



Jackson County Missouri

JOURNAL

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

County Legislature

Office of
Mary Jo Spino
Clerk of the County Legislature

*Theresa Galvin (6th) Chair, Dan Tarwater III (4th) Vice Chair,
Jalen Anderson (1st AL), Crystal Williams (2nd AL), Tony Miller (3rd AL),
Scott Burnett (1st), Ronald E. Finley (2nd), Charlie Franklin (3rd), Jeanie Lauer
(5th)*

Monday, September 23, 2019

1:00 PM

Thirty-seventh Regular Meeting

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

Theresa Galvin, Chair, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present 9 - Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

A motion was made by Dan Tarwater III, seconded by Tony Miller to approve the journal of the previous meeting held on September 16, 2019. The motion passed by a voice vote.

4 HEARINGS

Theresa Galvin, Chair, recognized Crystal Williams, County Legislator, to speak to Resolution #20253, supporting the Missouri Medicaid Expansion Initiative for the November 3, 2020 election. Crystal Williams introduced Kansas City Councilwoman Melissa Robinson, representing the Black Health Care Coalition, and Jessica Hembree, with the Health Forward Foundation. Ms. Robinson asked for the County Legislator's support for expanding Medicaid in Missouri. She said that this initiative, which will address healthcare needs and health equity issues in our state, should go to the people of Missouri to decide. Ms. Hembree said that many times people have to make hard decisions about whether to obtain healthcare or to pay for their basic day-to-day needs. She said that expansion of Medicaid in Missouri will boost the economy within the state, helping to keep rural hospitals open and improving the financial well-being of our citizens. This initiative needs 172,000 valid signatures to be placed on the November 2020 ballot. This will require them to obtain about 300,000 signatures to get the necessary valid signatures. They believe that

passage of the expansion of Medicaid will save the state of Missouri about \$30 million.

Theresa Galvin recognized Dan Tarwater III, County Legislator, to address the release of an audit of the COMBAT funds by the Jackson County Prosecuting Attorney, Jean Peters Baker. Mr. Tarwater said that the Prosecuting Attorney was hoping to address the County Executive today, but he is not in attendance. She has asked that her presentation be rescheduled. Mr. Tarwater said that it has been widely reported that the audit indicates there were salaries paid out of COMBAT funds that should not have been, that a truck was purchased, partially with COMBAT funds and that there has been underfunding of COMBAT related programs.

Jaime Masters, Chief of Health Services and Acting Chief Operating Officer, addressed the Legislature. She said that the County Executive was attending a preplanned event with the Kansas City Mayor in Nashville, TN. She said that she had responsibility for the oversight of COMBAT from 2016 through 2018 and that she was never contacted by BKD about this audit. Ms. Masters stated that the administration met to review the audit and they believe there are several inaccuracies contained in the audit.

Theresa Galvin opened the public hearing regarding Ordinances #5263, #5264, #5265 and #5266, setting the 2019 property tax rates of Jackson County, Missouri, the Merchants' and Manufacturers' Inventory Replacement, Jackson County Board of Services for the Developmentally Disabled, and the Jackson County Community Mental Health Fund.

Jake Jacobs, Executive Director of the Board of Services for the Developmentally Disabled (eitas), Elizabeth Moran, Board Chair, and Tedi Rowland, Board Secretary, spoke in favor of the proposed tax levy for the Board of Services for the Developmentally Disabled. Ms. Moran said that this funding makes a difference in the lives of 14,000 members of our community either through direct support to an individual with a developmental disability, but also the peace of mind these programs can bring to the families of such an individual. She said that eitas provides traditional services such as supported employment, day programs, residential programs, and transportation, but is also providing innovative programs to reach individuals that are not being served by these funds, those people that may be isolated or transitioning out of school-based programs and unaware of programs to improve their quality of life. Ms. Rowland spoke about her son JP who works in supported employment at Blue Valley Industries. She asked the Legislature to approve Ordinance #5266 setting the tax levy for the Board of Services for the

Developmentally Disabled.

