

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**AN ORDINANCE** repealing sections 629. and 630. and Schedule I to chapter 2, Jackson County Code, 1984, relating to compliance review and Jackson County non-merit employees, and enacting, in lieu thereof, two new sections and one new schedule relating to the same subject.

**ORDINANCE NO. 5439**, November 2, 2020

**INTRODUCED BY** Theresa Cass Galvin, County Legislator

WHEREAS, by Resolution 20511, dated September 28, 2020, the Legislature approved the hiring of the Chief Compliance Review Officer pursuant to section 629.1 of the Jackson County Code; and,

WHEREAS, an amendment to section 629 of the Jackson County Code is needed to establish the Chief Compliance Review Officer as a non-merit position; and,

WHEREAS, additionally, an amendment to schedule I, chapter 2 of the code is needed to establish salary ranges for the Chief Compliance Review Officer position as well as for the Assistant Compliance Review Officer position set out in section 630. of the code; now therefore,

**BE IT ORDAINED** by the County Legislature of Jackson County, Missouri, as follows:

Section A. Enacting Clause.

Sections 629. and 630. and Schedule I to chapter 2 Jackson County Code, 1984, are hereby repealed and two new sections and one new schedule enacted in lieu thereof, to be known known as sections 629. and 630. and Schedule I, to read as follows:

629. Compliance Review Officer.

There is hereby established a non-merit position of Chief Compliance Review Officer (CRO) as a member of the staff of the County Auditor. The CRO shall be supervised and directed by the County Auditor.

629.1 Appointment.

The CRO shall be selected by a majority of the County Legislature after the Finance and Audit Committee, or in the event that Committee shall not exist, a Committee of the Legislature so designated by the Chairman of the Legislature, has recommended a candidate for the position of CRO. The candidate recommended shall be appointed to the position of CRO upon a majority vote of the Legislature approving that person.

629.2 Removal.

The CRO may be removed by a vote of two-thirds (2/3) of the County Legislature after review and recommendation for removal by the Finance and Audit Committee, or other Committee so designated by the Chairman of the Legislature if the Finance and Audit Committee does not exist.

629.3 Limitation.

The CRO shall not simultaneously hold any other position or office with the County, except that this section shall not preclude the CRO from holding an unpaid County office or position of a temporary nature.

629.4 Salary.

The salary of the CRO shall not be established by the County Legislature pursuant to section 285. of this code.

629.5 Required to Attend Meetings.

The CRO shall attend all meetings of the Finance and Audit Committee and other legislative meetings, as appropriate

629.6 Mandates to Compliance Review Officer.

The following are mandates to the CRO.

a. Establishing Contract Goals.

The CRO shall establish Contract Goals for the utilization of MBEs and WBEs on solicitations subject to this chapter, based on the availability of MBEs and WBEs in the anticipated scopes of work for the Contract and the dollar amounts of the scopes of work of the Contract.

b. Evaluating Achievement of Contract Goals.

The CRO shall evaluate a Contractor's achievement of Contract Goals or its Good Faith Efforts to do so.

c. Monitoring Contract Compliance.

The CRO shall work with user departments to monitor Contracts to ensure prompt payments to MBEs and WBEs and compliance with Contract Goals and commitments, including gathering data to facilitate such monitoring.

d. Collecting Program Data.

The CRO shall collect data to facilitate compliance with this chapter.

e. Notice to Bidder of Ineligibility.

The CRO shall notify every ineligible Bidder of the CRO's determination of the ineligibility of the Bidder for Contracts because of noncompliance with this chapter, and the reasons for the determination of noncompliance.

f. Notice of Ineligibility to Others.

The CRO shall notify the County Legislature and the Director of the Department of Finance and Purchasing of those Bidders who are ineligible for Contract because of noncompliance with this chapter.

g. Notice to Bidder of Reinstatement.

The CRO shall notify in writing every Bidder whose eligibility has been reinstated for Contract bidding under this chapter and shall also communicate that fact in writing to the County Legislature, the County Auditor, and the Director of the Department of Finance and Purchasing.

h. Notice of Noncompliance with Chapter.

