

DEFEATED OCT 06 2025

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

**A RESOLUTION** setting the parameters in which Executive authority is temporarily limited to preserve from irreputable harm by a potentially recalled executive.

**RESOLUTION NO. 22050**, September 30, 2025

**INTRODUCED BY** Manuel Abarca IV, County Legislator

WHERE AS, in accordance with the Jackson County Charter, Article II, Section 16, subsection 1, states, "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, subsection 5, states, (the legislature shall) "Make such rules and regulations as may be necessary or proper to establish and carry into effect the provisions of this charter and county ordinances and provide for the enforcement of the charter and county ordinances by appropriate penalties not exceeding for any one offense, a fine of one thousand dollars or imprisonment in the county detention center for not more than one year, or by both such fine and imprisonment"; and,

WHEREAS, the Jackson County Charter Article II, Section 16, subsection 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, subsection 36, empowering the Legislature to, Investigate the official conduct or the accounts and affairs of any department, officer, officer, or employee of the county or any officer or officer of any special district, and of any institution, agency, organization, or person to whom or to which the county appropriates money; and,

WHEREAS, the Jackson County Charter, Article II, Section 16, subsection 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”; now therefore,

BE IT RESOLVED by the Legislature of Jackson County, Missouri, that the aforementioned steps be taken immediately upon public notice of the unofficial

certification of the recall in which the current County Executive is recalled with a margin no less than 5% upon completion of the recall election; and,

BE IT FURTHER RESOLVED in accordance with Article III, Section 4, the Chairperson of the Legislature will name an immediate interim County Executive to take full control of the office of the Executive upon official certification of the election results; and,

BE IT FURTHER RESOLVED that upon losing a recall election with no less than 5% of the vote, the current County Executive and all executive administrative staff, precluding department directors, immediately be placed on administrative paid leave, at the rate paid on January 1 of that same year, so as the executive or their staff could not cause irreconcilable damage to the County, and to further safeguard the treasury, all county business, and the further conveyance of decision making be directed toward the Legislature to determine; and,

BE IT FURTHER RESOLVED that all Executive and administrative staff be stripped of any privileges of the position or office, including but not limited to county provided vehicles, cell phones, and any other right or privileges afforded to them beyond administrative paid leave; and,

BE IT FURTHER RESOLVED that all Executive emergency powers be stripped of the current County Executive as to not circumvent the County procurement process; and,

BE IT FURTHER RESOLVED that all County Executive Appointments be eliminated until certification of voting results, and either the current or future interim executive position is filled for the remainder of the active term of office; and,

BE IT FURTHER RESOLVED that the County IT department take all necessary measures to limit executive and executive staff including but not limited to, all full and part-time FTE's that report directly to the County Executive within it's unit, not including department directors, access to all technological platforms including but not limited to county email/intranet systems, County mass messaging systems or bulk communications, Building Access be limited to public business hours under the supervision of the Sheriff and the Office of Ethics, Human Relations and Citizen Complaints Department; and,

BE IT FURTHER RESOLVED that ALL expenditures, not already authorized for approval by the Legislature prior to the recall vote, be halted until a permanent interim executive is put in place by a majority vote of the legislature or the presiding judge of Jackson County, whichever comes first; and,

BE IT FURTHER RESOLVED that the Executive is prohibited from making in department director changes, promotion or demotion of employment within the county for any merit or non-merit staff, be prohibited from offering any severance or direct benefit to employees until the election results are certified and they are re-conferred to office or their interim is chosen by a majority of the legislature or the presiding judge; and,

BE IT FURTHER RESOLVED that in accordance with Article XII, Section 3, which states "any office or employee of the county who willfully conceals any such interest or violates any provisions of this section shall forfeit his or her office. Any contract made in violation of this article may be declared void by the County Executive or by resolution of the County Legislature", providing that all necessary safe guards be made to preserve the stagnation of County operations until no sooner than a permanent interim executive is selected by a majority of the legislature or the presiding judge.

Effective Date: This resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

Unsigned by the County Counselor

County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 22050 of September 30, 2025, was duly defeated passed on October 6, 2025 by the Jackson County Legislature. The votes thereon were as follows:

Yea 3

Nay 3

Abstaining 3

Absent 0

10.6.2025

Date

Mary Jo Spino

Mary Jo Spino, Clerk of Legislature