

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE amending sections 24004., and 24006., Jackson County Code, 1984, relating to the development of land in unincorporated Jackson County.

ORDINANCE NO. 4755, July 20, 2015

INTRODUCED BY Frank White, Jr., County Legislator

WHEREAS, the Director of Public Works has recommended amendments to the County's Unified Development Code related to floodplain management governing the development of land in unincorporated Jackson County; and

WHEREAS, the Federal Emergency Management Agency has made certain recommendations to the County to bring the County's Floodplain Ordinance into compliance with the code of Federal Regulations; and

WHEREAS, at its meeting of May 21, 2015, the Plan Commission unanimously recommended these amendments; and

WHEREAS, the recommended amendments are in the best interests of the health, welfare, and safety of the citizens of Jackson County; now therefore

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

Section A. Enacting Clause. Sections 24004. and 24006., Jackson County, 1984, are hereby amended to incorporate the following revisions to specified subsections, with existing unaffected subsections to be renumbered as necessary:

24004.14 FLOODPLAIN OVERLAY DISTRICTS

a. Findings of Fact.

Flood losses resulting from periodic inundation. The flood hazard areas of the County are subject to inundation that results in loss of life and property, health, and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

b. General Causes of Flood Losses.

Flood losses are caused by (1) the cumulative effect of obstruction in floodways causing increases in flood heights and velocities; and (2) the occupancy of flood hazard by uses vulnerable to floods or hazardous to others that are inadequately elevated or otherwise protected from flood damages.

c. Methods Used to Analyze Flood Hazards.

The Flood Insurance Study (FIS) that is the basis of this section uses standard engineering methods of analyzing flood hazards which consist of a series of interrelated steps.

1. Selection of a regulatory flood that is based upon engineering calculations which permit a consideration of such flood factors as its expected frequency of occurrence, the area inundated, and the depth of inundation. The base flood selected for this section is representative of large floods which are characteristic of what can be expected to occur on the particular streams subject to this section. It is in the general order of a flood which could be expected to have a one percent chance of occurrence in any one year as delineated on the Federal Insurance Administration's Flood Insurance Study, and illustrative materials (FIRM) of Jackson County, Missouri, dated September 29, 2006, as amended, and any future revisions thereto.
2. Calculation of water surface profiles based upon hydraulic engineering analysis of the capacity of the stream channel and overbank areas to convey the regulatory flood.

3. Computation of the floodway required to convey this flood without increasing flood heights more than one (1) foot at any point.
4. Delineation of the floodway encroachment lines within which no obstruction is permitted that would cause any increases in flood height.
5. Delineation of the floodway fringes, i.e., that area outside the floodway encroachment lines, but that still is subject to inundation by the regulatory flood.

d. Statement of Purpose.

It is the purpose of the section to promote the public health, safety, and general welfare and to minimize those losses described above by provisions designed to:

1. Restrict prohibited uses which are dangerous to health, safety, or property in times of flood or cause increased flood heights or velocities;
2. Require that uses vulnerable to floods, including public facilities that serve those uses, be provided with flood protection at the time of initial construction;

3. Protect individuals from buying lands that are unsuited for intended purposes because of flood hazard; and
4. Ensure that eligibility is maintained for property owners in the community to purchase flood insurance in the Federal Flood Insurance Program.

e. Definitions.

The following definitions shall apply to this section:

"100-year Flood" see "Base Flood."

"Accessory Structure" means the same as "Appurtenant Structure."

"Actuarial Rates" see "Risk Premium Rates."

"Administrator" means the Federal Insurance Administrator.

"Agency" means the Federal Emergency Management Agency (FEMA).

"Appeal" means a request for review of the Floodplain Administrator's interpretation of any provision of this section or a request for a variance.

"Appurtenant Structure" means a structure that is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

"Area of Special Flood Hazard" is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

"Base Flood" means a flood having a one percent chance of being equaled or exceeded in any given year.

"Basement" means any area of the structure having its floor subgrade (below ground level) on all sides.

"Building" see "Structure."

"Chief Executive Officer" or "Chief Elected Official" means the Jackson County Executive who is charged with the authority to implement and administer laws, ordinances, and regulations for that community.

"Community" means any State or area or political subdivision thereof, which has authority to adopt and enforce floodplain management regulations for the areas within its jurisdiction.

"Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, levees, levee systems, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

"Elevated Building" means, for insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

"Eligible Community" or "Participating Community" means a community for which the Administrator has authorized the sale of flood insurance under the National Flood Insurance Program (NFIP).

"Existing Construction" means, for the purposes of determining rates, structures for which the *"Start of Construction"* commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date.

"Existing Construction" may also be referred to as *"Existing Structures."*

"Existing Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

"Expansion to an Existing Manufactured Home Park or Subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Flood" or "Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from (1) the overflow of inland or tidal waters and/or (2) the unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Boundary and Floodway Map (FBFM)" means an official map of a community on which the Administrator has delineated both special flood hazard areas and the designated regulatory floodway.

"Flood Elevation Determination" means a determination by the Administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.

"Flood Elevation Study" means an examination, evaluation, and determination of flood hazards.

"Flood Fringe" means the area outside the floodway encroachment lines, but still subject to inundation by the regulatory flood.

"Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by the Administrator, where the boundaries of the flood areas having special flood hazards have been designated as (unnumbered or numbered) A zones.

"Flood Insurance Rate Map (FIRM)" means an official map of a community, on which the Administrator has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

"Flood Insurance Study (FIS)" means an examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations.

"Floodplain" or "Flood-prone Area" means any land area susceptible to being inundated by water from any source (see *"Flood"*).

"Floodplain Management" means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.

"Floodplain Management Regulations" means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain and grading ordinances) and other applications of police power. The term describes such state or local regulations, in any combination thereof, that provide standards for the purpose of flood damage prevention and reduction.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures that reduces or eliminates flood damage to real estate or improved real property, water and sanitary facilities, or structures and their contents.

"Floodway" or "Regulatory Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to

discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

"Floodway Encroachment Lines" means the lines marking the limits of floodways on Federal, State, and local floodplain maps.

"Freeboard" means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. *"Freeboard"* tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as bridge openings and the hydrological effect of urbanization of the watershed.

"Functionally Dependent Use" means a use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. This term includes only docking facilities and facilities that are necessary for the loading and unloading of cargo or passengers, but does not include long-term storage or related manufacturing facilities.

"Highest Adjacent Grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Historic Structure" means any structure that is (a) listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either (1) by an approved state program as determined by the Secretary of the Interior or (2) directly by the Secretary of the Interior in states without approved programs.

"Lowest Floor" means the lowest floor of the lowest enclosed area, including basement. An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access, or storage, in an area other than a basement area, is not considered a building's lowest floor, **provided** that such enclosure is not built so as to render the structure in violation of the applicable floodproofing design requirements of this ordinance.

"Manufactured Home" means a structure, transportable in one or more sections, that is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term *"Manufactured Home" does not include a "Recreational Vehicle."*

"Manufactured Home Park or Subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Map" means the Flood Hazard Boundary Map (FHBM), Flood Insurance Rate Map (FIRM), or the Flood Boundary and Floodway Map (FBFM) for a community issued by the Federal Emergency Management Agency (FEMA).

"Market Value" or "Fair Market Value" means an estimate of what is fair, economic, just, and equitable value under normal local market conditions.

"Mean Sea Level" means, for purposes of the National Flood Insurance Program (NFIP), the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map (FIRM) are referenced.

"New Construction" means, for the purposes of determining insurance rates, structures for which the *"Start of Construction"* commenced on or after the

effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "New Construction" means structures for which the "Start of Construction" commenced on or after the effective date of the floodplain management regulations adopted by a community and includes any subsequent improvements to such structures.

"New Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lot on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by the community.

"NFIP" means the National Flood Insurance Program (NFIP).

"Participating Community" also known as an *"Eligible Community,"* means a community in which the Administrator has authorized the sale of flood insurance.

"Person" includes any individual or group of individuals, corporation, partnership, association, or any other entity, including Federal, State, and local governments and agencies.

"Principally Above Ground" means that at least 51 percent of the actual cash value of the structure, less land value, is above ground.

"Recreational Vehicle" means a vehicle which is (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projections; (c) designed to be self-propelled or permanently towable by a light- duty truck; and (d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Remedy A Violation" means to bring the structure or other development into compliance with Federal, State, or local floodplain management regulations; or, if this is not possible, to reduce the impacts of its noncompliance.

"Risk Premium Rates" means those rates established by the Administrator pursuant to individual community studies and investigations which are undertaken to provide flood insurance in accordance with Section 1307 of the National Flood Disaster Protection Act of 1973 and the accepted actuarial principles. *"Risk Premium Rates"* include provisions for operating costs and allowances.

"Special Flood Hazard Area" see *"Area of Special Flood Hazard."*

"Special Hazard Area" means an area having special flood hazards and shown on an FHBM, FIRM or FBFM as zones (unnumbered or numbered) A and AE.

"Start of Construction" includes substantial-improvements, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvements was within 180 days of the permit date. The **actual start** means either the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling, the installation of streets and/or walkways, excavation for a basement, footings, piers, foundations, the erection of temporary forms, nor installation on the property of accessory structures, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial-improvement, the **actual start of construction** means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"State Coordinating Agency" means that agency of the state government, or other office designated by the governor of the state or by state statute at the

request of the Administrator to assist in the implementation of the National Flood Insurance Program (NFIP) in that state.