Dr. Bruce Eddy, Executive Director of the Jackson County Community Mental Health Fund, said that they serve 18,000 citizens in Jackson County. He asked the Legislature to approve Ordinance #5265, setting the tax levy for the Community Mental Health Fund. Dr. Eddy said that they are a care provider of last resort. He said with the adoption of the Children's Services Fund and the possibility of Medicaid expansion, there will be less pressure on the Mental Health Fund.

Dan Tarwater III asked Ed Stoll, Chief Administrative Officer, to speak to the Jackson County Levy, Ordinance #5264 and the proposed substitute that was distributed before the meeting. Mr. Stoll, Bob Crutsinger, Director of Finance and Purchasing, and John Gordon, Treasurer, stepped forward to address the Legislature. Mr. Stoll said that the original proposed tax levy introduced in Ordinance #5264, reflects the Hancock Amendment reduction. The proposed substitute reflects the Hancock Amendment reduction plus a voluntary reduction proposed by the County Executive. Mr. Tarwater said that Jackson County's portion of the entire taxes imposed in the County is very small, whereas the majority of the real property taxes are imposed by school districts. He said that the County Executive's press release will lead citizens to think that their tax bill will be lower than it was in 2018, and that is not likely a correct impression.

Crystal Williams, County Legislator, said that many people are offended by the County Executive's press release. Jalen Anderson, County Legislator, asked when this plan was decided. Mr. Stoll said that this has been under discussion for a while, but he cannot pinpoint an exact time when this proposal was developed. Mr. Anderson questioned why this was done on a Sunday night. He said that it appears like some are playing politics after an unfavorable audit report was released. He said that cutting the Special Road & Bridge Fund, Health Fund, and Park Fund will likely hurt vital programs. Mr. Stoll asked John Gordon to explain how he does not believe this reduction in the tax levy will hurt these departmental budgets. Mr. Anderson said these actions keep Jackson County down and prevents the county from moving forward.

Theresa Galvin read from page two of Ordinance #5264, which states that the sales tax revenue decreased and therefore the 2019 Jackson County tax levy must be adjusted to reflect this decrease from the 2018 estimated revenues. Ms. Galvin asked Crissy Wooderson, Legislative Auditor, to explain this reference in Ordinance #5264. Ms. Wooderson said that according to the County's annual financial reports, the CAFR that was

presented to the Legislature in July 2019, the actual sales tax for budgetary purposes increased by \$1.6 million over revenues.

The Legislative meeting went into recess.

The Legislative meeting reconvened.

Jeanie Lauer, County Legislator, asked what percentage of the tax bill goes to Jackson County. John Gordon said that it depends on location, but approximately 8% of the tax bill goes to the County.

Ms. Galvin asked Mr. Crutsinger if he had any comment. He said that the Finance Department has reviewed its options and the presented substitute is the lowest tax levy that could also fund the County's budget. Mr. Tarwater asked if Jackson County would collect more taxes in 2019 or would it be the same amount as 2018, since taxes will be rolled back. Mr. Crutsinger said there are many variables but if there was not a rollback, tax collections for 2019 would be \$2.6 million per year (including uncollectables). He said the \$3 million figure was computed based on total bills. Mr. Tarwater said he meant out of \$315 million that comes into Jackson County, will it be \$316 million or \$300 million next year. Mr. Crutsinger estimates that revenue will be about \$69 million on property taxes.

