office supplies and equipment for use by various County departments to Rangel Distributing of Kansas City, KS, under the terms and conditions of Invitation to Bid No. 120-22.

(ADOPTED)

[21155](#) A RESOLUTION authorizing the County Executive to execute a Memorandum of Understanding with the Communications Workers of America, Local 6360, regarding the terms and conditions of the employment of members of its bargaining unit.

(ADOPTED)

Resolutions #21145, #21152, #21153, #21154 and #21155 were moved to the Consent Agenda for adoption.

A motion was made by Manuel Abarca IV, seconded by Venessa Huskey, to approve the Consent Agenda. The motion passed by a roll call vote:

Yes: 9 - DaRon McGee, Megan L. Marshall, Jalen Anderson, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, Jeanie Lauer and Sean E. Smith

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[5713](#) Authorizing the Director of Finance and Purchasing to execute Supplemental Agreement No. 2 to the Agreement with Anderson Engineering, Inc, of Kansas City, Missouri, to extend the project schedule to account for design delays associated with main water relocation as part of the Stoenner Road Bridge Replacement, Federal Project BRO-B048 (59), at no cost to the County.

(Assigned to the Public Works Committee.)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[21159](#) A RESOLUTION authorizing the Jackson County Legislature to hold a closed meeting on Tuesday, February 14, 2023, for the purpose of conducting privileged and confidential communications under section 610.021(12) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting.

(WITHDRAWN BY SPONSOR MARSHALL. CONCURRED BY ABARCA AND SMITH.)

[21160](#) Awarding a twelve-month term and supply contract with one twelve-month option to extend for the furnishing of special event equipment rental for use by various County departments to Electra Entertaining and Events, LLC, dba AAA Party Rental of Lenexa, KS, under the terms and conditions of Invitation to Bid No. 119-22.

(Assigned to the Finance and Audit Committee.)

[21161](#) Authorizing the County Executive and the Prosecuting Attorney to execute a Child Support Enforcement Cooperative Agreement with the Missouri Department of Social Services, Family Support Division.

(Assigned to the Justice and Law Enforcement Committee.)

[21162](#) Awarding a twelve-month term and supply contract with one twelve-month option to extend for the furnishing of trash removal service for use by various County departments to Waste Management of Missouri of Lombard, IL, under the terms and conditions of Invitation to Bid 92-22.

(Assigned to the Finance and Audit Committee.)

[21163](#) A motion was made by Jalen Anderson, seconded by Sean E. Smith, to adopt Resolution #21163, congratulating the Kansas City Chiefs on winning Super Bowl LVII. The motion passed by a roll call vote:

Yes: 9 - DaRon McGee, Megan L. Marshall, Jalen Anderson, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, Jeanie Lauer and Sean E. Smith

(ADOPTED)

[21164](#) A motion was made by Jeanie Lauer, seconded by Sean E. Smith, to adopt Resolution #21164, transferring \$75,000.00 within the 2023 General Fund and authorizing the Director of Finance and Purchasing to issue a check in the amount of \$75,000.00 for sponsorship of the "Chiefs Kingdom Championship Parade" for the Kansas City Chiefs, at an actual cost to the County in the amount of \$75,000.00. The motion passed by a roll call vote:

Yes: 9 - DaRon McGee, Megan L. Marshall, Jalen Anderson, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, Jeanie Lauer and Sean E. Smith

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

[23-08](#) Pursuant to section 706.1, Jackson County Code, 1984, I hereby promulgate the following amendments to Rules 1, 4, 5, 9, 11, and 25 of the Jackson County Personnel Rules for Jackson County associates. This amendment shall be effective immediately. The following sections and the associated sections of the Table of Contents shall be updated as follows:

Section 1.2 - Positions Covered by a Memorandum of Understanding
These rules shall apply to all positions in all divisions, department, boards, commissions, and agencies of the county absent specific provisions to the contrary. Employees in positions within an established bargaining unit shall also be governed by the provisions of a Memorandum of Understanding where applicable and where in effect.

