



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

County Legislature

*Jeanie Lauer (5th) 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), DaRon McGee (4th),
Sean E. Smith (6th)*

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

Monday, August 5, 2024

3:00 PM

Twenty-ninth Regular Meeting

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

Jeanie Lauer, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

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

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

A motion was made by Manuel Abarca IV, seconded by Sean E. Smith to approve the journal of the previous meeting held on July 29, 2024. The motion passed by a voice vote.

4 HEARINGS

None.

5 COMMUNICATIONS WITH AND REPORTS OF THE COUNTY EXECUTIVE

Frank White Jr., County Executive, was not present. Caleb Clifford, Chief of Staff, said there was no report.

Manuel Abarca IV, County Legislator, said he noticed an add-on Resolution for American Rescue Plan Act (ARPA) funds and a letter from the County Executive. Caleb Clifford said the County Executive sent a letter to the Legislature with his recommendation in hopes of working with the Legislature to move forward expeditiously. Mr. Abarca said he sees categories but not specifics on ARPA funding within those categories. He asked about the County Executive's priority for renovations to the 1300 Washington building. He expressed concern about the location of this building. Mr. Clifford said the Downtown Courthouse has significant capital improvement needs that have not been addressed. The Courthouse is not

accessible for the disabled, it has safety and security issues, and is overused. An assessment of the building by consultants found that it is being used beyond its capacity, which has created a stress on the structure. Efforts were made to find an alternative location for the Administrative functions of the County. Few other counties co-locate their court functions in the same location as their administrative functions. The previous Legislature approved the purchase of the 1300 Washington location and the use of ARPA funds for upgrades to that building and the Downtown Courthouse. Solicitations for the work was conducted through a reliable process. This is work that needs to be done. The procurement process is not for a specific amount. The bidders state what the cost would be for the work.

Mr. Abarca said the estimates he saw were for a \$50 million cost for improvements to 1300 Washington and the downtown courthouse with a greater focus on 1300 Washington. He believes the 1300 Washington building should be sold. Mr. Clifford said federal rules require federal approval before selling an asset that was purchased with ARPA funds. If the building is sold, the County will have to give the funds to the federal government and be out the cost paid for the property. This could be over a \$10 million loss to the County. Mr. Abarca disputed that characterization, stating that he has a letter from the Department of Treasury stating the building can be sold. Mr. Clifford said he has not seen that information and would like to review Mr. Abarca's documentation. Mr. Abarca said the letter came from the White House on Friday. Mr. Abarca said he feels the Administration's position is creating a chaotic situation. He said the letter also states that the County was to give specific goals for the use of the funds by July. Mr. Clifford said he believes the County has complied all requirements of the federal government related to the federal funds.

6 PERFECTON OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

A motion was made by Manuel Abarca IV, seconded by Sean E. Smith, to hold Ordinance #5861. The motion passed by a voice vote.

[5861](#)

AN ORDINANCE submitting to the qualified voters of Jackson County, Missouri, at a General Election to be held on November 5, 2024, a question authorizing Jackson County to impose a countywide capital improvement sales tax of three-eighths of one percent for a period of forty years for the purpose of retaining the Kansas City Chiefs sports team in Jackson County, Missouri.

(Legislature As A Whole - 2nd. Perfection)

[5864](#)

AN ORDINANCE submitting to the qualified voters of Jackson County, Missouri, at the general election to be held on November 5, 2024, a question to amend the Jackson County Charter, with an effective date.

(Legislature As A Whole - 2nd. Perfection)

Sean E. Smith, County Legislator, explained the Proposed Substitute for Ordinance #5864, dated August 5, 2024. He said these changes make the charter amendment consistent with state law, so the assessor election is on the correct cycle. State law says that elected assessors take office in September after their November election, so they assume office after the reassessment cycle is complete. It also provides for procedures for filling a possible vacancy within the assessor's office. Manuel Abarca IV, the original sponsor of the ordinance said he considers these revisions to be friendly and he supports them.

A motion was made by Sean E. Smith, seconded by Venessa Huskey to approve the floor substitute to Ordinance #5864. The motion passed by a voice vote.