Ronald E. Finley, County Legislator, asked about the impact if we rescinded the action taken by the Legislature last year to reverse the tax roll back. Ms. Williams said that is not the answer. The answer is to fix the problems with the reassessment. She said there are ways to fix this, but we also will need to build a new detention center and that was the purpose of the reversal of the voluntary roll back last year. Ms. Galvin said that she agreed that the issue is with the reassessment. She said that they were told they weren't in compliance with state law regarding the assessed values. The Legislature was told the assessment ratio level they were at was 89.6 percent and the ratio needed to be at 90 percent. She asked why then did homes go up 400 percent when all we needed to be compliant was the .4 percent? Tony Miller, County Legislator, said that he was less concerned about a perceived notion of violating state law than the wellbeing of the taxpayers.

Ms. Galvin said that the Legislature has until next Monday's meeting to adopt the tax levies. She said that we have fulfilled our obligation to hold a public hearing on the tax levies.

Scott Burnett, County Legislator, asked Dr. Bruce Eddy of the Community Mental Health Fund, if his organization could benefit from a small increase in their tax levy. Dr. Eddy said that it is his understanding that this fund is at its maximum under the Hancock Amendment.

Theresa Galvin closed the public hearing.

5 COMMUNICATIONS WITH AND REPORTS OF THE COUNTY EXECUTIVE

There was no report and the County Executive was not present.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[5262](#)

Anti-Crime Committee moved to perfect. Consent Agenda.

A motion was made by Dan Tarwater III, seconded by Crystal Williams, to waive the reading of Ordinances #5263, #5264, #5265 and #5266. The motion passed by a voice vote.

[5263](#)

AN ORDINANCE setting the 2019 merchants' and manufacturers' inventory replacement tax levy.

(Legislature As A Whole - 1st. Perfection)

[5264](#)

AN ORDINANCE setting the 2019 Jackson County, Missouri, tax levy.

(Legislature As A Whole - 1st. Perfection)

[5265](#)

AN ORDINANCE setting the 2019 Jackson County Community Mental Health Fund Levy.

(Legislature As A Whole - 1st. Perfection)

[5266](#)

AN ORDINANCE setting the 2019 Jackson County Board of Services for the Developmentally Disabled (Sheltered Workshop) Levy.

(Legislature As A Whole - 1st. Perfection)

[5267](#)

A motion was made by Dan Tarwater III, seconded by Scott Burnett to perfect Ordinance #5267. The motion passed by a voice vote.

(PERFECTED)

After much discussion and testimony from Gail McCann Beatty, Director of Assessment, Dan Tarwater III withdrew his motion to perfect Ordinance #5267.

[5267](#)

A motion was made by Scott Burnett, seconded by Ronald E. Finley, to hold Ordinance #5267 enacting section 2002., Jackson County Code, 1984, relating to assessment procedures, with an effective date. The motion passed by a voice vote.

A motion was made by Scott Burnett, seconded by Dan Tarwater III, to waive the reading of Ordinance #5268. The motion passed by a voice vote.

(APPROVED)

[5268](#)

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

(Finance and Audit Committee - 1st. Perfection)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[5259](#)

Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

A motion was made by Dan Tarwater III, seconded by Crystal Williams, to adopt Resolution #20224.

After much discussion, legislators agreed that they were not in favor of hiring an owner's representative at this time in light of the issues in Jackson County, Missouri with assessment and the COMBAT audit.

Jay Haden, Deputy County Counselor, suggested another option. He said rather than voting no on Resolution #20224, the County Legislature could withdraw it from the agenda.

Dan Tarwater III withdrew his motion to adopt Resolution #20224.

[20224](#)

Transferring \$8,808,695.00 within the 2019 County Improvement Fund and awarding a contract for owner's representative services for the County's detention facilities to JCDC Partners, LLC, of Kansas City, MO, under the terms and conditions of Request for Proposals No. 17-19, at an actual cost to the County not to exceed \$8,808,695.00.

(WITHDRAWN BY SPONSOR CRYSTAL WILLIAMS, CONCURRED BY DAN TARWATER III AND JALEN ANDERSON.)

[20237](#) A RESOLUTION authorizing the County Executive to execute an Intergovernmental Cooperative Agreement with the Jackson County Sports Complex Authority concerning the disposition of County-owned personal property located at the Harry S. Truman Sports Complex.