Section 4.1 - Job Classification

All appointed positions in County employment shall be assigned a job class, grade, and job description in accordance with Section 4.2

Section 4.3 - Review of Job Classification

The Director of Human Resources, under the supervision of the Manager of the Division of Administration, shall establish a system and schedule for the continuous review of the job evaluation plan. The review shall include the verification of the current duties of positions, a study of the job descriptions and of the job titles to assure that they are currently accurate and complete. If such review indicates that changes to the classification plan may be in order, recommendation of such changes should be communicated in writing to the appropriate Appointing Authority who may then initiate action pursuant to Rule 4.4 or 4.5.

Section 4.4 - Creation of New Positions

The Appointing Authority shall request the creation of a new position by application to the County Executive. If approved by the County Executive, the Director of Human Resources shall study the duties and responsibilities of the proposed position and shall work with the Appointing Authority, Manager of the Division of Finance and the County Executive to determine the appropriate job description and grade. This section shall not apply to the position of Legislative Aide, which shall be governed by the code of ordinances.

Section 4.5 - Reclassification

When the Appointing Authority believes it is necessary to reclassify a position, he shall submit a written request to the Director of Human Resources who shall act on it within a reasonable amount of time. The Director of Human Resources shall promulgate a fair and equitable process for determining the proper classification of a position. The process should be the same, or reasonably similar, to the approach recommended in the County's most recent Classification and Compensation Study.

Section 5.7 - Six Month Review

After an employee has completed the applicable probationary period following his initial appointment, the Appointing Authority shall review his job

performance in accordance with Rule 14.1, 14.3 and 14.4. At that time, the Appointing Authority may increase that merit employee's compensation within the grade not to exceed 10%, subject to the approval of the County Executive or his/her designee.

Section 9.10 - Probationary Employees

During the six-month probationary period, employees may take sick leave but not vacation or a floating holiday.

Section 11.2 - Filing Applications

The applicant may submit such application and/or supplemental information as outlined in the official job posting. The Director of Human Resources shall set the time period for the acceptance of applications for any County position and for promotional examinations in accordance with the request of the Appointing Authority.

RULE 14 - EVALUATIONS OF EMPLOYEES

Section 14.1 - Performance Evaluation

The Director of Human Resources shall prepare a system for evaluating the work performance of all County employees. The performance evaluation shall also be used as a factor in determining compensation increases, training, promotion, demotion, transfer, or dismissal and for other purposes as set forth in these rules.

In addition, the following portions of the Personnel Rules, as well as the associated portions of the Table of Contents, shall be removed in their entirety:

PART II - NON-MERIT EMPLOYEE RULES

Rule 25- NON-MERIT EMPLOYEES

Sections 25.1-.4.

13 UNFINISHED BUSINESS

Signing Statement with line item veto received on February 8, 2023 from County Executive Frank White Jr. regarding Ordinance #5701, 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, 2023.

Mary Jo Spino, Clerk of the County Legislature, said a memo was received today from the County Executive with corrections to Ordinance #5701 as well as a memo from the County Counselor with corrections regarding the legal issues raised by Ordinance #5701.

A motion was made by Donna Peyton, seconded by Megan L. Marshall to override line item #1 for Ordinance #5701 regarding funding for the Department of the Legislative Auditor, General Fund, Organization 301, Account number 55010. The motion passed by a roll call vote:

Yes: 6 - Donna Peyton, Megan L. Marshall, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, and DaRon McGee

No: 3 - Jalen Anderson, Jeanie Lauer, and Sean Smith

Jalen Anderson, County Legislator, asked for clarification regarding the motion. He asked if this was for raises for the Legislative staff. DaRon McGee said it is for raises and additional staff to assist the Legislative Auditor including a deputy auditor.

Jeanie Lauer, County Legislator, asked Manuel Abarca IV, County Legislator, about the process used in developing the budget amendment and the decision to move funds from the County Executive's budget to the Legislature's budget.

Manuel Abarca IV said the Budget Committee looked at many areas to determine those cuts. They looked at the disparity between the County Executive's budget and the Legislature's budget.

