

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE repealing section 9504., Jackson County Code, 1984, relating to the Freedom Memorial Wall Commission, and enacting, in lieu thereof, one new section relating to the same subject.

ORDINANCE NO. 5310, February 3, 2020

INTRODUCED BY Ronald E. Finley, County Legislator

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

Section A. Enacting Clause. Section 9504., Jackson County Code, 1984, is hereby repealed, and one new section enacted in lieu thereof, to be known as section 9504., to read as follows:

9504. Freedom Memorial Wall Commission, Purpose and Duties.

The Freedom Memorial Wall Commission shall have the following purpose and duties:

9504.1 Purpose.

The Commission's purpose is to select inductees for the Freedom Memorial Wall, which will be located at 31st Street and Benton Boulevard in Kansas City, Jackson County, Missouri in the Leon Jordan Memorial Park. The Freedom Memorial Wall will honor those that have made significant contributions to the Civil Rights Movement in Jackson County.

9504.2 Inductee Selection.

The Commission shall meet annually to select [approximately] **up to** one hundred (100) inductees each year for approximately ten (10) years. Inductees can be selected posthumously. The inaugural Commission will create the guidelines for the selection process of inductees.

9504.3 Induction Ceremonies.

With the assistance of the Jackson County government, the Commission will plan an induction ceremony that appropriately honors inductees and or their families. The Commission may decide to conduct this ceremony during Black History Month, or on Memorial Day, Martin Luther King's birthday, or on any other date the Commission may choose.

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. 5310 introduced on February 3, 2020, was duly passed on _____, 2020 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. 5310.

Date

Frank White, Jr.
County Executive

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$124,902.37 from the undesignated fund balance of the 2020 Grant Fund in acceptance of the Missouri Western Interdiction and Narcotics (MOWIN) Task Force grant awarded by the Missouri Department of Public Safety, and authorizing the County Executive to execute a subaward agreement with the MOWIN Task Force.

ORDINANCE NO. 5311, February 3, 2020

INTRODUCED BY Charlie Franklin, County Legislator

WHEREAS, the Sheriff's Office has been awarded the Missouri Western Interdiction and Narcotics (MOWIN) Task Force grant in the amount of \$124,902.37 by the Missouri Department of Public Safety; and,

WHEREAS, this grant funds the salaries and vehicle allowances for two deputies assigned to the MOWIN Task Force; and,

WHEREAS, an appropriation is necessary in order to place the grant funds in the proper spending accounts; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that the following appropriation from the undesignated fund balance of the 2020 Grant Fund be and is hereby made:

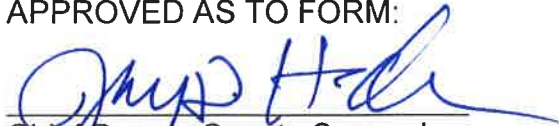
<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Grant Fund			
MOWIN			
010-4213	45945 – Increase Revenue	\$124,903	
010-2810	Undesignated Fund Balance		\$124,903
010-2810	Undesignated Fund Balance	\$124,903	
010-4213-MOWIN	55010 – Regular Salaries		\$ 95,930
010-4213-MOWIN	55030 – Overtime Salaries		\$ 14,293
010-4213-MOWIN	56630 – Rent-Auto Equipment		\$ 10,680
010-4213-MOWIN	56140 – Travel Expense		\$ 4,000

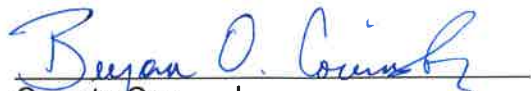
and,

BE IT FURTHER ORDAINED that the County Executive and all County officials be and hereby are authorized to execute the attached subaward agreement and all remaining documents necessary to give effect to said grant.

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. 5311 introduced on February 3, 2020, was duly passed on _____, 2020 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absents _____

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. 5311.

Date

Frank White, Jr., County Executive

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

ACCOUNT NUMBER: 010 2810
ACCOUNT TITLE: Grant Fund
Undesignated Fund Balance
NOT TO EXCEED: \$124,903.00

1/30/2020

Date



Chief Administrative Officer

REQUEST FOR LEGISLATIVE ACTION

EXECUTIVE OFFICE

JAN 23 2020

Completed by County Counselor's Office:

Res/Ord No.: 5311

Sponsor(s): Charlie Franklin

Date: February 3, 2020

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: An ordinance authorizing the County Executive to execute an agreement with the MOWIN Task Force to accept funding of \$124,902.37 for two deputy positions and vehicle allowance and travel use within the Missouri Western Interdiction & Narcotics Task Force																							
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="310 594 1446 999"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$124,902.37</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>\$124,902.37</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$124,902.37</td> </tr> <tr> <td>Source of funding (name of fund) and account code number:</td> <td></td> </tr> <tr> <td>Grant fund 010-2810</td> <td>TO ACCT</td> </tr> <tr> <td>FROM</td> <td></td> </tr> <tr> <td>010-4213-55010 Regular Salaries</td> <td>\$95,929.60</td> </tr> <tr> <td>010-4213-55030 Overtime Salaries</td> <td>\$14,292.77</td> </tr> <tr> <td>010-4213-56630 Rent Auto Equipment</td> <td>\$10,680.00</td> </tr> <tr> <td>010-4213-56140 Travel Expense</td> <td>\$4,000.00</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)</p> <p><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): \$107,010.00 Prior Year Actual Amount Spent (if applicable): \$109,205.00</p>		Amount authorized by this legislation this fiscal year:	\$124,902.37	Amount previously authorized this fiscal year:		Total amount authorized after this legislative action:	\$124,902.37	Amount budgeted for this item * (including transfers):	\$124,902.37	Source of funding (name of fund) and account code number:		Grant fund 010-2810	TO ACCT	FROM		010-4213-55010 Regular Salaries	\$95,929.60	010-4213-55030 Overtime Salaries	\$14,292.77	010-4213-56630 Rent Auto Equipment	\$10,680.00	010-4213-56140 Travel Expense	\$4,000.00
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010-4213-56630 Rent Auto Equipment	\$10,680.00																							
010-4213-56140 Travel Expense	\$4,000.00																							
PRIOR LEGISLATION	Prior ordinances and (date): 5188 1/15/2019 5060 12/11/17 Prior resolutions and (date):																							
CONTACT INFORMATION	RLA drafted by Carmen Hayes, Human Resources Manager, 816-881-4229																							
REQUEST SUMMARY	An ordinance authorizing the County Executive to execute an agreement with the MOWIN Task Force to accept funding of \$124,902.37 for two deputy positions and vehicle allowance and travel use within the Missouri Western Interdiction & Narcotics Task Force																							
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)																							
COMPLIANCE	<input type="checkbox"/> MBE Goals <input type="checkbox"/> WBE Goals <input type="checkbox"/> VBE Goals																							
ATTACHMENTS	Award Documents																							

REVIEW	Department Director:	Date:
	Finance (Budget Approval): <i>If applicable</i>	Date:
	Division Manager:	Date:
	County Counselor's Office:	Date:

Samuel Mag...
Aray m. Schutte
Bryan Gush...

1-21-20
1/23/20
1/23/2020
1/29/2020

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:
010-2810	Grant Fund- Undesignated Fund Balance	\$124,902.37

- ☐ 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.


Supplemental Appropriation Request

Jackson County, Missouri

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

Date: January 30, 2020

ORD # 5311

Department / Division	Character/Description	From	To
Grant Fund - 010			
4213 - MoWIN	45945 - Increase Revenues	124,903	
2810	Undesignated Fund Balance		124,903
2810	Undesignated Fund Balance	124,903	
4213 - MoWIN	55010 - Regular Salaries		95,930
4213 - MoWIN	55030 - Overtime Salaries		14,293
4213 - MoWIN	56630 - Rent - Auto Equipment		10,680
4213 - MoWIN	56140 - Travel Expense		4,000
 1/30/20		\$ 124,903	\$ 124,903
Budgeting			

SUBAWARD AGREEMENT

O. 5311

Page 1 of 3

Sub Recipient Agency Name (as associated with Tax Identification Number) JACKSON COUNTY, MISSOURI Jackson County Sheriff			Date 1/02/2020	
Address 415 E. 12th Street, Room 105			Sub Recipient Tax Identification Number 446000524	
City Kansas Ctiy	State MO	Zip Code 64106	Sub Recipient DUNS Number 073134868	
Federal Awarding Agency Department of Justice, Office of Justice Programs, Bureau of Justice Assistance			Federal Award Number 2018-JAG-002	
Federal Award Name (CFDA Name) Edward Byrne Memorial Justice Assistance Grant Program		Federal Award Start Date 10/1/2018	Federal Award End Date 6/30/2020	
Project Title Missouri Western Interdiction and Narcotics (MoWIN) Task Force			CFDA Number 16.738	
Name of Pass-Through Entity Board of Police Commissioners Kansas City Police Department			Tax ID: 446000197 DUNS: 188216873000 1125 Locust Street, KCMO 64106	
Total Amount of the Federal Award Total Award - \$718,798.30 (61.94% Federal and 38.06% State) Federal - \$445,222.62, State - \$273,575.68		Amount of Federal Funds Obligated to the Sub recipient listed above \$124,902.37 (61.94% Federal and 38.06% State) Federal - \$77,364.53, State - \$47,537.84		
Subaward Period of Performance Start Date 7/1/2019		Subaward Period of Performance End Date 6/30/2020		
Total Approved Cost Sharing or Match <input type="checkbox"/> NA		Method of Payment <input checked="" type="checkbox"/> Reimbursement <input type="checkbox"/> Advance		
Federal Award Indirect Cost Rate <input type="checkbox"/> NA		Does this Subaward Allow for Indirect Cost Rate <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is This Subaward for Research & Development <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Subaward Indirect Cost Rate <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A		
Project Description Missouri Western Interdiction and Narcotics (MoWIN) Task force is entering its 5th year of service. It provides a variety of services to its geographical area. MoWIN interdicts illegal narcotics, currency, contraband, and fugitives. MoWIN participants conduct Hotel/Motel, Transit, Parcel, and Commercial Motor Vehicle Interdiction. MoWIN dismantles, disposes, and prosecutes meth labs and marijuana farms. MoWIN assists agencies with processing and filing drug possession cases for prosecution, investigation of drug complaints, and undercover activities & enforcement. MoWIN participates in Veterans and Drug Courts, drug take-backs, and hosts a variety of drug and drug trend education programs. MoWIN provides drug sweeps with their K-9s for schools who request those types of services. MoWIN works with pharmacies to gather information about suspicious purchases which may be used as precursors for manufacturing or distributing illegal narcotics.				
Pass-Through Entity Grant Coordinator		Sub recipient Grant Coordinator		
Name Jennifer Best		Name		
Email Address kcpdgrants@kcpd.org		Address (if different from above)		
Telephone (816) 234-5345		City, State and Zip Code		
Fax (816) 234-5355		Telephone		E-mail Address
Budget: Personnel: \$95,929.60, Overtime \$14,292.77, Contractual \$10,680.00, Travel \$4,000.00				

Articles of Agreement

Please carefully review all attachments listed below. Please sign and return this document to the Pass-Through Entity at the address listed on page 1. By signing this Subaward Agreement, the Sub Recipient Agency acknowledges receipt and compliance of all attachments listed below and agrees to all terms listed in this document. The undersigned Sub Recipient Authorized Official hereby acknowledges he/she is authorized to legally bind the Sub Recipient Agency and certifies acceptance of the Federal Award Number listed on page 1 and the terms and conditions specified or incorporated by reference.

Sub Recipient Terms:

1. This Subaward is subject to all administrative and financial requirements of the attached Federal Award, Special Conditions, and/or Certified Assurances. The Sub Recipient Agency must be compliant with 2 CFR 200 - Uniform Administrative Requirements, cost principles, and audit requirements for Federal Awards. This includes the timely submission of all financial and programmatic reports and the timely resolution of all interim audit findings. Noncompliance of these requirements is a violation of the terms of this Subaward and the Federal Award. Noncompliance will result in the Subaward being terminated for cause or other administrative action as appropriate.
2. Agree to not engage in any programmatic or financial activities outside of the dates of this Subaward Agreement.
3. The Sub Recipient Agency must permit the Pass-Through Entity and auditors to have access to the Sub Recipient Agency's records and financial statements as necessary for the Pass-Through Entity to meet the requirements of 2 CFR 200.300 - 200.309, and Subpart F Audit Requirements.
4. The Sub Recipient Agency is expected to expend 100% of the funds in this agreement on the approved program. Failure to use 100% of funds may directly affect future awards.
5. Provide Sub Recipient Agency's most recent annual audit to the Pass-Through Entity upon completion. This audit must be complete within 9 months of the end of the Sub Recipient Agency's fiscal year.
6. Provide a letter in writing the extent to which the Sub Recipient Agency had Audit findings (if applicable) and a timeline and details of how these findings will be resolved.
7. Sub Recipient Agency must establish and maintain accurate financial records and an adequate accounting system proving that grant funds are not being commingled with any other funds.
8. Agree to desk monitoring and/or on-site review of the Sub Recipient Agency's program operations and allow Pass-Through Entity access to Sub Recipient Agency's financial records. Resolve findings within 30 days when instances of noncompliance are identified.
9. Take reasonable measures to safeguard sensitive information consistent with applicable Federal, State, and Local laws.
10. Inform the Pass-Through Entity if federal debarment status changes at any time during the project period listed on the sub award.
11. Inform the Pass-Through Entity in writing of new personnel or new or substantially changed systems.
12. Complete all required programmatic reporting on time as required by the Federal Award.
13. Participate in programmatic reporting training, when available.
14. Provide accurate monthly reimbursement packets by the 15th of each month. Packets must include the attached Reimbursement Request Form, Detail of Expenditures, and all supporting documentation.
15. Sub Recipient Agency must comply with the attached 2019 Drug Task Force (DTF) Compliance Training dated July 16, 2019.
16. Provide a copy of the completed Certification Form regarding compliance with the Equal Employment Opportunity Plan (EEOP) requirements.
17. Closeout Conditions. A final invoice and supporting documentation must be submitted to the Pass-Through Entity within **20 days of the end of the project period**. Any invoices received after this date will **NOT** be reimbursed.
18. The Board of Police Commissioners Kansas City Police Department (BOPC) reserves the right to suspend or terminate any subaward entered into as a result of this subaward at its sole discretion and without penalty or recourse by giving written notice to the Subrecipient of the effective date of suspension or termination. In the event of termination pursuant to this paragraph, all documents, data, and reports prepared by the Subrecipient under the subaward shall, at the option of BOPC, become property of BOPC. In the event a subaward is suspended or permanently terminated, BOPC may take action as deemed appropriate to recover any portion of the subaward funds remaining or an amount equal to the portion of the subaward funds wrongfully used.

SUBAWARD AGREEMENT

Page 3 of 3

Attachments:

1. 2019 JAG DTFs - Final Application
2. 2019-JAG-DTFs Missouri Western Interdiction and Narcotics (MoWIN) Task Force Subaward
3. Edward Byrne Memorial Justice Assistance Grant 2019 Certified Assurances
4. Debarment Statement.
5. Certification of Compliance with 8 U.S.C. 1373
6. Reimbursement Request Form
7. Detail of Expenditures Form
8. Edward Byrne Memorial Justice Assistance Grant (JAG) Program 2019 Drug Task Force (DTF) Compliance Training dated July 16, 2019.
9. Certification Regarding Lobbying

Sub Recipient Agency Authorized Official (AO) Name		Sub Recipient Agency Project Director (PD) Name	
Sub Recipient Agency AO Signature	Date	Sub Recipient PD Signature	Date
<p>This Subaward Agreement shall be in effect for the duration of the sub award period listed on this agreement and funds shall be made available on the Subaward Agreement date with return of this signed document to the Pass-Through Entity and upon full execution by signature of the Authorized Official of the Board of Police Commissioners Kansas City Police Department.</p>			
Pass-Through Entity Authorized Official			Date

Please return the signed sub award agreement with the following documents:

1. Signed Federal Award Verification (Debarment) Form
2. Signed FY 2018 Certification of Compliance with 8 U.S.C. 1373 Form.
3. Signed Edward Byrne Memorial Justice Assistance Grant (JAG) 2019 Certified Assurances and initial bottom right corner of each page.
4. EEOP Certification Form.
5. Copy of the agency's most recent audit.

Mail Documents to:

Board of Police Commissioners Kansas City Police Department
Attn: Jennifer Best, Accounting
1125 Locust Street
Kansas City, MO 64106



MISSOURI DEPARTMENT OF PUBLIC SAFETY
OFFICE OF THE DIRECTOR



EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)
2019 CERTIFIED ASSURANCES

The Subrecipient hereby assures and certifies compliance with all the following certified assurances:

General:

1. **Governing Directives:** The Subrecipient assures that it shall comply, and all its subcontractors shall comply, with the applicable provisions of the "JAG Solicitation", the "DPS Financial and Administrative Guide", the "DPS Subrecipient Travel Guidelines", any applicable federal nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (VOCA) of 1984 (42 U.S.C. § 10604(e)); the Juvenile Justice and Delinquency Prevention Act (JJDP) of 2002 (42 U.S.C. § 5672(b)); the Violence Against Women (VAWA) Act of 2013 (42 U.S.C. 13925(b)(13)); Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d); Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794); Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12131-34); Title IX of the Education Amendments of 1972 (20 U.S.C. §§ 1681, 1683, 1685-86); the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); 28 C.F.R. Part 31 (U.S. Department of Justice Regulations – OJJDP Grant Programs); 28 C.F.R. Part 42 (U.S. Department of Justice Regulations – Nondiscrimination; Equal Employment Opportunity; Policies and Procedures); Executive Order 13279 (equal protection of the laws for faith-based and community organizations); Executive Order 13559 (fundamental principles and policymaking criteria for partnerships with faith-based and other neighborhood organizations); 28 C.F.R. Part 38 (U.S. Department of Justice Regulations – Equal Treatment for Faith-Based Organizations); and 28 C.F.R. Part 54 (U.S. Department of Justice Regulations – Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance), and other applicable federal and state laws, orders, circulars, or regulations.
2. **Compliance Training:** As a recipient of federal and/or state funds, the Subrecipient is required to participate in any applicable Compliance Training hosted by the Missouri Department of Public Safety. The Compliance Training may be hosted in-person or as a webinar to provide post-award information to include, but not limited to, subaward acceptance, project implementation, reporting requirements, subaward changes, civil rights compliance, monitoring responsibilities, record retention, internal controls, and accounting responsibilities.
3. **Non-Supplanting:** The Subrecipient assures that federal and/or state funds made available under this subaward will not be used to supplant other federal, state, or local funds but will be used to increase the amount of funds that would, in the absence of these funds, be made available for the activities of this project.
4. **Change in Personnel:** The Subrecipient agrees to notify, within a timely manner, the Missouri Department of Public Safety if there is a change in or temporary absence as it affects the 'My Profile' module, 'Contact Information' form, and/or 'Budget' form within WebGrants. The notification shall be sent through the 'Correspondence' component of WebGrants to the appropriate Internal Contact with the *Change of Information Form* attached.
5. **Subaward Adjustments:** The Subrecipient understands that any deviation from the approved subaward must have prior approval from the Missouri Department of Public Safety. No additional funding shall be awarded to a Subrecipient (unless specifically notified by the Missouri Department of Public Safety of additional funding being awarded), but changes from one budget

Subrecipient Authorized Official Initials:

line to another budget line may be possible if the request is allowable and within the scope of the guidelines. Prior approval must be requested via the 'Subaward Adjustment' component of WebGrants.

6. **Monitoring:** The Subrecipient agrees to maintain the records necessary to evaluate the effectiveness of the project. In addition, the Subrecipient assures that all documentation or records relating to this subaward shall be made available to monitoring representatives of the Missouri Department of Public Safety, the Office of Missouri State Auditor, the U.S. Department of Justice (DOJ), the DOJ Office of Inspector General, the Comptroller General of the United States, or any of their authorized representatives immediately upon request. The Subrecipient assures that fund accounting, auditing, monitoring, and such evaluation procedures as may be necessary to keep such records as the Missouri Department of Public Safety shall prescribe, will be provided to assure fiscal control, proper management, and efficient disbursement of funds received under this subaward.
7. **Criminal Activity:** The Subrecipient assures to formally report to the Missouri Department of Public Safety within 48 hours of notification if an individual funded, in whole or in part, under this subaward is arrested for or formally charged with a misdemeanor or felony regardless if the criminal offense is related to the individual's employment. The Missouri Department of Public Safety reserves the right to suspend or terminate grant funding pending the adjudication of the criminal offense.
8. **Reporting Potential Fraud, Waste, and Abuse:** The Subrecipient shall not make false statements or claims in connection with any funds subawarded by the Missouri Department of Public Safety. The result of such false statements or claims includes fines, imprisonment, and debarment from participating in state and federal grants or contracts, and/or other remedy by law. The Subrecipient must promptly refer to the U.S. Department of Justice, Office of Inspector General (OIG) and the Missouri Department of Public Safety (DPS) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or any other person has, in connection with funds under this subaward, either:
 - (a) Submitted a claim that violates the False Claims Act; or
 - (b) Committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this subaward must be reported to the OIG by one of the following methods:

Mail: Office of Inspector General
U.S. Department of Justice, Investigations Division
950 Pennsylvania Avenue, N.W., Room 4706
Washington, D.C. 20530

Email: oig.hotline@usdoj.gov

DOJ OIG Hotline: Phone - (800) 869-4499 or Fax - (202) 616-9881

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this subaward, must also be reported to the DPS by one of the following methods:

Mail: Missouri Department of Public Safety
Office of the Director
Attn: CJ/LE Unit

Subrecipient Authorized Official Initials: _____

P.O. Box 749
1101 Riverside Drive
Jefferson City, MO 65102-0749

Email: dpsinfo@dps.mo.gov

DPS Office: Phone – (573) 751-4905 or Fax – (573) 751-5399

The Missouri Department of Public Safety reserves the right to suspend or terminate grant funding pending the review of a report of fraud, waste, or abuse relating to funds under this subaward.

9. **Non-Disclosure Agreements:** The Subrecipient understands it cannot require any employee or subcontractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department, the Missouri Department of Public Safety, or other agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the Subrecipient, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the non-disclosure of classified information.

In accepting this subaward, the Subrecipient:

- (a) Represents that it neither requires nor has required internal confidentiality agreements or statements from employees or subcontractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or subcontractors from reporting waste, fraud, or abuse as described above; and
 - (b) Certifies that, if it learns or is notified that it is or has been requiring its employees or subcontractors to exercise agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the Missouri Department of Public Safety, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by the Missouri Department of Public Safety.
10. **Protection from Reprisal for Disclosures:** The Subrecipient understands, pursuant to 41 U.S.C § 4712, an employee or subcontractor may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing information that the employee or subcontractor reasonably believes is evidence of gross mismanagement of the funds under this subaward, a gross waste of the funds under this subaward, an abuse of authority relating to the funds under this subaward, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to the funds under this subaward.
11. **Lobbying:** The Subrecipient understands and agrees that, in general, it cannot use any federal funds, either directly or indirectly, to support or oppose the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government. Furthermore, the Subrecipient understands and agrees that, in general, federal law prohibits federal funds from being used to pay any person to influence (or attempt to influence) with respect to the awarding of a federal grant or cooperative agreement.

Subrecipient Authorized Official Initials: _____

As required by 31 U.S.C. § 1352, as implemented by 28 C.F.R. Part 69, the Subrecipient certifies and assures the following:

- (a) No federal appropriated funds may be paid, by or on behalf of the Subrecipient, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, or the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement.
- (b) If the Subrecipient's request for federal funds is in excess of \$100,000, and any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal grant or cooperative agreement, the Subrecipient shall complete and submit Standard Form – LLL, "Disclosure of Lobbying Activities" in accordance with its instructions.

12. **Fair Labor Standards Act:** All Subrecipients of federal funds will comply with the minimum wage and maximum hour's provisions of the Federal Fair Labor Standards Act.

13. **Employment of Unauthorized Aliens:** Pursuant to Section 285.530.1 RSMo, the Subrecipient assures that it does not knowingly employ, hire for employment, or continue to employ an unauthorized alien to perform work within the State of Missouri, and shall affirm, by sworn affidavit and provision of documentation, its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services. Further, the Subrecipient shall sign an affidavit affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services.

In accordance with Sections 285.525 to 285.550, RSMo a general contractor or subcontractor of any tier shall not be liable when such general contractor or subcontractor contracts with its direct subcontractor who violates subsection 1 of Section 285.530, RSMo if the contract binding the contractor and subcontractor affirmatively states that the direct subcontractor is not knowingly in violation of subsection 1 of Section 285.530, RSMo and shall not henceforth be in such violation and the contractor or subcontractor receives a sworn affidavit under the penalty of perjury attesting to the fact that the direct subcontractor's employees are lawfully present in the United States.

14. **Relationship:** The Subrecipient agrees that they will represent themselves to be an independent Subrecipient offering such services to the general public and shall not represent themselves or their employees to be employees of the Missouri Department of Public Safety. (This provision is not applicable to the Missouri Department of Public Safety or any of its divisions or programs.) Therefore, the Subrecipient shall assume all legal and financial responsibility for taxes, FICA, employee fringe benefits, workers' compensation, employee insurance, minimum wage requirements, overtime, etc.