"Structure" means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. "Structure" for insurance purposes, means a walled and roofed building, other than a gas or liquid storage tank, that is principally above ground and affixed to a permanent site, as well as a manufactured home on a permanent foundation. For the latter purpose, the term includes a building while in the course of construction, alteration or repair, but does not include building materials or supplies intended for use in such construction, alteration or repair, unless such materials or supplies are within an enclosed building on the premises.

"Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to pre-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

"Substantial Improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "*Start of Construction*" of the

improvement. This term includes structures which have incurred "*Substantial Damage*," regardless of the actual repair work performed. The term does not, however, include either (1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or (2) any alteration of a "*Historic Structure*," provided that the alteration will not preclude the structure's continued designation as a "*Historic Structure*."

"Variance" means a grant of relief by the community from the terms of a floodplain management regulation. Flood insurance requirements remain in place for any varied use or structure and cannot be varied by the community.

"Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required by this ordinance is presumed to be in violation until such time as that documentation is provided.

"Water Surface Elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum where specified) of floods of various magnitudes and frequencies in the floodplain.

24004.[14] 15 FLOODWAY OVERLAY DISTRICT (FW)

- a. Purpose.** The areas designated in the Floodway Overlay (FW) District consist of land in drainageway channels where the construction of buildings would create obstructions to drainage or hazard to life or property. The FW District includes land in the floodway as defined by FEMA. It is intended that areas located in the FW District primarily will be used for private or public open space in accordance with the standards in section 24006.5 of this chapter.
- b. Permitted Uses.** In District FW, any use allowed in the underlying zoning district is permitted if none of these uses, when acting alone or in combination with other uses, will increase the regulatory flood elevation or in any way affect the free flow of floodwater. This effect of any allowed use must be documented by appropriate engineering studies if required by the Director.
- c. Identification of Boundaries.** The boundary limits of the FW District shall be identified and determined by the Flood Insurance Rate Maps for the unincorporated area of Jackson County, Missouri published by the Federal

Emergency Management Agency dated September 29, 2006; index panels 29095 CIND1A and 29095 CIND2A dated September 29, 2006.

- d. **Minimum Standards.** No filling or dumping shall be allowed which will increase flood hazard heights beyond existing limits or adversely affect the hydraulic efficiency or capacity of the floodway unless that filling or dumping is compensated by excavation in, or contiguous to, the filled area and does not adversely affect the hydraulic characteristics of the floodway. The term "filling" as used in this section shall mean the placement of structures, whether temporary or permanent, materials, or other matter which would obstruct the floodway or decrease its capacity.

24004.[15] 16 FLOODWAY FRINGE OVERLAY DISTRICT (FF)

- a. **Purpose.** The areas designated in the Floodway Fringe Overlay (FF) District consist of land outside the floodway but located where there is a one percent or greater chance of inundation in any given year. It is intended that areas located in the FF District primarily will be used for private or public open space in accordance with the standards in section 24006.5 of this chapter.

- b. Permitted Uses.** In the FF District, any use allowed in the underlying zoning district is permitted if none of those uses will adversely affect the capacity of channels or floodways of any tributary to the main stream, drainage ditch or any other drainage facility or system.
- c. Identification of Boundaries.** The boundary limits of FF District shall be identified and determined by the Flood Insurance Rate Maps for the unincorporated area of Jackson County, Missouri published by the Federal Emergency Management Agency dated September 29, 2006; index panels 29095 CIND1A and 29095 CIND2A dated September 29, 2006.
- d. Minimum Standards.**
- 1. Construction of Structures.** All residential and non-residential structures shall be constructed on fill so that the first floor and basement floor are one (1) foot above the regulatory flood protection elevation.
 - 2. Fill.** The fill shall at no point be lower than one foot (1') above the regulatory flood protection elevation for the particular area and shall extend at that elevation at least fifteen feet (15') beyond the limits of any structure erected on the fill.

3. **Certification of Elevation.** When elevation is used as a measure of flood protection, Certification as to the elevation of the lowest floor of a structure after its completion shall be provided to the Director by a qualified individual as defined by FEMA.
4. **Nonresidential Structures.** Nonresidential structures may be floodproofed to or above the regulatory flood elevation. When floodproofing is utilized for nonresidential structures, the Director shall be presented certification of the floodproofing measures from a qualified individual as defined by FEMA.
5. **Residences.** Any residence permitted in the FF District, whether site built or manufactured, shall be permanently anchored to a permanent foundation.
6. **Utility and Sanitary Facilities.** All utility and sanitary facilities shall be elevated or floodproofed up to regulatory flood protection elevation so that those facilities below the regulatory flood protection elevation are water tight with walls substantially impermeable to water.

7. **Structural Components.** The structural components of the utility and sanitary facilities shall have the capacity to resist hydrostatic and hydrodynamic loads and the effects of buoyancy.
8. **Certification.** Utilities and pipelines will be permitted on submission to the Director a letter certifying that all facilities will be below grade and that they will in no way affect the free flow of floodwater.
9. **Changes in Topography.** No changes in topography, such as by filling or excavation, will be allowed if these changes will result in a concentration of the natural flow of water so as to cause or increase drainage problems. The grading of any area shall be done in a manner to maintain proper drainage.
10. **Water Supply Systems.** Any water supply system must be designed to eliminate infiltration of flood waters into the system and discharges from the system into flood waters.
11. **On-Site Waste Disposal Systems.** Any on-site waste disposal system must be located or designed so as to eliminate contamination during or subsequent to flooding.

24006.5 STORMWATER MANAGEMENT

a. Purpose. The purposes of these stormwater management provisions are to protect life and property from reasonably preventable flood hazards; protect the quality of surface waters from contamination, and to minimize loss of valuable wildlife by preserving habitat and linkages between wildlife habitat areas.

b. Design Objectives.

1. In rural, suburban and, where appropriate, urban areas, natural drainageways shall be retained to minimize interference with floodwater conveyance, floodwater storage, wetlands, and both surface and subsurface hydrology. The Director may approve modifications to natural channels that are consistent with the other provisions of the UDC.
2. Development design should reduce the exposure of people and property to flood hazards and nuisances associated with inadequate management of stormwater runoff.

3. Erosion and sedimentation problems should be minimized to conserve/enhance water quality and conserve valuable top soil.
4. Development design should accommodate large floods and smaller, more frequent floods along major and minor waterways.
5. Stormwater systems should be designed to minimize future operational and maintenance expenses.
6. Stormwater systems should be designed to reduce the exposure of streets, utilities and other public facilities to damage from stormwater.
7. Development design should minimize need for rescue and relief efforts from floods, and provide sufficient access for such efforts when needed.

c. Stormwater System Design Requirements.

1. All improvements shall be designed in accordance with the most current version in Division V Design Criteria listed in Section 5600 of the standards established by the Kansas City Metropolitan

Chapter of the American Public Works Association (APWA Standards), except as modified in this section. All stormwater structures shall comply with the most current version in Section 5700 of the APWA Standards. Construction and materials specifications shall comply with Division II of the APWA Standards, except as modified by this UDC.

2. Stormwater pipe shall be rubber or neoprene gasketed. Drainage structures shall be precast or cast in place concrete in accordance with Jackson County Standard Details sheets, with eccentric cones for manholes and steps located under manhole access.
3. In urban development tiers as identified in the Master Plan, and in suburban tiers where average lot size is less than three (3) acres, the following exceptions shall apply:
 - (a) The provisions of Section 5601.5.A.1. of the APWA Standards shall be modified so that channelized stormwater flows are only required to be piped if the flow from a 10-year storm event can be conducted under gravity flow conditions by a 48-inch or narrower diameter reinforced concrete pipe at a one (1) percent grade.

- (b) The provisions of Section 5605.1.B of the APWA Standards shall be modified so that drainage easements are not automatically required for open stormwater conveyances. However, those areas which would be required to be located within easements according to the APWA Standards shall be designated as "no-build zone" on the proposed development plat or plan.
 - (c) The provisions of Section 5606 of the APWA Standards shall be modified to eliminate the requirement for dedication of detention and retention facilities. At the time of development approval, the applicant shall obtain the Director's approval of a plan for future maintenance of any such facilities required for the proposed development.
- 4. In rural development tiers as identified in the Master Plan, and in suburban tiers where average lot size is greater than two (2) acres, the following exceptions shall apply:
 - (a) The provisions of Section 5601.5.A.1. of the APWA Standards shall be modified so that enclosed stormwater

conveyance systems are not required except under streets, driveways and other vehicular or pedestrian areas.

(b) The provisions of Section 5605.1.B. of the APWA Standards shall be modified so that drainage easements are not automatically required for open stormwater conveyances. However, those areas which would be required to be located within easements according to the APWA Standards shall be designated as "no-build zone" on the proposed development plat or plan.

(c) The provisions of Section 5606 of the APWA Standards shall be modified to eliminate the requirement for detention and retention facilities.

d. Drainage Study Required. A drainage study, sealed by a professional engineer, shall be required prior to approval of construction plans or issuance of a building permit for any development other than a single family dwelling, a two-family dwelling or farm structure. The drainage study shall include information necessary to demonstrate compliance with the APWA Standards as modified by this section and applicable DNR, U.S. Army Corps of Engineers or FEMA requirements. All applications for

single family permits shall clearly show the boundaries of the 100-year floodplain, if applicable, any channelized water conveyance draining an area of ten (10) acres or larger and sufficient grading information to illustrate the direction of storm water drainage. The Drainage Study shall be supported by a Hydrological Analysis, prepared by a Missouri Registered Engineer. The Director may require the analysis area include the entire inundation area, watershed, or sub-watershed.