The CRO shall notify the County Legislature and the Director of the Department of Finance and Purchasing of those Contractors that are not determined to be in compliance with any provision of this chapter and the reasons for the determination on noncompliance.

i. Notice of Deficiency in Plan.

If the CRO finds that a Utilization Plan fails to comply with the requirements set out in this chapter, the CRO shall specify to the interested Bidder, Contractor, or Subcontractor each deficiency and shall allow seven (7) working days after the notice to correct the deficiency.

j. Compliance by Contractor.

The CRO shall review all evidence submitted and all other evidence available to the CRO, and shall determine whether or not the Contractor has neglected to implement its Utilization Plan, or is otherwise in violation of this chapter. Notice of an adverse determination shall be promptly

listed on the bid of the Contractor, with notice of the right of appeal granted under this chapter. The CRO shall specify to the Contractor the corrective action required and shall request from the Contractor a commitment in writing to accomplish the corrective action so specified.

k. Bidders on Contracts in Excess of Fifty Thousand Dollars.

With respect to each Bidder being considered, as indicated by the Director of Finance and Purchasing or other County officer authorized to invite bids, for the award of a Contract in excess of fifty thousand dollars (\$50,000) in any contract term, as estimated by the Director of Finance and Purchasing or other officer, the CRO shall find whether:

i. Contractor or Subcontractor.

The individual or entity is a Contractor or Subcontractor; and

ii. Eligibility.

The Bidder or Contractor has complied with this chapter for the proposed Contract.

iii. Notice of Findings.

The CRO shall promptly communicate the findings under i. and ii. to the County Legislature, the Legislative Auditor, and the Director of the Department of Finance and the Purchasing.



I. Notice of Compliance Review Officer.

The CRO shall notify every affected Bidder, Contractor, and Subcontractor of all decisions, findings or other actions of the CRO and of its appeal right under this chapter.

m. Other Duties.

In addition to other duties specified elsewhere, it shall be the duty of the CRO under this chapter:

i. Act to Assure Compliance.

To do every act reasonably necessary and feasible to assure compliance by Bidders, Contractors, and Subcontractors with all requirements of this chapter;

ii. Assist Bidders, Contractors and Subcontractors.

To actively assist Bidders, Contractors, and Subcontractors to achieve or maintain compliance with this chapter;

iii. Maintain Public File.

To prepare and maintain a public file for each individual or entity submitting information to the CRO, to maintain in that file a correspondence log documenting all contact with those individuals or entities, and to keep and

prepare records of the cumulative amounts of all Contracts awarded during each calendar year to any Contractor or its Affiliates;

iv. Recommend Revisions.

To recommend to the County Legislature any revisions to this chapter deemed prudent and policies and procedures to implement these provisions;

v. Design Documents and Forms.

To design documents, reports, manuals, and other papers and electronic forms needed to perform the functions of the CRO and to disseminate and accumulate relevant information in the enforcement of this chapter, provided that, in no event may the CRO require any Bidder, Contractor, or Subcontractor to file any document, report form, manual, or other paper more frequently than semi-annually;

vi. Cooperate with OEHRCC.

To cooperate with the Office of Ethics, Human Relations, and Citizen Complaints in connection with the exercise by that office of its charter functions;



vii. Verify Information.

To verify information from Bidders, Contractors, or Subcontractors with on-site visits and to request the submission of relevant employment data from such;

viii. Reports to Legislature.

To present monthly and annually to the County Legislature a report of the progress of the County in implementing the policy of this chapter, including the utilization of MBEs and WBEs as prime Contractors and Subcontractors; and

ix. Encourage Development of Affirmative Action Programs.

To encourage the development of affirmative action programs by County Bidders, Contractors, and Subcontractors.

630. Assistant to the Compliance Review Officer.

There is hereby established a non-merit position of Assistant [to the] Compliance Review Officer as a member of the staff of the Compliance Review Office. The Assistant [to the] Compliance Review Officer shall be hired by the CRO.

630.1 Salary.

The salary of the Assistant [to the] Compliance Review Officer shall be established by the County Legislature pursuant to section 285. of the code.

630.2 Duties.

The Assistant [to the] Compliance Review Officer shall perform all duties as assigned by the CRO.