15. **Texting While Driving:** Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Missouri Department of Public Safety encourages the Subrecipient to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by

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this subaward, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

16. **Drug-Free Workplace:** As required by the Drug-Free Workplace Act of 1988, as implemented at 28 C.F.R. Part 83, Subpart F, as defined by 28 C.F.R. §§ 83.620 and 83.650:

The Subrecipient certifies and assures that it will, or will continue to, provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in its workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an on-going drug-free awareness program to inform employees about:
 - (1) The dangers of drug abuse in the workplace;
 - (2) The Subrecipient's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of work funded by this subaward be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment funded by this subaward, the employee will:
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of the employee's conviction for a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction;
- (e) Notifying the Missouri Department of Public Safety, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Subrecipients of convicted employees must provide notice, including position title of any such convicted employee, to the Missouri Department of Public Safety by one of the following methods:

Mail: Missouri Department of Public Safety
Office of the Director
Attn: CJ/LE Unit
P.O. Box 749
1101 Riverside Drive
Jefferson City, MO 65102-0749

Email: dpsinfo@dps.mo.gov

- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is convicted:
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

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- (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency; and
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

Civil Rights:

1. **Ensuring Access to Federally Assisted Programs:** The Subrecipient acknowledges that federal laws prohibit recipients of financial assistance from discriminating on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in respect to employment practices but also in the delivery of services or benefits. Federal law also prohibits recipients from discriminating on the basis of age in the delivery of services or benefits.
2. **Enforcing Civil Rights Laws:** The Subrecipient acknowledges that all recipients of federal financial assistance, regardless of the particular source, the amount of the grant award, or the number of employees in the workforce, are subject to the prohibitions against unlawful discrimination. Accordingly, DOJ's Office for Civil Rights (OCR) investigates recipients that are the subject of discrimination complaints from both individuals and groups.
3. **Limited English Proficiency (LEP):** The Subrecipient assures that, in accordance with the *Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*, 67 Fed. Reg. 41455 (2002) as it pertains to Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, recipients of federal financial assistance must take reasonable steps to ensure meaningful access to their programs and activities for persons with limited English proficiency (LEP). "Meaningful access" will generally involve some combination of oral interpretation services and written translation of vital documents. For more information, visit <https://www.lep.gov>.
4. **Equal Employment Opportunity Plan (EEOP):** The Subrecipient agrees to comply with the applicable requirements of 28 C.F.R. Part 42, Subpart E., DOJ's Equal Employment Opportunity Program (EEOP) Guidelines. The Subrecipient will prepare an *EEO Utilization Report* if the Subrecipient (1) is a state or local government agency or any business; and (2) has 50 or more employees (counting both full and part-time employees but excluding seasonal employees, political appointees, and elected officials); and (3) receives a single award of \$25,000 or more from the Office of Justice Programs (OJP), Office on Violence Against Women (OVW), or Community Oriented Policing Services (COPS). The *EEO Utilization Report* must be prepared and submitted to DOJ's Office for Civil Rights (OCR) through OCR's online EEO Reporting Tool within 60 days of receipt of such federal subaward.

If the Subrecipient does not meet all the aforementioned criteria, the Subrecipient is exempt from preparing the *EEO Utilization Report*; however, all Subrecipients, regardless of their EEOP obligations, must complete the *Certification Form*, in which the Subrecipient declares its satisfaction of its obligations. The *Certification Form* must be prepared and submitted to DOJ's OCR through OCR's online EEO Reporting Tool within 60 days of receipt of such federal subaward.

To prepare the applicable *EEO Utilization Report* and/or *Certification Form* or for more information, visit <https://ojp.gov/about/ocr/eeop.htm>.

5. **Using Arrest and Conviction Records for Employment Decisions:** The Subrecipient understands the Office for Civil Rights (OCR) issued an advisory document for recipients of

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federal financial assistance on the proper use of arrest and conviction records in making hiring decisions. Refer to *Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Employment Opportunity Commission's Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964* (June 2013), available at https://ojp.gov/about/ocr/pdfs/UseofConviction_Advisory.pdf.

Subrecipients should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. In light of the *Advisory*, Subrecipients should consult local counsel in reviewing their employment practices. If warranted, Subrecipients should also incorporate an analysis of the use of arrest and conviction records in their Equal Employment Opportunity (EEO) Plans.

6. **Finding of Discrimination:** The Subrecipient assures that, in the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin or sex against a Subrecipient of federal funds, the Subrecipient will forward a copy of the court judgment to the Missouri Department of Public Safety within 30 days of the court judgment date. The Missouri Department of Public Safety will act as the liaison in all civil rights matters with DOJ's Office for Civil Rights (OCR).
7. **Unlawful Employment Practices:** The Subrecipient assures compliance with Section 213.055 RSMo in regards to non-discrimination in employment practices as it relates to race, color, religion, national origin, sex, ancestry, age, or disability.
8. **Discrimination in Public Accommodations:** The Subrecipient assures compliance with Section 213.065 RSMo in regards to non-discrimination in public accommodations as it relates to accommodations, advantages, facilities, services, or privileges made available in place of public accommodations.

Financial:

1. **Fund Availability:** The Subrecipient understands all subawards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. It is understood and agreed upon that, in the event funds from federal and/or state sources are not appropriated and continued at an aggregate level sufficient to cover the costs under this subaward, or in the event of a change in federal and/or state law relevant to these costs, the obligations of each party hereunder shall thereupon be terminated immediately upon receipt of written notice.
2. **Release of Funds:** The Subrecipient acknowledges no funds will be disbursed under this subaward until such time as all required documents are signed by the Subrecipient Authorized Official and Subrecipient Project Director and returned to the Missouri Department of Public Safety for final review and signature by the Director or his/her designee.
3. **Duplicative Funding:** The Subrecipient agrees that if it currently has an open award of federal and/or state funds or if it receives an award of federal and/or state funds other than this subaward, and those award funds have been, are being, or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this subaward, the Subrecipient will promptly notify, in writing, the Missouri Department of Public Safety. If so requested and allowed by the Missouri Department of Public Safety, the

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Subrecipient shall submit a Subaward Adjustment for a budget revision or program revision to eliminate any inappropriate duplication of funding.

4. **Financial Guide:** The Subrecipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.
5. **Allowable Costs:** The Subrecipient understands that only allowable and approved expenditures will be reimbursed under this subaward. These monies may not be utilized to pay debts incurred by other activities. The Subrecipient agrees to obligate funds no later than the last day of the project period. (Funds are obligated when a legal liability to pay a determinable sum for services or goods is incurred and will require payment during the same or future period.) The Subrecipient also agrees to expend funds no later than the date identified in the "JAG Solicitation". (Funds are considered to be expended when payment is made.) Any funds not properly obligated and/or expended will lapse. Any deviation from the approved subaward must have prior approval from the Missouri Department of Public Safety. The Subrecipient shall fully coordinate all activities in the performance of the project with those of the Missouri Department of Public Safety. The Subrecipient certifies that all expendable and non-expendable property purchased funds under this subaward shall be used for approved project purposes only.
6. **Financial Reporting Requirements:** The Subrecipient agrees to complete and submit any financial reports required for this program as outlined in the "JAG Solicitation". Failure to submit reports by the deadline dates may result in delay for reimbursement requests and/or cancellation of the subaward.
7. **Project Income:** The Subrecipient agrees to account for project income generated by the activities of this subaward, and shall report receipts and expenditures of this income on the monthly Claim report. The Subrecipient understands that all project income generated as a result of this subaward shall be expended during the life of the project period, unless otherwise stated.
8. **Procurement:** The Subrecipient assures that all procurement transactions whether negotiated or competitively bid and without regard to dollar value shall be conducted in a manner to provide maximum open and free competition. In addition, the Subrecipient assures that all procurement transactions will meet the minimum standards set forth in the "DPS Financial and Administrative Guidelines" and identified here:
 - (a) All quotations and the rationale behind the selection of a source of supply shall be retained, attached to the purchase order copy, and placed in the accounting files.
 - (b) Purchases to a single vendor totaling less than \$3,000 may be purchased with prudence on the open market.
 - (c) Purchases estimated to total between \$3,000 but less than \$25,000 to a single vendor, must be competitively bid, but need not be solicited by mail or advertisement.
 - (d) Purchases with an estimated total of \$25,000 or over to a single vendor shall be advertised for bids in at least two daily newspapers of general circulation in such places as are most likely to reach prospective bidders at least five days before bids for such purchases are to be opened.
 - (e) Where only one bid or positive proposal is received, it is deemed to be sole source procurement.

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- (f) Sole source procurement on purchases to a single vendor of \$3,000 and over requires prior approval from the Missouri Department of Public Safety.
9. **Buy American:** The Subrecipient acknowledges Sections 34.350-34.359 RSMo regarding the Missouri Domestic Products Procurement Act (or commonly referred to as the Buy American Act) and the requirement to purchase or lease goods manufactured or produced in the United States, unless exceptions to the Buy American Act mandate in Section 34.353 RSMo are met.
10. **Buy Missouri:** The Subrecipient also acknowledges Sections 34.070 and 34.073 RSMo regarding the preference given to all commodities and tangible personal property manufactured, mined, produced, or grown within the state of Missouri and to all firms, corporations, or individuals doing business as Missouri firms, corporations, or individuals, or which maintain Missouri offices or places of business, when quality is equal or better and delivered price is the same or less, quality of performance promised is equal or better and the price quoted is the same or less, or when competing bids are comparable.
11. **Debarment/Suspension:** The Subrecipient certifies, pursuant to nonprocurement debarment and suspension regulations implemented at 28 CFR Part 2867, and to other related requirements, that it and its principles:
- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department or agency;
 - (b) Have not within a three-year period preceding this subaward been convicted of a felony criminal violation under federal law, or been convicted or had a civil judgment rendered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, tribal, or local) transaction or private agreement or transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion or receiving stolen property, making false claims, or obstruction of justice, or commission of any offense indicating a lack of business integrity or business honesty that seriously and directly affects its (or its principals') present responsibility;
 - (c) Have not within a three-year period preceding this subaward been convicted of a felony criminal violation under any federal law, unless such felony criminal conviction has been disclosed in writing to the Department of Justice at ojpcompliance@usdoj.gov, and, after such disclosure, the Subrecipient has received a specific written determination from the Department of Justice that neither suspension nor debarment of the Subrecipient is necessary to protect the interests of the Government in this case;
 - (d) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, tribal, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and/or
 - (e) Have not within a three year period preceding this subaward had one or more public transactions (federal, state, tribal, or local) terminated for cause or default.
12. **Audit:** The Subrecipient agrees to comply with the organizational audit requirements of OJP Financial Guide, Chapter 3.19, Audit Requirements. This guidance states that non-federal entities that expend \$750,000 or more in federal funds (from all sources including pass-through

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subawards) in the agency's fiscal year (12-month turnaround reporting period) shall have a single organization wide audit conducted in accordance with the provisions of Title 2 C.F.R. Subpart F (§ 200.500 et seq.). The Subrecipient assures a copy of the financial audit report will be submitted to the Missouri Department of Public Safety if they have met or exceeded this federal threshold within 60 days of the project period start date.

13. **Compensation**: The Subrecipient understands that federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the Subrecipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System. (The Subrecipient understands it may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)
14. **Suspension/Termination of Subaward**: The Missouri Department of Public Safety reserves the right to suspend or terminate any subaward entered into as a result of this subaward at its sole discretion and without penalty or recourse by giving written notice to the Subrecipient of the effective date of suspension or termination. In the event of termination pursuant to this paragraph, all documents, data, and reports prepared by the Subrecipient under the subaward shall, at the option of the Missouri Department of Public Safety, become property of the State of Missouri.

In the event a subaward is suspended or permanently terminated, the Missouri Department of Public Safety may take action as deemed appropriate to recover any portion of the subaward funds remaining or an amount equal to the portion of the subaward funds wrongfully used.

15. **Enforceability**: If a Subrecipient fails to comply with all applicable federal and/or state requirements governing these funds, the State of Missouri may withhold or suspend, in whole or in part, funds awarded under the subaward, or recover misspent funds following an audit. This provision is in addition to all other remedies provided to the State of Missouri for recovery of misspent funds available under all applicable state and federal laws.

Programmatic:

1. **Uniform Crime Reporting (UCR)**: The Subrecipient assures, where the project agency is a law enforcement agency, that the law enforcement agency is in compliance with the state provisions of Section 43.505 RSMo relating to uniform crime reporting and will remain in full compliance for the duration of the project period.
2. **Racial Profiling**: The Subrecipient assures, where the project agency is a law enforcement agency, that the law enforcement agency is in compliance with the state provisions of Section 590.650 RSMo relating to racial profiling and will remain in full compliance for the duration of the project period.
3. **Federal Equitable Sharing Funds**: The Subrecipient assures, where the project agency is a law enforcement agency, that the law enforcement agency is in compliance with the state provisions of Section 513.653 RSMo relating to participation in the federal forfeiture system and the reporting of proceeds received therefrom to the Missouri State Auditor.
4. **Custodial Interrogations**: The Subrecipient assures, where the project agency is a law enforcement agency, that the law enforcement agency is in compliance with the state provisions of Section 590.700 RSMo relating to custodial interrogations and has adopted a written policy to record custodial interrogations of persons suspected of committing or attempting to commit the felony crimes described in subsection 2 of this section.

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5. **DWI Law – Law Enforcement:** The Subrecipient assures, where the project agency is a law enforcement agency, that the law enforcement agency is in compliance with the state provisions of Section 43.544 RSMo relating to the “DWI Law” and has adopted a written policy to forward arrest information for all intoxication-related traffic offenses to the central repository as required by Section 43.503 RSMo.
6. **DWI Law – Prosecutors:** The Subrecipient assures, where the project agency is a county prosecutor’s office or municipal prosecutor’s office, that the county prosecutor’s office or municipal prosecutor’s office is in compliance with Section 43.544 RSMo relating to the “DWI Law” and has adopted a written policy to forward all charge information for intoxication-related traffic offenses to the central repository as required by Section 43.503 RSMo.
7. **Data Reporting Requirements:** The Subrecipient agrees to complete and submit any data or statistical reports required for this program as outlined in the “JAG Solicitation”. Failure to submit reports by the deadline dates may result in delay for reimbursement requests and/or cancellation of the subaward.
8. **Time Records Requirement:** The Subrecipient assures that, all project personnel funded through this subaward will maintain timesheets that detail 100% of their time along with the activities/services provided. The timesheets should be signed by both the employee and the appropriate approving official. These timesheets must be provided to the Missouri Department of Public Safety personnel upon request.
9. **Body Armor:** The Subrecipient understands, if monies are requested and awarded for the purchase of body armor, that JAG funds may be used to purchase body armor but may not be used as the 50% match for purposes of BJA’s Bulletproof Vest Partnership (BVP) Program. Further, the Subrecipient understands that body armor purchased with JAG funds may be purchased at any threat level, designation, make, or model from any distributor or manufacturer, as long as the body armor has been tested and found to comply with the latest applicable National Institute of Justice (NIJ) ballistic or stab standards. Further, body armor or armor vests must also be “uniquely fitted vests”. In addition, body armor purchased with JAG funds must be made in the United States.
10. **Body Armor Policy:** The Subrecipient understands, if monies are requested and awarded for the purchase of body armor, that the law enforcement agency must have a written “mandatory wear” policy in effect. Per the Bureau of Justice Assistance (BJA), there are no requirements regarding the nature of the policy other than it being a mandatory wear policy for all uniformed officers while on duty. **The Subrecipient will be required to forward a copy of such policy to the Missouri Department of Public Safety at the time of acceptance of the subaward.**
11. **Body-Worn Cameras:** The Subrecipient understands, if monies are requested and awarded for the purchase of body-worn cameras, that JAG funds may be used to purchase body-worn cameras but may not be used as the 50% match for purposes of BJA’s Body-Worn Camera Policy and Implementation Program (BWC Program).
12. **Body-Worn Camera Policy:** The Subrecipient understands, if monies are requested and awarded for the purchase of body-worn cameras, that the law enforcement agency must have written policies and procedures in place related to equipment usage, data storage and access, privacy considerations, training, etc. [The Bureau of Justice Assistance (BJA) Body-Worn Camera (BWC) Toolkit, which can be found online at <https://www.bja.gov/bwc/>, provides model BWC policies and best practices to assist departments in implementing BWC programs.] **The**

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Subrecipient will be required to forward a copy of such policy(s) to the Missouri Department of Public Safety at the time of acceptance of the subaward.

13. **Criminal Intelligence Systems:** The Subrecipient agrees that any information technology system funded or supported by OJP funds will comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per the regulation.
14. **Computer Networks:** The Subrecipient understands and agrees that - (a) No subaward funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) Nothing in subsection (a) limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.
15. **Duplication of Networks:** The Subrecipient assures that all equipment/software requested and purchased under this application must be compatible with the statewide system. All software, if applicable, must be compatible with the statewide criminal records system. All communication devices, if applicable, must be capable of operating in accordance with the guidelines established by the Missouri Homeland Security Advisory Council.
16. **Mitigation Plan:** The Subrecipient agrees to fully comply with the Missouri Department of Public Safety's *Mitigation Plan for Clandestine Methamphetamine Laboratory Enforcement Operations*, where such grant-funded project is for a drug task force. No monies from this subaward may be obligated to support methamphetamine lab operations unless the Subrecipient agrees to this special condition and fully participates in implementation of the *Mitigation Plan*.
17. **NEPA:** The Subrecipient agrees to assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these grant funds, either directly or indirectly. Accordingly, the Subrecipient agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the grant, the Subrecipient agrees to contact the Missouri Department of Public Safety.

The Subrecipient understands this special condition applies to its following new activities whether or not they are being specifically funded with these grant funds. That is, as long as the activity being conducted by the Subrecipient or any third party, and the activity needs to be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition are:

- A. New construction;
- B. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- C. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size; and,
- D. Implementation of a new program involving the use of chemicals other than chemicals that are a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments.

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**U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS**

FY 2018 Edward Byrne Memorial Justice Assistance Grant Program

**Certification of Compliance with 8 U.S.C. §§ 1373 & 1644 by Prospective Subrecipient:
Recipient State subaward to a Local Government**

On behalf of the local government named below as the "prospective subrecipient," and in support of its request to the "Recipient State" identified below for a subaward from the grant awarded by the U.S. Department of Justice ("USDOJ") under the FY 2018 Edward Byrne Memorial Justice Assistance Grant Program ("the FY 2018 JAG Program"), I certify to the Recipient State, and also certify to USDOJ, that all of the following are true and correct:

- (1) I am the chief legal officer of the local government named below as the prospective subrecipient, and I have the authority to make this certification on its behalf. I understand that this certification will be relied upon as a material representation in any decision to make a subaward to the prospective subrecipient under the FY 2018 JAG Program.
- (2) I have carefully reviewed 8 U.S.C. §§ 1373(a) and (b), and 1644, including the prohibitions on certain actions by State and local government entities, -agencies, and -officials regarding information on citizenship and immigration status. I also have reviewed the provisions set out at (or referenced in) 8 U.S.C. § 1551 note ("Abolition ... and Transfer of Functions"), pursuant to which references to the "Immigration and Naturalization Service" in 8 U.S.C. §§ 1373 & 1644 are to be read, as a legal matter, as references to particular components of the U.S. Department of Homeland Security.
- (3) I (and also the prospective subrecipient) understand that if the prospective subrecipient receives a subaward under the FY 2018 JAG Program—
 - (a) the subrecipient (and agencies or other entities thereof) must comply with 8 U.S.C. §§ 1373 & 1644, throughout the period of performance for the subaward, with respect to any "program or activity" funded in whole or in part with the subaward; and
 - (b) the subrecipient may not make a lower-tier subaward to a State or local government, or to a "public" institution of higher education, unless the subrecipient first obtains a certification of compliance with 8 U.S.C. §§ 1373 & 1644 (on a form provided by USDOJ), properly executed by the chief legal officer of the jurisdiction or educational institution that would receive it.
- (4) I (and also the prospective subrecipient) understand that, for purposes of this certification, "program or activity" means what it means under title VI of the Civil Rights Act of 1964 (see 42 U.S.C. § 2000d-4a), and that terms used in this certification that are defined in 8 U.S.C. § 1101 mean what they mean under that section 1101, except that the term "State" also shall include American Samoa (cf. 34 U.S.C. § 10251(a)(2)). Also, I understand that neither a "public" institution of higher education (i.e., one that is owned, controlled, or directly funded by a State or local government) nor an Indian tribe is considered a "local government" (or an agency or other entity thereof) for purposes of this certification.
- (5) I have conducted (or caused to be conducted for me) a diligent inquiry and review concerning the following (which shall not be understood to include any "program or activity" of any planned subrecipient of a lower-tier subaward):
 - (a) the "program or activity" to be funded (in whole or in part) with the requested subaward; and
 - (b) any prohibitions or restrictions potentially applicable to the "program or activity" to be funded with that subaward (if received) that deal with sending to, requesting or receiving from, maintaining, or exchanging information of the types described in 8 U.S.C. §§ 1373(a) or (b), and 1644, whether imposed by a State or local government entity, -agency, or -official.
- (6) As of the date of this certification, neither the prospective subrecipient nor any entity, agency, or official of the prospective subrecipient has in effect, purports to have in effect, or is subject to or bound by, any prohibition or any restriction that would apply to the "program or activity" to be funded in whole or in part with the requested subaward (which, for the specific purpose of this paragraph 6, shall not be understood to include any such "program or activity" of any planned subrecipient of a lower-tier subaward), and that deals with either— (1) a government entity or -official sending or receiving information regarding citizenship or immigration status as described in 8 U.S.C. §§ 1373(a) & 1644; or (2) a government entity or -agency sending to, requesting or receiving from, maintaining, or exchanging information of the types (and with respect to the entities) described in 8 U.S.C. § 1373(b).

Local government that is the "prospective subrecipient" of a subaward of funds from the FY 2018 JAG Program

Recipient State *from which the prospective subrecipient seeks a subaward* under the FY 2018 JAG Program

Signature of chief legal officer of the prospective subrecipient

Printed name of chief legal officer of the prospective subrecipient

Title of chief legal officer of the prospective subrecipient

Date of certification

Federal Award Verification (Debarment) Form

Name of Vendor:

Street Address:

City, State, Zip Code:

Phone Number:

We hereby certify:

Vendor certifies that neither it nor its principals are suspended or debarred from contracting for goods or services that are purchased from federal awards.

Signature of Authorized Person Certifying

Date

Print Name and Title

CERTIFICATION REGARDING LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents of all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, United States Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Organization: _____

Street address: _____

City, State, Zip: _____

CERTIFIED BY: (type or print)

TITLE:

(signature)

(date)

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 15.2 \pm acre tract from District AG (Agricultural) to District HI (Heavy Industrial).

ORDINANCE NO. 5312, February 3, 2020

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

Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "AG" (Agricultural) and "HI" (Heavy Industrial) Districts, so that there will be transferred from District AG to District HI a tract of land located in section 8, township 47, range 30, Jackson County, with a street address of 27700 E. US 50 Highway, legally described as follows:

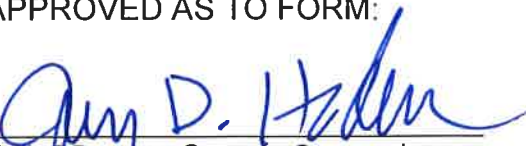
Description: All of the West 36 acres of the Southwest Quarter of the Southwest Quarter of Section 8, Township 47, Range 30, Jackson County, Missouri, Except that part as follows: Beginning at the Northwest corner of the Southwest Quarter of the Southwest Quarter of Section 8, Township 47, Range 30, Jackson County, Missouri; thence North 88 degrees, 55, minutes East, along the North line of said Quarter Quarter section, a distance of 569.82 feet; thence South parallel with the West line of said Quarter Quarter section, a distance of 967.87 feet; thence North 76 degrees 53 minutes West, 183.65 feet; thence North 59 degrees 40 minutes West, 203.99 feet; thence North 29 degrees 46 minutes West, 311.82 feet; thence North 89 degrees 10 minutes West 60.0 feet to a point of the West line of said Quarter Quarter section; thence North along the West line of Quarter Quarter section 541.24 feet to the point of beginning and Except part in roads and part conveyed to the State of Missouri for highway purposes.

Section 2. The Legislature, pursuant to the application of Ozark Ready Mix (RZ-2019-575), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 7 to 0 to recommend APPROVAL of this


application after a public hearing on January 16, 2020, does hereby adopt this Ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.

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. 5312 introduced on February 3, 2020, was duly passed on _____, 2020 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. 5312.

Date

Frank White, County Executive

REQUEST FOR LEGISLATIVE ACTION

EXECUTIVE OFFICE

JAN 22 2020

Version 6/10/19

Completed by County Counselor's Office:

Res/Ord No.: 5312

Sponsor(s): N/A

Date: February 3, 2020

JAN 22 '20 PM2:15

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Ozark Ready Mix - RZ-2019-575</u>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<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>\$</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)</p> <p><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): _____</p> <p>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:	\$
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:	\$											
PRIOR LEGISLATION	Prior ordinances and (date): _____ Prior resolutions and (date): _____											
CONTACT INFORMATION	RLA drafted by: <u>RLA drafted by Randy Diehl, Administrator, Development Division, 881-4577</u>											
REQUEST SUMMARY	<p>Requesting a change of zoning from District AG (Agricultural) on a 15.2 ± acre tract to District HI (Heavy Industrial). The purpose is for a concrete batch plant. The 15.2 ± acres are located in Section 08, Township 47, Range 30, Jackson County, Missouri, at 27700 E. US 50 Highway, and specifically described on Attachment to RLA-1.</p> <p>Staff recommends approval because the change in zoning is consistent with the intent and purpose of the County Plan and complies with the Unified Development Code requirements.</p> <p>The Jackson County Plan Commission held a public hearing on January 16, 2020 and accepted testimony pertaining to the rezoning request.</p> <p>The Plan Commission voted 7 to 0 to recommend <u>APPROVAL</u> to the County Legislature.</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)											
COMPLIANCE	<input type="checkbox"/> MBE Goals <input type="checkbox"/> WBE Goals <input type="checkbox"/> VBE Goals											
ATTACHMENTS	See Attachment to RLA-2											
REVIEW	<table border="1"> <tr> <td>Department Director: <u>Brian D. Gaddie, P.E. Director of Public Works</u></td><td>Date: <u>1-22-20</u></td></tr> <tr> <td>Finance (Budget Approval): <i>If applicable</i></td><td>Date: _____</td></tr> <tr> <td>Division Manager: <u>Clay M. Schultz</u></td><td>Date: <u>1-22-2020</u></td></tr> <tr> <td>County Counselor's Office: <u>Super Council</u></td><td>Date: <u>1/29/2020</u></td></tr> </table>		Department Director: <u>Brian D. Gaddie, P.E. Director of Public Works</u>	Date: <u>1-22-20</u>	Finance (Budget Approval): <i>If applicable</i>	Date: _____	Division Manager: <u>Clay M. Schultz</u>	Date: <u>1-22-2020</u>	County Counselor's Office: <u>Super Council</u>	Date: <u>1/29/2020</u>		
Department Director: <u>Brian D. Gaddie, P.E. Director of Public Works</u>	Date: <u>1-22-20</u>											
Finance (Budget Approval): <i>If applicable</i>	Date: _____											
Division Manager: <u>Clay M. Schultz</u>	Date: <u>1-22-2020</u>											
County Counselor's Office: <u>Super Council</u>	Date: <u>1/29/2020</u>											

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.