All building permit applications within the Sni-a-bar Inundation (SBI) Overlay District shall be supported by a Hydrological Analysis incorporating an Inundation Study as required by MoDNR Dam Safety Program, prepared by a Missouri Registered Engineer. The Director may require that the analysis area include the entire inundation area, watershed, or sub-watershed.

e. Stormwater Facility Management.

1. Stormwater facilities shall be maintained to prevent retention of water on site except in designated retention ponds.
2. Landscaping and storage shall be maintained to prevent soil erosion or blockage of drainageways.

3. Property owners are responsible for removal of debris from stormwater conveyances and facilities on their property.
4. No fence, berm or structure shall interfere with drainage patterns unless approved by the Director or part of a Soil Conservation Service project.

f. Floodplain/Inundation Management.

1. **Scope of Floodplain/Inundation Management.** The provisions of this sub-section shall apply to all unincorporated areas of Jackson County identified on the Flood Insurance Rate Maps (FIRM) or Floodway Maps as promulgated by the Federal Emergency Management Agency (FEMA) and the Sni-a-bar Inundation Map and determined to be within the FW, FF, and SBI districts as defined in this unified development code.
2. **Disclaimer of Liability.** The provisions of this sub-section do not imply or otherwise warrant that areas outside of the FW, FF, and SBI districts or land uses permitted in said districts will be free from flooding or flood damage nor does this code create liability on the

part of Jackson County, its officers or employees for any flood damages that may result from reliance on these floodplain/inundation management provisions, FEMA or any regulations or administrative decision made hereunder.

3. **Permit Required.** In all areas covered by these floodplain/inundation management provisions, no development or construction, including manufactured homes, located, extended, converted, structurally altered or otherwise shall be permitted except upon County issuance of a permit to develop granted under the procedures stated herein:

- (a) No person, firm or corporation shall initiate any development, construction or substantial improvement or cause the same to be done within the FW, FF, or SBI districts without first obtaining a separate permit for development under these floodplain/inundation management provisions and in compliance with FEMA or Missouri Department of Natural Resources Dam Safety regulations.

- (b) Application for a permit for development, construction or substantial improvement within the FW, FF or SBI districts shall be made in writing on a form provided by the Director.
4. **Residences within the FW or FF Districts.** All residences to be placed or substantially improved within the FW or FF districts shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at least one foot above base flood elevation and shall be permanently anchored to said foundation.
5. **Residences within the SBI District.** All residences to be placed or substantially improved within the SBI District shall be elevated on a permanent foundation such that the residence is at least three (3) feet above the inundation protection elevation and anchored to said foundation or hydrological event.
6. **Preventing Water Accumulation.** Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding or hydrological event.

7. **Automatic Equalization of Hydrostatic Flood Forces.** For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade in the FW or FF Districts and three feet above the inundation protection elevation in the SBI District. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.
8. **Enforcement Officer.** The Director is hereby designated as the Enforcement Officer for compliance under these floodplain/inundation management provisions and FEMA regulations.

9. **Duties of Enforcement Officer.** The duties of the Enforcement Officer shall include, but not be limited, to the following:

- (a) Review of all applications for development permits to require that sites are reasonably safe from flooding/inundation and that the permit requirements of this section have been satisfied as well as the other requirements of these regulations.
- (b) Review of all permits for proposed developments to confirm that all necessary permits have been obtained from those Federal, state or local governmental agencies from which prior approval is required.
- (c) Notify adjacent communities and the Missouri Department of Natural Resources prior to any alteration or relocation of a watercourse, and to provide evidence of such notification for FEMA.
- (d) Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

- (e) Require verification, recording and updating of records of the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, using reference marks ("RM") established by FEMA.
- (f) Require verification, recording and updating of records of the actual elevation (in relation to mean sea level) using reference marks ("RM") established by FEMA, to which the new or substantially improved structures have been floodproofed and certified by a qualified individual as defined by FEMA when floodproofing as defined herein is utilized for a particular structure.
- (g) Take any actions necessary to assure compliance with County and FEMA regulations in the granting or denial of applications for any permits in the FW, FF and SBI districts.
- (h) Require that all proposals for subdivisions and other new development (including manufactured home subdivisions or

parks) are consistent with the need to minimize floor damage and that:

- (1) all public utilities and facilities such as sewer, gas, electrical, and water systems are located, elevated and constructed to minimize or eliminate damage from floods or an hydrological event; and
- (2) adequate drainage is provided for the purpose of reducing exposure to flood or inundation hazards; and
- (3) regulatory flood and inundation protection elevations utilizing FEMA "RM" are included in all proposals for all development.

(i) Require annual training for continued education in floodplain management for all applicable staff.

(j) Maintain records of certification when issuing development permits in conformance with this section.

10. **Floodplain/Inundation Permit Application Requirements.** All written applications for development or substantial improvement in said districts shall:

- (a) Identify and describe the development to be covered by the permit;
- (b) Describe the land on which the proposed development is to be done by lot, block, tract and house and street address, or similar description that will readily identify and definitely locate the proposed building or development;
- (c) Indicate the use or occupancy for which the proposed development is intended;
- (d) Be accompanied by plans and specifications for proposed construction;
- (e) Be signed by the proposed permittee or his authorized agent who may be required to submit evidence to indicate such authority;

- (c) the susceptibility of the proposed land use to flood damage or inundation and the effect of such damage on the individual owner;
- (d) the importance of the services provided by the proposed land use to the community;
- (e) the necessity to the proposed land use of a waterfront location, where applicable;
- (f) the availability of alternative locations, not subject to flooding, inundation or erosion damage, for the proposed land use;
- (g) the compatibility of the proposed land use with existing and anticipated development;
- (h) the relationship of the proposed land use to the comprehensive plan and floodplain/inundation management program for that area;

- (i) the safety of access to the property in times of flood/inundation for ordinance and emergency vehicles;
- (j) the expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
- (k) the costs of providing governmental services during and after flood or inundation conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

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

APPROVED AS TO FORM:


Chief Deputy County Counselor


County Counselor

I hereby certify that the attached Ordinance, Ordinance No. 4755 introduced on July 20, 2015, was duly passed on _____, 2015 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

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

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 4755.

Date

Michael D. Sanders, County Executive


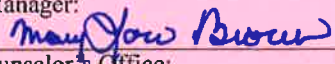
REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/Ord No.: 4755

Sponsor(s): Frank White, Jr.

Date: July 20, 2015

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: UDC Amendment – FEMA Updates LA-2015-033											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="342 495 1187 800"> <tr> <td>Amount authorized by this legislation this fiscal year:</td><td>\$</td></tr> <tr> <td>Amount previously authorized this fiscal year:</td><td>\$</td></tr> <tr> <td>Total amount authorized after this legislative action:</td><td>\$</td></tr> <tr> <td>Amount budgeted for this item * (including transfers):</td><td>\$</td></tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td><td>FROM ACCT TO ACCT</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 checked="" 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:	\$	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT
Amount authorized by this legislation this fiscal year:	\$											
Amount previously authorized this fiscal year:	\$											
Total amount authorized after this legislative action:	\$											
Amount budgeted for this item * (including transfers):	\$											
Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT											
PRIOR LEGISLATION	Prior ordinances and (date): Prior resolutions and (date):											
CONTACT INFORMATION	RLA drafted by Randy Diehl, Planning and Zoning Coordinator, 881-4577											
REQUEST SUMMARY	Repealing Sections 24004.14 and 24004.15 in the Jackson County Unified Development Code (County Code, Chapter 240) relating to floodplain management, and enacting, in lieu thereof, new sections relating to the same subject. Amending portions of Section 24006.5 relating to administration of floodplain management. The amendments are consistent with the intent and purpose of the County Plan and comply with the Unified Development Code requirements. The Jackson County Plan Commission voted 8 to 0 to recommend <u>APPROVAL</u> to the County Legislature.											
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)											
ATTACHMENTS	See Attachment to RLA-2											
REVIEW	Department Director: Brian Gaddie <i>TE</i> 	Date: 06/16/2015										
	Finance (Budget Approval): <i>If applicable</i>	Date:										
	Division Manager: 	Date: <i>7/15/15</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.

Jackson County Plan Commission

Summary of Public Hearing

Date: May 21, 2015

Place: Independence City Hall,
Conference Room D
111 E Maple, Independence, MO

Attendance: Chairman Antey

Mr. Gibler
Mr. Haley
Mr. Crawford
Mr. Tarpley
Mr. Pointer
Mrs. Querry
Mr. Akins
Mr. Pointer

Staff: Randy Diehl
Amy Keister
Jay Hayden

Mrs. Mershon was absent.

Call to Order/Roll Call

At 8:30 am Chairman Antey called to order the May 21, 2015 meeting of the Plan Commission and asked that the roll call be taken. Mrs. Mershon was absent.

Approval of Record

Chairman Antey asked for a motion to approve the record of March 19, 2015. Mr. Pointer made a motion to approve. Mr. Gibler seconded the motion. Voice vote.

Minutes of the March 19, 2015 Plan Commission meeting approved, 8-0.

Public Hearings

Chairman Antey swore in all persons present who would like to give testimony at the public hearings.

RE: LA-2015-033

Randy Diehl gave the staff report

Applicant: Jackson County Public Works Department – Development Division
FEMA Updates and Revisions

Request: Repealing Sections 24004.14 and 24004.15 in the Jackson County Unified Development Code (County Code, Chapter 240) relating to floodplain management, and enacting, in lieu thereof, new sections relating to the same subject. Amending portions of Section 24006.5 relating to administration of floodplain management.

