



Office of  
**Mary Jo Spino**  
Clerk of the County Legislature

# Jackson County Missouri

## JOURNAL

### County Legislature

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

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

**Monday, December 18, 2023**

**10:00 AM**

**Forty-ninth Regular Meeting**

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

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

**1 ROLL CALL**

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

**2 THE PLEDGE OF ALLEGIANCE**

Recited.

**3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING**

A motion was made by Jalen Anderson, seconded by Venessa Huskey to approve the journal of the previous meeting held on December 11, 2023. The motion passed by a voice vote.

**4 HEARINGS**

None.

**5 COMMUNICATIONS WITH AND REPORTS OF THE COUNTY EXECUTIVE**

Frank White, Jr., County Executive, said he has received many calls and emails regarding the American Rescue Plan Act funds, and he believes he needs to address these issues regarding how this process was handled. He said he believes one legislator directed people to call him. These ARPA funds are federal funds which are handled differently than outside agency funds. There is a procurement process that was not followed. The general thinking is that the County doesn't step up for the community, but it was the County that stepped up in 2020 during COVID. We funded over \$150 million into the community over the last three years. The County funded school districts, first responders, food programs, both Kansas City and Jackson County Health Departments, and cities when the Governor decided he wasn't going to fund the cities. The County has stepped up. The County put thousands of dollars into the community through the annual golf tournament. We also fund our safety

net hospitals. Mr. White said he wants to apologize for the legislator putting people through this and thinking they are going to get ARPA funds. This legislator knew this process was inappropriate and unlawful. Mr. White said he put out a letter regarding the process to clarify the misinformation that has been distributed. He said this goes back to the town halls regarding the assessment process. No one asked legislators if any of the proposed actions were legal. The Administration followed the law, the County Charter, and the County Code. When those aren't followed our residents suffer. Everyone does things for political gain, but Mr. White said he does not think lying to the public should be one of them. Constituents have to be told the truth. When legislators are out speaking to the public, they need to ask, is it legal and can we do it? The County cannot go forward if we do things that are illegal. When we deviate from that we do our constituents a disservice. He said he is sorry to those agencies that applied for ARPA funds. Coming into their positions in January, it was made clear to the new legislators that ARPA funds were earmarked for fixing the courthouse that is not ADA compliant and for remodeling the Administration Building that was purchased to give associates and taxpayers a better experience. The County is willing to do the things to make the County safe for the community.

Manual Abarca IV, County Legislator, handed out some documents with a timeline. He said this chart starts in January with the timeline of ARPA with several discussions, some of which Mr. White's staff were involved in. These documents show the priorities which Caleb Clifford, Chief of Staff, reviewed with Mr. Abarca as well as other documents sent by Mr. Clifford. These documents outline the process for allocating ARPA funds. The illegality component can be met in these documents. Mr. Abarca said he believes Mr. White is referring to the procurement process. He said given that point, he believes Mr. White illegally funded the Our Healthy Jackson County program and Harvesters for \$1 million. Mr. Abarca said he doesn't understand these contentions.

Mr. White said CARES funds could be given away more easily. They had to have health related purposes. The ARPA funds are a lot more complicated and more paperwork. Mr. Abarca said the federal government released a process that eased the ability to spend ARPA funds. Mr. White said the County process was not followed. Mr. Abarca asked about the vetting process for University of Missouri - Kansas City for the Our Healthy Jackson County. He doesn't understand how this current process is different. Caleb Clifford said the Our Healthy Jackson County was authorized under exceptions to the procurement process as outlined in the Code including being a sole source provider as a safety net hospital. Mr. Clifford said the County Charter allows Mr. Abarca to request a County Counselor opinion as to the legality of the process used. Additionally, there is no set cap in the County's procurement process for different purposes.

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**6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE**

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DaRon McGee, County Legislator, said there are two budget amendments for consideration by the Legislature. Manuel Abarca IV addressed his Amendment I dated December 11, 2023. He said Amendment I eliminates funding to the County Executive's Office over and above previous year's adjusted amounts. It also removes vacant positions in the Assessment Department. It reduces funding for the Assessment and Collections Departments. It removed monies from the Road and Bridge Fund to be used by the Sheriff's Office for vehicles. It specifically allocates ARPA funds.