RZ-2019-575

ATTACHMENT TO RLA 1:

Description:

All of the West 36 acres of the Southwest Quarter of the Southwest Quarter of Section 8, Township 47, Range 30, Jackson County, Missouri, Except that part as follows: Beginning at the Northwest corner of the Southwest Quarter of the Southwest Quarter of Section 8, Township 47, Range 30, Jackson County, Missouri; thence North 88 degrees, 55, minutes East, along the North line of said Quarter Quarter section, a distance of 569.82 feet; thence South parallel with the West line of said Quarter Quarter section, a distance of 967.87 feet; thence North 76 degrees 53 minutes West, 183.65 feet; thence North 59 degrees 40 minutes West, 203.99 feet; thence North 29 degrees 46 minutes West, 311.82 feet; thence North 89 degrees 10 minutes West 60.0 feet to a point of the West line of said Quarter Quarter section; thence North along the West line of Quarter Quarter section 541.24 feet to the point of beginning and Except part in roads and part conveyed to the State of Missouri for highway purposes.

Randy Diehl gave the staff report:

RE: RZ-2019-575

Applicant: Ozark Ready Mix

Location: Section 08, Township 47, Range 30, 27700 E US 50 Hwy

Area: 15.2 ± acres

Request: Change of zoning from District AG (Agricultural) to District HI (Heavy Industrial)

Purpose: Applicant is requesting the change in zoning for a concrete batch plant which requires Heavy Industrial zoning and a Conditional Use Permit.

Current Land Use and Zoning in the Area:

The zoning in the area is Agricultural. Land uses are single family residences on larger acre tracts. To the west of 7 Highway is the Barber Quarry which is inside the City of Lake Lotawana.

Heavy Industrial is appropriate in areas where uses are buffered from residential areas and commercial properties used by the general public.

Permitted uses for District HI are any permitted use allowed within District LI (Light Industrial). However, an asphalt or concrete batch plant requires a Conditional Use Permit as well.

A request for the Conditional Use Permit will also be considered. Conditional uses are those uses which generally are compatible with permitted land uses in a given zoning district, but which require individual review of their location, design and configuration and the imposition of conditions in order to ensure the appropriateness of the use at a particular location within a given zoning district.

The applicant had originally included the 44 acres to the East as part of the request. Since no immediate plans for this area are planned, they have requested that just the 15 acres for the batch plant be considered for rezoning.

Access will be onto 7 Highway via the existing access road.

County Plan:

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT).

Recommendation:

This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2019-575

Mr. Diehl continued with the report for the Conditional Use Permit since the rezoning and conditional use permit tie in with one another.

RE: CU-2019-232

Applicant: Ozark Ready Mix

Location: Section 08, Township 47, Range 30, 27700 E US 50 Hwy

Area: 15.2 ± acres

Request: Conditional Use Permit for a concrete batch plant

Comments: The plan illustrates a proposed administration office, a batch plant office and batch plant, a washout basin, and aggregate storage.

The area of activity is generally to the South portion of tract and occupies roughly 5 acres of ground.

A Traffic Impact study was conducted and submitted to the Missouri Department of Transportation for their review. MoDot would expect the developer to make the necessary improvements to the Outer Road to accommodate the increased traffic, being primarily truck traffic.

The Missouri Department of Natural Resources requires permits and compliance with Air Pollution and Water Pollution control programs.

The proposed driveway and parking areas shall comply with the standards set forth within the Unified Development Code which states pavement thickness of four (4) inches. Off-street parking shall be provided at the ratio of one (1) space per 200 square feet of office space.

Within the Industrial Performance Standards for District HI (24004.12.f.2) it states, "Outdoor storage areas shall be screened with a solid, opaque six-foot-tall fence". Staff recommends screening along the front portion of the property.

County Plan:

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT).

Recommendation:

This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of CU-2019-232 for a period of 15 years with the following conditions:

- 1) Site must comply with all air and water quality standards as adopted and/or amended by the Missouri Department of Natural Resources.
- 2) Copies of all state licenses shall be provided to the Department of Public Works – Development Division.
- 3) The proposed driveway and parking areas shall be concrete surface with a minimum pavement thickness of four (4) inches. Off-street parking shall be provided at the ratio of one (1) space per 200 square feet of office space.
- 4) Any major changes to the proposed site plan will require a modified site plan to be submitted and may require re-approval of the Conditional Use Permit.
- 5) On-site advertising signs shall comply with Section 240007 in the Unified Development Code.
- 6) All improvements shall be completed and accepted by the Public Works Department prior to occupancy of the concrete batch plant.

Mr. Antey: Are there any questions for Randy?

Mr. Tarpley: Does the applicant have any other plants?

Mr. Diehl: Yes, they have about 19 other plants around the Lake of the Ozarks and the middle portion of the state.

Mr. Antey: You mention in your report about tree buffers in front to screen from the highway. Is that from 7 Highway or 50 Highway?

Mr. Diehl: 50 Highway. Similar to the fireworks trailer storage that is to the east of this location.

Mr. Tarpley: Are we talking wire fence with slats or permanent type fence?

Mr. Diehl: Either one is appropriate, as long as they provide the screening under the guidelines of the UDC. The trailer storage has hurricane fencing with the slats. There is some natural buffering with the trees along the front. The areas that MoDOT does not require removal of brush could serve as a barrier.

Mr. Tarpley: How long are we talking?

Mr. Diehl: Along the front to screen the entrance.

Mr. Crawford: Just along the front?

Mr. Diehl: Yes, otherwise they'd have to screen the entire 15 acres. From the perspective it wouldn't make much of an impact. We are looking at buffering from the view of the highway.

Mr. Haley: What about air quality? Is it going to be very dusty?

Mr. Diehl: Those regulations are with the State's Department of Natural Resources.

Mr. Antey: The regulations are within MDnR requirements. However, when it comes to silica dust, OSHA has a far, far more stringent threshold than the State. It was wondering about that.

Mr. Diehl: That question can be answered by the applicant's representative.

Ms. Mershon: Is this where the landscape place is?

Mr. Antey: This is on the north side of 50 Highway.

Mr. Antey: *Is the applicant here?*

Steve Motto: 614 NW 1801 Rd, Kingsville, MO 64061.

Mr. Antey: *Do you have anything to add to the report?*

Mr. Motto: With Ozark Ready Mix, we run multiple operations. For the silica question, the standards have changed, we are in compliance. The paving for parking for dust (reduction).

Mr. Antey: The reason I ask, is that I've been in the construction industry and have worked around the Ozarks and there are a lot more OSHA inspectors in this area.

Mr. Motto: We are a company that runs in compliance. We are aware of all that and do what we need to do.

Mr. Tarpley: How is the dust monitored?

Mr. Motto: As far as MDnR, they have factors for what your production is, and how much material you handle. The watering of the areas is based on that as well for area that are not paved.

Mr. Hilliard: Is the material stored in bins?

Mr. Motto: The aggregate, rock and sand, are within bins. The powder materials are in silos which have ban houses to control dust.

Ms. Mershon: Will there be a lot a vehicles coming in and out?

Mr. Motto: This size operation will be about 15 to 20 trucks, which will be the ready mix trucks. There will be material trucks coming.

Ms. Mershon: Where does the rock come from?

Mr. Motto: We get it from different sources. Some is local from the metro. There is a granite material that ships in, that is required. Different locations.

Mr. Antey: Concrete can have different mix specifications, which may require different amounts of granite and aggregate to be onsite.

Mr. Antey: *Is there anyone else who is in favor of this application?*

There were none.

Mr. Antey: *Is there anyone who is opposed or has questions regarding this application?*

Don Berkstresser: 413 SE Snapple Bit Road, Lee's Summit, Mo. I own the property to the west to here. My handicapped son lives in house. I'm not against this at all, my concern is the traffic and dust. The mailbox is on the frontage road and he'll be getting mail from the box. Dust hopefully will be taken care of. The rock and particles from the trucks bringing material in and out. How will that be controlled?

La Vonda Montgomery: 12024 S Easley Road, Lee's Summit, MO. We own the parcel that is north of the tract east of the 15 acres. Is the tree line on the east property line going to remain?

Mr. Motto: Yes, it is our intention to leave that tree line in place as a buffer.

Ms. Montgomery: I am also concerned about the traffic. (MoDot) has rerouted traffic on the outer roads, that comes out (across 7 Highway from Mr. Berkshire's property). There are no traffic lights (at the outer road and 7 Highway). How will that be addressed?

Mr. Tarpley: Is there a line of site problem?

Ms. Montgomery: No, it's just the traffic coming off (50 Highway). I'm also concerned about lighting, dust and hours of operation.

Mr. Antey: I know you've addressed the dust issue. The main control will be water. What about hours of operation?

Mr. Motto: Typical hours of operation are 7:00 am to 5:00 pm. There may be an earlier start time.

Mr. Antey: And the number of trucks, you said about 15 to 20?

Mr. Motto: Correct.

Mr. Crawford: There was a question about security lighting. It's understandable the you will need some.

Mr. Motto: Our intent is to minimize that. At this location we don't need to be lit up like a Walmart. We want to be good neighbors. Most should be on the south end.

Mr. Crawford: Pointed down?

Mr. Motto: Yes

Mr. Diehl: The UDC requires to lighting be directional as not to shine over to an adjacent property. It can be shrouded to point downward.

Daryl Montgomery: 12024 S Easley Road, Lee's Summit, MO. My concern is the part of the property to the east. What are the plans for this?

Mr. Antey: At this point that property is not before this Commission. It will remain agricultural. If they wanted to change that, they would need to come before us.

Mr. Diehl: Their original application was for the entire 50 acres to be rezoned. They decided just to rezone the 15 acres for the plant. Mr. Antey is correct in that they would have to apply for a change of zoning and go through the public hearing process. They can use the property at this point for any allowable use with the Agricultural Zoning District.

Mr. Montgomery: What will they do with the land between now and the future?

Mr. Motto: The plan is not to do anything with it at this point. We'll leave it as is. The purchase required both parcels. It is not in our immediate thought process to do anything with it. It will stay crop land.

Motion to take under advisement.

Mr. Tarpley moved to take under advisement. Mr. Haley seconded.

Discussion under advisement

Mr. Tarpley: I want to address the traffic. I would be nice if they would coordinate with school times to help alleviate any problems for school bus traffic.

Mr. Crawford: I live within a mile of this. The use of the property, the owner has a right to develop it. It could office buildings, possibly. Apartments, a subdivision. I doubt it with the traffic. It probably lends itself to be industrial. A concrete plant usually fires up in the morning and early afternoon it's winding down. I don't perceive any noise in the evening. I personally Googled these people. I got their main site and picked at random a site they have. What I saw from Google Earth is that they run a clean operation. No junk equipment setting around.

Mr. Diehl: Mr. Chairman, to add to your original thoughts and Mr. Crawford, permitted (allowable uses) for Light Industrial also are permitted within District HI, Heavy Industrial. The HI list go beyond those uses for uses such as a batch plant, chemical plants, coal plants, foundries, and metal works. Those uses require a Conditional Use along with the change in zoning.

Mr. Antey: The Condition Use allows another layer of protection and will have to be renewed every so often. We'll look at their track record and that factors into their renewal.

Mr. Diehl: Their original application was for a term of 100 years. Staff suggested a more reasonable term of 15 years for the nature of the business. Usually a term of 3 to 5 years would be reasonable for a day care or boarding kennel.

Mr. Hilliard: The only other concern would be noise. It doesn't appear that there are that many homes in the immediate area. It's at the intersection of both 50 and 7 Highways. East of there is Easley Road.

Mr. Diehl: There are no plans to extend the outer road to east to Easley Road. Just the improvements to the existing road which parallels the west bound lane of 50 Highway.

Mr. Tarpley: Where is the nearest driveway from the outer road?

Mr. Diehl: Mr. Berkstresser's driveway is off the outer road. The next driveway is about 450 feet north of the outer road on 7 Highway.

Mr. Crawford: The only thing is the rocks or material falling off the trucks. I'm sure it'll be up to the owner of the plant to maintain and clear it off. I'm not sure what the County will require.

Mr. Diehl: The right of ways for both 50 and 7 Highways are under MoDot's control, as well as the outer road, which is within the right of way of 50 Highway

RZ-2019-575 Mr. Tarpley moved to approve. Mr. Crawford seconded.

Mr. Tarpley
Mr. Crawford
Ms. Querry
Mr. Haley
Mr. Gibler
Mr. Hilliard
Chairman Antey

Motion Carried 7 – 0

CU-2019-232 Mr. Crawford moved to approve. Mr. Tarpley seconded.

Mr. Tarpley
Mr. Crawford
Ms. Querry
Mr. Haley
Mr. Gibler
Mr. Hilliard
Chairman Antey

Motion Carried 7 – 0

Election of Officers

Mr. Crawford moved to keep the elected officer the same as last year.
Larry Antey Chairman
William Tarpley Co-Chair

Mr. Haley seconded.

Voice vote – All Aye

Meeting Adjourned: 9:10 am

STAFF REPORT

PLAN COMMISSION November 21, 2019

RE: RZ-2019-575

Applicant: Ozark Ready Mix

Location: Section 08, Township 47, Range 30, 27700 E US 50 Hwy

Area: 15.2 ± acres

Request: Change of zoning from District AG (Agricultural) to District HI (Heavy Industrial)

Purpose: Applicant is requesting the change in zoning for a concrete batch plant which requires Heavy Industrial zoning and a Conditional Use Permit.

Current Land Use and Zoning in the Area:

The zoning in the area is Agricultural. Land uses are single family residences on larger acre tracts. To the west of 7 Highway is the Barber Quarry which is inside the City of Lake Lotawana.

Heavy Industrial is appropriate in areas where uses are buffered from residential areas and commercial properties used by the general public.

Permitted uses for District HI are any permitted use allowed within District LI (Light Industrial). However, an asphalt or concrete batch plant requires a Conditional Use Permit as well.

A request for the Conditional Use Permit will also be considered. Conditional uses are those uses which generally are compatible with permitted land uses in a given zoning district, but which require individual review of their location, design and configuration and the imposition of conditions in order to ensure the appropriateness of the use at a particular location within a given zoning district.

The applicant had originally included the 44 acres to the East as part of the request. Since no immediate plans for this area are planned, they have requested that just the 15 acres for the batch plant be considered for rezoning.

Access will be onto 7 Highway via the existing access road.

County Plan:

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT).

Recommendation:

This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2019-575

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator



RZ-2019-575

CU-2019-232

Ozark Ready Mix

Montgomery

Applicants remaining acreage
to remain agricultural

15 Acres for
proposed plant

Berkstresser

outer road

E US 50 HWY OFF RAMP W

E US 50 HWY W

E US 50 HWY E

E US 50 HWY ON RAMP E

E LONE JACK LEES SUMMIT RD

S HERRING RD
EASLEY

S 7 HWY

E 118TH ST

RZ-2019-575

CU-2019-232

Ozark Ready Mix

E EASLEY RD

S EASLEY, RD.

EASLEY

Lake Lotawana

Lake Lotawana

Exhibit 2

Lake Lotawana

57 HWY

E US 50 HWY ON RAMP W

E US 50 HWY OFF RAMP W

E 115 50 HWY W

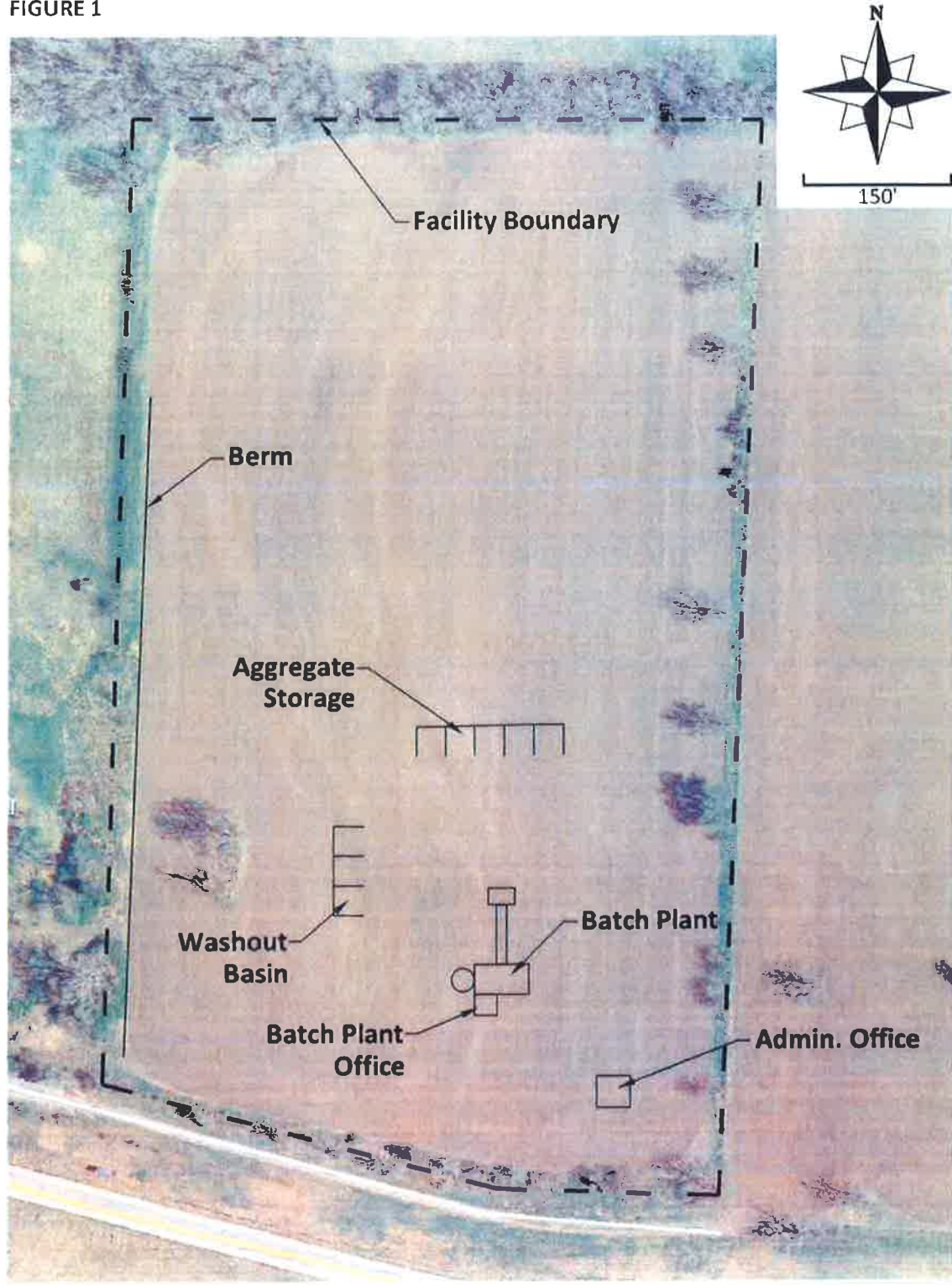
AVAILABLE AT F I S 50 HWY E

LINE ON RAMP. E. SUMMIT RD.

CLIMMIT RD

THE JACK LEES COMPANY

FIGURE 1





JACKSON COUNTY Public Works Department

Jackson County Technology Center
303 West Walnut Street
Independence, Missouri 64050
jacksongov.org

(816) 881-4530
Fax: (816) 881-4448

November 6, 2019

RE: Public Hearing: RZ-2019-575 & CU-2019-232
Ozark Ready Mix

Dear Property Owner:

You are hereby invited to participate in a public hearing to be held by the Jackson County Plan Commission on a request by Ozark Ready Mix for a change of zoning from District AG (Agricultural) on 52.17 ± acres to District HI (Heavy Industrial), and also a request for a Conditional Use Permit on 15.2 ± acres for a concrete batch plant. The 52.17 ± acres are located in Section 08, Township 47, Range 30, Jackson County, Missouri, aka 27700 & 28004 E US 50 Highway.

Please note that this request for a change of zoning affects only the property mentioned above. Adjacent properties will not be affected by the change of zoning. Taxes are based on the land use of a property not the zoning.

You are being notified pursuant to 24003.5 Chapter 240 (Unified Development Code) of the Jackson County Code, as being an adjacent property within 300' of the subject property.

The public hearing on this matter will be held by the Board of Zoning Adjustment on Thursday, November 21, 2019 at 8:30 a.m. at Fleming Hall, 21906 Woods Chapel Road, Blue Springs, Mo 64015.

Parking is available to the west of Fleming Hall.

If you know of any interested party who may not have received a copy of this letter, it would be appreciated if you would inform them of the time and place of the hearing.

If you have any questions concerning this matter, please contact the Development Division at 881-4649.

Sincerely,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Frank White, Jr., County Executive

Plan Commission November 21, 2019

RZ-2019-575 & CU-2019-232

Property Owners Within 300 feet

parcel	owner	address	city	state	zip
59-500-03-09-00-0-00-000	GORDEN LESLIE D & PEGGY J	12015 S M 7 HWY	LEES SUMMIT	MO	64086
59-500-03-10-00-0-00-000	GORDEN LESLIE D & PEGGY J	12015 S M 7 HWY	LEES SUMMIT	MO	64086
59-500-03-08-01-1-00-000	HENRY NICHOLAS	12103 S 7 HWY	LAKE LOTAWANA	MO	64086
59-500-03-07-01-2-00-000	HENRY NICHOLAS	12103 S 7 HWY	LAKE LOTAWANA	MO	64086
59-500-03-08-01-2-00-000	MOUNTAIN ROAD LLC	413 SE SNAFFLE BIT DR	LEES SUMMIT	MO	64082
59-500-03-08-02-0-00-000	MOUNTAIN ROAD LLC	413 SE SNAFFLE BIT DR	LEES SUMMIT	MO	64082
59-500-03-07-02-0-00-000	MOUNTAIN ROAD LLC	413 SE SNAFFLE BIT DR	LEES SUMMIT	MO	64082
59-500-04-02-00-0-00-000	RUSSELL RAHE J & THE MIDWEST TRUST CO-TR	5901 COLLEGE BLVD STE 100	OVERLAND PARK	KS	66211
59-500-03-24-01-1-00-000	4 A PROPERTIES MANAGEMENT LLC	13512 E 95TH TERR	KANSAS CITY	MO	64138
59-500-03-24-01-2-00-000	MONTGOMERY DARYL E & LA VONDA G	12024 S EASLEY RD	LEES SUMMIT	MO	64086
59-500-03-04-00-0-00-000	THE GIBSON FAMILY LIMITED PARTNERSHIP	922 WALNUT STE 402	KANSAS CITY	MO	64106
59-500-03-07-01-1-00-000	THE GIBSON FAMILY LIMITED PARTNERSHIP	922 WALNUT STE 402	KANSAS CITY	MO	64106

**JACKSON COUNTY, MISSOURI
APPLICATION FOR CHANGE OF ZONING**

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Planning and Development Division,
303 W. Walnut, Independence, Missouri 64050 by the date on the Plan Commission Calendar.
 2. Application must be typed or printed in a legible manner.
 3. All applicable sections must be completed. If you need more space to provide information, please
use separate 8 1/2"x11" paper, reference the application number and attach it to the application.
Incomplete applications will not be accepted and will be returned to the applicant.
 4. Attach application for subdivision approval, consistent with the requirements of UDC Section
24003.10, as may be required.
 5. The filing fee (non-refundable) must accompany application.
(Check payable to: Manager of Finance)
\$350.00 – Change of Zoning to Residential
\$500.00 – Change of Zoning to Commercial or Industrial
-

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Rezoning Case Number RZ- 2019- 575

Date filed _____ Date of hearing _____

Date advertised _____ Date property owners notified _____

Date signs posted _____

Hearings: Heard by _____ Date _____ Decision _____

 Heard by _____ Date _____ Decision _____

 Heard by _____ Date _____ Decision _____

BEGIN APPLICATION HERE:

1. Data on Applicant(s) and Owner(s):

- a. Applicant(s) Name: Ozark Ready Mix
- Address: 1115 Bluff Drive
- Osage Beach, MO 65065
- Phone: 573-348-1181
- b. Owner(s) Name: Gibson Family Limited Partnership
- Address: 922 Walnut Ste 402, Kansas City MO 64106
- Phone: _____
- c. Agent(s) Name: _____

Address: _____

Phone: _____

d. Applicant's interest in Property: Ready mix concrete plant and room for expansion

2. General location (Road Name) East of MO-7 and west of East Easley Road

3. Present Zoning Agricultural (AG) Requested Zoning Heavy Industrial, with Conditional Use Permit

4. AREA (sq. ft. / acres) 2 parcels, 15.2 acres Ready mix plant and 36.97 acres adjoining to the east

5. Legal Description of Property: (Write Below or Attached 9)

59-500-03-07-01-1-00-000

59-500-03-07-01-2-00-000

6. Present Use of Property: Agricultural

7. Proposed Use of Property: Portion used as Ready mix plant

8. Proposed Time Schedule for Development: Construct plant in Spring 2020

9. What effect will your proposed development have on the surrounding properties?

No apparent effects

10. Is any portion of the property within the established flood plain as shown on the FEMA Flood Boundary Map? Both parcels with in Zone X flood plain designation

If so, will any improvements be made to the property which will increase or decrease the elevation? _____

11. Describe the source/method which provides the following services, and what effect the development will have on same:

a. Water Jackson County

b. Sewage disposal Septic System

c. Electricity Kansas City Power and Light

d. Fire and Police protection Lone Jack Fire

12. Describe existing road width and condition: Standard size two lane road, average condition

13. What effect will proposed development have on existing road and traffic conditions? Will not effect road conditions, slight increase in traffic.

14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? Yes

If so, describe giving dates of application and status (include permit numbers and copies of same, if issued): State of Missouri air and water permits will be applied for depending on rezoning approval

Verification: I (We) hereby certify that all of the foregoing statements contained in any papers and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

Signature

Date

Property Owner(s)

Jim Jackson
Jim Jackson - President, Ozark Ready Mix

8/2/19

Applicant(s):

Contract Purchaser(s):

STATE OF

Missouri

COUNTY OF

Cole

On this 2nd day of August, in the year of 2019, before me the undersigned notary public, personally appeared Jim Jackson

known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

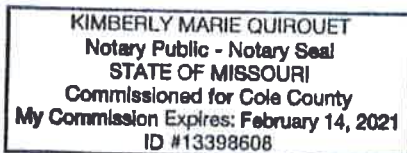
In witness whereof, I hereunto set my hand and official seal.