Purpose: These amendments are recommended by FEMA. Jackson County received a Community Assistance Visit (CAV) on September 5, 2013. FEMA's follow-up letter of February 18, 2015 contained Required/Recommended Actions needed to bring the County's Floodplain Ordinance better into compliance with Code of Federal Regulations (CFR) regarding floodplain management.

Mr. Diehl: These are FEMA updates for the UDC. We are repealing Sections 24004.14 and 24004.15 relating to floodplain management, and enacting, in lieu thereof, new sections relating to the same subject. Amending portions of Section 24006.5 relating to administration of floodplain management. We have a Community Assistance Visit, which is an audit, in September of 2013. We got a follow up in February 2014, which contained some recommendations and actions taken on the County's part to bolster up the Floodplain Ordinance. Most of it is just language and definitions that we are adding into it. Specifically, purposes and permitted uses and language FEMA wants to see in the ordinance.

Mr. Akins: Is the underlined part the new ordinance?

Mr. Diehl: That's the old part which is being replaced. We are adding some language that we didn't have. FEMA provided us with a model ordinance which these changes mirror those. We can take those requirements and adjust them a little. We brought in their definitions as they relate to the floodplain.

Mr. Haley: So it's strengthening the ordinance?

Mr. Diehl: The other two changes are requiring annual training for those who deal with floodplain, not only me but members of the Engineering Office and our building inspector.

So more than one person has training, and other change relates to record keeping. Within the next nine months we will have another change once the new floodplain maps are adopted.

Mr. Pointer: If a person wants to build in the floodplain would we see those?

Mr. Diehl: Those permits would be handled by an administrative process in our office. They would need to provide us with engineering studies for any change and prove that there will be not be a negative impact with the floodplain.

Staff asks APPROVAL of LA-2015-033

Mr. Akins motioned to approve LA-2015-033. Mr. Pointer seconded.

Mr. Akins	Approve
Mrs. Querry	Approve
Mr. Gibler	Approve
Mr. Pointer	Approve
Mr. Tarpley	Approve
Mr. Haley	Approve
Mr. Crawford	Approve
Chairman Antey	Approve

Motion Carried 8 – 0.

Meeting adjourned

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE repealing Schedule IV to Chapter 2, Jackson County Code, 1984, relating to Jackson County employees not within the Merit System, and enacting, in lieu thereof, one new schedule relating to the same subject.

ORDINANCE NO. 4756, July 20, 2015

INTRODUCED BY Alfred Jordan, County Legislator

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

Section A. Enacting Clause. Schedule IV to Chapter 2, Jackson County, 1984, are hereby repealed, and one new schedule enacted in lieu thereof, to be known as Schedule IV, to read as follows:

SCHEDULE IV

PROSECUTING ATTORNEY

POSITION	SALARY
Executive Assistant to Prosecuting Attorney	\$29,580 – 54,000
Secretary to Prosecuting Attorney	\$26,410 - 40,940
Deputy Prosecuting Attorney	\$82,139 - 110,520
Chief	\$75,000 – 105,000
Trial Team Leader	\$61,131 – 102,519
Assistant Prosecuting Attorney	\$44,000 – 102,519
<u>Assistant Prosecuting Attorney I</u>	<u>\$44,000 – 67,775</u>
<u>Assistant Prosecuting Attorney II</u>	<u>\$52,000 – 82,000</u>
<u>Assistant Prosecuting Attorney III</u>	<u>\$57,000 – 90,000</u>

Chief Investigator	\$41,075 - 67,775
Investigator II	\$29,580 - 45,856
Investigator I	\$26,410 - 40,940
Director	\$75,000 - 110,520
Victim Services Director	\$41,075 - 67,775
Program Administrator	\$75,000 - 110,520
Advisor to the Prosecuting Attorney	\$29,580 - \$54,000

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

APPROVED AS TO FORM:


Chief Deputy County Counselor


County Counselor

I hereby certify that the attached Ordinance, Ordinance No. 4756 introduced on July 20, 2015, was duly passed on _____, 2015 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

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

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 4756.

Date

Michael D. Sanders, County Executive

TO: Dennis Dumovich, Director of Human Resources

FROM: Michelle Chrisman, Deputy Director of Human Resources

DATE: June 18, 2015

RE: Job Evaluation Study, Recommendation and Approvals

JOBS STUDIED
Title: New Position
Job Code:
Pay Level:
Number of Positions:
Number Remaining:
FLSA Code/Category:

RECOMMENDATION
Title: Assistant Prosecuting Attorney I
Job Code: 4101-06912-001
Pay Level: G99
Number of Positions: 0
Total Number of Positions: 0
FLSA Code/Category: EX/PROF

EMPLOYEES AFFECTED			
NAME	EMPLOYEE NUMBER	OLD RATE	NEW RATE
Vacant			

EVALUATION APPROVAL SIGNATURES

Director of Human Resources _____ Date _____ County Executive _____ Date _____

Appointing Authority _____ Date _____ Division Manager _____ Date _____

Approved by Budget Officer/Payroll: _____ Effective Date: _____

NOTE: Appointing Authority – Please forward to Budget Officer/Payroll, Budget Officer/Payroll – Please forward to Division Manager, Division Manager – Please forward to County Executive, County Executive – Please forward to Human Resources. The Human Resources Department will notify the Division/Department. Please notify the Human Resources Department in the event of non-approval.

JACKSON COUNTY JOB DESCRIPTION

TITLE: Assistant Prosecuting Attorney I PAY LEVEL: G99 CODE: 4101-06912-001
 WORKING TITLE: Assistant Prosecuting Attorney I FLSA: EX DATE: 06/18/2015
 DIVISION: Prosecutor DEPARTMENT: Prosecutor
 BARGAINING UNIT POSITION: Yes CIRCUMSTANCE: Review
 LOCATION: Kansas City & Independence Courthouse ANALYST: Michelle Chrisman
 SUPERVISES: N/A

PERCENTAGE OF TIMEACCOUNTABILITIES

- | | |
|-----|--|
| 50% | 1. Legal research, case and docket preparation and presentation. |
| 25% | 2. Communications with attorneys, courts, general public, public defenders, victims and witnesses. |
| 25% | 3. Record keeping, including documentation of case action and disposition. |

SCOPE:

The Assistant Prosecuting Attorney I is responsible for maintaining a criminal caseload of primarily class B felonies and below, and misdemeanor cases. The Attorney is also responsible for other assignments that may include, but is not limited to: dockets, legal research and assignments as determined by the Prosecuting Attorney or his/her designee. As directed, the attorney shall seek supervisory approval of dismissals and resolution of charges. The attorney is responsible for filing of charges and prosecution of cases when appropriate. The attorney reports to Trial Team Leader, Chief Trial Assistant, Deputy Prosecuting Attorney and Prosecuting Attorney or his/her designee.

KNOWLEDGE AND SKILLS: (*Required prior to employment)

1. ~~Some K~~knowledge of department and county policies and procedures.
2. ~~Some K~~knowledge of courtroom and filing procedures.
- *3. Knowledge of Missouri Criminal Law, Constitutional law, federal and state case law, Missouri statutes, municipal codes, criminal procedures, rules of evidence, local court rules, professional ethical standards, administrative regulations, and applicable civil laws, rules, and procedures.
4. Knowledge of Missouri Approved Charges - Criminal.
5. Knowledge of Missouri Approved Instructions - Criminal.
6. Knowledge of Missouri Civil Law.
- *7. Knowledge of Missouri Supreme Court Rule 4 and other standards of professional and ethical behavior and legal practice.
- *8. Skill in legal research.
- *9. Skill in oral and written communication techniques.
10. Skill in motion and trial practice and technique.
11. Skill in the preparation of legal documents, legal briefs and correspondence.
12. Skill in analyzing case issues, including clarifying factual and legal issues, and resolving conflicting information.

HUMAN RELATIONS:

1. Communicates with other employees of the Jackson County Prosecutor's Office and employees of the County of Jackson.
2. Communicates with members of the community, including but not limited to victims and witnesses of crime.
3. Communicates with circuit judges, court clerks and other court personnel.
4. Communicates with various state and local law enforcement agencies.
5. Communicates with defense bar.
6. Promotes positive and collaborative professional working relationships internally and with agency partners including law enforcement, judiciary, members of the defense bar, victims of crime, community based organizations, and other colleagues.

ILLUSTRATIVE TASKS: (This is not an inclusive list; other duties/tasks may be assigned)

1. Responsible for reviewing and filing criminal charges, reviewing cases for presentation to grand jury, trying cases before judges and petit jurors.
2. Communicates in an appropriate and timely manner with attorneys, courts, general public, public defenders, victims and witnesses.
3. Responsible for working under time constraints and exacting professional and legal standards.
4. Responsible for researching, case preparation, and trial presentation; prepare criminal cases for presentation to the court through review of evidence, persuasive legal argument, effective motions practice, effective legal research and successfully interviewing witnesses and victims.
5. Responsible for record keeping, including documentation of case action and disposition.
6. Responsible for properly securing and handling of confidential information being disseminated to and from the Office of the Prosecuting Attorney.
7. Demonstrates tact, diplomacy, patience and compassion with those contacted in the course of work.
8. Promotes positive and collaborative professional working relationships internally and with agency partners including law enforcement, judiciary, members of the defense bar, victims of crime, community based organizations, other colleagues, et al.
9. Prepares clear, concise, and comprehensive reports, briefs, opinions, petitions, motions, records, correspondence, and other legal and written materials.
10. Establishes and maintains harmonious working relationships with those contacted in the course of work; demonstrating tact, diplomacy, patience, and compassion.