A motion was made by Megan L. Marshall, seconded by Charlie Franklin, to hold Ordinance #5864.

Discussion.

Megan L. Marshall, County Legislator, stated that because the Legislature just received this amendment, she would like time to review this document, the corresponding state statutes, and the constitution. Mr. Smith stated that time is of the essence since a potential veto of the ordinance will cause delay and require another vote to make the August 27, 2024, deadline for the November ballot.

The motion to hold passed by a roll call vote:

Yes: 7 - Jeanie Lauer, Megan L. Marshall, Jalen Anderson, Donna Peyton, Manuel Abarca IV, Charlie Franklin, and DaRon McGee

No: 1 - Sean E. Smith

Abstain: 1 - Venessa Huskey

[5865](#)

AN ORDINANCE enacting section 5577., Jackson County Code, 1984, relating to possession of firearms and age restriction.

(Rules Committee - 2nd. Perfection)

7 FINAL PASSAGE OF PROPOSED ORDINANCES[5866](#)

A motion was made by Manuel Abarca IV, seconded by Venessa Huskey, to adopt Ordinance #5866, enacting section 2066., Jackson County Code, 1984, relating to the Senior Property Tax Credit. The motion passed by a roll call vote:

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

(ADOPTED)

8 RESOLUTIONS IN COMMITTEE

A motion was made by Manuel Abarca IV, seconded by Sean E. Smith, to hold Resolution #21641. The motion passed by a voice vote:

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

[21641](#)

A RESOLUTION authorizing the County Executive or the Chairman of the Legislature to sell the County-owned property located at 1300 Washington Street, Kansas City, MO 64105 via the competitive bidding process.

(Legislature As A Whole - 1st. Meeting)

[21667](#)

A RESOLUTION amending Rules 16 and 19 of the Rules of the Jackson County Legislature relating to the transfer of legislation between committees.

(Rules Committee - 5th. Meeting)

[21668](#)

A RESOLUTION expressing the support of the Jackson County Legislature for the creation of a Jackson County Office of Gun Violence Prevention.

(Budget Committee - 4th. Meeting)

[21681](#)

Public Works Committee moved to adopt. Consent Agenda.

[21682](#)

Public Works Committee moved to adopt. Consent Agenda.

Manuel Abarca IV objected to the Consent Agenda.

Mr. Abarca asked if the responsible bidder ordinance pertains to this legislation. Troy Schulte explained this legislation deals with supplies only. Manuel Abarca IV withdrew his objection to the Consent Agenda.

[21683](#) Justice and Law Enforcement Committee moved to adopt. Consent Agenda.

[21684](#) Finance and Audit Committee moved to adopt. Consent Agenda.

A motion was made by Manuel Abarca IV, seconded by Donna Peyton, to hold Resolution #21684.

Discussion.

Manuel Abarca IV requested a detail report regarding why the cyber attack happened and what lessons were learned after the attack. He requested clarity and specifics about the steps they are asked to approve with this resolution.

The motion to hold failed by a roll call vote:

Yes: 3 - Manuel Abarca IV, Venessa Huskey and DaRon McGee

No: 6 - Jeanie Lauer, Megan L. Marshall, Jalen Anderson, Donna Peyton, Charlie Franklin and Sean E. Smith

Manuel Abarca IV objected to the Consent Agenda.

[21684](#) A motion was made by Jalen Anderson, seconded by Sean E. Smith, to adopt Resolution #21684, transferring \$778,483.00 within the 2024 General Fund and \$59,772.00 within the E-911 System Fund for the furnishing of advanced cybersecurity solutions from existing term and supply contract vendors. The motion passed by a roll call vote:

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

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

(ADOPTED)

[21685](#) Finance and Audit Committee moved to adopt. Consent Agenda.

[21686](#) Land Use Committee moved to adopt. Consent Agenda.

9 CONSENT AGENDA

[21681](#) A RESOLUTION awarding a twenty-four-month term and supply contract, with one twelve-month option to extend, for the furnishing of glazing services for use by the Public Works Department to Binswanger Glass of Independence, Missouri, under the terms and conditions of Invitation to Bid No. 23-026.