Notary Public

Kim M. Quirouet

Commission Expires

2/14/2021

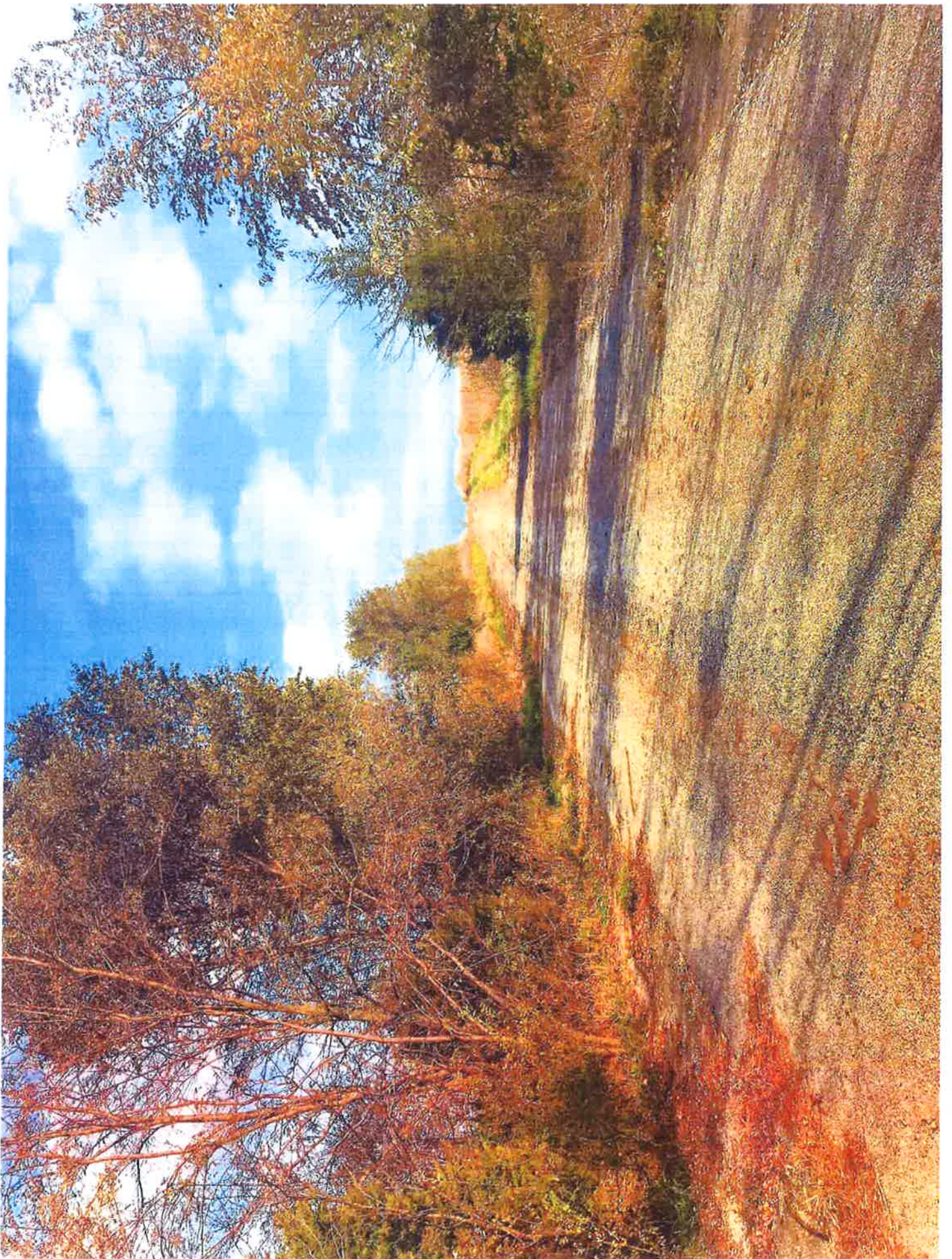












ATTACHMENT TO RLA-2:

Attachments

Plan Commission Public Hearing Summary from January 16, 2019

Location Map

Staff Report

Affidavit of Publication in Independence Examiner

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Map showing current zoning district in area

County Code Chapter 240 – Unified Development Code

County Master Plan – “Strategy for the Future”

Application

Pictures of Property

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE granting a Conditional Use Permit in the Heavy Industrial (HI) district for a period of fifteen years to operate a concrete batch plant, subject to specified conditions, as to a 15.2 \pm acre tract.

ORDINANCE NO. 5313, February 3, 2020

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

Section 1. A conditional use permit (CUP) is hereby granted for a period of fifteen years to operate a concrete batch plant, as to an approximate 15.2 \pm acre tract of land commonly known as 27700 E. US 50 Highway in Jackson County, Missouri, legally described as follows:

Description: Section 8, Township 47, Range 30, Jackson County, Missouri

Section 2. The CUP granted by this Ordinance is subject to the following conditions:

- 1) The site must comply with all air and water quality standards as adopted and/or amended by the Missouri Department of Natural Resources;
- 2) Copies of all state licenses shall be provided to the Department of Public Works – Development Division;
- 3) The proposed driveway and parking areas shall have a concrete surface with a minimum pavement thickness of four inches; off-street parking shall be provided at the ratio of one space per 200 square feet of office space;

- 4) Any major changes to the proposed site plan will require a modified site plan to be submitted and may require re-issuance of the CUP;
- 5) On-site advertising signs shall comply with section 240007 of the Unified Development Code; and
- 6) All improvements shall be completed and accepted by the Public Works Department prior to occupancy of the concrete batch plant.

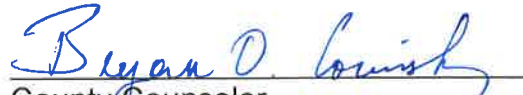
Section 3. The Legislature, pursuant to the application of Ozark Ready Mix (CU-2019-232), requesting the approval embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 7 to 0 to recommend APPROVAL of this application in a public hearing on January 16, 2020, does adopt this Ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.

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. 5313 introduced on February 3, 2020, was duly passed on _____, 2020 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. 5313.

Date

Frank White, Jr., County Executive

REQUEST FOR LEGISLATIVE ACTION EXECUTIVE OFFICE

Version 6/10/19

Completed by County Counselor's Office:

Res/Ord No.: 5313

Sponsor(s): N/A

Date: February 3, 2020

JAN 22 2020

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Conditional Use Permit – Ozark Ready Mix - CU-2019-232</u>										
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<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>\$</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)</p> <p><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): _____</p> <p>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:	\$
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:	\$										
PRIOR LEGISLATION	Prior ordinances and (date): _____ Prior resolutions and (date): _____										
CONTACT INFORMATION	RLA drafted by: <u>RLA drafted by Randy Diehl, Administrator, Development Division, 881-4577</u>										
REQUEST SUMMARY	<p>Requesting a Conditional Use Permit for a period of 15 years to operate a concrete batch plant on 15.20 acres in District HI (Heavy Industrial). The 15.20 ± acres are located in Section 08, Township 47, Range 30, Jackson County, Missouri, at 27700 E. US 50 Highway, in Jackson County, Missouri, and specifically described on Attachment to RLA-1.</p> <p>The Jackson County Plan Commission on January 16, 2020 held a public hearing and accepted testimony pertaining to the Conditional Use Permit. This request conforms to the general intent and purpose of the Unified Development Code.</p> <p>Therefore, the Plan Commission voted 7 to 0 to recommend <u>APPROVAL</u> for a 15 year period provided the following conditions are met (see attachment RLA-2)</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)										
COMPLIANCE	<input type="checkbox"/> MBE Goals <input type="checkbox"/> WBE Goals <input type="checkbox"/> VBE Goals										
ATTACHMENTS											
REVIEW	Department Director: <u>Brian D. Gaddie, P.E., Director of Public Works</u> Date: <u>1-22-20</u>										
	Finance (Budget Approval): _____ Date: _____ <i>If applicable</i>										
	Division Manager: <u>Quay M. Schulte</u> Date: <u>1-22-2020</u>										
	County Counselor's Office: <u>Bryan Cowley</u> Date: <u>1/29/2020</u>										

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.

CU-2019-232

ATTACHMENT TO RLA 1:

Description:

All of the West 36 acres of the Southwest Quarter of the Southwest Quarter of Section 8, Township 47, Range 30, Jackson County, Missouri, Except that part as follows: Beginning at the Northwest corner of the Southwest Quarter of the Southwest Quarter of Section 8, Township 47, Range 30, Jackson County, Missouri; thence North 88 degrees, 55, minutes East, along the North line of said Quarter Quarter section, a distance of 569.82 feet; thence South parallel with the West line of said Quarter Quarter section, a distance of 967.87 feet; thence North 76 degrees 53 minutes West, 183.65 feet; thence North 59 degrees 40 minutes West, 203.99 feet; thence North 29 degrees 46 minutes West, 311.82 feet; thence North 89 degrees 10 minutes West 60.0 feet to a point of the West line of said Quarter Quarter section; thence North along the West line of Quarter Quarter section 541.24 feet to the point of beginning and Except part in roads and part conveyed to the State of Missouri for highway purposes.

Randy Diehl gave the staff report:

RE: RZ-2019-575

Applicant: Ozark Ready Mix

Location: Section 08, Township 47, Range 30, 27700 E US 50 Hwy

Area: 15.2 ± acres

Request: Change of zoning from District AG (Agricultural) to District HI (Heavy Industrial)

Purpose: Applicant is requesting the change in zoning for a concrete batch plant which requires Heavy Industrial zoning and a Conditional Use Permit.

Current Land Use and Zoning in the Area:

The zoning in the area is Agricultural. Land uses are single family residences on larger acre tracts. To the west of 7 Highway is the Barber Quarry which is inside the City of Lake Lotawana.

Heavy Industrial is appropriate in areas where uses are buffered from residential areas and commercial properties used by the general public.

Permitted uses for District HI are any permitted use allowed within District LI (Light Industrial). However, an asphalt or concrete batch plant requires a Conditional Use Permit as well.

A request for the Conditional Use Permit will also be considered. Conditional uses are those uses which generally are compatible with permitted land uses in a given zoning district, but which require individual review of their location, design and configuration and the imposition of conditions in order to ensure the appropriateness of the use at a particular location within a given zoning district.

The applicant had originally included the 44 acres to the East as part of the request. Since no immediate plans for this area are planned, they have requested that just the 15 acres for the batch plant be considered for rezoning.

Access will be onto 7 Highway via the existing access road.

County Plan:

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT).

Recommendation:

This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2019-575

Mr. Diehl continued with the report for the Conditional Use Permit since the rezoning and conditional use permit tie in with one another.

RE: CU-2019-232

Applicant: Ozark Ready Mix

Location: Section 08, Township 47, Range 30, 27700 E US 50 Hwy

Area: 15.2 ± acres

Request: Conditional Use Permit for a concrete batch plant

Comments: The plan illustrates a proposed administration office, a batch plant office and batch plant, a washout basin, and aggregate storage.

The area of activity is generally to the South portion of tract and occupies roughly 5 acres of ground.

A Traffic Impact study was conducted and submitted to the Missouri Department of Transportation for their review. MoDot would expect the developer to make the necessary improvements to the Outer Road to accommodate the increased traffic, being primarily truck traffic.

The Missouri Department of Natural Resources requires permits and compliance with Air Pollution and Water Pollution control programs.

The proposed driveway and parking areas shall comply with the standards set forth within the Unified Development Code which states pavement thickness of four (4) inches. Off-street parking shall be provided at the ratio of one (1) space per 200 square feet of office space.

Within the Industrial Performance Standards for District HI (24004.12.f.2) it states, "Outdoor storage areas shall be screened with a solid, opaque six-foot-tall fence". Staff recommends screening along the front portion of the property.

County Plan:

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT).

Recommendation:

This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of CU-2019-232 for a period of 15 years with the following conditions:

- 1) Site must comply with all air and water quality standards as adopted and/or amended by the Missouri Department of Natural Resources.
- 2) Copies of all state licenses shall be provided to the Department of Public Works – Development Division.
- 3) The proposed driveway and parking areas shall be concrete surface with a minimum pavement thickness of four (4) inches. Off-street parking shall be provided at the ratio of one (1) space per 200 square feet of office space.
- 4) Any major changes to the proposed site plan will require a modified site plan to be submitted and may require re-approval of the Conditional Use Permit.
- 5) On-site advertising signs shall comply with Section 240007 in the Unified Development Code.
- 6) All improvements shall be completed and accepted by the Public Works Department prior to occupancy of the concrete batch plant.

Mr. Antey: Are there any questions for Randy?

Mr. Tarpley: Does the applicant have any other plants?

Mr. Diehl: Yes, they have about 19 other plants around the Lake of the Ozarks and the middle portion of the state.

Mr. Antey: You mention in your report about tree buffers in front to screen from the highway. Is that from 7 Highway or 50 Highway?

Mr. Diehl: 50 Highway. Similar to the fireworks trailer storage that is to the east of this location.

Mr. Tarpley: Are we talking wire fence with slats or permanent type fence?

Mr. Diehl: Either one is appropriate, as long as they provide the screening under the guidelines of the UDC. The trailer storage has hurricane fencing with the slats. There is some natural buffering with the trees along the front. The areas that MoDOT does not require removal of brush could serve as a barrier.

Mr. Tarpley: How long are we talking?

Mr. Diehl: Along the front to screen the entrance.

Mr. Crawford: Just along the front?

Mr. Diehl: Yes, otherwise they'd have to screen the entire 15 acres. From the perspective it wouldn't make much of an impact. We are looking at buffering from the view of the highway.

Mr. Haley: What about air quality? Is it going to be very dusty?

Mr. Diehl: Those regulations are with the State's Department of Natural Resources.

Mr. Antey: The regulations are within MDnR requirements. However, when it comes to silica dust, OSHA has a far, far more stringent threshold than the State. It was wondering about that.

Mr. Diehl: That question can be answered by the applicant's representative.

Ms. Mershon: Is this where the landscape place is?

Mr. Antey: This is on the north side of 50 Highway.

Mr. Antey: *Is the applicant here?*

Steve Motto: 614 NW 1801 Rd, Kingsville, MO 64061.

Mr. Antey: *Do you have anything to add to the report?*

Mr. Motto: With Ozark Ready Mix, we run multiple operations. For the silica question, the standards have changed, we are in compliance. The paving for parking for dust (reduction).

Mr. Antey: The reason I ask, is that I've been in the construction industry and have worked around the Ozarks and there are a lot more OSHA inspectors in this area.

Mr. Motto: We are a company that runs in compliance. We are aware of all that and do what we need to do.

Mr. Tarpley: How is the dust monitored?

Mr. Motto: As far as MDnR, they have factors for what your production is, and how much material you handle. The watering of the areas is based on that as well for area that are not paved.

Mr. Hilliard: Is the material stored in bins?

Mr. Motto: The aggregate, rock and sand, are within bins. The powder materials are in silos which have ban houses to control dust.

Ms. Mershon: Will there be a lot a vehicles coming in and out?

Mr. Motto: This size operation will be about 15 to 20 trucks, which will be the ready mix trucks. There will be material trucks coming.

Ms. Mershon: Where does the rock come from?

Mr. Motto: We get it from different sources. Some is local from the metro. There is a granite material that ships in, that is required. Different locations.

Mr. Antey: Concrete can have different mix specifications, which may require different amounts of granite and aggregate to be onsite.

Mr. Antey: Is there anyone else who is in favor of this application?

There were none.

Mr. Antey: Is there anyone who is opposed or has questions regarding this application?

Don Berkstresser: 413 SE Snapple Bit Road, Lee's Summit, Mo. I own the property to the west to here. My handicapped son lives in house. I'm not against this at all, my concern is the traffic and dust. The mailbox is on the frontage road and he'll be getting mail from the box. Dust hopefully will be taken care of. The rock and particles from the trucks bringing material in and out. How will that be controlled?

La Vonda Montgomery: 12024 S Easley Road, Lee's Summit, MO. We own the parcel that is north of the tract east of the 15 acres. Is the tree line on the east property line going to remain?

Mr. Motto: Yes, it is our intention to leave that tree line in place as a buffer.

Ms. Montgomery: I am also concerned about the traffic. (MoDot) has rerouted traffic on the outer roads, that comes out (across 7 Highway from Mr. Berkshire's property). There are no traffic lights (at the outer road and 7 Highway). How will that be addressed?

Mr. Tarpley: Is there a line of site problem?

Ms. Montgomery: No, it's just the traffic coming off (50 Highway). I'm also concerned about lighting, dust and hours of operation.

Mr. Antey: I know you've addressed the dust issue. The main control will be water. What about hours of operation?

Mr. Motto: Typical hours of operation are 7:00 am to 5:00 pm. There may be an earlier start time.

Mr. Antey: And the number of trucks, you said about 15 to 20?

Mr. Motto: Correct.

Mr. Crawford: There was a question about security lighting. It's understandable the you will need some.

Mr. Motto: Our intent is to minimize that. At this location we don't need to be lit up like a Walmart. We want to be good neighbors. Most should be on the south end.

Mr. Crawford: Pointed down?

Mr. Motto: Yes

Mr. Diehl: The UDC requires to lighting be directional as not to shine over to an adjacent property. It can be shrouded to point downward.

Daryl Montgomery: 12024 S Easley Road, Lee's Summit, MO. My concern is the part of the property to the east. What are the plans for this?

Mr. Antey: At this point that property is not before this Commission. It will remain agricultural. If they wanted to change that, they would need to come before us.

Mr. Diehl: Their original application was for the entire 50 acres to be rezoned. They decided just to rezone the 15 acres for the plant. Mr. Antey is correct in that they would have to apply for a change of zoning and go through the public hearing process. They can use the property at this point for any allowable use with the Agricultural Zoning District.

Mr. Montgomery: What will they do with the land between now and the future?

Mr. Motto: The plan is not to do anything with it at this point. We'll leave it as is. The purchase required both parcels. It is not in our immediate thought process to do anything with it. It will stay crop land.

Motion to take under advisement.

Mr. Tarpley moved to take under advisement. Mr. Haley seconded.

Discussion under advisement

Mr. Tarpley: I want to address the traffic. I would be nice if they would coordinate with school times to help alleviate any problems for school bus traffic.

Mr. Crawford: I live within a mile of this. The use of the property, the owner has a right to develop it. It could office buildings, possibly. Apartments, a subdivision. I doubt it with the traffic. It probably lends itself to be industrial. A concrete plant usually fires up in the morning and early afternoon it's winding down. I don't perceive any noise in the evening. I personally Googled these people. I got their main site and picked at random a site they have. What I saw from Google Earth is that they run a clean operation. No junk equipment setting around.

Mr. Diehl: Mr. Chairman, to add to your original thoughts and Mr. Crawford, permitted (allowable uses) for Light Industrial also are permitted within District HI, Heavy Industrial. The HI list go beyond those uses for uses such as a batch plant, chemical plants, coal plants, foundries, and metal works. Those uses require a Conditional Use along with the change in zoning.

Mr. Antey: The Condition Use allows another layer of protection and will have to be renewed every so often. We'll look at their track record and that factors into their renewal.

Mr. Diehl: Their original application was for a term of 100 years. Staff suggested a more reasonable term of 15 years for the nature of the business. Usually a term of 3 to 5 years would be reasonable for a day care or boarding kennel.

Mr. Hilliard: The only other concern would be noise. It doesn't appear that there are that many homes in the immediate area. It's at the intersection of both 50 and 7 Highways. East of there is Easley Road.

Mr. Diehl: There are no plans to extend the outer road to east to Easley Road. Just the improvements to the existing road which parallels the west bound lane of 50 Highway.

Mr. Tarpley: Where is the nearest driveway from the outer road?

Mr. Diehl: Mr. Berkstresser's driveway is off the outer road. The next driveway is about 450 feet north of the outer road on 7 Highway.

Mr. Crawford: The only thing is the rocks or material falling off the trucks. I'm sure it'll be up to the owner of the plant to maintain and clear it off. I'm not sure what the County will require.

Mr. Diehl: The right of ways for both 50 and 7 Highways are under MoDot's control, as well as the outer road, which is within the right of way of 50 Highway

RZ-2019-575 Mr. Tarpley moved to approve. Mr. Crawford seconded.

Mr. Tarpley
Mr. Crawford
Ms. Querry
Mr. Haley
Mr. Gibler
Mr. Hilliard
Chairman Antey

Motion Carried 7 – 0

CU-2019-232 Mr. Crawford moved to approve. Mr. Tarpley seconded.

Mr. Tarpley
Mr. Crawford
Ms. Querry
Mr. Haley
Mr. Gibler
Mr. Hilliard
Chairman Antey

Motion Carried 7 – 0

Election of Officers

Mr. Crawford moved to keep the elected officer the same as last year.
Larry Antey Chairman
William Tarpley Co-Chair

Mr. Haley seconded.

Voice vote – All Aye

Meeting Adjourned: 9:10 am

STAFF REPORT

PLAN COMMISSION
November 21, 2019

RE: CU-2019-232

Applicant: Ozark Ready Mix

Location: Section 08, Township 47, Range 30, 27700 E US 50 Hwy

Area: 15.2 ± acres

Request: Conditional Use Permit for a concrete batch plant

Comments: The plan illustrates a proposed administration office, a batch plant office and batch plant, a washout basin, and aggregate storage.

The area of activity is generally to the South portion of tract and occupies roughly 5 acres of ground.

A Traffic Impact study was conducted and submitted to the Missouri Department of Transportation for their review. MoDot would expect the developer to make the necessary improvements to the Outer Road to accommodate the increased traffic, being primarily truck traffic.

The Missouri Department of Natural Resources requires permits and compliance with Air Pollution and Water Pollution control programs.

The proposed driveway and parking areas shall comply with the standards set forth within the Unified Development Code which states pavement thickness of four (4) inches. Off-street parking shall be provided at the ratio of one (1) space per 200 square feet of office space.

Within the Industrial Performance Standards for District HI (24004.12.f.2) it states "Outdoor storage areas shall be screened with a solid, opaque six foot tall fence". Staff recommends screening along the front portion of the property.

County Plan:

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT).

Recommendation:

This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of CU-2019-232 for a period of 15 years with the following conditions:

- 1) Site must comply with all air and water quality standards as adopted and/or amended by the Missouri Department of Natural Resources.
- 2) Copies of all state licenses shall be provided to the Department of Public Works – Development Division.
- 3) The proposed driveway and parking areas shall be concrete surface with a minimum pavement thickness of four (4) inches. Off-street parking shall be provided at the ratio of one (1) space per 200 square feet of office space.
- 4) Any major changes to the proposed site plan will require a modified site plan to be submitted and may require re-approval of the Conditional Use Permit.
- 5) On-site advertising signs shall comply with Section 240007 in the Unified Development Code.
- 6) All improvements shall be completed and accepted by the Public Works Department prior to occupancy of the concrete batch plant.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

RZ-2019-575
CU-2019-232
Ozark Ready Mix

Montgomery

Applicants remaining acreage
to remain agricultural

15 Acres for
proposed plant

Berkstresser

outer road

E US 50 HWY OFF RAMP W

E US 50 HWY W

E US 50 HWY E

E US 50 HWY ON RAMP E

E LONE JACK LEES SUMMIT RD

S HERRING RD
EASLEY

S 7 HWY

RZ-2019-575
CU-2019-232
Ozark Ready Mix

Exhibit 2

Lake Lotawana

Lake Lotawana

[illegible]



JACKSON COUNTY Public Works Department

Jackson County Technology Center
303 West Walnut Street
Independence, Missouri 64050
jacksongov.org

(816) 881-4530
Fax: (816) 881-4448

November 6, 2019

RE: Public Hearing: RZ-2019-575 & CU-2019-232
Ozark Ready Mix

Dear Property Owner:

You are hereby invited to participate in a public hearing to be held by the Jackson County Plan Commission on a request by Ozark Ready Mix for a change of zoning from District AG (Agricultural) on 52.17 ± acres to District HI (Heavy Industrial), and also a request for a Conditional Use Permit on 15.2 ± acres for a concrete batch plant. The 52.17 ± acres are located in Section 08, Township 47, Range 30, Jackson County, Missouri, aka 27700 & 28004 E US 50 Highway.

Please note that this request for a change of zoning affects only the property mentioned above. Adjacent properties will not be affected by the change of zoning. Taxes are based on the land use of a property not the zoning.

You are being notified pursuant to 24003.5 Chapter 240 (Unified Development Code) of the Jackson County Code, as being an adjacent property within 300' of the subject property.

The public hearing on this matter will be held by the Board of Zoning Adjustment on Thursday, November 21, 2019 at 8:30 a.m. at Fleming Hall, 21906 Woods Chapel Road, Blue Springs, Mo 64015.

Parking is available to the west of Fleming Hall.

If you know of any interested party who may not have received a copy of this letter, it would be appreciated if you would inform them of the time and place of the hearing.

If you have any questions concerning this matter, please contact the Development Division at 881-4649.

Sincerely,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Frank White, Jr., County Executive

Plan Commission November 21, 2019
 RZ-2019-575 & CU-2019-232
 Property Owners Within 300 feet

parcel	owner	address	city	state	zip
59-500-03-09-00-0-00-000	GORDEN LESLIE D & PEGGY J	12015 S M 7 HWY	LEES SUMMIT	MO	64086
59-500-03-10-00-0-00-000	GORDEN LESLIE D & PEGGY J	12015 S M 7 HWY	LEES SUMMIT	MO	64086
59-500-03-08-01-1-00-000	HENRY NICHOLAS	12103 S 7 HWY	LAKE LOTAWANA	MO	64086
59-500-03-07-01-2-00-000	HENRY NICHOLAS	12103 S 7 HWY	LAKE LOTAWANA	MO	64086
59-500-03-08-01-2-00-000	MOUNTAIN ROAD LLC	413 SE SNAFFLE BIT DR	LEES SUMMIT	MO	64082
59-500-03-08-02-0-00-000	MOUNTAIN ROAD LLC	413 SE SNAFFLE BIT DR	LEES SUMMIT	MO	64082
59-500-03-07-02-0-00-000	MOUNTAIN ROAD LLC	413 SE SNAFFLE BIT DR	LEES SUMMIT	MO	64082
59-500-04-02-00-0-00-000	RUSSELL RAHE J & THE MIDWEST TRUST CO-TR	5901 COLLEGE BLVD STE 100	OVERLAND PARK	KS	66211
59-500-03-24-01-1-00-000	4 A PROPERTIES MANAGEMENT LLC	13512 E 95TH TERR	KANSAS CITY	MO	64138
59-500-03-24-01-2-00-000	MONTGOMERY DARYL E & LA VONDA G	12024 S EASLEY RD	LEES SUMMIT	MO	64086
59-500-03-04-00-0-00-000	THE GIBSON FAMILY LIMITED PARTNERSHIP	922 WALNUT STE 402	KANSAS CITY	MO	64106
59-500-03-07-01-1-00-000	THE GIBSON FAMILY LIMITED PARTNERSHIP	922 WALNUT STE 402	KANSAS CITY	MO	64106

**JACKSON COUNTY, MISSOURI
CONDITIONAL USE PERMIT APPLICATION**

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Planning and Development Division, 303 W. Walnut, Independence, MO 64050 by the deadline on the Plan Commission Calendar.
 2. Application must be typed or printed in a legible manner.
 3. A scaled map of the property, correlating with the legal description, and clearly showing the property's location must accompany application. Refer to Section 24003.22, pertaining to Site Plan Review within the Unified Development Code.
 4. All applicable sections must be completed. If you need more space to provide information, please use separate 8 1/2"x11" paper, reference the application number and attach it to the application. Incomplete applications will not be accepted and will be returned to the applicant.
 5. The filing fee \$350.00 (non-refundable) must accompany application.
(Check payable to: Manager of Finance)
-

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Conditional Use Permit Number CU-

Date filed _____ Date of hearing _____

Date advertised _____ Date property owners notified _____

Date signs posted _____

Hearings:	Heard by _____	Date _____	Decision _____
	Heard by _____	Date _____	Decision _____
	Heard by _____	Date _____	Decision _____

BEGIN APPLICATION HERE:

1. Data on Applicant(s) and Owner(s):
 - a. Applicant(s) Name: Ozark Ready Mix
Address: 1115 Bluff Drive
Osage Beach, MO 65065
Phone: 573-348-1181
 - b. Owner(s) Name: Gibson Family Limited Partnership
Address: 922 Walnut Ste 402, Kansas City, MO 64106
Phone: _____
 - c. Agent(s) Name: _____

Address: _____

Phone: _____

d. Applicant's interest in Property: Ready mix concrete plant

2. A CONDITIONAL USE PERMIT IS HEREBY REQUESTED for the following described use: proposed Ready mix concrete plant for a period of 100+ years; property described as follows: a tract of land 15.2 square feet/acres in size located at East of MO-7, north of US HWY-50 Road.