ENVIRONMENTAL DEMANDS:

Work is performed predominantly in an office setting, but may also require attending crime scenes, meeting with victims and witnesses, and attending meetings in the community.

MINIMUM QUALIFICATIONS:

Must have a Juris Doctorate. Must be a member in good standing with the Missouri Bar. Must submit to/pass pre-employment background and drug screen. Also refer to the asterisks (*) in the KNOWLEDGE AND SKILLS section of this job description.

JACKSON COUNTY JOB DESCRIPTION -- ADA/PHYSICAL DEMANDS FORM

JOB TITLE: Assistant Prosecuting Attorney ICODE: 4101-06912-001DIVISION/DEPARTMENT: Prosecutor's OfficeDATE: 06/18/2015

PHYSICAL DEMANDS - Check demands that apply and describe what is required to perform the essential job functions. (This is not an inclusive list; other tasks/duties may be assigned)

- VISION - Must be adequate for reading printed and electronic materials.
- HEARING - Must be adequate for following verbal commands, talking on the telephone, communicating with others, including but not limited to witnesses, attorneys, judges, and court personnel.
- SPEECH - Must be able to communicate with others, including but not limited to witnesses, attorneys, judges, and court personnel.
- STANDING - 10% of the time – Required when in court and public speaking as needed.
- WALKING - 10% of the time – Required when moving to and from court and meetings.
- SITTING - 80% of the time – Works primarily at desk, in meetings and in courtroom.
- LIFTING/CARRYING – 40-50 lbs. - May need to carry evidence or file information within the office, and to and from courtrooms or meetings.
- PUSHING/PULLING - 30 lbs. – May sometimes push or pull cart for television or other equipment for courtroom presentations.
- CLIMBING/BALANCING – Required when negotiating stairs, or retrieving files or books.
- STOOPING/KNEELING/CROUCHING/CRAWLING – Required when retrieving or filing from lower drawers or when retrieving items, office supplies, etc., from the floor.
- REACHING/HANDLING - Required on most tasks.

Reviews for accuracy:

IncumbentDate

Appointing AuthorityDate

TO: Dennis Dumovich, Director of Human Resources

FROM: Michelle Chrisman, Deputy Director of Human Resources

DATE: June 18, 2015

RE: Job Evaluation Study, Recommendation and Approvals

JOBS STUDIED
Title: New Position
Job Code:
Pay Level:
Number of Positions:
Number Remaining:
FLSA Code/Category:

RECOMMENDATION
Title: Assistant Prosecuting Attorney II
Job Code: 4101-06913-001
Pay Level: G99
Number of Positions: 0
Total Number of Positions: 0
FLSA Code/Category: EX/PROF

EMPLOYEES AFFECTED			
NAME	EMPLOYEE NUMBER	OLD RATE	NEW RATE

EVALUATION APPROVAL SIGNATURES

Director of Human Resources _____ Date _____ County Executive _____ Date _____

Appointing Authority _____ Date _____ Division Manager _____ Date _____

Approved by Budget Officer/Payroll: _____ Effective Date: _____

NOTE: Appointing Authority – Please forward to Budget Officer/Payroll. Budget Officer/Payroll – Please forward to Division Manager. Division Manager – Please forward to County Executive. County Executive – Please forward to Human Resources. The Human Resources Department will notify the Division/Department. Please notify the Human Resources Department in the event of non-approval.

JACKSON COUNTY JOB DESCRIPTION

TITLE: Assistant Prosecuting Attorney II PAY LEVEL: G99 CODE: 4101-06913-001
 WORKING TITLE: Assistant Prosecuting Attorney II FLSA: EX DATE: 06/18/2015
 DIVISION: Prosecutor DEPARTMENT: Prosecutor
 BARGAINING UNIT POSITION: Yes CIRCUMSTANCE: New Position
 LOCATION: Kansas City & Independence Courthouse ANALYST: Michelle Chrisman
 SUPERVISES: N/A

PERCENTAGE OF TIME

ACCOUNTABILITIES

- | | |
|-----|--|
| 50% | 1. Legal research, complex case and docket preparation and presentation. |
| 25% | 2. Communications with attorneys, courts, general public, public defenders, victims and witnesses. |
| 25% | 3. Record keeping, including documentation of case action and disposition. |

SCOPE:

The Assistant Prosecuting Attorney II is responsible for maintaining a complex criminal caseload consisting of all felony classifications. The attorney is also responsible for special assignments, that may include, but is not limited to, dockets, legal research, and assignments as determined by the Prosecuting Attorney or his/her designee. As directed the attorney shall seek supervisory approval of dismissals and resolution of charges. The attorney is responsible for filing of charges and prosecution of cases when appropriate. The attorney reports to Trial Team Leader, Chief Trial Assistant, Deputy Prosecuting Attorney and Prosecuting Attorney or his/her designee.

KNOWLEDGE AND SKILLS: (*Required prior to employment)

1. Knowledge of department and county policies and procedures.
2. Knowledge of courtroom and filing procedures.
- *3. Knowledge of Missouri Criminal Law, Constitutional law, federal and state case law, Missouri statutes, municipal codes, criminal procedures, rules of evidence, local court rules, professional ethical standards, administrative regulations, and applicable civil laws, rules, and procedures.
4. Knowledge of Missouri Approved Charges - Criminal.
5. Knowledge of Missouri Approved Instructions - Criminal.
6. Knowledge of Missouri Civil Law.
- *7. Knowledge of Missouri Supreme Court Rule 4 and other standards of professional and ethical behavior and legal practice.
- *8. Very Sskilled in legal research.
- *9. Very Sskilled in oral and written communication techniques.
- *10. Very Sskilled in motion and trial practice and technique.
- *11. Very Sskilled in the preparation of fairly complex legal documents, legal briefs and correspondence.
- *12. VerySskilled in analyzing complex case issues, including clarifying factual and legal issues, and resolving conflicting information.

HUMAN RELATIONS:

1. Communicates with other employees of the Jackson County Prosecutor's Office and employees of the County of Jackson.
2. Communicates with members of the community, including but not limited to victims and witnesses of crime.
3. Communicates with circuit judges, court clerks and other court personnel.
4. Communicates with various state and local law enforcement agencies.
5. Communicates with defense bar.
6. Promotes positive and collaborative professional working relationships internally and with agency partners including law enforcement, judiciary, members of the defense bar, victims of crime, community based organizations, and other colleagues.

ILLUSTRATIVE TASKS: (This is not an inclusive list; other duties/tasks may be assigned)

1. Responsible for reviewing and filing complex criminal charges, reviewing complex cases for presentation to grand jury, trying complex cases before judges and petit jurors.
2. Communicates in an appropriate and timely manner with attorneys, courts, general public, public defenders, victims and witnesses.
3. Responsible for working under time constraints and exacting professional and legal standards.
4. Responsible for researching, complex case preparation, and trial presentation; prepare criminal cases for presentation to the court through review of evidence, persuasive legal argument, effective motions practice, effective legal research and successfully interviewing witnesses and victims.
5. Responsible for record keeping, including documentation of case action and disposition.
6. Responsible for properly securing and handling of confidential information being disseminated to and from the Office of the Prosecuting Attorney.
7. Demonstrates tact, diplomacy, patience and compassion with those contacted in the course of work.
8. Promotes positive and collaborative professional working relationships internally and with agency partners including law enforcement, judiciary, members of the defense bar, victims of crime, community based organizations, other colleagues, et al.
9. Prepares clear, concise, and comprehensive reports, briefs, opinions, petitions, motions, records, correspondence, and other legal and written materials.
10. Establishes and maintains harmonious working relationships with those contacted in the course of work; demonstrating tact, diplomacy, patience, and compassion.

ENVIRONMENTAL DEMANDS:

Work is performed predominantly in an office setting, but may also require attending crime scenes, meeting with victims and witnesses, and attending meetings in the community.

MINIMUM QUALIFICATIONS:

Must have a Juris Doctorate. Must be a member in good standing with the Missouri Bar. Must submit to/pass pre-employment background and drug screen. Also refer to the asterisks (*) in the KNOWLEDGE AND SKILLS section of this job description.

JACKSON COUNTY JOB DESCRIPTION -- ADA/PHYSICAL DEMANDS FORM

JOB TITLE: Assistant Prosecuting Attorney IICODE: 4101-06912-001DIVISION/DEPARTMENT: Prosecutor's OfficeDATE: 06/18/2015

PHYSICAL DEMANDS - Check demands that apply and describe what is required to perform the essential job functions. (This is not an inclusive list; other tasks/duties may be assigned)

- VISION - Must be adequate for reading printed and electronic materials.
- HEARING - Must be adequate for following verbal commands, talking on the telephone, communicating with others, including but not limited to witnesses, attorneys, judges, and court personnel.
- SPEECH - Must be able to communicate with others, including but not limited to witnesses, attorneys, judges, and court personnel.
- STANDING - 10% of the time – Required when in court and public speaking as needed.
- WALKING - 10% of the time – Required when moving to and from court and meetings.
- SITTING - 80% of the time – Works primarily at desk, in meetings and in courtroom.
- LIFTING/CARRYING - 40-50 lbs. - May need to carry evidence or file information within the office, and to and from courtrooms or meetings.
- PUSHING/PULLING - 30 lbs. – May sometimes push or pull cart for television or other equipment for courtroom presentations.
- CLIMBING/BALANCING – Required when negotiating stairs, or retrieving files or books.
- STOOPING/KNEELING/CROUCHING/CRAWLING – Required when retrieving or filing from lower drawers or when retrieving items, office supplies, etc., from the floor.
- REACHING/HANDLING - Required on most tasks.