Jeanie Lauer, County Legislator, said Amendment II makes an adjustment from the Auditor and Compliance area to reflect the current salaries. The Independence courthouse has an amount of \$250,000 to upgrade that location, but the remaining balance needed is only \$70,000.00. There is \$70,000.00 included for the Housing Resource Commission. It eliminates funding for bus passes and the Charter Review commission. It moves Sheriff's funding to the General Fund from the Road and Bridge Fund. This amendment also provides \$250,000.00 in the Assessment fund to provide for a citizen advocacy group. There are concerns placing BOE under the Assessment Fund. This group could address many complaints to assist citizens in the BOE process.

Whitney Miller, Deputy County Counselor, said a legal opinion was submitted last week detailing the County Counselor's concerns with Amendment I.

Manuel Abarca IV said he wants to understand how this budget amendment II was created. He asked who Ms. Lauer consulted, if not the Budget Committee. Ms. Lauer said she worked with Sean E. Smith, County Legislator, and Administration staff. She said the budget is a collaborative effort. To address concerns expressed by the County Counselor's Office, it removes the allocation for the ARPA Funds.

Donna Peyton, County Legislator, said if this had been collaborative effort and had been discussed with the Budget Committee, many of these issues could have been addressed in a joint budget amendment.

Jalen Anderson, County Legislator, said collaborative is not a word that has been used in the last twelve months with this body.

Charlie Franklin, County Legislator, said charities are something everyone favors. If he votes against budget Amendment I, it is not because he is not in favor of supporting Englewood Arts or other charity organizations. He said it is unfortunate we are in this position. He would like to find level ground.

Jeanie Lauer said this does not mean the ARPA funds are gone. It just means these funds need to be encumbered in 2024. It only means the funds are not a part of this process. She said there will be another process for agencies to submit applications in 2024.

Manuel Abarca IV said there were several public hearings that certain legislators did not participate in and who are now saying there is no collaboration. He said ARPA monies are emergency relief funds, for emergencies caused by the pandemic not for remodeling buildings.

Donna Peyton asked Jeanie Lauer about the 2024 timeline for the encumbrance of ARPA funds. Jeanie Lauer said ARPA funds need to be spent by December 31, 2024. She said she would like to begin the process in January 2024 but there is no timeline.

[5815](#)

A motion was made by Manuel Abarca IV, seconded by Donna Peyton, to approve Corrected Floor Amendment I dated December 11, 2023 for Ordinance #5815, to adopt the annual budget and set forth appropriations for the various spending agencies and the principal subdivisions thereof, for the fiscal year ending December 31, 2024. The motion failed by a roll call vote:

Yes: 4 - DaRon McGee, Donna Peyton, Manuel Abarca IV and Venessa Huskey

No: 5 - Megan L. Marshall, Jalen Anderson, Charlie Franklin, Jeanie Lauer and Sean E. Smith

[5815](#)

A motion was made by Jalen Anderson, seconded by Jeanie Lauer, to approve Floor Amendment II dated December 18, 2023 for Ordinance #5815, to delete the figure "10,524,479" in the "Recommended" column and insert the figure "10,568,943" in the "Amended" column for "County Administration", to delete the figure "31,289,338" in the "Recommended" column and insert the figure "31,263,338" in the "Amended" column for "County Operations", to delete the figure "55,532,091" in the "Recommended" column and insert the figure "56,253,013" in the "Amended" column for "County Public Safety", to delete the "Total" figure "177,181, 939" in the "Recommended" column and insert the figure "177,921,325" in the "Amended" column all across from the "Appropriations" column titled "General Fund - 001" on page one; to insert "Marijuana Sales Tax Fund - 009, County Administration, County Operations, County Public Health, County Public Safety, Courts, Facilities Management, Internal Services, Parks + Rec, all in the "Appropriations" column after "General Fund" on page one; to delete the figure "11,621,814" in the "Recommended" column and insert the figure "12,481,407" in the "Amended" column for "County Operations", to delete the figure "859,593" in the "Recommended" column and insert the sign "-" in the "Amended" column for "County Public Safety" all across from the "Appropriations" column titled "Special Road and Bridge Fund - 004" on

page two; to delete the figure "166,000" in the "Recommended" column and insert the figure "416,000" in the "Amended" column for "County Administration", to delete the figure "12,224,526" in the "Recommended" column and insert the figure "11,974,526" in the "Amended" column for "County Operations" all across from the "Appropriations" column titled "Assessment Fund - 045" all on page three; to delete the "Total Appropriations" figure "681,783,833" in the "Recommended" column and insert the figure "682,523,219" in the "Amended" column and to insert the phrase "as modified by the document attached hereto and labeled "2024 Budget Adjustments." all on page four. The motion passed by a roll call vote:

Yes: 5 - Megan L. Marshall, Jalen Anderson, Charlie Franklin, Jeanie Lauer and Sean E. Smith

No: 3 - DaRon McGee, Donna Peyton and Venessa Huskey

Abstain: 1 - Manuel Abarca IV

#### [5815](#)

A motion was made by Jalen Anderson, seconded by Jeanie Lauer to perfect Ordinance #5815, to adopt the annual budget and set forth appropriations for the various spending agencies and the principal subdivisions thereof, for the fiscal year ending December 31, 2024. The motion passed by a voice vote.