Present Zoning District Agricultural (AG)

3. Legal Description of Property: (Write Below or Attached 9)

Parcel: 59-500-03-07-01-1-00-000

4. Present Use of Property: Agricultural

5. Proposed Use of Property: Ready mix concrete plant

6. Estimated Time Schedule for Development: Begin construction in Spring 2020

7. What effect will your proposed development have on the surrounding properties?
No effects anticipated
8. Is any portion of the property within the established flood plain as shown on the FEMA Flood Boundary Map? No, property in Zone X designation for flood plain
If so, will any improvements be made to the property which will increase or decrease the elevation? _____
9. Describe the source/method which provides the following services, and what effect the development will have on same:
- a. Water Jackson County
 - b. Sewage disposal Septic System
 - c. Electricity Kansas City Power and Light
 - d. Heating To be determined
 - e. Fire and Police protection Lone Jack
10. Describe existing road width and condition: Standard two lane road, average condition
11. What effect will proposed development have on existing road and traffic conditions? Will not effect road conditions, slight increase in traffic
12. Are any state, federal, or other public agencies approvals or permits required for the proposed development? Yes
If so, describe giving dates of application and status (include permit numbers and copies of same, if issued): Air and water permits will be applied for depending on rezoning and conditional use permit approval

Verification: I (We) hereby certify that all of the foregoing statements contained in any papers and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

Signature

Date

Property Owner(s)

Jim Jackson
Jim Jackson - President, Ozark Ready Mix

8/2/19

Applicant(s):

Contract Purchaser(s):

STATE OF

Missouri

COUNTY OF

Cole

On this 2nd day of August, in the year of 2019, before me the undersigned notary public, personally appeared Jim Jackson

known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public

Kimberly Marie Quiroget

Commission Expires

2/14/2021

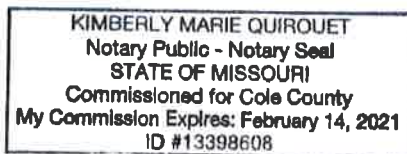
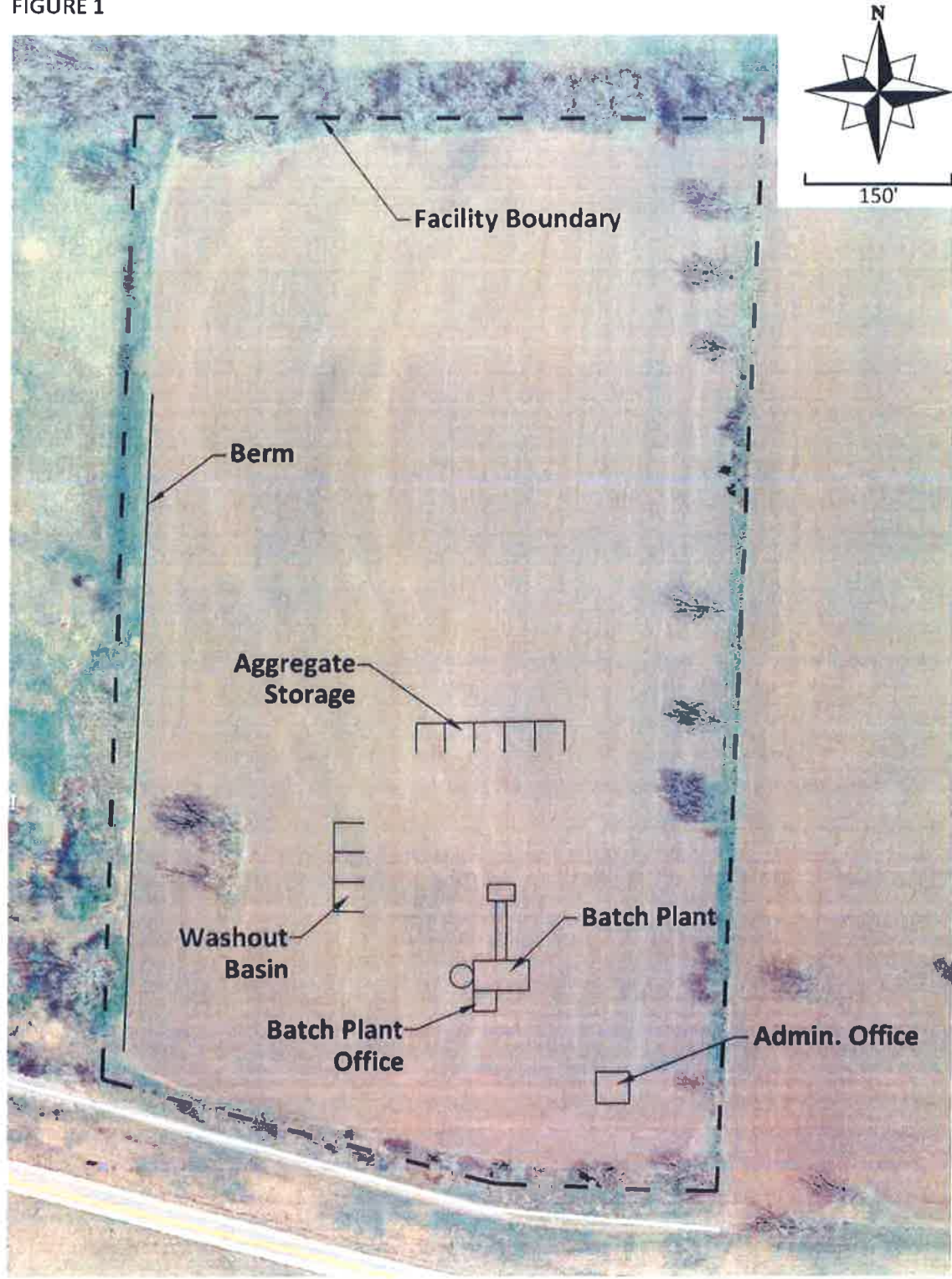


FIGURE 1



TRAFFIC IMPACT STUDY

READY MIX BATCH PLANT

LAKE LOTAWANA, MO

PREPARED FOR:
CENTRAL MISSOURI
PROFESSIONAL SERVICES, INC.

September 20, 2019



THIS SHEET HAS BEEN
SIGNED, SEALED AND DATED
ELECTRONICALLY.





September 20, 2019

Mr. Paul Samson, P.E.
Central Missouri Professional Services, Inc.
2500 E. McCarty Street
Jefferson City, MO 65101

SUBJECT Traffic Impact Study
Ready Mix Concrete Batch Plant
Lake Lotawana, Missouri

Dear Mr. Samson:

As requested, Merge Midwest Engineering, LLC has completed the traffic impact study in conjunction with the proposed Ready Mix Batch Plant development in Lake Lotawana, Missouri.

PROJECT LOCATION

The proposed Ready Mix Batch Plant Site is generally located approximately 600' east of Missouri Highway 7, and just north of the N. Outer Road of the US -50 interchange. The approximate location of the development is shown in the Google Earth image below.





EXISTING CONDITIONS

Existing Traffic Volumes: Locations for existing peak-hour turning movement counts were requested by MoDOT staff at the intersections of Missouri Highway 7 with the US-50 eastbound and westbound interchange ramps, and the intersection of Missouri Highway 7 with the N. Outer Road. Gewalt Hamilton Associates, Inc. recorded peak-hour traffic counts on Tuesday, September 10, 2019, via video camera during the hours of 6:00 a.m. – 8:30 a.m., and from 3:00 p.m. to 6:00 p.m. The counts were processed by Miovision Technologies, Inc. and can be found in the Appendix. Based upon the completed counts, the existing AM and PM peak hours were determined to occur from 7:00-8:00 A.M. and from 4:45-5:45 P.M., respectively. **Figure 1** summarizes the existing peak-hour traffic volumes.

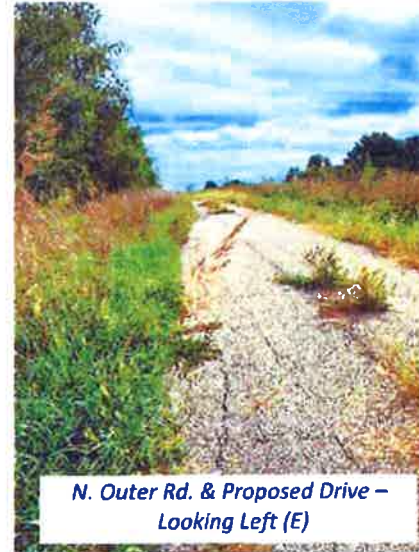
Existing Roadway Network: N. Outer Road is generally a two-lane, asphalt roadway. Near the intersection with Missouri Highway 7, N. Outer Road is approximately 28' in width. After approximately 635' east of Missouri Highway 7, N. Outer Road narrows to approximately 12' in width and is overgrown with vegetation and in very poor condition. N. Outer Road dead ends at the east property line of the proposed development. There is not a posted speed limit on N. Outer Road to the east of Missouri Highway 7, although it is posted at 45 mph to the west of Missouri Highway 7.

Missouri Highway 7 is a two-lane roadway that provides one lane northbound and southbound with a posted speed limit of 45 miles per hour (mph). A separate northbound left-turn lane is provided on Missouri Highway 7 at the intersection with the westbound US-50 ramps, as well as a separate southbound left-turn lane at the intersection with the eastbound US-50 ramps. A separate northbound left-turn lane is also provided at the intersection with N. Outer Road.

The intersection of N. Outer Road with Missouri Highway 7 is currently stop-controlled on the minor (N. Outer Road) approaches. The intersections of Missouri Highway 7 with the eastbound and westbound ramps currently operate under signalized control.

Existing Intersection Sight Distance: Intersection sight distance measurements were taken in the field at the intersection of N. Outer Road with the proposed driveway. Based on AASHTO's "*A Policy on Geometric Design of Highways and Streets*", the amount of sight distance that is desirable for a 45-mph road is 500' for a left-turning vehicle (Case B1) and 430' for a right-turning vehicle (Case B2). It should be noted that N. Outer Road currently dead ends to the east, so only right-turning traffic will be leaving the site driveway. Intersection sight distance measurements were taken for possible future left-turning movements if N. Outer Road should ever be extended to the east. The results of the intersection sight distance measured in the field are summarized below:

	<u>AASHTO Recommended</u>	<u>Field Measured</u>
Left-Turning Vehicle	500'	300'
Right-Turning Vehicle	430'	598'



Only approximately 300' of intersection sight distance is provided for the right-turning vehicle leaving the site driveway. Again, N. Outer Road currently dead ends to the east of the site, so the lower than recommended sight-distance is not of concern. If N. Outer Road is ever extended, the vegetation along the property site will need to be cut back to provide better sight lines. This would most likely happen as part of the roadway construction project. If left turns are eventually provided out of the site driveway with a future extension of N. Outer Road, adequate intersection sight distance is available. It should be noted that AASHTO recommends measuring the sight distance from 14.5' from the edge of traveled way. That was not possible at this location as a ditch was present and would be too low to measure properly so measurements were taken as far back as possible.

PROPOSED CONDITIONS

Proposed Land Use: The proposed Ready Mix Batch Plant development consists of a small administrative office, a batch plant office and batch plant, a washout basin, and aggregate storage. The proposed site plan is shown on **Exhibit 1**.



Proposed Access Plan: The proposed Ready Mix Batch Plant development will be served by a single driveway connecting to N. Outer Road, approximately 945' east, center to center, from Missouri Highway 7.

Trip Generation: There is no land-use code in the Institute of Transportation Engineers (ITE) "Trip Generation Handbook" for a concrete batch plant. Therefore, there is no available information for daily, AM, or PM peak-hour traffic volumes for the development. The development team anticipates approximately 50-60 trucks in and out of the site daily, or approximately 100-120 total daily trips. It was assumed that there would be 5 employees on-site as well, adding another 10 daily trips. Traffic studies across the nation have been completed for similar developments and can be found online. Some of the studies had collected data for existing concrete plants to obtain peak-hour generations and directional distributions.

The Trip Generation Handbook does provide a land-use code for:

General Light Industrial – Land Use 110; A light industrial facility is a free-standing facility devoted to a single use. The facility has an emphasis on activities other than manufacturing and typically has minimal office space.

Calculating the trip generation for the proposed development as the General Light Industrial land use with an area of 3,124 square feet would only generate 15 daily trips using the average-rate method, or 70 daily trips using the equation method, yielding daily trips too low for the proposed development. Therefore, it was decided to use the available data online and information from the development team for the proposed trip generations. **Table 1** below summarizes the trip generation assumptions:

Table 1 – Trip Generation										
					AM Peak Hour (VPH)			PM Peak Hour (VPH)		
Land Use		Qty	Unit	ADT (VPD)	TOTAL	IN	OUT	TOTAL	IN	OUT
N/A	Concrete Batch Plant	3,124	SF	130	18	11	7	16	8	8

Trip Distribution: Estimates of the expected trip distribution to and from the Ready Mix Batch Plant development were based upon the available and planned street network, the existing and anticipated traffic-flow patterns, as well as the anticipated service area for the batch plant. The trip distribution patterns that were utilized for the A.M and P.M. peak hours are as follows:



- To/From the north via Mo. Hwy. 7 20%
- To/From the south via Mo. Hwy. 7 10%
- To/From the east via US-50 10%
- To/From the west via US-50 60%

Existing + Site Traffic Volumes: The expected development-related traffic volumes were assigned to the existing and planned street system. The existing + site A.M. and P.M. peak-hour volumes are shown on **Figures 2 & 3**, respectively.

Future + Site Traffic Volumes: Historic traffic volumes along Missouri Highway 7 were recorded by MoDOT and are available on MoDOT's website. Looking at past average daily traffic volumes from the years 2000-2016, it was determined that the growth rate near the study area over that time period was 1.59% per year. To be conservative, existing traffic volumes were increased at an assumed growth of 2% per year for 20 years to calculate the background future volumes. The expected development related traffic volumes were added to the background volumes to obtain the future + site traffic volumes. The future + site A.M. and P.M. peak-hour volumes are shown on **Figures 4 & 5**, respectively.

ANALYSES

A series of intersection capacity analyses were completed at the study intersections to determine the expected levels of service, the lengths of delays, and vehicle queues experienced by drivers. The study intersections were analyzed based upon the 6th Edition of the Transportation Research Board's (TRB) "*Highway Capacity Manual*." A description of the level-of-service criteria used in these analyses is shown below:

Table 2 – Level of Service Definitions		
Level of Service	Signalized Intersection Average Control Delay (sec/veh)	Unsignalized Intersection Average Control Delay (sec/veh)
A	<10	<10
B	<20	<15
C	<35	<25
D	<55	<35
E	<80	<50
F	≥80	≥50



All capacity analysis output is included in the Appendix attached to this report. It should be noted that all completed analyses utilized the Synchro 10 software package.

Existing Traffic Conditions: Figures 6 and 7 depict the results of the completed analyses for the existing A.M. and P.M. peak-hour traffic volume scenarios. The completed analyses indicate that most movements at the study intersections currently operate at Level of Service (LOS) "C" or better with minimal queues. The southbound approach at the intersection of Missouri Highway 7 and the westbound US-50 ramps currently operates at LOS "D" during the P.M. peak hour with a 370' queue, which exceeds the 250' available between the intersection with the N. Outer Road.

The southbound left-turn movement at the intersection of Missouri Highway 7 with the eastbound US-50 ramps is currently operating at LOS "D" during the P.M. peak hour with a 140' queue.

Existing + Site Traffic Conditions: As shown on Figures 8 & 9, most movements at the study intersections currently operate at Level of Service (LOS) "C" or better with minimal queues for the Existing + Site traffic volume scenario.

The westbound approach at the intersection of Missouri Highway 7 with N. Outer Road, serving the proposed development-related traffic, would be expected to operate at LOS "D" during the P.M. peak hour with a minimal 25' queue. It is not uncommon for vehicles on stop-controlled approaches from the minor road to experience lower levels of service during peak hours.

The southbound approach at the intersection of Missouri Highway 7 and the westbound US-50 ramps would be expected to continue to operate at LOS "D" during the P.M. peak hour with a 395' queue, which exceeds the 250' available between the intersection with the N. Outer Road.

The southbound left-turn movement at the intersection of Missouri Highway 7 with the eastbound US-50 ramps would be expected to continue to operate at LOS "D" during the P.M. peak hour with a 135' queue.

Future + Site Traffic Conditions: As shown on Figures 10 & 11, all movements at the study intersections would be expected to operate at Level of Service (LOS) "C" or better during the A.M. Future + Site traffic volume scenario. The southbound queue at the intersection of Missouri Highway 7 with the westbound US-50 ramps would be expected to be approximately 300', which would back into the intersection with N. Outer Road.



During the P.M. peak hour, multiple movements would be expected to operate at LOS "D" or "E" including:

1. Missouri Highway 7 & Eastbound US-50 Ramps
 - a. Overall intersection level of service would be expected to operate at LOS "D".
 - b. The eastbound left-turn lane would be expected to operate at LOS "E" with a 350' queue.
 - c. The southbound left-turn movement would be expected to operate at LOS "E" with a 220' queue.
2. Missouri Highway 7 & Eastbound US-50 Ramps
 - a. Overall intersection level of service would be expected to operate at LOS "D".
 - b. The westbound left-turn and right-turn lanes would be expected to operate at LOS "D" with minimal queuing.
 - c. The southbound approach would be expected to operate at LOS "E" with a 670' queue.
3. The westbound approach at the intersection of Missouri Highway 7 with N. Outer Road, serving the proposed development-related traffic, would be expected to operate at LOS "D" during the P.M. peak hour with a minimal 25' queue. Again, it is not uncommon for vehicles on stop-controlled approaches from the minor road to experience lower levels of service during peak hours.

SUMMARY

The proposed Ready Mix Batch Plant development is expected to generate very low traffic volumes during the A.M. and P.M. peak hours and would not have a significant impact on traffic operations in the study area.

N. Outer Road along the frontage of the proposed development is only approximately 12' wide and in very poor condition. Consideration should be given to improving the road to support the truck traffic that will be accessing the proposed site. There are no recommended geometric or traffic control improvements needed at the existing study intersections to serve the low development traffic volumes.

N. Outer Road currently dead ends on the east side of the property, and therefore only right-turning vehicles are expected out of the development. Recommended values for intersection sight distance are available for left-turning traffic but are approximately 200' short for a right-turning vehicle if traffic was approaching from the east. If N. Outer Road is ever extended to the east, vegetation will need to be cleared along the frontage of the property to increase sight lines.



Synchro analyses show that during the P.M. peak hour today, the southbound queue at the intersection of Missouri Highway 7 with the westbound US-50 ramps experiences a queue that backs into the intersection with N. Frontage Road. The proposed Ready Mix Batch Plant development is only expected to add 6 vehicles to this approach during the A.M. peak hour, and 7 vehicles during the P.M. peak hour, and does not significantly increase the queue.

A future + site scenario was analyzed, and operations would be expected to deteriorate at the signalized intersections of the eastbound and westbound US-50 ramps with Missouri Highway 7. The poor operations are due to the increase of the background traffic volumes and not due to the development traffic. MoDOT should monitor conditions at the interchange as the surrounding area develops in the future, and improvements may eventually be needed for acceptable operations. It should be noted that the low development volumes expected with the Ready Mix Batch Plant site do not significantly impact the operations at the interchange.

We appreciate the opportunity to serve you on this very important project. Please feel free to contact us if you should have any questions.

Respectfully submitted,

Merge Midwest Engineering, LLC

A handwritten signature in blue ink that reads 'Janelle M. Clayton'.

Janelle M. Clayton, P.E., PTOE
President

CU-2019-232

ATTACHMENT TO RLA-3:

Attachments

Plan Commission Public Hearing Summary from January 16, 2020

Location Map

Staff Report

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Map showing current zoning district in area

County Code Chapter 240 – Unified Development Code

County Master Plan – “Strategy for the Future”

Application

Pictures of Property

CU-2019-232

ATTACHMENT TO RLA-2

Conditional Use Permit for a period of 15 (fifteen) years with the following Conditions:

- 1) Site must comply with all air and water quality standards as adopted and/or amended by the Missouri Department of Natural Resources.
- 2) Copies of all state licenses shall be provided to the Department of Public Works – Development Division.
- 3) The proposed driveway and parking areas shall be concrete surface with a minimum pavement thickness of four (4) inches. Off-street parking shall be provided at the ratio of one (1) space per 200 square feet of office space.
- 4) Any major changes to the proposed site plan will require a modified site plan to be submitted and may require re-approval of the Conditional Use Permit.
- 5) On-site advertising signs shall comply with Section 240007 in the Unified Development Code.
- 6) All improvements shall be completed and accepted by the Public Works Department prior to occupancy of the concrete batch plant.

CU-2019-232

ATTACHMENT TO RLA 1:

Description:

All of the West 36 acres of the Southwest Quarter of the Southwest Quarter of Section 8, Township 47, Range 30, Jackson County, Missouri, Except that part as follows: Beginning at the Northwest corner of the Southwest Quarter of the Southwest Quarter of Section 8, Township 47, Range 30, Jackson County, Missouri; thence North 88 degrees, 55, minutes East, along the North line of said Quarter Quarter section, a distance of 569.82 feet; thence South parallel with the West line of said Quarter Quarter section, a distance of 967.87 feet; thence North 76 degrees 53 minutes West, 183.65 feet; thence North 59 degrees 40 minutes West, 203.99 feet; thence North 29 degrees 46 minutes West, 311.82 feet; thence North 89 degrees 10 minutes West 60.0 feet to a point of the West line of said Quarter Quarter section; thence North along the West line of Quarter Quarter section 541.24 feet to the point of beginning and Except part in roads and part conveyed to the State of Missouri for highway purposes.

Rock Island Conference Call:

1/22/2019 3:30 PM

Agenda:

1. Re-starting the Trail construction project:
 - a. Resolving conditions in Environmental Decision
 - i. Does this have to be completed prior to work beginning?
 - ii. Categorical Exclusion, USACE Permit: could NEPA work completed for FHWA/MoDOT help expedite the process?
 1. Equivalent work was done for FHWA
 - iii. Responsible parties for these tasks.
 - b. When can work begin?
 - i. Effective Date or Execution of Trail Use Agreement?
 1. We need 3 copies of executed agreement back from UP.
 2. Will they send an executed copy to STB or to JC/Hogan Lovells for submittal to STB?
 - c. Preliminary work:
 - i. Survey, utility location, etc... can this go forward prior to construction resuming?
2. Any Questions related to UP Response to Motion

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the Prosecuting Attorney to execute agreements with certain outside agencies which engage in anti-crime and anti-violent crime related activities, to provide a local match to federal, state, local, and/or private grants, at an aggregate cost to the County not to exceed \$1,392,712.01.

RESOLUTION NO. 20360, February 3, 2020

INTRODUCED BY Dan Tarwater III, County Legislator

WHEREAS, the Jackson County COMBAT Commission has recommended that the Prosecuting Attorney be authorized to execute agreements with certain outside agencies engaged in anti-crime and anti-violent crime law enforcement, treatment, and/or prevention activities, requiring a local match to grant funds, for services provided from January 1, 2020, to December 31, 2020; and,

WHEREAS, proposals from the interested agencies were evaluated by outside reviewers who made funding recommendations to the COMBAT Commission; and,

WHEREAS, after review of the outside evaluators' recommendations, the COMBAT Commission has recommended that the Prosecuting Attorney be authorized to execute agreements with the following agencies engaged in anti-violent crime or anti-crime treatment and/or prevention activities, to provide local matches to various grants, in the respective amounts indicated:

<u>AGENCY</u>	<u>AMOUNT</u>
12 th Street Heritage	\$ 40,000.00
Arts Tech	92,000.00
Boys & Girls Club	80,000.00
CAPA	35,000.00
Center for Conflict Resolution (STRIVIN)	78,500.00
Community Services League (STRIVIN)	100,000.00
Crittenton (Lion's Quest Skills for Action)	63,000.00
Guadalupe Center	32,000.00
Healing House	57,000.00
Hickman Mills Prevention Coalition (STRIVIN)	113,850.00
High Aspirations	20,000.00
Hope House	135,475.00
Housing Authority of Kansas City	21,858.17
Jackson County CASA	70,400.00
Mattie Rhodes Center (STRIVIN)	129,165.00
Metropolitan Organization to Counter Sexual Assault (MOCSA)	32,463.84
Morning Star	30,000.00
ReDiscover	80,000.00
Rose Brooks Center	22,500.00
Sheffield Place	22,500.00
Sisters in Christ/KC Safe Zone (STRIVIN)	87,000.00
United Inner City Services	25,000.00
Urban Rangers Corp	25,000.00
TOTAL	\$ 1,392,712.01

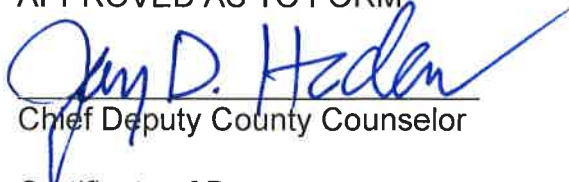
now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Prosecuting Attorney be, and is hereby authorized to execute agreements with the identified outside agencies in the respective amounts indicated, in forms to be approved by the County Counselor; and,

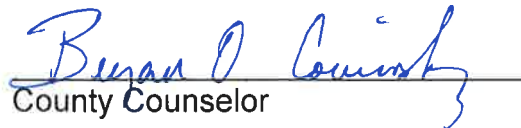
BE IT FURTHER RESOLVED that the Department of Finance and Purchasing be, and is hereby authorized to make all payments, including final payment on the agreements.