Jeanie Lauer asked for clarification from the County Executive's office. Caleb Clifford, Chief of Staff, said all of the positions in the County Executive's office are filled and these cuts will create a deficit within the salary lines for the County Executive's office. Jeanie Lauer asked if this is a good government practice. Mr. Abarca said the County Executive's staff is disproportionate to the salary allocations to other departments. Mr. Abarca said these issues can be addressed in a supplemental budget amendment. Ms. Lauer said the County does not do supplemental budgets.

Troy Thomas, Legislative Auditor, said the Government Finance Officers Association (GFOA) states that a budget must have two months of annualized appropriations in fund balance and Jackson County has several times that amount. Mr. Thomas said the County has \$45 million in undesignated fund balance and \$25 million for county improvements in undesignated fund balance.

Ms. Lauer said the County also has many other needs including capital improvements costs on the Courthouse in the amount of \$250 million and at University Health, among other needs.

Troy Thomas responded that Jackson County cannot self fund \$250 million dollars for capital improvements.

Jalen Anderson said the County had a state audit because of these types of actions. This audit cited the County for the movement of funds in the undesignated funds to pay salaries and for failure to use funds in the specific ways they were intended.

A motion was made by Donna Peyton, seconded by Megan L. Marshall to override line item #5 for Ordinance #5701 regarding funding for the Department of the Compliance, General Fund, Organization 302, Account numbers 55010, The motion passed by a roll call vote:

Yes: 6 - Donna Peyton, Megan L. Marshall, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, and DaRon McGee

No: 3 - Jalen Anderson, Jeanie Lauer, and Sean Smith

A motion was made by Donna Peyton, seconded by Megan L. Marshall to override line item #9 for Ordinance #5701 regarding funding for the Department of the Clerk of the County Legislature, General Fund, Organization 201, Account number 55010. The motion passed by a roll call vote:

Yes: 6 - Donna Peyton, Megan L. Marshall, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, and DaRon McGee

No: 3 - Jalen Anderson, Jeanie Lauer, and Sean Smith

A motion was made by Donna Peyton, seconded by Megan L. Marshall to override line item #15 for Ordinance #5701 regarding funding for the Department of the Legislature as a Whole, General Fund, Organization 112, Account number 56160. The motion passed by a roll call vote:

Yes: 7 - Donna Peyton, Megan L. Marshall, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, DaRon McGee, and Sean Smith

No: 2 - Jalen Anderson, and Jeanie Lauer

A motion was made by Donna Peyton, seconded by Megan L. Marshall to override line item #19 for Ordinance #5701 regarding funding for the Department of the Legislature as a Whole, General Fund, Organization 112, Account number 56140. The motion passed by a roll call vote:

Yes: 6 - Donna Peyton, Megan L. Marshall, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, and DaRon McGee

No: 3 - Jalen Anderson, Jeanie Lauer, and Sean Smith

A motion was made by Donna Peyton, seconded by Megan L. Marshall to override line item #22 for Ordinance #5701 regarding funding for the Department of the Legislature as a Whole, General Fund, Organization 112, Account number 56733. The motion passed by a roll call vote:

Yes: 6 - Donna Peyton, Megan L. Marshall, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, and DaRon McGee

No: 3 - Jalen Anderson, Jeanie Lauer, and Sean Smith

A motion was made by Donna Peyton, seconded by Megan L. Marshall to override line item #24 for Ordinance #5701 regarding funding for the Department of the Legislature as a Whole, General Fund, Organization 112, Account number 57010, The motion passed by a roll call vote:

Yes: 7 - Donna Peyton, Megan L. Marshall, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, DaRon McGee, and Sean Smith

No: 2 - Jalen Anderson, and Jeanie Lauer

A motion was made by Donna Peyton, seconded by Megan L. Marshall to override line item #29 for Ordinance #5701 regarding funding for Organization 9000 - Outside Agencies Account 56789. The motion failed by a roll call vote:

Yes: 5 - Donna Peyton, Megan L. Marshall, Manuel Abarca IV, Venessa Huskey, and DaRon McGee

No: 4 - Jalen Anderson, Charlie Franklin, Jeanie Lauer, and Sean Smith.

Jay Haden, Chief Deputy County Counselor, said this line item was already recommended to be appropriated at the 95% level with in the Health Fund. It is the opinion of the County Counselor's Office that an appropriation in excess of the 95% level is in violation of the County Code of Ordinances.