(PERFECTED)

A motion was made by Jeanie Lauer, seconded by Jalen Anderson, to adopt Ordinance #5815 (Amendment II).

Manuel Abarca IV objected.

A motion was made by Jalen Anderson, seconded by Jeanie Lauer, to hold Ordinance 5815 (Amendment II). The motion passed by a roll call vote:

Yes: 5 - Megan L. Marshall, Jalen Anderson, Charlie Franklin, Jeanie Lauer, Sean E. Smith

No: 4 - DaRon McGee, Donna Peyton, Manuel Abarca IV, Venessa Huskey

## **7 FINAL PASSAGE OF PROPOSED ORDINANCES**

None.

## **8 RESOLUTIONS IN COMMITTEE**

None.

**9      CONSENT AGENDA**

None.

**10     INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE**

[5822](#)

Submitting to the qualified voters of Jackson County, Missouri, at a special election to be held on April 2, 2024, a question authorizing Jackson County to impose a countywide sales tax of three-eighths of one percent for a period of forty years for the purpose of retaining the Kansas City Royals and Kansas City Chiefs sports teams in Jackson County, Missouri

*(Assigned to the Legislature As A Whole.)*

A motion was made by Jalen Anderson, seconded by Jeanie Lauer, to perfect Ordinance #5822.

DaRon McGee relinquished the Chair. Megan L. Marshall, Vice Chairman assumed the Chair.

A motion was made by DaRon McGee, seconded by Manuel Abarca IV, to hold Ordinance #5822. The motion passed by a roll call vote:

Yes: 6 - DaRon McGee, Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin, and Sean E. Smith

No: 3 - Jalen Anderson, Megan L. Marshall, and Jeanie Lauer

DaRon McGee resumed the Chair.

[5823](#)

Repealing sections 9103. and 9104., Jackson County Code, 1984, relating to the Board of Equalization, and enacting, in lieu thereof, two new sections relating to the same subject, with an effective date.

*(Assigned to the Legislature As A Whole.)*

[5824](#)

Appropriating \$22,000,000.00 from the undesignated fund balance of the General Fund and authorizing the construction of a new Health Sciences building for use by University Health.

*(Assigned to the Budget Committee.)*

**11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE**[21505](#)

A motion was made by Jeanie Lauer, seconded by Donna Peyton, to adopt Resolution #21505, authorizing the Jackson County Legislature to hold a closed meeting on Monday, December 18, 2023, for the purpose of conducting confidential communications under section 610.021(17) of the Revised Statutes of Missouri and closing all records prepared for discussion at said meeting. The motion passed by a roll call vote:

Yes: 7 - DaRon McGee, Megan L. Marshall, Jalen Anderson, Donna Peyton, Charlie Franklin, Jeanie Lauer and Sean E. Smith

No: 2 - Manuel Abarca IV and Venessa Huskey

(ADOPTED)

[21506](#)

Awarding a thirty-six-month term and supply contract for the furnishing of on-line legal publications and legal research services for use by various County departments to Thomson Reuters/West Publishing Corporation of Eagan, MN, as a sole source purchase.

*(Assigned to the Finance and Audit Committee.)*

**12 COUNTY EXECUTIVE ORDERS**[23-20](#)

I hereby appoint Mari Ruck as Director of Collections, to fill the vacancy occasioned by the resignation of Whitney S. Miller.  
Ms. Ruck's resume is attached.

**13 UNFINISHED BUSINESS**

None.

**14 NEW BUSINESS**

Closed meeting per Resolution #21505. The County Legislature recessed for a closed meeting. The County Legislature reconvened.

After the closed meeting, Manuel Abarca IV introduced Ordinance #5824, see page 6 for details.

**15 ADJOURNMENT**

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

Meeting adjourned until Friday, December 29, 2023 at 10:00 A.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.