Reviews for accuracy:

IncumbentDate

Appointing AuthorityDate

TO: Dennis Dumovich, Director of Human Resources

FROM: Michelle Chrisman, Deputy Director of Human Resources

DATE: June 18, 2015

RE: Job Evaluation Study, Recommendation and Approvals

JOBS STUDIED
Title: New Position
Job Code:
Pay Level:
Number of Positions:
Number Remaining:
FLSA Code/Category:

RECOMMENDATION
Title: Assistant Prosecuting Attorney III
Job Code: 4101-06914-001
Pay Level: G99
Number of Positions: 0
Total Number of Positions: 0
FLSA Code/Category: EX/PROF

EMPLOYEES AFFECTED			
NAME	EMPLOYEE NUMBER	OLD RATE	NEW RATE

EVALUATION APPROVAL SIGNATURES

Director of Human Resources _____ Date _____ County Executive _____ Date _____

Appointing Authority _____ Date _____ Division Manager _____ Date _____

Approved by Budget Officer/Payroll: _____ Effective Date: _____

NOTE: Appointing Authority – Please forward to Budget Officer/Payroll. Budget Officer/Payroll – Please forward to Division Manager. Division Manager – Please forward to County Executive. County Executive – Please forward to Human Resources. The Human Resources Department will notify the Division/Department. Please notify the Human Resources Department in the event of non-approval.

JACKSON COUNTY JOB DESCRIPTION

Ord. 4756

TITLE: Assistant Prosecuting Attorney III PAY LEVEL: G99

CODE: 4101-06914-001

WORKING TITLE: Assistant Prosecuting Attorney III FLSA: EX

DATE: 06/18/2015

DIVISION: Prosecutor

DEPARTMENT: Prosecutor

BARGAINING UNIT POSITION: Yes

CIRCUMSTANCE: New Position

LOCATION: Kansas City & Independence Courthouse

ANALYST: Michelle Chrisman

SUPERVISES: N/A

PERCENTAGE OF TIME

ACCOUNTABILITIES

50%	1. Legal research, highly complex case and docket preparation and presentation.
25%	2. Communications with attorneys, courts, general public, public defenders, victims and witnesses.
25%	3. Record keeping, including documentation of case action and disposition.

SCOPE:

The Assistant Prosecuting Attorney III is responsible for maintaining a complex criminal caseload consisting of primarily dangerous felonies as defined by RSMo 556.061 (2015). The attorney is also responsible for special assignments that may include, but is not limited to: capital litigation, complex civil litigation, and assignments as determined by the Prosecuting Attorney or his/her designee. As directed the attorney shall seek supervisory approval of dismissals and resolution of charges. The attorney is responsible for filing of charges and prosecution of cases when appropriate. The attorney reports to Trial Team Leader, Chief Trial Assistant, Deputy Prosecuting Attorney and Prosecuting Attorney or his/her designee.

KNOWLEDGE AND SKILLS: (*Required prior to employment)

1. **Extensive** Knowledge of department and county policies and procedures.
2. **Extensive** Knowledge of courtroom and filing procedures.
- *3. **Extensive** Knowledge of Missouri Criminal Law, Constitutional law, federal and state case law, Missouri statutes, municipal codes, criminal procedures, rules of evidence, local court rules, professional ethical standards, administrative regulations, and applicable civil laws, rules, and procedures.
4. **Extensive** Knowledge of Missouri Approved Charges - Criminal.
5. **Extensive** Knowledge of Missouri Approved Instructions - Criminal.
6. Knowledge of Missouri Civil Law.
- *7. **Extensive** Knowledge of Missouri Supreme Court Rule 4 and other standards of professional and ethical behavior and legal practice.
- *8. **Highly Skilled** in legal research.
- *9. **Highly Skilled Skill** in oral and written communication techniques.
- *10. **Highly skilled Skill** in motion and trial practice and technique.
- *11. **Highly skilled Skill** in the preparation of **complex** legal documents, legal briefs and correspondence.
- *12. **Highly skilled Skill** in analyzing **very complex** case issues, including clarifying **complex** factual and legal issues, and resolving conflicting information.

HUMAN RELATIONS:

1. Communicates with other employees of the Jackson County Prosecutor's Office and employees of the County of Jackson.
2. Communicates with members of the community, including but not limited to victims and witnesses of crime.
3. Communicates with circuit judges, court clerks and other court personnel.
4. Communicates with various state and local law enforcement agencies.
5. Communicates with defense bar.
6. Promotes positive and collaborative professional working relationships internally and with agency partners including law enforcement, judiciary, members of the defense bar, victims of crime, community based organizations, and other colleagues.

ILLUSTRATIVE TASKS: (This is not an inclusive list; other duties/tasks may be assigned)

1. Responsible for reviewing and filing criminal charges, reviewing complex cases for presentation to grand jury, trying very complex cases before judges and petit jurors. Maintains a complex criminal caseload consisting of primarily dangerous felonies as defined by RSMo 556.061 (2015).
2. Communicates in an appropriate and timely manner with attorneys, courts, general public, public defenders, victims and witnesses.
3. Responsible for working under time constraints and exacting professional and legal standards.
4. Responsible for researching, case preparation, and trial presentation; prepare criminal cases for presentation to the court through review of evidence, persuasive legal argument, effective motions practice, effective legal research and successfully interviewing witnesses and victims.
5. Responsible for record keeping, including documentation of case action and disposition.
6. Responsible for properly securing and handling of confidential information being disseminated to and from the Office of the Prosecuting Attorney.
7. Demonstrates tact, diplomacy, patience and compassion with those contacted in the course of work.
8. Promotes positive and collaborative professional working relationships internally and with agency partners including law enforcement, judiciary, members of the defense bar, victims of crime, community based organizations, other colleagues, et al.
9. Prepares clear, concise, and comprehensive reports, briefs, opinions, petitions, motions, records, correspondence, and other legal and written materials.
10. Establishes and maintains harmonious working relationships with those contacted in the course of work; demonstrating tact, diplomacy, patience, and compassion.

ENVIRONMENTAL DEMANDS:

Work is performed predominantly in an office setting, but may also require attending crime scenes, meeting with victims and witnesses, and attending meetings in the community.

MINIMUM QUALIFICATIONS:

Must have a Juris Doctorate. Must be a member in good standing with the Missouri Bar. Must have at least five (5) years' experience as an Assistant Prosecuting Attorney and/or equivalent. Must have a documented history of superior trial experience in complex litigation. Must submit to/pass pre-employment background and drug screen. Also refer to the asterisks (*) in the KNOWLEDGE AND SKILLS section of this job description.

JACKSON COUNTY JOB DESCRIPTION -- ADA/PHYSICAL DEMANDS FORM

JOB TITLE: Assistant Prosecuting Attorney IIICODE: 4101-06914-001DIVISION/DEPARTMENT: Prosecutor's OfficeDATE: 06/18/2015

PHYSICAL DEMANDS - Check demands that apply and describe what is required to perform the essential job functions. (This is not an inclusive list; other tasks/duties may be assigned)

-VISION - Must be adequate for reading printed and electronic materials.

-HEARING - Must be adequate for following verbal commands, talking on the telephone, communicating with others, including but not limited to witnesses, attorneys, judges, and court personnel.

-SPEECH - Must be able to communicate with others, including but not limited to witnesses, attorneys, judges, and court personnel.

-STANDING - 10% of the time – Required when in court and public speaking as needed

-WALKING - 10% of the time – Required when moving to and from court and meetings.

-SITTING - 80% of the time – Works primarily at desk, in meetings and in courtroom.

-LIFTING/CARRYING – 40-50 lbs. - May need to carry evidence or file information within the office, and to and from courtrooms or meetings.

-PUSHING/PULLING - 30 lbs. – May sometimes push or pull cart for television or other equipment for courtroom presentations.

-CLIMBING/BALANCING – Required when negotiating stairs, or retrieving files or books.

-STOOPING/KNEELING/CROUCHING/CRAWLING – Required when retrieving or filing from lower drawers or when retrieving items, office supplies, etc., from the floor.

-REACHING/HANDLING - Required on most tasks.

Reviews for accuracy:

Incumbent

Date

Appointing Authority

Date

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/~~Ord~~ No.: 4756

Sponsor(s): Alfred Jordan

Date: July 20, 2015

SUBJECT	<p>Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance</p> <p>Project/Title: <u>An ordinance repealing schedule IV to Chapter 2, Jackson County Code, 1984, relating to position titles and salaries ranges of County employees not within the merit system and enacting, in lieu thereof, one new schedule to the same subject.</u></p>																				
<p>BUDGET INFORMATION</p> <p><i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td><td>\$</td></tr> <tr> <td>Amount previously authorized this fiscal year:</td><td>\$</td></tr> <tr> <td>Total amount authorized after this legislative action:</td><td>\$</td></tr> <tr> <td>Amount budgeted for this item * (including transfers):</td><td>\$</td></tr> <tr> <td>Source of funding (name of fund) and account code number;</td><td>FROM ACCT</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:	\$	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number;	FROM ACCT										
Amount authorized by this legislation this fiscal year:	\$																				
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Total amount authorized after this legislative action:	\$																				
Amount budgeted for this item * (including transfers):	\$																				
Source of funding (name of fund) and account code number;	FROM ACCT																				
PRIOR LEGISLATION	<p>Prior ordinances and (date): Prior resolutions and (date):</p>																				
CONTACT INFORMATION	<p>RLA drafted by (name, title, & phone): Gina Robinson, Chief of Operations, 881-3369</p>																				
REQUEST SUMMARY	<p>The Jackson County Prosecutor's Office is requesting to create an Assistant Prosecuting Attorney I, II, and III under Schedule IV of Chapter 2. The recommended change is as follows:</p> <table> <tr> <td>Executive Assistant to Prosecuting Attorney</td> <td>\$29,580 – 54,000</td> </tr> <tr> <td>Secretary to Prosecuting Attorney</td> <td>\$26,410 - 40,940</td> </tr> <tr> <td>Deputy Prosecuting Attorney</td> <td>\$82,139 - 110,520</td> </tr> <tr> <td>Chief</td> <td>\$75,000 – 105,000</td> </tr> <tr> <td>Trial Team Leader</td> <td>\$61,131 – 102,519</td> </tr> <tr> <td>Assistant Prosecuting Attorney</td> <td>\$44,000 – 102,519</td> </tr> <tr> <td>Assistant Prosecuting Attorney I</td> <td>\$44,000-67,775</td> </tr> <tr> <td>Assistant Prosecuting Attorney II</td> <td>\$52,000-82,000</td> </tr> <tr> <td>Assistant Prosecuting Attorney III</td> <td>\$57,000-90,000</td> </tr> <tr> <td>Chief Investigator</td> <td>\$41,075 - 67,775</td> </tr> </table>	Executive Assistant to Prosecuting Attorney	\$29,580 – 54,000	Secretary to Prosecuting Attorney	\$26,410 - 40,940	Deputy Prosecuting Attorney	\$82,139 - 110,520	Chief	\$75,000 – 105,000	Trial Team Leader	\$61,131 – 102,519	Assistant Prosecuting Attorney	\$44,000 – 102,519	Assistant Prosecuting Attorney I	\$44,000-67,775	Assistant Prosecuting Attorney II	\$52,000-82,000	Assistant Prosecuting Attorney III	\$57,000-90,000	Chief Investigator	\$41,075 - 67,775
Executive Assistant to Prosecuting Attorney	\$29,580 – 54,000																				
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Assistant Prosecuting Attorney III	\$57,000-90,000																				
Chief Investigator	\$41,075 - 67,775																				

	Investigator II	\$29,580 - 45,856
	Investigator I	\$26,410 - 40,940
	Director	\$75,000 - 110,520
	Victim Services Director	\$41,075 - 67,775
	Program Administrator	\$75,000 - 110,520
	Advisor to the Prosecuting Attorney	\$29,580 - \$54,000
	These positions are budgeted and therefore the amendment to Chapter 2 does not have a budget impact as any salary in salaries will be funded by salary savings within the current budget.	
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS		
REVIEW	Department Director:	Date: 6/29/15
	Finance (Budget Approval): If applicable	Date:
	Division Manager:	Date: 7/15/15
	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.

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$8,096.00 from the undesignated fund balance of the 2015 Anti-Drug Sales Tax Fund in acceptance of auction proceeds from the sale of two surplus vehicles for use by the Jackson County Drug Task Force.

ORDINANCE NO. 4757, July 20, 2015

INTRODUCED BY Dennis Waits, County Legislator

WHEREAS, the County has received a payment in the amount of \$8,096.00 from Affiliated Auctioneers representing the proceeds from two surplus vehicles sold at auction; and,

WHEREAS, an appropriation is necessary to place the proceeds in the proper spending account so that the funds may be used to purchase a new vehicle using an existing term and supply contract; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that the following appropriation from the undesignated fund balance of the 2015 Anti-Drug Sales Tax Fund be and hereby is made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Anti-Drug Sales Tax Fund Drug Task Force			
008-9999	47020 - Increase Revenues	\$8,096	
008-2810	Undesignated Fund Balance		\$8,096
008-2810	Undesignated Fund Balance	\$8,096	
008-4151	58120 – Vehicles		\$8,096

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. 4757 introduced on July 20, 2015, was duly passed on _____, 2015 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

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

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 4757.

Date

Michael D. Sanders, County Executive

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

ACCOUNT NUMBER: 008 2810
ACCOUNT TITLE: Anti-Drug Sales Fund
Undesignated Fund Balance
NOT TO EXCEED: \$8,096.00



Date



Director of Finance and Purchasing

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res~~/Ord No.: 4757

Sponsor(s): Dennis Waits

Date: July 20, 2015

SUBJECT	<p>Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Supplemental Appropriation for Auction Proceeds</u></p>										
<p>BUDGET INFORMATION</p> <p><i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td><td>\$8,096.00</td></tr> <tr> <td>Amount previously authorized this fiscal year:</td><td>\$</td></tr> <tr> <td>Total amount authorized after this legislative action:</td><td>\$8,096.00</td></tr> <tr> <td>Amount budgeted for this item * (including transfers):</td><td>\$</td></tr> </table> <table border="1"> <tr> <td>Source of funding (name of fund) and account code number; FROM 008-9999-47020 – Anti-Drug Sales Tax Fund – Sale of Fixed Assets TO 008-2810 – Anti-Drug Sales Tax Fund – Undesignated Fund Balance FROM 008-2810 – Anti-Drug Sales Tax Fund – Undesignated Fund Balance TO 008-4151-58120 – Anti-Drug Sales Tax Fund – Drug Task Force - Automobiles</td><td>FROM ACCT \$8,096.00 TO ACCT \$8,096.00 FROM ACCT \$8,096.00 TO ACCT \$8,096.00</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): \$0.00 Prior Year Actual Amount Spent (if applicable): \$0.00</p>	Amount authorized by this legislation this fiscal year:	\$8,096.00	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$8,096.00	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number; FROM 008-9999-47020 – Anti-Drug Sales Tax Fund – Sale of Fixed Assets TO 008-2810 – Anti-Drug Sales Tax Fund – Undesignated Fund Balance FROM 008-2810 – Anti-Drug Sales Tax Fund – Undesignated Fund Balance TO 008-4151-58120 – Anti-Drug Sales Tax Fund – Drug Task Force - Automobiles	FROM ACCT \$8,096.00 TO ACCT \$8,096.00 FROM ACCT \$8,096.00 TO ACCT \$8,096.00
Amount authorized by this legislation this fiscal year:	\$8,096.00										
Amount previously authorized this fiscal year:	\$										
Total amount authorized after this legislative action:	\$8,096.00										
Amount budgeted for this item * (including transfers):	\$										
Source of funding (name of fund) and account code number; FROM 008-9999-47020 – Anti-Drug Sales Tax Fund – Sale of Fixed Assets TO 008-2810 – Anti-Drug Sales Tax Fund – Undesignated Fund Balance FROM 008-2810 – Anti-Drug Sales Tax Fund – Undesignated Fund Balance TO 008-4151-58120 – Anti-Drug Sales Tax Fund – Drug Task Force - Automobiles	FROM ACCT \$8,096.00 TO ACCT \$8,096.00 FROM ACCT \$8,096.00 TO ACCT \$8,096.00										
PRIOR LEGISLATION	<p>Prior ordinances and (date):</p> <p>Prior resolutions and (date):</p>										
CONTACT INFORMATION	<p>RLA drafted by (name, title, & phone): Dan Cummings OIC 816.503.4725</p>										
REQUEST SUMMARY	<p>The Jackson County Drug Task Force (JCDTF) surplusd two vehicles which were subsequently sold at auction on June 20, 2015. The proceeds for both vehicles totaled \$8,096.00, net of commissions and expenses. The JCDTF would like to appropriate this money in order to purchase a new vehicle using an existing term and supply contract.</p> <p>Please appropriate \$8,096.00 into the following account:</p> <p>008-4151-58120</p>										

CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS	Auction Statement, email confirming total amount	
REVIEW	Department Director: <i>[Signature]</i>	Date: 7/6/15
	Finance (Budget Approval): <i>If applicable</i> <i>Mary Rasmussen</i>	Date: 7/8/15
	Division Manager: <i>Mary Lou Brown</i>	Date: 7/15/15
	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:
008-9999-47020	Anti-Drug Sales Tax Fund – Sale of Fixed Assets	\$8,096.00

- ☐ 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.

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

ORD # 4757

[illegible]

Mary Rasmussen
Budgeting

AFFILIATED AUCTIONEERS LLC
8747 E US HIGHWAY 40
KANSAS CITY, MO. 64129
(816) 920-6606
WWW.AFFILIATEDAUCTIONEERS.COM

Ord. 4757
Page 1

Seller Number: 1150
Jackson County - MARC
Cassandra Cheek
415 E 12th St. Room G1
Kansas City, MO 64106
Phone (816) 503-4831