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. 20360 of February 3, 2020 was duly passed on _____, 2020 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 4405 56798
ACCOUNT TITLE: Anti-Crime Sales Tax Fund
Grant Match
Grant Match
NOT TO EXCEED: \$1,392,712.00



Date



Chief Administrative Officer

REQUEST FOR LEGISLATIVE ACTION

Version 6/10/19

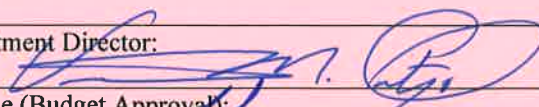
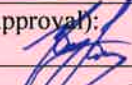
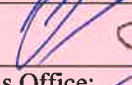
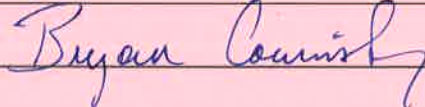
Completed by County Counselor's Office:

Res/Ord No.: 20360

Sponsor(s): Dan Tarwater III

Date: February 3, 2020

SUBJECT	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: A resolution authorizing the County Prosecutor to execute agreements with certain outside agencies funded by the County's Anti-Crime Sales Tax Fund for the 2020 fiscal year, which are engaged in anti-crime and anti-violence to provide a local match to federal, state, local and/or private grant funds, at an aggregate costs to the county not to exceed \$1,392,712.01.</p>										
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td><td>\$1,392,712.01</td></tr> <tr> <td>Amount previously authorized this fiscal year:</td><td>\$0.00</td></tr> <tr> <td>Total amount authorized after this legislative action:</td><td>\$1,392,712.01</td></tr> <tr> <td>Amount budgeted for this item * (including transfers):</td><td>\$1,392,712.01</td></tr> <tr> <td>Source of funding (name of fund) and account code number: 008-4405-56798 Grant Match Funds</td><td>\$1,392,712.01</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): \$1,161,797.00 Prior Year Actual Amount Spent (if applicable): \$1,135,262.57</p>	Amount authorized by this legislation this fiscal year:	\$1,392,712.01	Amount previously authorized this fiscal year:	\$0.00	Total amount authorized after this legislative action:	\$1,392,712.01	Amount budgeted for this item * (including transfers):	\$1,392,712.01	Source of funding (name of fund) and account code number: 008-4405-56798 Grant Match Funds	\$1,392,712.01
Amount authorized by this legislation this fiscal year:	\$1,392,712.01										
Amount previously authorized this fiscal year:	\$0.00										
Total amount authorized after this legislative action:	\$1,392,712.01										
Amount budgeted for this item * (including transfers):	\$1,392,712.01										
Source of funding (name of fund) and account code number: 008-4405-56798 Grant Match Funds	\$1,392,712.01										
PRIOR LEGISLATION	<p>Prior ordinances and (date): Prior resolutions and (date): Res. # 20126, April 1, 2019</p>										
CONTACT INFORMATION	<p>RLA drafted by (name, title, & phone): Keron Hopkins, Budget Coordinator, 816-881-1415</p>										
REQUEST SUMMARY	<p>A resolution authorizing the County Prosecutor to execute agreements with certain outside agencies funded by the County's Anti-Crime Sales Tax Fund for the 2020 fiscal year, which are engaged in anti-crime and anti-violence activities and purposes to provide a local match to federal, state, local and/or private grant funds, at an aggregate cost to the county not to exceed \$1,392,712.01.</p> <p>Exhibit A indicates the outside agencies and funding levels as recommended by the Jackson County COMBAT Commission for the 2020 fiscal year.</p> <p>Background: The Anti-Crime Sales Tax fund authorizes the County to execute agreements and contracted service for the purpose of providing substance abuse treatment, prevention, grant match, and other anti-crime and anti-violence initiatives in the community. These recommendations are based upon applications submitted by community providers for grant match funding. Each applicant must indicate that they received federal, state, local or private funding match. Each proposal was reviewed and scored by two independent outside evaluators. COMBAT staff also considered compliance and outcomes data to determine an overall score. These funding recommendations were presented to the Jackson County COMBAT Commission on January 16, 2020, with the recommendation that the funding recommendation in Exhibit A be presented to the Jackson County Legislature.</p>										
CLEARANCE	<p><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)</p>										
COMPLIANCE	<p><input type="checkbox"/> MBE Goals</p>										

	<input type="checkbox"/> WBE Goals <input type="checkbox"/> VBE Goals	
ATTACHMENTS		
REVIEW	Department Director: 	Date: 1-22-2020
	Finance (Budget Approval): If applicable 	Date: 1/23/2020
	Division Manager:  Juan Peters Baker	Date: 1/22/20
	County Counselor's Office:  Bryan Connolly	Date: 1/29/2020

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.

Exhibit A

COMBAT Grant Match Funding Recommendations

Vendor #	Agency Name	2019 Funding	Amount Requested	2020 Funding Rec.
tsh12021	12th Street Heritage	\$ 80,000.00	\$ 102,500.00	\$ 40,000.00
pec41550	Arts Tech	\$ 80,000.00	\$ 121,980.00	\$ 92,000.00
bkg63010	Boys & Girls Club	\$ 80,000.00	\$ 120,000.00	\$ 80,000.00
	CAPA	\$ -	\$ 35,000.00	\$ 35,000.00
cmc50000	Center for Conflict Resolution (STRIVIN)	\$ -	\$ 78,500.00	\$ 78,500.00
cs130000	Community Service League (STRIVIN)	\$ 65,000.00	\$ 100,000.00	\$ 100,000.00
cci10910	Crittenton (Lion's Quest Skills for Action)	\$ 63,000.00	\$ 165,326.00	\$ 63,000.00
gci10150	Guadalupe Center	\$ -	\$ 91,750.00	\$ 32,000.00
thh44000	Healing House	\$ 57,000.00	\$ 68,000.00	\$ 57,000.00
	Hickman Mills Prevention Coalition (STRIVIN)	\$ -	\$ 113,850.00	\$ 113,850.00
has63200	High Aspirations	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
hhi11704	Hope House (STRIVIN)	\$ -	\$ 135,474.50	\$ 135,475.00
hsk30100	Housing Authority of Kansas City	\$ 29,250.00	\$ 21,858.17	\$ 21,858.17
cas62500	Jackson County CASA	\$ 67,500.00	\$ 70,400.00	\$ 70,400.00
mrc17400	Mattie Rhodes Center (STRIVIN)	\$ -	\$ 129,165.00	\$ 129,165.00
moc10631	Metropolitan Organization to Counter Sexual Assault (MOCSA)	\$ 26,500.00	\$ 32,463.84	\$ 32,463.84
mdc24110	Morning Star	\$ 30,000.00	\$ 31,000.00	\$ 30,000.00
rmh11101	ReDiscover	\$ 80,000.00	\$ 123,041.00	\$ 80,000.00
rbc27067	Rose Brooks Center	\$ 22,500.00	\$ 70,000.00	\$ 22,500.00
spi66041	Sheffield Place	\$ 22,500.00	\$ 22,500.00	\$ 22,500.00
sic94140	Sisters in Christ/KC Safe Zone (STRIVIN)	\$ -	\$ 87,000.00	\$ 87,000.00
uis41550	United Inner City Services	\$ 50,000.00	\$ 80,000.00	\$ 25,000.00
urc59300	Urban Ranger Corp.	\$ 20,000.00	\$ 25,000.00	\$ 25,000.00
	TOTAL	\$ 793,250.00	\$ 1,844,808.51	\$ 1,392,712.01

Total Recommendation: \$ 1,392,712.01

Available Funding: \$ 1,489,977.00

Balance: \$ 97,264.99

Fiscal Note:

This expenditure was included in the Annual Budget.

PC# _____

Date: January 23, 2020

RES # 20360

Department / Division	Character/Description	Not to Exceed
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008	Anti-Crime Sales Tax Fund	
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4405	COMBAT Grant Match	56798 Grant Match	\$ 1,392,713
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			<u>\$ 1,392,713</u>
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Budget Office

1/20/2020

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the Chair of the Jackson County Drug Task Force to execute a Legal Services Agreement with Williams & Campo, P.C., of Lee's Summit, MO, to provide legal services for the Task Force, at a cost to the County not to exceed \$3,500.00.

RESOLUTION NO. 20361, February 3, 2020

INTRODUCED BY Dan Tarwater III, County Legislator

WHEREAS, the Jackson County Drug Task Force and Paul Campo of Williams & Campo, P.C., desire to renew their existing Legal Services Agreement that provides for Paul Campo to serve as legal advisor to the Task Force; and,

WHEREAS, Mr. Campo's initial retention by the Task Force in 2011 was the result of a competitive selection process; and,

WHEREAS, under this Agreement, Paul Campo shall continue to attend Task Force meetings, provide legal advice, draft contracts and documents as needed by the Task Force, and provide such other legal services as may be required; and,

WHEREAS, Paul Campo shall be paid for his services at the rate of \$145.00 per hour, in a total amount not to exceed \$3,500.00, for the period of January 1, 2020, through December 31, 2020; now therefore,

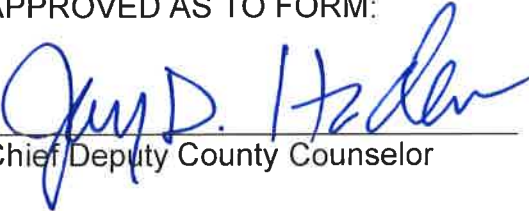
BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the

Chairman of the Drug Task Force be, and is hereby authorized to execute a Legal Services Agreement with Williams & Campo, P.C., of Lee's Summit, MO, in a form to be approved by the County Counselor; and,

BE IT FURTHER RESOLVED that the Director of Finance and Purchasing be and is hereby authorized to make all payments, including the final payment on the Agreement.

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. 20361 of February 3, 2020, was duly passed on _____, 2020 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 4151 56020

ACCOUNT TITLE: Anti Drug Sales Tax
Drug Task Force
Legal Services

NOT TO EXCEED: \$ 3,500.00



Date



Director of Finance and Purchasing

AGREEMENT FOR LEGAL SERVICES

THIS AGREEMENT is effective January 1, 2020, and is made between the JACKSON COUNTY DRUG TASK FORCE (hereinafter called "Task Force") and WILLIAMS & CAMPO, P.C. (hereinafter called "Attorney").

WITNESSETH:

WHEREAS, the Task Force has agreed to retain and employ Attorneys for the performance of legal services as set forth in this Agreement; and

WHEREAS, Attorneys accept such engagement and employment under the terms set out in this Agreement.

NOW THEREFORE, in consideration of the foregoing and of the terms and provisions herein contained, Task Force and Attorneys do respectively agree to the following:

1. **Services Provided.** The Attorney will make counsel available for purpose of providing legal

services to the Task Force, as follows:

- a. Attend Task Force meetings as required and provide any legal advice or information requested; and
- b. Review and/or draft any documentation or contracts which may be required by the Task Force; and
- c. Provide such legal services to include litigation services as may be required by the Task Force.

2. **Independent Contractor.** Both the Task Force and Attorneys agree that Attorneys will act as independent contractors in the performance of their duties under this Agreement. Accordingly, attorneys shall be responsible for payment of all taxes, including federal, state and local taxes arising out of Attorney's activities in accordance with this Agreement. As an independent contractor, and not an employee of the Task Force, Attorneys shall not be entitled to any benefits not expressly set forth herein.

3. **Term of Agreement.** This Agreement shall begin January 1, 2020, and shall end December 31, 2024. Either party may terminate the agreement at any time, for any reason, by serving thirty (30) days written notice upon the other party, or by mailing the notice of same to the party's last known address. This Agreement may be extended by the mutual agreement of the parties beyond the termination date by a written extension agreement.

4. **Rights and Duties Upon Termination of Agreement.** No work in progress should be completed by Attorneys unless requested by the Task Force. All contractual obligations in accordance with this Agreement shall remain in effect with respect to the winding down of all contractual relations between the parties. Attorneys shall deliver to the Task Force all papers and other materials related to the work performed by Attorneys in accordance with this agreement. The Task Force agrees to pay all costs of storage or transport of such items.

Except specifically provided herein, all rights and liabilities of the parties arising out of this Agreement shall cease upon termination of this Agreement.

5. **Compensation, Costs, Expenses and Payment.** The Task Force shall pay the Attorney for the professional services to be provided a professional hourly fee of One Hundred Forty-Five Dollars (\$145.00) which shall be applicable to all firm attorneys. The Attorneys shall submit to the Task Force an itemized bill for services rendered for the previous month before the 10th day of the following month. The Attorneys billing shall reflect descriptive entries and time allocations and shall include any approved advanced expenses. The Attorneys will not charge for travel to and from the Task Force's meetings, will not charge for local facsimiles, will not charge for long distance telephone charges (including facsimiles), and will not charge for in-house photocopies which do not exceed 100 copies a month. The parties do incorporate by reference as if fully set out herein Exhibit A which contains ADDITIONAL TERMS OF ENGAGEMENT between the Attorneys and the Task Force.

6. **Confidential Information.** Attorneys agree that, except as required in performing their duties under this Agreement, Attorneys will not directly or indirectly use, disseminate, disclose, lecture upon or publish articles concerning confidential information disclosed to or known by them as a consequence of or through their representation of the Task Force.

7. **Severability and Governing Law.** Each of the provisions of this Agreement shall be enforceable independently of any other provision of this Agreement. In the event of any dispute arising under this Agreement, it is agreed between the parties that the law of the State of Missouri will govern the interpretation, validity and effect of this contract without regard to the place of execution or place of performance thereof.

8. **Complete Agreement.** This document contains the entire agreement between the parties relating to the subject matter hereof. This Agreement can only be modified by another written agreement signed by both the Task Force and Attorneys. This Agreement shall be binding upon both the Task Force and Attorneys, and their respective legal representatives and successors in interest.

9. **Personal Nature and Agreement.** This Agreement is between the Task Force and Attorneys, and neither party can delegate or assign any of its rights or duties to anyone else without the express written consent of the other party.

10. **Waiver of Breach.** The Failure of either party at any time to require the performance of the other of any of the provisions herein shall in no way affect the respective rights of either party to enforce the same nor shall waiver by either party of any breach of the provisions hereunder be construed to be a waiver of any succeeding breach or as a waiver or modification of the provisions of this agreement itself.

11. **Notices.** Any notices required or permitted to be given under the provisions of this Agreement shall be in writing and delivered personally, or by certified or registered mail, postage prepaid, return receipt requested.

12. **Time is of the Essence.** Timely performance of all duties and obligations recited herein is of the essence under this Agreement.

13. **Remedies for Breach.** In the event of the breach or threatened breach of any provision of this Agreement by a party hereto, the non-breaching party shall be entitled to injunctions, both preliminary and permanent, enjoining and restraining such breach or threatened breach. Such remedies shall be in addition to all other remedies available at law or in equity including the non-breaching party's right to recover from the breaching party any and all damages that may be sustained as a result of the breach, including but not limited to reasonable attorney's fees, reasonable accountants' fees, investigation expenses, and court cost.

14. **Indemnification/Insurance.** Attorneys agree to indemnify and hold harmless the Task Force, its agents, officers and employees, for and from all claims, suits and judgments for the death of or injury to any person, and for the loss of or damage to any property, arising from Attorney's performance under this Agreement, including responsibility for attorneys' fees in defense or prosecution of any action involving such death, injury or damage. Attorneys shall maintain professional liability insurance and

general liability insurance with a coverage limit of no less than One Million Dollars (\$1,000,000.00) and shall further maintain required statutory workers' compensation coverage. Attorney's Certificate of Insurance is attached hereto as Exhibit B and incorporated herein by reference.

15. **Other Employment.** Attorneys shall not be prevented from accepting or continuing other employment by reason of the employment as set forth in this Agreement provided that such other employment does not create any conflicts of interest or other ethical consideration which would not allow the Attorneys to continue with such employment. Attorneys agree to devote all necessary time to properly represent the Task Force in accordance with the terms of the Agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands this 6th day of January,

2013.
2020

"TASK FORCE"

Jackson County Drug Task Force

By: 

"ATTORNEYS"

William & Campo, P.C.

By: 

Paul A. Campo

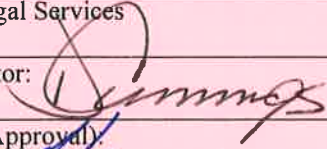
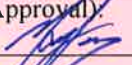
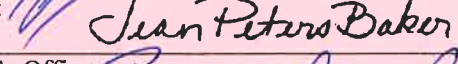

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/Ord No.: 20361

Sponsor(s): Dan Tarwater III

Date: February 3, 2020

SUBJECT	Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance Project/Title: Requesting and Professional Service Contract with Williams & Campo, P.C. in the amount of \$3,500													
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$3,500</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>\$3,500</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$0</td> </tr> <tr> <td>Source of funding (name of fund) and account code number:</td> <td>\$3,500</td> </tr> <tr> <td colspan="2">008-4151-56020 Anti-Crime Sales Tax Fund – Drug Task Force – Legal Services</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)</p> <p><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:	\$3,500	Amount previously authorized this fiscal year:	\$0	Total amount authorized after this legislative action:	\$3,500	Amount budgeted for this item * (including transfers):	\$0	Source of funding (name of fund) and account code number:	\$3,500	008-4151-56020 Anti-Crime Sales Tax Fund – Drug Task Force – Legal Services	
Amount authorized by this legislation this fiscal year:	\$3,500													
Amount previously authorized this fiscal year:	\$0													
Total amount authorized after this legislative action:	\$3,500													
Amount budgeted for this item * (including transfers):	\$0													
Source of funding (name of fund) and account code number:	\$3,500													
008-4151-56020 Anti-Crime Sales Tax Fund – Drug Task Force – Legal Services														
PRIOR LEGISLATION	Prior ordinances and (date): _____ Prior resolutions and (date): 19320 11/28/2016; 18063 1/22/13; 17540 3/2011													
CONTACT INFORMATION	RLA drafted by (name, title, & phone): OIC Danny Cummings, 816-503-4725													
REQUEST SUMMARY	Requesting a resolution authorizing Jackson County to enter into a Professional Service Agreement in the amount of \$3,500.00 with Williams & Campo, P.C. as an Independent Contractor for the performance of legal services for the Jackson County Drug Task Force. Terms of this agreement are January 1, 2020 through December 31, 2024. Funding source for this agreement is 008-4151-56020.													
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) N/A <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)													
COMPLIANCE	<input type="checkbox"/> MBE Goals <input type="checkbox"/> WBE Goals <input type="checkbox"/> VBE Goals													
ATTACHMENTS	Agreement for Legal Services													
REVIEW	Department Director: 	Date: 1/6/20												
	Finance (Budget Approval):  If applicable	Date: 1/23/2020												
	Division Manager: 	Date: 1/22/20												
	County Counselor's Office: 	Date: 1/28/2020												

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.

Fiscal Note:

This expenditure was included in the Annual Budget.

PC# _____

Date: January 23, 2020

RES # 20361

Department / Division	Character/Description	Not to Exceed
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008 Anti-Crime Sales Tax Fund

4151 Jackson County Drug Task Force	56020 Legal Services	\$ 3,500
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\$ 3,500


Budget Office

1/23/2020

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION transferring \$40,000.00 within the 2020 Anti-Crime Sales Tax Fund for the purpose of funding the Family Court's Night Light program.

RESOLUTION NO. 20362, February 3, 2020

INTRODUCED BY Dan Tarwater III, County Legislator

WHEREAS, the Jackson County Family Court Night Light program is designed to address serious and potentially violent juvenile offenders who are either under pre-adjudication supervision, on probation, or re-entering the community from residential placement; and,

WHEREAS, this program's goals are to hold youth accountable for their actions, reduce delinquent behavior, encourage sound social decision-making behavior, and reduce illegal substance abuse; and,

WHEREAS, COMBAT funding of this program provides critical afterhours monitoring conducted by juvenile probation officers and members of the Jackson County Sheriff's Office that supports the prevention programming offered by the Family Court; and,

WHEREAS, the Night Light program has been shown to be effective in reducing recidivism; and,

WHEREAS, a transfer within the Anti-Crime Sales Tax Fund is necessary to place the funds required for this program in the proper spending account; now therefore,


BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the following transfer be made within the 2020 Anti-Crime Sales Tax Fund:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Anti-Crime Sales Tax Fund			
COMBAT Prevention			
008-4402	56005- Comm. Crime Prevention	\$40,000	
Family Court			
008-2101	56790- Other Contractual Services		\$40,000

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. 20362 of February 3, 2020, was duly passed on _____, 2020 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

Funds sufficient for this transfer are available from the sources indicated below.

ACCOUNT NUMBER: 008 4402 56005
ACCOUNT TITLE: Anti-Crime Sales Tax Fund
COMBAT Prevention
Community Crime Prevention
NOT TO EXCEED: \$40,000.00

1/30/2020
Date


Chief Administrative Officer

REQUEST FOR LEGISLATIVE ACTION**Version 6/10/19**

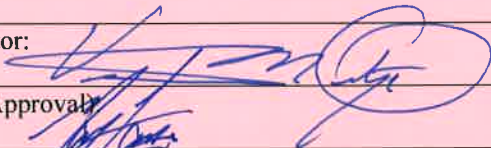
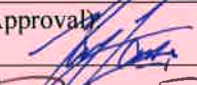
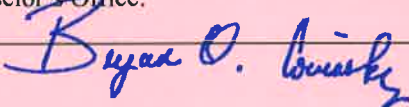
Completed by County Counselor's Office:

Res/Ord No.: 20362

Sponsor(s): Dan Tarwater III

Date: February 3, 2020

SUBJECT	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: A resolution authorizing the County Prosecutor to transfer funds for the purpose of funding by the County Anti-Crime Sales Tax Fund for the 2020 fiscal year, of the Jackson County Family court program engaged in anti-crime and anti-violence prevention activities and purposed not to exceed 40,000.00.</p>										
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1"><tr><td>Amount authorized by this legislation this fiscal year:</td><td>40,000.00</td></tr><tr><td>Amount previously authorized this fiscal year:</td><td>\$0.00</td></tr><tr><td>Total amount authorized after this legislative action:</td><td>\$0.00</td></tr><tr><td>Amount budgeted for this item * (including transfers):</td><td>40,000.00</td></tr><tr><td>Source of funding (name of fund) and account code number: From: 008-4402-56005 COMBAT To: 008-2101-56790 Other Contractual Services</td><td>FROM ACCT: 40,000.00</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): \$40,000.00 Prior Year Actual Amount Spent (if applicable): \$40,000.00</p>	Amount authorized by this legislation this fiscal year:	40,000.00	Amount previously authorized this fiscal year:	\$0.00	Total amount authorized after this legislative action:	\$0.00	Amount budgeted for this item * (including transfers):	40,000.00	Source of funding (name of fund) and account code number: From: 008-4402-56005 COMBAT To: 008-2101-56790 Other Contractual Services	FROM ACCT: 40,000.00
Amount authorized by this legislation this fiscal year:	40,000.00										
Amount previously authorized this fiscal year:	\$0.00										
Total amount authorized after this legislative action:	\$0.00										
Amount budgeted for this item * (including transfers):	40,000.00										
Source of funding (name of fund) and account code number: From: 008-4402-56005 COMBAT To: 008-2101-56790 Other Contractual Services	FROM ACCT: 40,000.00										
PRIOR LEGISLATION	<p>Prior ordinances and (date): Prior resolutions and (date): Res. # 20185, June 17, 2019</p>										
CONTACT INFORMATION	<p>RLA drafted by (name, title, & phone): Keron Hopkins, Budget Coordinator, 816-881-1415</p>										
REQUEST SUMMARY	<p>A resolution authorizing the transfer of funds for the purpose of funding by the County's Anti-Crime Sales Tax Fund for the 2020 fiscal year, for the Jackson County Family Court program which are engaged in Anti-Crime and anti-violence prevention activities and purposes, not to exceed \$40,000.00.</p> <p>Background: The Anti-Crime Sales Tax fund authorizes the County to execute agreements and contracted service for the purpose of providing substance abuse treatment, prevention, grant match and other Anti-Crime and anti-violence initiatives in the community.</p> <p>The Jackson County Family Court Night Light Program is designed to address serious and potentially violent juvenile offenders who are either under pre-adjudication supervision, on probation, or re-entering the community from residential placement. The goals of the program are to hold youth accountable for their actions, reduce delinquent behavior, encourage sound social decision-making behavior and reduce illegal substance abuse.</p> <p>COMBAT funding of this program would provide critical after-hours monitoring conducted by the Juvenile Probation Officers and a member of the Jackson County Sheriff's Department that supports the prevention programming offered at the Family Court program. Without this funding, these high-risk youth would not be monitored for compliance to the court's requirements. This program has been shown to be effective in reducing recidivism.</p> <p>This program has been funded by COMBAT for at least the past eight years, because its support meets the mission and goal of COMBAT toward the reduction of violent crime within Jackson County by stopping adolescents from progressing further down the path of crime. This is a considerable cost savings to the County.</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)	
COMPLIANCE	<input type="checkbox"/> MBE Goals <input type="checkbox"/> WBE Goals <input type="checkbox"/> VBE Goals	
ATTACHMENTS		
REVIEW	Department Director:  Finance (Budget Approval) <i>If applicable</i> :  Division Manager: <i>Dean Peters Baker</i> County Counselor's Office: 	Date: <i>1-29-2020</i> Date: <i>1/29/2020</i> Date: <i>1-29-20</i> Date: <i>1-30-20</i>

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.

Fiscal Note:

Funds sufficient for this transfer are available from the sources indicated below.

PC# _____

Date: January 29, 2020

RES # 20362

Department / Division	Character/Description	From	To
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008 Anti-Crime Sales Tax Fund

4402	COMBAT Prevention	56005	Community Crime Prevention	\$ 40,000	\$ -
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2101	Family Court	56790	Other Contractual Services	-	40,000
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	\$	40,000	\$	40,000
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Budget Office

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION honoring the life and achievements of Reverend Wallace S. Hartsfield, Sr.