(ADOPTED)

[21682](#) A RESOLUTION awarding a twelve-month term and supply contract, with one twelve-month option to extend, for the furnishing of asphaltic concrete for use by the Public Works Department to Vance Brothers, Inc., of Kansas City, MO, under the terms and conditions of Invitation to Bid No. 24-007.

(ADOPTED)

[21683](#) A RESOLUTION awarding a twelve-month term and supply contract, with one twelve-month option to extend, for the furnishing of electronic monitoring equipment for use by the Jackson County Sheriff's Population Control Office, to BI Incorporated of Boulder, CO, under the terms and conditions of OMNIA Partners - City of Mesa, Arizona Contract No. 2022118, an existing competitively bid government contract.

(ADOPTED)

[21685](#) A RESOLUTION awarding a twenty-four-month term and supply contract, with one twelve-month option to extend, for the furnishing of livestock feed, animal food, and agricultural supplies and equipment for use by various County departments to Feldman's Farm and Home of Liberty, MO, under the terms and conditions of Invitation to Bid No. 24-038.

(ADOPTED)

[21686](#) A RESOLUTION transferring \$127,500.00 within the 2024 General Fund to replace a pedestrian bridge along the Little Blue Trace Trail damaged by a severe storm, utilizing an existing term and supply contract.

(ADOPTED)

Resolutions #21681, #21682, #21683, #21685 and #21686 were moved to the Consent Agenda for adoption.

A motion was made by Jalen Anderson, seconded by Megan L. Marshall, to approve the Consent Agenda. The motion passed by a roll call vote:

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

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE[5868](#)

Appropriating \$40,600.00 from the undesignated fund balance of the 2024 General Fund in receipt of extradition reimbursement from the State of Missouri to cover unanticipated transportation budgetary shortfalls within the Sheriff's Office.

(Assigned to the Justice and Law Enforcement Committee.)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE[21689](#)

A motion was made by DaRon McGee, seconded by Manuel Abarca IV, to adopt Resolution #21689, authorizing the County Counselor to execute an addendum to the Legal Services Agreement with Hardwick Law Firm of Kansas City, MO, at an additional cost to the County not to exceed \$495,454.00. The motion passed by a roll call vote:

Yes: 5 - Donna Peyton, Manuel Abarca IV, Venessa Huskey, Charlie Franklin and DaRon McGee

No: 4 - Jeanie Lauer, Megan L. Marshall, Jalen Anderson and Sean E. Smith

(ADOPTED)

[21690](#)

Authorizing the County Counselor to execute Addendums to existing Legal Services Agreements with certain lawyers and law firms at an aggregate cost to the County not to exceed \$57,000.00.

(Assigned to the Finance and Audit Committee.)

No objection to the consideration of Resolution #21691 - not on the printed agenda.

[21691](#)

Expressing the intent of the Legislature to work with the County Executive to develop a plan to commit federal American Rescue Plan (ARPA) funds and begin the required procurement process to ensure funds are under contract by the end of 2024.

(Assigned to the Legislature As A Whole.)

Discussion.

Manuel Abarca IV inquired as to the difference between this resolution and a previous resolution offered by Legislator Donna Peyton for recommendations regarding the ARPA funds. He sees that the resolution presented, fixes the allocation to certain categories. Is this a recommendation to consider funding in these certain areas? Bryan Covinsky, County Counselor, said he believes the resolution speaks for itself. It is the legislative intent. Mr. Abarca said, when looking at the

difference between a resolution or an ordinance, how would the Legislature have budgeted the money differently? It seems inconsistent by presenting this as a resolution instead of an ordinance. Whitney Miller, Chief Deputy County Counselor, said this will require further authorization to move forward with the recommendations. This is the Legislature sharing its intent with the County Executive with a plan to move forward. Jeanie Lauer, County Legislator, asked Troy Schulte, County Administrator, for an explanation on the procurement process to move forward. Mr. Schulte said if consensus is reached, then the Administration will move forward with a procurement process to encumber ARPA funds on contracts. He agrees with Mr. Abarca that there will be another step to approve an ordinance appropriating the funds. This resolution will start the procurement process. Mr. Abarca said his fear is that the Legislature is locking itself into a preconceived acceptance of disproportional funding. The Legislature had hearings last year that everyone participated in that looked at a \$30 million appropriation to community funding. Now they are looking at \$25 million for community investment. The Our Healthy Jackson County is still included, which reduces the community investment to \$15 or \$20 million. There does not appear to be enough information to move forward. It seems like an attempt to lock the Legislature into a preconceived allocation. He is not in favor of the resolution.