Troy Schulte said line 29 is an outside agency allocation for \$1,000,000.00 for Truman Medical Center/University Health. This, together with the other four outside agencies listed, exceeds the 95% appropriation from the Health Fund. Jeanie Lauer said that then makes the appropriation in violation of the Code of Ordinances.

A motion was made by Megan L. Marshall, seconded by Manuel Abarca IV to override line item #25 for Ordinance #5701 regarding funding for Organization 9000 - Outside Agencies Account 56789 - funding for Mattie Rhodes to fight substance abuse in Jackson County. The motion failed by a roll call vote:

Yes: 5 - Donna Peyton, Megan L. Marshall, Manuel Abarca IV, Venessa Huskey, and DaRon McGee

No: 4 - Jalen Anderson, Charlie Franklin, Jeanie Lauer, and Sean Smith.

Jeanie Lauer asked if an override of this line puts the County in violation of the Code. Mr. Schulte agreed.

A motion was made by Megan L. Marshall, seconded by Manuel Abarca IV to override line item #26 for Ordinance #5701 regarding funding for Organization 9000 - Outside Agencies Account 56789 - funding for Samuel U. Rodgers Health Center to fight substance abuse in Jackson County. The motion failed by a roll call vote:

Yes: 5 - Donna Peyton, Megan L. Marshall, Manuel Abarca IV, Venessa Huskey, and DaRon McGee

No: 4 - Jalen Anderson, Charlie Franklin, Jeanie Lauer, and Sean Smith.

A motion was made by Megan L. Marshall, seconded by Manuel Abarca IV to override line item #27 for Ordinance #5701 regarding funding for Organization 9000 - Outside Agencies Account 56789 - funding for Footprints, Inc. to fight substance abuse in Jackson County. The motion failed by a roll call vote:

Yes: 5 - Donna Peyton, Megan L. Marshall, Manuel Abarca IV, Venessa Huskey, and DaRon McGee

No: 4 - Jalen Anderson, Charlie Franklin, Jeanie Lauer, and Sean Smith.

A motion was made by Megan L. Marshall, seconded by Manuel Abarca IV to override line item #28 for Ordinance #5701 regarding funding for Organization 9000 - Outside Agencies Account 56789 - funding for Heartland Behavioral Health to fight substance abuse in Jackson County. The motion failed by a roll call vote:

Yes: 5 - Donna Peyton, Megan L. Marshall, Manuel Abarca IV, Venessa Huskey, and DaRon McGee

No: 4 - Jalen Anderson, Charlie Franklin, Jeanie Lauer, and Sean Smith.

Jeanie Lauer said that her no vote on these motions is not a lack of support for these agencies. It is calling for these agencies to go through the funding bid process as has been done in years past.

Manuel Abarca IV said these funding recommendations are priorities that were addressed in the public comments from the budget hearings. He said the ordinance governing their rules is subject to change as is any bad law on the books now. They will be seeking those changes. To prioritize process over life is ridiculous. He said they will set these as a priority as they fund outside agencies.

Jalen Anderson said to be clear the ordinance requiring the County to not appropriate more than 95% of a fund has been a requirement since 1973 when the County was incorporated. The question is, are we willing to break the Code of Ordinances now to pass this? There is an accusation that we are hurting people's lives, but the County Executive's office proposed \$5 million for the Healthy KC Eastside was cut in the budget amendment. DaRon McGee said to clarify, when they started this budget process several weeks ago, the new Legislators had no information regarding this program on the eastside. It was just a line in the budget as \$5 million dollars for UMKC. The legislators asked the Administration four times for an explanation of this item as listed in the budget and never received a response. Therefore, legislators had no idea how the money would be used.

14 NEW BUSINESS

Resolution #21159 was withdrawn, so a closed meeting was not held.

15 ADJOURNMENT

A motion was made by Megan L. Marshall, seconded by Manuel Abarca IV, to adjourn the meeting. The motion passed by a voice vote.

Meeting adjourned until Tuesday, February 21, 2023 at 4:00 P.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.