Statement Date :06/23/2015

Final Statement For: Saturday, June 20th 2015

Lot	Description	Price	N/S	Grp	Commission	Net Due
308	2006 Ford F-150 XL Odom:116093 Vin#:1FTRX14W86KC29546 BLK TK V8 Gas, 4.6L, Triton, Automatic, 4x4, Power Windows, Power Locks, Power Mirrors, Keys, A/C, Tilt, AM/FM Radio, Runs, Cloth Interior MO Title In Split Commission 12.000% over 0.00	5,100.00			612.00	4,488.00
394	2007 Suzuki XL7 Odom:77568 Vin#:2S3DA217776129250 BLK SUV V6 Gas, 3.6L, Automatic, Power Windows, Power Locks, Power Mirrors, Keys, A/C, Cruise, Tilt, AM/FM/CD Radio, Runs, Rear Defrost, 3rd Row Seat, Cloth Interior MO Title In Split Commission 12.000% over 0.00	4,100.00			492.00	3,608.00
1100	3 View Sonic VA 7026 Monitors, View Sonic VE 1556 Monitor, View Sonic VG 7106 Monitor. Sold With Lot:1101	0.00		*	0.00	0.00
1101	4 View Sonic VA 7036 Monitors	5.00		*	1.50	3.50
1102	Misc. Pallet of Printers, Dell & HP. Sold With Lot:1103	0.00		*	0.00	0.00
1103	Misc. Pallet of Printers, Laserjet HP Printers 4000N, 2100, 2200D, 4200, 4250, 4050	10.00		*	3.00	7.00
1273	Misc. Pallet of HP Printers. Sold With Lot:1274	0.00		*	0.00	0.00
1274	Pallet of Laserjet HP Printers	10.00		*	3.00	7.00
1275	Pallet of Misc. Towers	60.00			18.00	42.00
1276	Pallet of 52X Max Towers	135.00			40.50	94.50
1277	Pallet of Misc. Towers	50.00			15.00	35.00
1278	Pallet of View Sonic Monitors. Sold With Lot:1279	0.00		*	0.00	0.00
1279	Pallet of View Sonic Monitors	1.00		*	0.30	0.70
1280	Pallet of HP Boards	70.00			21.00	49.00
1281	Pallet of Think Centre Towers	75.00			22.50	52.50
1282	Pallet of Think Centre Towers	110.00			33.00	77.00
1283	4 View Sonic VE 710S Monitors. Sold With Lot:1287	0.00		*	0.00	0.00
1284	4 View Sonic VE 710S Monitors. Sold With Lot:1287	0.00		*	0.00	0.00
1285	4 View Sonic VE 710S Monitors. Sold With Lot:1287	0.00		*	0.00	0.00
1286	4 View Sonic VE700 Monitors. Sold With Lot:1287	0.00		*	0.00	0.00
1287	A row of Misc. Monitors, 2 View Sonic VE 710S, View Sonic VE 710B, View Sonic VA 7036, View Sonic VA 7026	10.00		*	3.00	7.00
1288	Pallet of Misc. Monitors	1.00			0.30	0.70
1289	3 APC Battery Backups. Sold With Lot:1293	0.00		*	0.00	0.00
1290	4 APC Battery Backups. Sold With Lot:1293	0.00		*	0.00	0.00

*** CONTINUED ON NEXT PAGE ***

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the Director of Finance and Purchasing to issue a check in the amount of \$500.00 to The Whole Person, for sponsorship of the 25th anniversary of the Americans with Disability Act event, to be held in Kansas City July 27, 2015.

RESOLUTION NO. 18889, July 20, 2015

INTRODUCED BY Dennis Waits, County Legislator

WHEREAS, The Whole Person is a non-profit organization that assists people with disabilities to live independently; and,

WHEREAS, in commemoration of the 25th Anniversary of the Americans with Disabilities Act (ADA), The Whole Person is hosting a Midday Music Outdoor event at its location, 3710 Main Street, Kansas City, Missouri; and,

WHEREAS, The Whole Person has submitted a sponsorship request in the amount of \$500.00 to COMBAT for this event; and,

WHEREAS, this sponsorship will allow Jackson County the opportunity to promote its *Don't Look the Other Way* anti-violent crime campaign; and,

WHEREAS, in exchange for its sponsorship, COMBAT will receive advertising on The Whole Person's website and at the event; and,

WHEREAS, said sponsorship is in the best interest of the health, safety, and welfare of

the citizens of Jackson County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Director of Finance and Purchasing be and hereby is authorized issue a check to The Whole Person, in the amount of \$500.00 for sponsorship of its Midday Music Outdoor event.

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

APPROVED AS TO FORM:



Chief Deputy County Counselor



County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 18889 of July 20, 2015, was duly passed on _____, 2015 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

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.

ACCOUNT NUMBER: 008 4401 56210
ACCOUNT TITLE: Anti-Drug Sales Tax Fund
COMBAT
Advertising
NOT TO EXCEED: \$500.00



Date



Director of Finance and Purchasing

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/~~Ord~~ No.: 18889

Sponsor(s): Dennis Waits

Date: July 20, 2015

SUBJECT	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>A resolution authorizing the Director of Finance and Purchasing to make payment from the County's Anti-Drug Sales Tax Fund for the 2015 Fiscal year to The Whole Person, not to exceed \$500.</u></p>												
<p>BUDGET INFORMATION</p> <p><i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td><td>\$500.00</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>\$500.00</td></tr> <tr> <td>Amount budgeted for this item *(Including transfers):</td><td>\$500.00</td></tr> <tr> <td>Source of funding (name of fund) and account code number;</td><td></td></tr> <tr> <td>FROM 008-Anti-Drug, 4401- 56210</td><td></td></tr> </table> <p>If account includes additional funds for other expenses, total budgeted in the account is: \$70,000.00 <input type="checkbox"/> No budget impact (no fiscal note required)</p> <p>Prior Year Budget (if applicable): \$70,000.00 Prior Year Actual Amount Spent (if applicable): \$68,251.00</p>	Amount authorized by this legislation this fiscal year:	\$500.00	Amount previously authorized this fiscal year:	0	Total amount authorized after this legislative action:	\$500.00	Amount budgeted for this item *(Including transfers):	\$500.00	Source of funding (name of fund) and account code number;		FROM 008-Anti-Drug, 4401- 56210	
Amount authorized by this legislation this fiscal year:	\$500.00												
Amount previously authorized this fiscal year:	0												
Total amount authorized after this legislative action:	\$500.00												
Amount budgeted for this item *(Including transfers):	\$500.00												
Source of funding (name of fund) and account code number;													
FROM 008-Anti-Drug, 4401- 56210													
PRIOR LEGISLATION	<p>Prior ordinances and (date): none Prior resolutions and (date): Total \$8,000 in 2014: Res# 18628,\$1,500.00 Res.18567, \$6,500.00 <u>Total 8,000 in 2013: Res# 18176, \$4,000, Res#18240, \$4,000.</u></p>												
CONTACT INFORMATION	<p>RLA drafted by: DaRon McGee, Public Affairs Coordinator, 816.881.1414</p>												
REQUEST SUMMARY	<p>A resolution authorizing the Director of Finance and Purchasing to provide a sponsorship not to exceed \$500 to the Whole Person from the 2015 Anti-Drug Sales Tax fiscal year. The Resolution is to serve as a sponsor of the 25th anniversary of the American Disabilities Act (ADA). The event will be held on Monday, July 27, 2015. The Whole Person will be hosting a Midday Music Outdoor Event to celebrate this occasion. According to the U.S. Department of Health & Human Services Office on Disability "Substance Abuse and Disability" approximately 54 million Americans experience some form of disability. It is estimated that 14.7 million adults experience a substance abuse problem in addition to a co-existing disability. Individuals with disabilities are disproportionately at greater risk of substance abuse due to multiple risk factors such as "medication and health problems and a lack of accessible and appropriate prevention and treatment services.</p> <p>This is an opportunity for Jackson County COMBAT to get recognition with a new population in Jackson County. The interest in the issues regarding substance abuse and the disabled would make for a natural partnership. The Whole Person is a 501(C) 3 non-profit organization.</p> <p>Background: The Anti-Drug Sales Tax fund authorizes the County Executive to execute agreements and contracted service for the purpose of providing substance abuse treatment, prevention, grant match, and other anti-drug and anti-violence initiatives in the community. The Drug Commission authorized the standards of sponsorships to further the marketing of the COMBAT mission.</p>												

CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS	Exhibit A	
REVIEW	Department Director: <i>Stacy Davis</i>	Date: <i>7-9-2015</i>
	Finance (Budget Approval): <i>Mary Rasmussen</i> <i>If applicable</i>	Date: <i>7/10/15</i>
	Division Manager: <i>Mary Jo Brown</i>	Date: <i>7/15/15</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.

This expenditure was included in the Annual Budget.

RES # 18889

Mary Rasmussen
Budgeting



Dear Mr. McGee,

July 26, 2015 marks the **25th Anniversary of the Americans with Disabilities Act (ADA)**. Celebrations of the signing of the ADA by President George H.W. Bush on July 26, 1990 are taking place across the nation and locally in Kansas City, The Whole Person will be celebrating as well!

The ADA and the ADA Amendments Act of 2008 (ADAAA) give civil rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex, national origin, age, and religion. The ADA and ADAAA also assure equal opportunity for individuals with disabilities for access to businesses, employment, transportation, state and local government programs and services, and telecommunications.

To celebrate this 25th milestone, **On Monday, July 27, 2015, The Whole Person will be hosting a Midday Music Outdoor event at our location, 3710 Main Street, KCMO 11.30 am to 1pm.** This event will feature fun, food, music, city council representatives and activities for the surrounding community and our consumers that we serve which are people with disabilities. Individuals with physical disability and mental illness often self-medicate through the abuse of drugs, both prescription and illicit. The Whole Person, as a Center for Independent Living is committed to providing prevention and education to people with disabilities and mental illness.

We are requesting that COMBAT be a Food sponsor for our Mid-Day Fun event in the amount of \$500. For your donation, we will place the COMBAT logo on our website, display a banner at the event and have COMBAT information displayed at our information table to distribute to our consumers.

I hope to have the support of COMBAT as we aim to reduce substance abuse among people with disabilities in Jackson County. I look forward to hearing from you soon!

Sincerely,

Terri Goddard
Resource Development Manager

MISSION

The Whole Person assists people with disabilities to live independently and encourages change within the community to expand opportunities for independent living.

VISION

The Whole Person envisions a fully integrated community of equality, where opportunities and choices are not limited by disability. We will promote a world in which people with disabilities will exercise independent choices and join with their supporters to advocate for positive change within society and its systems.