Venessa Huskey, County Legislator, said she thought the County had more than \$65 million available. Mr. Schulte said last week the independent auditor indicated that the amount of \$80 million is the available. This figure includes contracts that were unspent. The Our Healthy Jackson County and some other resources are under contract and according to federal regulations that is acceptable. When you take the available funds, \$65 million is remaining.

Donna Peyton, County Legislator, said it was the hope of the County Executive that we work expeditiously to get this done. She said she takes great offense to that, because it was the hope of this Legislature to have a plan by the end of April. She is offended to not be kept in the loop, not receive updates, or other information until now, but to now be told they must work expeditiously. She sees this resolution as a commitment that the Legislature will come together to have discussions. Not to have discussions on what to do with ARPA funding but to have discussions on what was given to them. This is a concern. She wants clarity on the expectations and how they will work to get this done. She said she never heard what was done to meet the qualifications required by July 1. Caleb Clifford said the County Executive hopes there is an open and honest discussion on the use of ARPA funds. He said the priorities identified in the Resolution have the County Executive's support. The Chair and others involved in this discussion have factored in input from others on the Legislature. This is a step to update the Legislature and to make the process public. The County

Executive is open to other input. Mr. White told Mr. Clifford he had productive conversations with Legislator Peyton specifically. As to the suggested July deadline, County staff have been assigned to making sure the County has met all of the deadlines and requirements from the federal government. The annual report has been submitted and was on time.

Ms. Peyton said she has concerns. Her understanding is this resolution is a blueprint to guide their discussions. This is what is open for discussion. She wants clarification on how much leeway the Legislature has regarding ARPA funding. Is this proposal written in stone? Mr. Clifford said he hesitates in stepping into the legislative process. The Legislature always has the ability to amend a proposal. The County Executive is putting forward his recommendations to move forward. He is open to any better ideas to look for solutions. This is not a simple or easy decision on important matters. Any resolution may leave everyone feeling like they didn't get exactly what they wanted, but that may be because of compromise to get the process completed.

Sean E. Smith, County Legislator, said he feels like he is in Groundhog Day because of the strategy by the Administration of waiting until things are urgent and then adopting a take it or leave it approach. He finds this repugnant as a representative democracy and as the legislative body responsible for the budget and funding of this County. This is a consistent, repetitive tactic by this Administration. It is embarrassing. He will offer within the next seven days the opportunity for work sessions with the County Executive and any Legislators without any third parties so something can be worked out. He wants to work collaboratively on this process so that everyone feels like they are working together.

Manuel Abarca IV said the County Executive does not have a vote on the Legislature. The Executive is passing through his own wishes through a member of the Legislature. The Legislature makes this decision. The Administration executes what the Legislature enacts. There is a \$10 million window on some of these funds. The reality is they keep hearing that the County Executive is open to meeting with all Legislators, but Mr. White has not responded to any of Mr. Abarca's efforts to speak with him and has cancelled meetings. Mr. Abarca said it is frustrating to be lectured by someone who is not elected. In addition, it is embarrassing the way the Administration operates.

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

Jeanie Lauer said upgrades to the Eastern Jackson County Courthouse are complete and the Legislature may begin scheduling meetings to be held in Independence in accordance with the Rules of the Legislature. Because the November meeting falls on Veteran's Day, that meeting will remain scheduled for the Downtown Courthouse.

A motion was made by Sean E. Smith, seconded by Manuel Abarca IV, to change the location of the legislative meetings scheduled to be held on Monday, September 9, October 14, and December 9, 2024 to the Legislative Assembly Area located on the ground floor of the Eastern Jackson County Courthouse, 308 W. Kansas, Independence, Missouri. The motion passed by a roll call vote:

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

15 ADJOURNMENT

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

Meeting adjourned until Monday, August 12, 2024 at 3:00 P.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.