RESOLUTION NO. 20363, February 3, 2020

INTRODUCED BY Ronald E. Finley, Theresa Cass Galvin, Dan Tarwater III, Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Charlie Franklin, and Jeanie Lauer, County Legislators

WHEREAS, Rev. Wallace S. Hartsfield, Sr., a dedicated civil rights leader, community activist, and pastor in Kansas City, passed away January 23, 2020; and,

WHEREAS, Rev. Hartsfield was born in 1929 in Atlanta, Georgia, and grew up in Jacksonville, Florida; and,

WHEREAS, Rev. Hartsfield served a tour of duty in the United States Armed Forces and entered Clark College in Atlanta, Georgia, where he earned a Bachelor of Arts Degree in Elementary Education; and,

WHEREAS, Rev. Hartsfield graduated from Gammon Theological Seminary with Bachelor's and Master's of Divinity Degrees; and,

WHEREAS, Rev. Hartsfield served as Senior Pastor of Metropolitan Missionary Baptist Church of Kansas City, MO, from 1962 until 1968 and from 1972 until his retirement in 2008; and,

WHEREAS, Rev. Hartsfield held leadership positions with many organizations including as Chairman of the Congress of National Black Churches, President of the General Baptist State Convention for Missouri, Kansas, and Nebraska, Vice President-at-Large of the National Baptist Convention of America, Inc., Commissioner of the Missouri Highway and Transportation Commission, member of the Municipal Judicial Commission for Jackson County, and Executive Board member of the Jazz District Redevelopment Corporation; and,

WHEREAS, Rev. Hartsfield was an organizer of Operation PUSH and PUSH Excel and was one of the organizers for developing the Linwood Shopping Center; and,

WHEREAS, Rev. Hartsfield was the founder of the Concerned Clergy and a founder of the Baptist Ministers Union; and,

WHEREAS, Rev. Hartsfield mentored several politicians, including Alan Wheat, Rev. Emanuel Cleaver, and Bruce R. Watkins; and,

WHEREAS, Rev. Hartsfield was known for his advocacy of the marginalized and disadvantaged in our community and was affectionately known as The Godfather of Ministers; and,

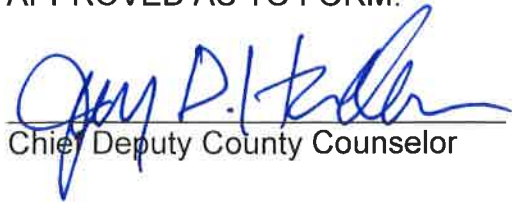
WHEREAS, Rev. Hartsfield was married to the former Matilda Hopkins of Brunswick, Georgia, and was the father of four children, Pamela Faith, Danise Hope, Ruby Love, and Wallace S. Hartsfield, II; and,


WHEREAS, services for Rev. Hartsfield will be held at 11:00 a.m., on February 7, 2020, at Macedonia Baptist Church; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Legislature hereby recognizes the life and extraordinary achievements of Reverend Wallace S. Hartsfield, Sr., and extends its deepest sympathy to his family and friends.

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. 20363 of February 3, 2020, was duly passed on _____, 2020 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION declaring 33,655 stadium seats as surplus and authorizing their disposal pursuant to chapter 11 of the Jackson County Code.

RESOLUTION NO. 20364, February 3, 2020

INTRODUCED BY Tony Miller, County Legislator

WHEREAS, the Director of Parks + Rec has recommended that 33,655 stadium seats to be removed from Arrowhead Stadium be declared surplus and their disposal be authorized; and,

WHEREAS, it is the intention of the Parks + Rec Department to recycle the seats via an addendum to the term and supply contract with Schneider Industries of St. Louis, MO, awarded by Resolution 20197, dated July 15, 2019; and,

WHEREAS, the Director of Finance and Purchasing recommends the unusable stadium seats be declared surplus and disposed of pursuant to chapter 11 of the Jackson County Code; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the 33,655 stadium seats to be removed from Arrowhead be and are hereby declared surplus; and,

BE IT FURTHER RESOLVED that the Director of Finance and Purchasing be and is hereby authorized to dispose of said seats pursuant to chapter 11, Jackson County Code.

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. 20364 of February 3, 2020, was duly passed on _____, 2020 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

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.



SURPLUS/TRANSFER DECLARATION FORM
JACKSON COUNTY, MISSOURI

-DO NOT DUPLICATE-

SURPLUS

TRANSFER

[illegible]

* Indicate if Asset was (S) Sold, (D) Donated, (R) Recycled, (X) Scrapped, (T) Trade-in, or (O) Other.

**** Refer to Asset Subclass Listing.**

1. User Department send to Finance Department

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the Prosecuting Attorney to execute agreements with certain outside agencies which are engaged in anti-drug and anti-violent crime treatment activities and purposes, at an aggregate cost to the County not to exceed \$3,714,604.92.

RESOLUTION NO. 20365, February 3, 2020

INTRODUCED BY Dan Tarwater III, County Legislator

WHEREAS, the voters of Jackson County, Missouri, renewed the sales tax to provide funding for the fight against illegal drugs and violent crime in our community; and,

WHEREAS, the proceeds and interest generated from this tax are deposited in a special Jackson County Anti-Crime Sales Tax Trust Fund that is segregated and not commingled with the general fund or any other special funds of the County; and,

WHEREAS, the voters and the Legislature authorized the COMBAT Commission, subject to approval by the Legislature, to contract with any organization or entity, whether public or private, which engages in anti-drug and anti-violent crime treatment activities; and,

WHEREAS, the COMBAT Commission solicited proposals from community agencies seeking to provide anti-drug and anti-violent crime treatment activities and services; and,

WHEREAS, these proposals were evaluated by outside reviewers who made funding recommendations to the Commission; and,

WHEREAS, after review of the outside evaluators' recommendations, the COMBAT

Commission has recommended that the Prosecuting Attorney be authorized to execute agreements with certain outside agencies engaged in anti-drug and anti-violent crime treatment activities for services from January 1, 2020, to December 31, 2020, as set out below:

<u>COMBAT Treatment Agency</u>	<u>AMOUNT</u>
Amethyst Place	\$ 58,496.00
Benilde Hall	260,000.00
Children's Mercy Hospital TIES	60,000.00
Comprehensive Mental Health Services	475,000.00
Cornerstones of Care	177,000.00
Crittenton Children's Center	112,464.00
Footprints	250,000.00
Guadalupe Center	109,770.00
Healing House	291,613.92
Heartland Center for Behavioral Change	315,000.00
Hope House	40,000.00
Mattie Rhodes Center	70,620.00
Plaza Academy	25,000.00
ReDiscover	364,091.00
Rose Brooks Center	80,000.00
Sheffield Place	80,000.00
Sisters in Christ	275,500.00
Swope Health Services	142,500.00
TMC-Behavioral Recovery Health	120,000.00
TMC Project Rise (Strivin)	210,450.00
Welcome House	197,100.00
TOTAL	\$ 3,714,604.92

and,

WHEREAS, the execution of agreements for the services of these agencies, in the

amounts indicated, is in the best interests of the health, welfare, and safety of the citizens of Jackson County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that Prosecuting Attorney be and is hereby authorized to execute agreements with the outside agencies listed above, in the respective amounts indicated, in forms to be approved by the County Counselor; and,


BE IT FURTHER RESOLVED that the Director of Finance and Purchasing be and is hereby authorized to make all payments, including final payment on the agreements.

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. 20365 of February 3, 2020, was duly passed on _____, 2020 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 4404 56789
ACCOUNT TITLE: Anti-Crime Sales Tax Fund
COMBAT Crime Treatment
Outside Agency Funding
NOT TO EXCEED: \$3,714,605.00



Date



Chief Administrative Officer

REQUEST FOR LEGISLATIVE ACTION

Version 6/10/19

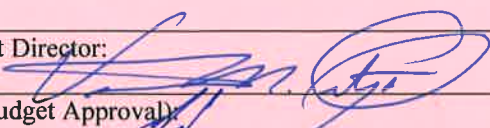
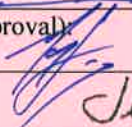

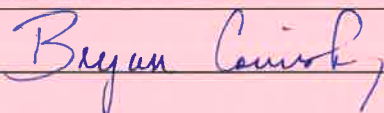
Completed by County Counselor's Office:

Res/~~Ord~~ No.: 20365

Sponsor(s): Dan Tarwater III

Date: February 3, 2010

SUBJECT	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: A resolution authorizing the County Prosecutor to execute agreements with certain outside agencies funded by the County's Anti-Crime Sales Tax Fund for the 2020 fiscal year, which are engaged in anti-crime and anti-violence treatment activities and purposes, not to exceed \$3,714,604.92.</p>										
<p>BUDGET INFORMATION <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>\$3,714,604.92</td></tr> <tr> <td>Amount previously authorized this fiscal year:</td><td>\$0.00</td></tr> <tr> <td>Total amount authorized after this legislative action:</td><td>\$3,714,604.92</td></tr> <tr> <td>Amount budgeted for this item * (including transfers):</td><td>\$3,714,604.92</td></tr> <tr> <td>Source of funding (name of fund) and account code number: 008-4404-56789 Outside Agency Fundina</td><td>\$3,714,604.92</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): \$3,227,214.00 Prior Year Actual Amount Spent (if applicable): \$2,865,314</p>	Amount authorized by this legislation this fiscal year:	\$3,714,604.92	Amount previously authorized this fiscal year:	\$0.00	Total amount authorized after this legislative action:	\$3,714,604.92	Amount budgeted for this item * (including transfers):	\$3,714,604.92	Source of funding (name of fund) and account code number: 008-4404-56789 Outside Agency Fundina	\$3,714,604.92
Amount authorized by this legislation this fiscal year:	\$3,714,604.92										
Amount previously authorized this fiscal year:	\$0.00										
Total amount authorized after this legislative action:	\$3,714,604.92										
Amount budgeted for this item * (including transfers):	\$3,714,604.92										
Source of funding (name of fund) and account code number: 008-4404-56789 Outside Agency Fundina	\$3,714,604.92										
PRIOR LEGISLATION	<p>Prior ordinances and (date): Prior resolutions and (date): Res. # 20120, March 25, 2019</p>										
CONTACT INFORMATION	<p>RLA drafted by (name, title, & phone): Keron Hopkins, Budget Coordinator, 816-881-1415</p>										
REQUEST SUMMARY	<p>A resolution authorizing the County Prosecutor to execute agreements with certain outside agencies funded by the County's Anti-Crime Sales Tax Fund for the 2020 fiscal year, which are engaged in anti-crime and anti-violence treatment activities and purposes, not to exceed \$3,714,604.92.</p> <p>Exhibit A indicates the outside agencies and funding levels as recommended by the Jackson County COMBAT Commission for the 2020 fiscal year.</p> <p>Background: The Anti-Crime Sales Tax fund authorizes the County to execute agreements and contracted service for the purpose of providing substance abuse treatment, prevention, grant match, and other anti-crime and anti-violence initiatives in the community.</p> <p>Exhibit A indicates the outside agencies that the Jackson County COMBAT Commission is recommending funding in 2020 to provide substance abuse treatment services in Jackson County. These recommendations are based upon proposals submitted in response by community providers to an online solicitation for proposals. Funding recommendations were presented to the Jackson County COMBAT Commission on January 16, 2020, with the recommendation that the funding recommendation in Exhibit A be presented to the Jackson County Legislature.</p>										
CLEARANCE	<p><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)</p>										
COMPLIANCE	<p><input type="checkbox"/> MBE Goals</p>										

	<input type="checkbox"/> WBE Goals <input type="checkbox"/> VBE Goals	
ATTACHMENTS		
REVIEW	Department Director: 	Date: 1-22-2020
	Finance (Budget Approval): If applicable 	Date: 1/23/2020
	Division Manager:  Juan Peters Baker	Date: 1/22/20
	County Counselor's Office:  Bryan Conner	Date: 1/29/2020

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.

Exhibit A

COMBAT Treatment Funding Recommendations

Vendor #	Agency Name	2019 Funding	Amount Requested	2020 Funding Rec.
api11020	Amethyst Place	\$ 50,000.00	\$ 58,496.00	\$ 58,496.00
bhi16001	Benilde Hall	\$ 230,000.00	\$ 260,000.00	\$ 260,000.00
cmh24010	Children Mercy Ties	\$ 60,000.00	\$ 60,000.00	\$ 60,000.00
cmh52010	Comprehensive Mental Health Svcs.	\$ 417,000.00	\$ 475,000.00	\$ 475,000.00
coc42100	Cornerstones of Care	\$ 177,000.00	\$ 177,000.00	\$ 177,000.00
cci10910	Crittenton Children's Center	\$ 109,609.00	\$ 112,464.00	\$ 112,464.00
ftp45010	Footprints	\$ 200,000.00	\$ 350,000.00	\$ 250,000.00
gci10150	Guadalupe Center	\$ 102,330.00	\$ 109,770.00	\$ 109,770.00
thh44000	Healing House	\$ 135,000.00	\$ 291,613.92	\$ 291,613.92
kcc15140	Heartland Center for Behavior Change	\$ 250,000.00	\$ 315,000.00	\$ 315,000.00
hhi11704	Hope House	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00
mrc17400	Mattie Rhodes Center	\$ -	\$ 70,620.00	\$ 70,620.00
	Plaza Academy	\$ -	\$ 25,000.00	\$ 25,000.00
rmh11101	ReDiscover	\$ 246,000.00	\$ 364,091.00	\$ 364,091.00
rbc27067	Rosebrooks Center	\$ 80,000.00	\$ 80,000.00	\$ 80,000.00
spi66041	Sheffield Place	\$ 70,000.00	\$ 80,000.00	\$ 80,000.00
sic94140	Sisters in Christ	\$ 125,000.00	\$ 275,500.00	\$ 275,500.00
spc15010	Swope Health Services	\$ 142,500.00	\$ 142,500.00	\$ 142,500.00
tbh10600	Truman Medical Center Behavioral Hlth.	\$ 60,000.00	\$ 120,000.00	\$ 120,000.00
tbh10600	Truman Medical Center Project Rise (Strivin)	\$ -	\$ 210,450.00	\$ 210,450.00
	Welcome House	\$ -	\$ 197,100.00	\$ 197,100.00
	TOTAL	\$ 2,494,439.00	\$ 3,814,604.92	\$ 3,714,604.92
Total Recommendation:				\$ 3,714,604.92
Available Funding:				\$ 4,138,825.00
Balance:				\$ 424,220.08

Fiscal Note:

This expenditure was included in the Annual Budget.

PC# _____

Date: January 23, 2020

RES # 20365

Department / Division	Character/Description	Not to Exceed
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008 Anti-Crime Sales Tax Fund

4404 Treatment	56789 Outside Agency Funding	\$ 3,714,605
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\$ 3,714,605


Budget Office

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the Prosecuting Attorney to execute agreements with certain outside agencies which are engaged in anti-crime and anti-violence prevention activities and purposes, at an aggregate cost to the County not to exceed \$2,220,695.13.

RESOLUTION NO. 20366, February 3, 2020

INTRODUCED BY Dan Tarwater III, County Legislator

WHEREAS, the voters of Jackson County, Missouri, renewed the sales tax to provide funding for the fight against illegal drugs and violent crime in our community; and,

WHEREAS, the proceeds and interest generated from this tax are deposited in a special Jackson County Anti-Crime Sales Tax Trust Fund that is segregated and not commingled with the general fund or any other special funds of the County; and,

WHEREAS, the voters and the Legislature authorized the COMBAT Commission, subject to approval by the Legislature, to contract with any organization or entity, whether public or private, which engages in anti-crime and anti-violence prevention activities and purposes; and,

WHEREAS, the COMBAT Commission solicited proposals from community agencies seeking to provide anti-crime and anti-violence prevention activities and services; and,

WHEREAS, these proposals were evaluated by outside experts who made funding recommendations to the Commission; and,

WHEREAS, after review of the outside evaluators' recommendations, the COMBAT Commission has recommended that the Prosecuting Attorney be authorized to execute agreements with certain outside agencies engaged in anti-crime and anti-violence prevention activities and purposes for services from January 1, 2020, to December 31, 2020; as set out below:

COMBAT Prevention Agency	AMOUNT
Ad Hoc Group Against Crime	\$ 260,000.00
Blue Springs School District	49,220.00
Boys & Girls Club	64,000.00
Bridge Leadership Academy	60,000.00
Calvary Community Outreach Network	58,700.00
Center for Conflict Resolution	77,000.00
Child Protection Center	102,000.00
City of Blue Springs	24,000.00
City of Kansas City Municipal Court	60,000.00
Community Network for Behavioral Health Care	32,000.00
Community Services League	65,000.00
Crittenton (Lion's Quest Skills for Action)	43,016.00
Della Lamb	24,000.00
Eastern Jackson County Youth Court	62,795.00
First Call	32,000.00
Foster Adopt Connect	26,000.00
Girl Scouts	10,000.00
Goodwill	32,000.00
Independence School District	45,000.00
Independence Youth Court	87,000.00
Ivanhoe Neighborhood Council	53,700.00
Kansas City Chamber Foundation	32,000.00
Kansas City Friends of Alvin Ailey	19,200.00
Kansas City Metropolitan Crime Commission	13,900.00
Kansas City Mothers in Charge	94,750.00
Kansas City Youth Court	32,000.00

Lee's Summit CARES	48,000.00
Legal Aid	32,765.34
Mind Drive Up	30,000.00
Metropolitan Organization to Counter Sexual Assault (MOCSA)	60,769.79
New House	12,000.00
Operation Breakthrough	47,379.00
Reconciliation Services	28,000.00
ReDiscover	64,000.00
Rose Brooks Center	48,000.00
Sisters in Christ	120,480.00
Synergy	80,000.00
Twelfth Street Heritage	48,000.00
United Inner City Services	27,520.00
Westside Housing	32,000.00
Whatsoever	45,000.00
Youth Ambassadors	37,500.00
TOTAL	\$ 2,220,695.13

and,

WHEREAS, the execution of agreements for the services of these agencies, in the amounts indicated, is in the best interests of the health, welfare, and safety of the citizens of Jackson County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Prosecuting Attorney be and hereby is authorized to execute agreements with the outside agencies listed above, in the respective amounts indicated, in forms to be approved by the County Counselor; and,


BE IT FURTHER RESOLVED that the Director of Finance and Purchasing be and is hereby authorized to make all payments, including final payment on the agreements.

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. 20366 of February 3, 2020, was duly passed on _____, 2020 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 4402 56005
ACCOUNT TITLE: Anti-Crime Sales Tax Fund
COMBAT Prevention
Community Crime Prevention
NOT TO EXCEED: \$2,220,696.00



Date



Director of Finance and Purchasing

REQUEST FOR LEGISLATIVE ACTION

Version 6/10/19

Completed by County Counselor's Office:

Res/~~Ord~~ No.: 20366

Sponsor(s): Dan Tarwater III

Date: February 3, 2020

SUBJECT	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: A resolution authorizing the County Prosecutor to execute agreements with certain outside agencies funded by the County's Anti-Crime Sales Tax Fund for the 2020 fiscal year, which are engaged in anti-crime and anti-violence prevention activities and purposes, not to exceed \$2,220,695.13.</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>\$2,220,695.13</td></tr> <tr> <td>Amount previously authorized this fiscal year:</td><td>\$0.00</td></tr> <tr> <td>Total amount authorized after this legislative action:</td><td>\$2,220,695.13</td></tr> <tr> <td>Amount budgeted for this item * (including transfers):</td><td>\$2,220,695.13</td></tr> <tr> <td>Source of funding (name of fund) and account code number:</td><td>\$2,220,695.13</td></tr> <tr> <td colspan="2">008-4402-56005 Community Crime Prevention</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): \$2,273,607.00 Prior Year Actual Amount Spent (if applicable): \$1,906,047.42</p>	Amount authorized by this legislation this fiscal year:	\$2,220,695.13	Amount previously authorized this fiscal year:	\$0.00	Total amount authorized after this legislative action:	\$2,220,695.13	Amount budgeted for this item * (including transfers):	\$2,220,695.13	Source of funding (name of fund) and account code number:	\$2,220,695.13	008-4402-56005 Community Crime Prevention	
Amount authorized by this legislation this fiscal year:	\$2,220,695.13												
Amount previously authorized this fiscal year:	\$0.00												
Total amount authorized after this legislative action:	\$2,220,695.13												
Amount budgeted for this item * (including transfers):	\$2,220,695.13												
Source of funding (name of fund) and account code number:	\$2,220,695.13												
008-4402-56005 Community Crime Prevention													
PRIOR LEGISLATION	<p>Prior ordinances and (date): Prior resolutions and (date): Res. # 20121, March 25, 2019</p>												
CONTACT INFORMATION	<p>RLA drafted by (name, title, & phone): Keron Hopkins, Budget Coordinator, 816-881-1415</p>												
REQUEST SUMMARY	<p>A resolution authorizing the County Prosecutor to execute agreements with certain outside agencies funded by the County's Anti-Crime Sales Tax Fund for the 2020 fiscal year, which are engaged in anti-crime and anti-violence prevention activities and purposes, not to exceed \$2,220,695.13.</p> <p>Exhibit A indicates the outside agencies and funding levels as recommended by the Jackson County COMBAT Commission for the 2020 fiscal year.</p> <p>Background: The Anti-Crime Sales Tax fund authorizes the County to execute agreements and contracted service for the purpose of providing substance abuse treatment, prevention, grant match, and other anti-crime and anti-violence initiatives in the community.</p> <p>Exhibit A indicates the outside agencies that the Jackson County COMBAT Commission is recommending funding in 2020 to provide substance abuse prevention services in Jackson County. These recommendations are based upon proposals submitted in response by community providers to an online solicitation for proposals. Funding recommendations were presented to the Jackson County COMBAT Commission on January 16, 2020, with the recommendation that the funding recommendation in Exhibit A be presented to the Jackson County Legislature.</p>												
CLEARANCE	<p><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)</p>												
COMPLIANCE	<p><input type="checkbox"/> MBE Goals</p>												

	<input type="checkbox"/> WBE Goals <input type="checkbox"/> VBE Goals	
ATTACHMENTS		
REVIEW	Department Director:	Date: 1-29-2020
	Finance (Budget Approval): If applicable	Date: 1/29/2020
	Division Manager:	Date: 1-29-20
	County Counselor's Office:	Date: 1-30-20

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 # 20366

4402	COMBAT Prevention	56005	Community Crime Prevention	\$	2,220,696
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Budget Office

\$ 2,220,696

Exhibit A

COMBAT Prevention Funding Recommendations

Vendor #	Agency Name	2019 Funding	Amount Requested	2020 Funding Rec.
agc31160	Ad Hoc Group Against Crime	\$ 150,500.00	\$ 283,053.00	\$ 260,000.00
	Blue Springs School District	\$ 40,000.00	\$ 49,220.00	\$ 49,220.00
bgk63010	Boys & Girls Club	\$ 85,000.00	\$ 130,000.00	\$ 64,000.00
bla10521	Bridge Leadership Academy	\$ 50,000.00	\$ 60,000.00	\$ 60,000.00
cco29400	Calvary Community Outreach Network	\$ 29,350.00	\$ 136,500.00	\$ 58,700.00
cmc50000	Center for Conflict Resolution	\$ 83,800.00	\$ 92,750.00	\$ 77,000.00
cpc31000	Child Protection Center	\$ 51,500.00	\$ 102,000.00	\$ 102,000.00
bsy20511	City of Blue Springs	\$ 30,000.00	\$ 69,387.00	\$ 24,000.00
	City of Kansas City Municipal Court	-	\$ 80,000.00	\$ 60,000.00
	Community Network for Behavioral Health Care	-	\$ 178,775.00	\$ 32,000.00
	Community Service League	-	\$ 80,000.00	\$ 65,000.00
cci10910	Crittendon (Lion's Quest Skills for Action)	\$ 53,770.00	\$ 79,424.00	\$ 43,016.00
	Della Lamb	-	\$ 50,000.00	\$ 24,000.00
	Eastern Jackson County Youth Court	\$ 62,795.00	\$ 68,550.00	\$ 62,795.00
ejc10900	First Call	\$ 40,000.00	\$ 67,805.00	\$ 32,000.00
fcn6330	Foster Adopt Connect	\$ 32,500.00	\$ 80,770.00	\$ 26,000.00
mfc32100	Girl Scouts	-	\$ 20,000.00	\$ 10,000.00
	Goodwill	-	\$ 60,000.00	\$ 32,000.00
isd81600	Independence School District	\$ 45,000.00	\$ 51,000.00	\$ 45,000.00
iyv11100	Independence Youth Court	\$ 85,000.00	\$ 87,000.00	\$ 87,000.00
inc32100	Ivanhoe Neighborhood Council	\$ 53,700.00	\$ 53,700.00	\$ 53,700.00
	Kansas City Chamber Foundation	-	\$ 99,920.00	\$ 32,000.00
faa21810	Kansas City Friends of Alvin Ailey	\$ 24,000.00	\$ 44,000.00	\$ 19,200.00
kcc90684	Kansas City Metropolitan Crime Commission	\$ 8,000.00	\$ 59,985.00	\$ 13,900.00
kcm32000	Kansas City Mothers in Charge	\$ 83,756.56	\$ 94,750.00	\$ 94,750.00
kcy51006	Kansas City Youth Court	\$ 52,378.00	\$ 53,378.00	\$ 32,000.00
lsc90100	Lee's Summit CARES	\$ 62,284.44	\$ 182,318.00	\$ 48,000.00
	Legal Aid	-	\$ 40,956.68	\$ 32,765.34
	Mind Drive Up	-	\$ 40,000.00	\$ 30,000.00
moc10631	Metropolitan Organization to Counter Sexual Assault (MOCOSA)	\$ 55,199.00	\$ 60,769.79	\$ 60,769.79
news8110	New House	-	\$ 25,000.00	\$ 12,000.00
obt30390	Operation Breakthrough	\$ 47,379.00	\$ 54,570.00	\$ 47,379.00
	Reconciliation Services	-	\$ 35,000.00	\$ 28,000.00
	ReDiscover	-	\$ 426,466.00	\$ 64,000.00

Vendor #	Agency Name	2019 Funding	Amount Requested	2020 Funding Rec.
rbc27067	Rose Brooks Center	\$ 48,000.00	\$ 70,000.00	\$ 48,000.00
sic94140	Sisters in Christ	\$ 120,480.00	\$ 120,480.00	\$ 120,480.00
	Synergy	\$ -	\$ 107,610.00	\$ 80,000.00
tsh12021	Twelfth Street Heritage	\$ -	\$ 170,850.00	\$ 48,000.00
uis41550	United Inner City Services	\$ 27,520.00	\$ 61,000.00	\$ 27,520.00
who91900	Westside Housing	\$ 50,769.00	\$ 150,000.00	\$ 32,000.00
wcc12010	WhatsoEver	\$ -	\$ 45,000.00	\$ 45,000.00
yam73090	Youth Ambassadors	\$ -	\$ 100,000.00	\$ 37,500.00
	TOTAL	\$ 1,472,681.00	\$ 3,921,987.47	\$ 2,220,695.13
		Total Recommendation:	\$	2,220,695.13
		Available Funding:	\$	2,269,412.00
		Balance:	\$	48,716.87

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the Prosecuting Attorney to execute cooperative agreements with certain municipalities within Jackson County for the purpose of funding their 2020 Law Enforcement School-Based Initiatives and related programs, at an aggregate cost to the County not to exceed \$1,357,500.00.