Schedule I

	NON-MERIT CLASSIFICATION TITLE	GRADE	2020 MINIMUM SALARY	2020 MAXIMUM SALARY
<b>County Legislature</b>				
<b>Legislature as a Whole</b>				
	Legislative Aide	N/A	Open	Open
<b>County Auditor</b>				
	Secretary to Auditor	160	34,842	54,005
	<u>Assistant Compliance Review Officer</u>	200	42,351	65,644
	<u>Chief Compliance Review Officer</u>	<u>230</u>	<u>49,026</u>	<u>75,991</u>
	Chief Deputy Auditor	260	56,755	87,970
	County Auditor	370	102,617	174,448
<b>County Clerk</b>				
	Administrative Assistant II	140	31,603	48,985
	Legislative Secretary	150	33,183	51,434
	Deputy Clerk of the Legislature	300	69,986	106,928
	Clerk of the County Legislature	350	88,045	136,470
<b>County Executive</b>				
	Executive Assistant	170	36,585	56,706
	Asst. to County Executive/Office Administrator	210	44,469	68,927
	Public Information Officer	250	54,052	83,781
	Chief (County Executive)	370	102,617	174,448
	County Administrator	999	175,000	350,000
<b>All County Departments</b>				
	Executive Assistant	170	36,585	56,706
	Deputy Department Director	300	68,986	106,928
	Department Director	350	88,045	136,470
	Director of Public Works	360	92,447	157,161
<b>OHRCC</b>				
	Administrative Assistant II	140	31,603	48,985
	Director of OHRCC	210	44,469	68,927
<b>County Counselor</b>				
	Secretary. to County Counselor	160	34,842	54,005
	County Counselor, Assistant	250	54,052	83,781

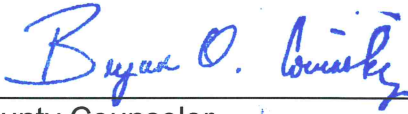
	County Counselor, Deputy	270	59,593	92,369
	Chief Deputy County Counselor	360	92,447	157,161
	County Counselor	370	102,617	174,448
<b>Municipal Court</b>				
	Municipal Court Administrator	220	46,692	72,373
<b>Public Administrator</b>				
	Secretary to Public Administrator	160	34,842	54,005
	Chief Deputy Public Administrator	260	56,755	87,970
	Public Administrator	350	88,045	136,470
<b>Medical Examiner</b>				
	Secretary to Medical Examiner	160	34,842	54,005
	Investigator I	220	46,692	72,373
	Investigator II	240	51,478	79,791
	Chief Investigator	290	65,701	101,836
	Forensic Fellow	310	72,435	112,274
	Deputy Medical Examiner	999	175,000	350,000
	Chief Deputy Medical Examiner	999	175,000	350,000
	Chief Medical Examiner	999	175,000	350,000
<b>Prosecuting Attorney</b>				
	Executive Assistant	170	36,585	56,706
	Director (Prosecutor Attorney)	340	83,853	129,972
	COMBAT Director	350	88,045	136,470
	Deputy Director COMBAT	300	68,986	106,928
	Division Chief (Prosecuting Attorney)	350	88,045	136,470
	Program Administrator (Prosecuting Attorney)	350	88,045	136,470
	Chief of Operations (Prosecuting Attorney)	360	92,447	157,161
	Prosecuting Attorney, Deputy	360	92,447	157,161
<b>Drug Task Force</b>				
	Narcotics Investigative Specialist	180	38,414	59,541
	Office Administrator	210	44,469	68,927
	Officer in Charge	270	59,593	92,369
<b>Sheriff</b>				
	Executive Assistant	170	36,585	56,706
	Deputy Director of Administration (Corrections)	300	68,986	106,928
	Deputy Corrections Center Director	300	68,986	106,928

Correctional Center Director	350	88,045	136,470
Major	360	92,447	157,161

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

APPROVED AS TO FORM:

  
Chief Deputy County Counselor

  
County Counselor

I hereby certify that the attached ordinance, Ordinance No. 5439 introduced on November 2, 2020, was duly passed on November 2, 2020 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

Nays 0

Abstaining 0

Absent 1

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

11.2.2020  
Date

  
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5439.

11/3/2020  
Date

  
Frank White, Jr., County Executive