RESOLUTION NO. 20367, February 3, 2020

INTRODUCED BY Dan Tarwater III, County Legislator

WHEREAS, the COMBAT staff reviewed requests by certain municipalities for 2020 Law Enforcement School-Based Initiatives and related program funding and provided funding recommendations to the Jackson County Drug Commission on January 16, 2020, for the 2020 calendar year; and,

WHEREAS, the COMBAT staff and the Drug Commission now recommend these school-based drug prevention programs be funded in the following amounts:

<u>Agency Name</u>	<u>AMOUNT</u>
Blue Springs Police Department	\$ 150,000.00
Grain Valley Police Department	82,500.00
Grandview Police Department	75,000.00
Independence Police Department	300,000.00
Kansas City Police Department	300,000.00
Lee's Summit Police Department	300,000.00
Oak Drove Police Department	75,000.00
Sugar Creek Police Department	75,000.00
TOTAL	\$ 1,357,500.00

now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Prosecuting Attorney be and is hereby authorized to execute Cooperative Agreements with the cities of Blue Springs, Grain Valley, Grandview, Independence, Lee's Summit, Oak Grove, and Sugar Creek and the Kansas City Board of Police Commissioners, at an aggregate cost to the County not to exceed \$1,357,500.00, in forms to be approved by the County Counselor; and,


BE IT FURTHER RESOLVED that the Director of the Department of Finance and Purchasing be and hereby is authorized to make all payments, including final payment on the contracts.

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. 20367 of February 3, 2020, was duly passed on _____, 2020 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 4403 56005
ACCOUNT TITLE: Anti-Crime Sales Tax Fund
COMBAT - D.A.R.E
Community Crime Prevention
NOT TO EXCEED: \$1,357,500.00

1/30/2020

Date



Chief Administrative Officer

REQUEST FOR LEGISLATIVE ACTION**Version 6/10/19**

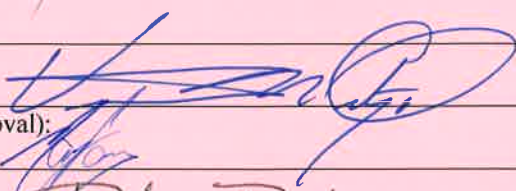
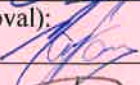


Completed by County Counselor's Office:

Res/~~Ord~~ No.: 20367

Sponsor(s): Dan Tarwater III

Date: February 3, 2020

SUBJECT	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: A resolution authorizing the County Prosecutor to execute agreements with certain outside agencies funded by the County's Anti-Crime Sales Tax Fund for the 2020 fiscal year, which are engaged in Law Enforcement School Based Initiative for prevention, anti-crime, and anti-violence activities at the aggregate cost to the county not to exceed \$1,357,500.00.</p>										
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td><td>\$1,357,500.00</td></tr> <tr> <td>Amount previously authorized this fiscal year:</td><td>\$0.00</td></tr> <tr> <td>Total amount authorized after this legislative action:</td><td>\$1,357,500.00</td></tr> <tr> <td>Amount budgeted for this item * (including transfers):</td><td>\$1,357,500.00</td></tr> <tr> <td>Source of funding (name of fund) and account code number: 008-4403-56005 Community Crime Prevention</td><td>\$1,357,500.00</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): \$1,174,640.00 Prior Year Actual Amount Spent (if applicable): \$1,174,640.00</p>	Amount authorized by this legislation this fiscal year:	\$1,357,500.00	Amount previously authorized this fiscal year:	\$0.00	Total amount authorized after this legislative action:	\$1,357,500.00	Amount budgeted for this item * (including transfers):	\$1,357,500.00	Source of funding (name of fund) and account code number: 008-4403-56005 Community Crime Prevention	\$1,357,500.00
Amount authorized by this legislation this fiscal year:	\$1,357,500.00										
Amount previously authorized this fiscal year:	\$0.00										
Total amount authorized after this legislative action:	\$1,357,500.00										
Amount budgeted for this item * (including transfers):	\$1,357,500.00										
Source of funding (name of fund) and account code number: 008-4403-56005 Community Crime Prevention	\$1,357,500.00										
PRIOR LEGISLATION	<p>Prior ordinances and (date): Prior resolutions and (date): Res. #20131, April 1, 2019</p>										
CONTACT INFORMATION	<p>RLA drafted by (name, title, & phone): Keron Hopkins, Budget Coordinator, 816-881-1415</p>										
REQUEST SUMMARY	<p>A resolution authorizing the County Prosecutor to execute agreements with certain outside agencies funded by the County's Anti-Crime Sales Tax Fund for the 2020 fiscal year, which are engaged in Law Enforcement School Based Initiatives for prevention, anti-crime and anti-violence activities at the aggregate cost to the county not to exceed \$1,357,500.00.</p> <p>Exhibit A indicates the outside agencies and funding levels for Law Enforcement School Based Initiatives, as recommended by the Jackson County COMBAT Commission for the 2020 fiscal year to provide Law Enforcement School Based Initiatives, like services in Jackson County.</p> <p>Background: The Anti-Crime Sales Tax fund authorizes the County to execute agreements and contracted service for the purpose of providing substance abuse treatment, prevention, grant match, and other anti-crime and anti-violence initiatives in the community. Funding recommendations were presented to the Jackson County COMBAT Commission on January 16, 2020, with the recommendation that the funding recommendation in Exhibit A be presented to the Jackson County Legislature.</p>										
CLEARANCE	<p><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)</p>										
COMPLIANCE	<p><input type="checkbox"/> MBE Goals <input type="checkbox"/> WBE Goals <input type="checkbox"/> VBE Goals</p>										

ATTACHMENTS		
REVIEW	Department Director: 	Date: 1-28-2020
	Finance (Budget Approval): <i>If applicable</i> 	Date: 1/28/2020
	Division Manager: 	Date: 1-28-20
	County Counselor's Office: 	Date: 1/29/2020

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.

COMBAT Law Enforcement School Based Initiative Funding Recommendations

Vendor #	Agency Name	2019 Children		2020 Children to be Served	
		2019 Funding	Served	2020 Funding Rec.	
	Blue Springs Police Department	\$ 148,204.00	846	\$ 150,000.00	1,032
	Grain Valley Police Department	\$ 87,204.00	862	\$ 82,500.00	650
	Grainview Police Department	\$ 75,204.00	739	\$ 75,000.00	465
	Independence Police Department	\$ 244,204.00	2,341	\$ 300,000.00	5,000
	Kansas City Police Department	\$ 254,204.00	4,059	\$ 300,000.00	4,600
	Lee's Summit Police Department	\$ 252,204.00	3,019	\$ 300,000.00	3,115
	Oak Grove Police Department	\$ 69,204.00	311	\$ 75,000.00	313
	Sugar Creek Police Department	\$ 44,212.00	282	\$ 75,000.00	560
	TOTAL	\$ 1,174,640.00	12,459	\$ 1,357,500.00	15,735
Total Recommendation:		\$		\$ 1,357,500.00	
Available Funding:		\$		\$ 1,505,530.00	
Balance:		\$		\$ 148,030.00	

This expenditure was included in the Annual Budget.

RES # 20367

008 Anti-Crime Sales Tax Fund

\$ 1,357,500

Budget Office

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the Director of Finance and Purchasing to execute an addendum to the Agreement for the repurposing and sale of stadium seats for use by Parks + Rec Department to Schneider Industries of St. Louis, MO, for compensation payable to the County.

RESOLUTION NO. 20368, February 3, 2020

INTRODUCED BY Tony Miller, County Legislator

WHEREAS, by Resolution 20364, dated February 3, 2020, now pending, the Legislature will consider declaring 33,655 stadium seats now located at Arrowhead Stadium as surplus to the County's needs; and,

WHEREAS, by Resolution 20197, dated July 15, 2019, the Legislature did award a contract for the repurposing and sale of other seats previously removed from Arrowhead Stadium to Schneider Industries of St. Louis, MO, pursuant to Request for Proposals 24-19; and,

WHEREAS, the Director of Parks + Rec now recommends the execution of the attached addendum to the Agreement with Schneider Industries to provide for the repurposing and sale of the seats which are the subject of Resolution 20364, now pending; and,

WHEREAS, under the addendum, Schneider Industries will take possession of the 33,655 seats, repurpose them, and make them available for sale to fans and collectors, with no upfront fee payable by the County; and,

WHEREAS, under the addendum, Schneider and the County will share equally in the proceeds of the sale of all seats, after the first seven hundred sets of seats have been sold; and,

WHEREAS, Schneider and the County will also share equally in the proceeds of any seats that cannot be reused as seats, for scrap, salvage, or any other purpose; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Director of Finance and Purchasing be, and is hereby, authorized to execute the attached addendum to the Agreement with Schneider Industries of St. Louis, MO.

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. 20368 of February 3, 2020, was duly passed on _____, 2020 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

ADDENDUM TO ASSET DISPOSITION AND SALE AGREEMENT

(Terms & Conditions between Jackson County and Schneider Industries to Manage the Arrowhead Stadium Seat Sale Project, Phase Two)

This Addendum to Agreement is dated _____, 2020, by and between Schneider Industries, Inc. ("SI"), and Jackson County, Missouri ("County").

WHEREAS, SI and the County are parties to an Asset Disposition and Sale Agreement dated July 23, 2019 ("the Prior Agreement"), whereunder SI agreed to sell and/or otherwise dispose of certain stadium seats, which were owned by the County and surplus to the County's needs, upon mutually agreeable terms; and,

WHEREAS, the parties have now negotiated this Addendum whereby they have agreed on procedures for the disposal of additional surplus seats to be removed from Arrowhead Stadium in 2020; now therefore,

In consideration of the agreements contained herein and other good and valuable consideration, the receipt and sufficiency of such consideration each party specifically acknowledges, the parties agree as follow:

A. Overview.

The Kansas City Chiefs, as a part of their stadium renovation plan for 2020, are removing approximately 31,455 seats from the lower bowl of Arrowhead Stadium and 2,200 seats from the upper bowl. The Chiefs have informed the County they intend to remove the seats in four phases, beginning on January 27, 2020, and concluding on or about August 1, 2020 (see attachment A). The Chiefs, through their own contractor and at their own cost, will remove all seats and bring them outside of the stadium and place them at a location of the County's choosing for collection.

B. Schneider Industries (SI) Responsibilities.

1. SI to manage the entire operation on behalf of County, including providing all materials, equipment, storage, and labor necessary to take possession of all seat components, repurpose usable materials for seat resale, market and sell the repurposed seats, and dispose of unusable materials.
2. SI will provide all containers and onsite managers to assist in the sorting of the material removed from the stadium. SI will gather and take possession of all seat material as it comes out to be reassembled and sold to customers.
3. SI will manage the entire scrap salvage operation of the lower and upper bowl from start to finish. SI will gather scrap, salvage, and disposal items as it comes out and will either be recycled or disposed of at a landfill. Preference is to recycle but this is not required and disposal is at SI's discretion.
4. SI to turn-key manage the website sales and delivery of sold seats to paying customers for lower and upper deck seating from Arrowhead. Customers to pay an additional charge for shipping as with previous seat sales.
5. Schneider to conduct all marketing and necessary PR for a successful sale -- including separate waves of marketing to further sales, and local paid advertising.
6. Schneider will offer a 10% discount to Chiefs season ticket holders.

C. Revenue Sharing between Schneider Industries and Jackson County.

1. All sales revenue on first 700 seats sold goes 100% to SI, with no profit sharing to County. SI shall pay no upfront fees to the County. The County will not share any revenue arising out of seat sales from 1-700 units sold. This is to pay for SI upfront and overhead costs of the project.

2. After 700 seats are sold, the County will receive 50% of the profit per unit sold after the variable costs are paid per unit (see attachment B). Single and double seats sold will count towards the first 700, with pricing based on the Prior Agreement.
3. The County will incur no costs for the project, or provide any labor or materials for the entire operation.
4. The Chiefs are responsible for 100% of the seat removal operations and bringing the material to the back gate. Should this change, SI and the County may renegotiate the terms of this Addendum, or either party may terminate the Agreement.
5. Customers to pay additional upcharge of \$20 for seat row and number selection, and this will not be considered part of sale proceeds; this upcharge is retained by SI for its cost to provide this service.
6. All scrap and salvage revenue from iron or plastic (if any) will be split equally between the County and SI.
7. All revenue from other alternative sources, such as bulk sales, shall also be split equally between the County and SI.

D. Other

1. This Addendum shall be effective on the date first above written and shall extend, together with the Prior Agreement, until July 22, 2021.
2. Should the salvage project schedule be extended beyond September 2020, SI shall have the right to renegotiate for further work provided.
3. 2500 seat units is the maximum number of units available to sell.

4. Either party may donate a limited number of seat components, with the consent of the other party, in the interest of advancing the sale of seats.
5. Remaining terms between the parties are as set out in the Prior Agreement.

IN WITNESS WHEREOF, the undersigned Parties hereto have executed this Agreement, as of the date first above written.

SCHNEIDER INDUSTRIES, INC.

JACKSON COUNTY, MISSOURI

Signature: _____
Bruce M. Schneider, President

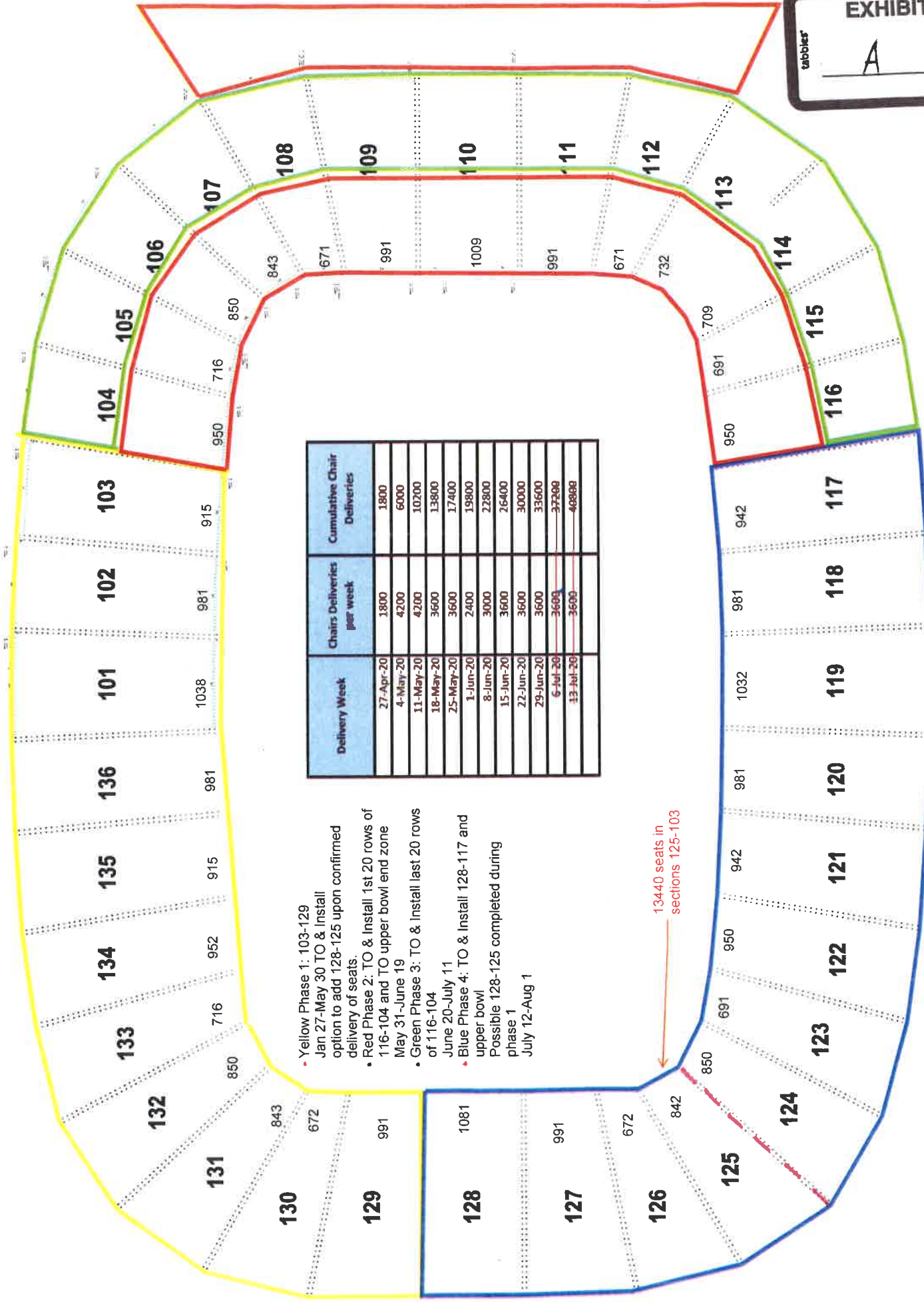
By: _____
Bob Crutsinger
Director of Finance and Purchasing

APPROVED AS TO FORM:

ATTEST BY:

County Counselor

Mary Jo Spino, Clerk of the Legislature



Delivery Week	Chairs Deliveries per week	Cumulative Chair Deliveries
27-Apr-20	1800	1800
4-May-20	4200	6000
11-May-20	4200	10200
18-May-20	3600	13800
25-May-20	3600	17400
1-Jun-20	2400	19800
8-Jun-20	3000	22800
15-Jun-20	3600	26400
22-Jun-20	3600	30000
29-Jun-20	3600	33600
6-Jul-20	3600	37200
13-Jul-20	3600	40800

- Yellow Phase 1: 103-129 Jan 27-May 30 TO & Install option to add 128-125 upon confirmed delivery of seats.
- Red Phase 2: TO & Install 1st 20 rows of 116-104 and TO upper bowl end zone May 31-June 19
- Green Phase 3: TO & Install last 20 rows of 116-104 June 20-July 11
- Blue Phase 4: TO & Install 128-117 and upper bowl Possible 128-125 completed during phase 1 July 12-Aug 1

13440 seats in sections 125-103

Attachment "B"

Example 1 -- 701 Total Seats Sold

Seat Type	Total # Sold	#of Seats Sold above 700	Selling Price per Unit	Net Return after Variable Cost Per Unit (NRAVPU)	(NRAVPU) X Number Sold above 700 Threshold
Logo Double - Orange Seats	700	1	399	\$ 263.00	\$ 263.00
Total Net Return After Variable Costs (Logo Double Orange)					
				\$	263.00
				\$	-
				\$	-
				\$	263.00
				\$	131.50
				\$	131.50

Variable Cost Per Unit

Price w/ shipping	\$ 399.00
Cost of Seat Re-fabricat	\$ (24.50)

Cost of Stand

up brackets	
\$27/each (x 3	
brackets for	
doubles)	\$ (81.00)
Cost Selling,	
Reconcile,	
Admin, Cust.	
Service	\$ (15.50)

Credit Card Fees (appro	\$ (15.00)
Net After Variable Cost	\$ 263.00

** does not factor in Chiefs Season Ticket Member Discount, if taken

Example 2 -- 1000 Total Seats Sold

Seat Type	Total # Sold	# of Seats Sold above 700	Selling Price per Unit	Net Return after Variable Cost Per Unit (NRAVPU)	(NRAVPU) X Number Sold above 700 Threshold
Logo Double - Orange Seats	1000	300	399 \$	263.00 \$	78,900.00
Variable Cost Per Unit					
Price w/ shipping	\$	399.00			
Cost of Seat Re-fabricat	\$	(24.50)			
Cost of Stand up brackets					
\$27/each (x 3 brackets for doubles)	\$	(81.00)			
Cost Selling, Reconcile, Admin, Cust. Service	\$	(15.50)			
Credit Card Fees (appro	\$	(15.00)			
Net After Variable Cost	\$	263.00			
Total Net Return After Variable Costs (Logo Double Orange					
LESS Fixed Costs of \$0					
Less Time and Material Costs for Removal (not anticipated					
but possible per proposal)					
Net Return after all expenses (NRAAE)					
Amount Due to Schneider (50% of Profit)					
Amount Due County (50% of Profit)					
39,450.00					
39,450.00					

** does not factor in Chiefs Season Ticket Member Discount, if taken

Example 3 -- 2500 Total Seats Sold (2500 is maximum available seats for sale)

Seat Type	Total # Sold	# of Seats Sold above 700	Selling Price per Unit	Net Return after Variable Cost Per Unit (NRAVPU)	(NRAVPU) X Number Sold above 700 Threshold
Logo Double -	2500	1800	399 \$	263.00 \$	473,400.00
Variable Cost Per Unit					
Price w/ shipping	\$	399.00			
Cost of Seat Re-fabricat	\$	(24.50)			
Cost of Stand up brackets					
\$27/each (x 3 brackets for doubles)	\$	(81.00)			
Cost Selling, Reconcile, Admin, Cust. Service	\$	(15.50)			
Credit Card Fees (appro	\$	(15.00)			
Net After Variable Cost	\$	263.00			
Total Net Return After Variable Costs (Logo Double Orange					
LESS Fixed Costs of \$0	\$				473,400.00
Less Time and Material Costs for Removal (not anticipated but possible per proposal)	\$				-
Net Return after all expenses (NRAAE)	\$				473,400.00
Amount Due to Schneider (50% of Profit)	\$				236,700.00
Amount Due County (50% of Profit)	\$				236,700.00

** does not factor in Chiefs Season Ticket Member Discount, if taken

REQUEST FOR LEGISLATIVE ACTION

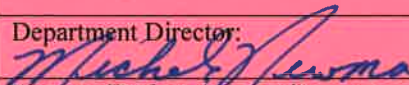
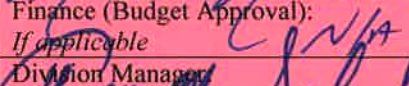
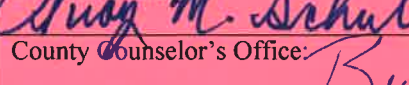
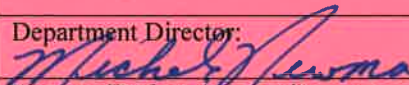
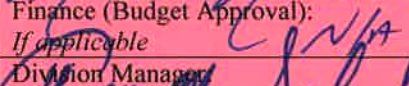
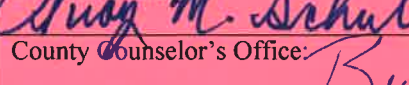
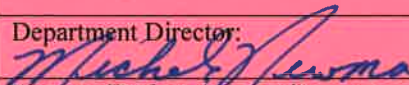
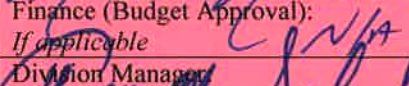
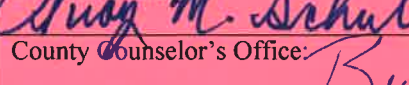
Version 6/10/19

Completed by County Counselor's Office:

Resolution No.: 20368

Sponsor(s): Tony Miller

Date: February 3, 2020

SUBJECT	Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance Project/Title: A Resolution authorizing the County Executive to execute an Addendum to the Disposition and Sale Agreement with Schneider Industries.											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$0.00</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$0.00</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$0.00</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$0.00</td> </tr> <tr> <td>Source of funding (name of fund) and account code number:</td> <td>\$0.00</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> OTHER FINANCIAL INFORMATION: <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: _____ Prior Year Budget (if applicable): _____ Prior Year Actual Amount Spent (if applicable): _____		Amount authorized by this legislation this fiscal year:	\$0.00	Amount previously authorized this fiscal year:	\$0.00	Total amount authorized after this legislative action:	\$0.00	Amount budgeted for this item * (including transfers):	\$0.00	Source of funding (name of fund) and account code number:	\$0.00
Amount authorized by this legislation this fiscal year:	\$0.00											
Amount previously authorized this fiscal year:	\$0.00											
Total amount authorized after this legislative action:	\$0.00											
Amount budgeted for this item * (including transfers):	\$0.00											
Source of funding (name of fund) and account code number:	\$0.00											
PRIOR LEGISLATION	Prior ordinances and (date): _____ Prior resolutions and (date): 20197 07/23/19, 20364 2/3/2020											
CONTACT INFORMATION	RLA drafted by (name, title, & phone): Brian Nowotny, Parks + Rec Deputy Director, 816.878.9799											
REQUEST SUMMARY	This resolution would approve and authorize the County Executive to sign an Addendum to the Asset Disposition and Sale Agreement with Schneider Industries for the management and sale of additional surplus seats from Arrowhead Stadium. The original twelve-month Agreement was adopted by the Legislature on July 23, 2019. The Addendum extends the agreement for an additional twelve months, and covers all terms and conditions for the second seat sale offering. The Kansas City Chiefs are removing approximately 31,455 seats from the lower bowl, and 2,200 seats from the upper bowl, of Arrowhead Stadium as a part of their planned 2020 stadium renovations. Schneider Industries will perform all work required to take possession of the seats, repurpose them, and make them available to fans and collectors. There are no costs to the County for this project.											
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)											
COMPLIANCE	<input type="checkbox"/> MBE Goals <input type="checkbox"/> WBE Goals <input type="checkbox"/> VBE Goals											
ATTACHMENTS	Addendum Terms & Conditions Outline; Seat Removal Schedule from Team; Sample return on Sales Spreadsheet											
REVIEW	<table border="1"> <tr> <td>Department Director: </td> <td>Date: 1-28-20</td> </tr> <tr> <td>Finance (Budget Approval): If applicable <i>N/A</i></td> <td>Date: 1/28/2020</td> </tr> <tr> <td>Division Manager: </td> <td>Date: 1/28/2020</td> </tr> <tr> <td>County Counselor's Office: </td> <td>Date: 1/29/2020</td> </tr> </table>		Department Director: 	Date: 1-28-20	Finance (Budget Approval): If applicable <i>N/A</i>	Date: 1/28/2020	Division Manager: 	Date: 1/28/2020	County Counselor's Office: 	Date: 1/29/2020		
Department Director: 	Date: 1-28-20											
Finance (Budget Approval): If applicable <i>N/A</i>	Date: 1/28/2020											
Division Manager: 	Date: 1/28/2020											
County Counselor's Office: 	Date: 1/29/2020											

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.