(Rules Committee - 3rd. Meeting)

[20244](#) Public Works Committee moved to adopt. Consent Agenda.

[20252](#) Budget Committee moved to adopt. Consent Agenda.

A motion was made by Tony Miller, seconded by Scott Burnett, to adopt Resolution #20253.

Jeanie Lauer, County Legislator, requested more information regarding this resolution.

Tony Miller withdrew his motion to adopt Resolution #20253.

[20253](#) A RESOLUTION supporting the Missouri Medicaid Expansion Initiative for the November 3, 2020 election.

(Legislature As A Whole - 1st. Meeting)

A motion was made by Tony Miller, seconded by Scott Burnett to waive the reading of Resolution #20254. The motion passed by a voice vote.

[20254](#) Public Works Committee moved to adopt. Consent Agenda.

[20256](#) Finance and Audit Committee moved to adopt. Consent Agenda.

[20257](#) Land Use Committee moved to adopt. Consent Agenda.

[20258](#) Anti-Crime Committee moved to adopt. Consent Agenda.

A motion was made by Tony Miller, seconded by Scott Burnett to waive the reading of Resolution #20259. The motion passed by a voice vote.

[20259](#) Budget Committee moved to adopt. Consent Agenda.

[20260](#) A RESOLUTION authorizing the County Counselor to execute Legal Services Agreements with certain lawyers and law firms, at an aggregate cost to the County not to exceed \$28,800.00, for services to be performed in 2019.

(Finance and Audit Committee - 1st. Meeting)

9 CONSENT AGENDA

[5262](#) AN ORDINANCE appropriating \$6,485.00 from the undesignated fund balance of the 2019 Anti-Crime Sales Tax Fund and authorizing the County Executive to execute Amendment No. 1 to the lease with K.C. Partners Oak Tower Limited Partnership of Kansas City, Missouri, for a seven-year lease of office space for the Public Defender's Office, at a cost to the County not to exceed \$111,837.75 in 2019.

(PERFECTED)

[5259](#) AN ORDINANCE appropriating \$14,825.00 from the undesignated fund balance of the 2019 Federal Forfeiture Fund for the purchase of headsets/communications equipment under an existing County term and supply contract, for use by the Sheriff's Office.

(ADOPTED)

[20244](#) A RESOLUTION awarding a twenty-four month term and supply contract with three twelve-month options to extend for the furnishing of concrete flat work, curbing, and street repairs for use by various County departments to Quality Custom Construction of Lone Jack, MO, under the terms and conditions of Invitation to Bid No. 40-19.

(ADOPTED)

[20252](#) A RESOLUTION transferring \$125,000.00 within the 2019 General Fund for the reallocation of budgeted funds within the Circuit Court's Information Technology Department.

(ADOPTED)

[20254](#) A RESOLUTION awarding a sixty-month term and supply contract for the furnishing of HVAC products, installation, and service for use by the Facilities Management Division of the Public Works Department to Johnson Controls of Lenexa, KS, under the terms and conditions set forth in General Services Administration Contract No. GS-06F-0060P, an existing competitively bid government contract.

(ADOPTED)

[20256](#) A RESOLUTION authorizing an application for a storm water grant from the Missouri Department of Natural Resources in connection with the Raytown Road Bridge Replacement Study.

(ADOPTED)

[20257](#) A RESOLUTION authorizing the final sale of eight surplus parcels of real property within the Parks + Rec Department.

(ADOPTED)

[20258](#) A RESOLUTION transferring \$96,005.00 within the 2019 Anti-Crime Sales Tax Fund to cover the cost of salary expenses for the restructuring and creation of new positions within the COMBAT Administration.
(ADOPTED)

[20259](#) A RESOLUTION awarding a twelve-month contract with four twelve-month options to extend for the furnishing of property casualty insurance for use countywide to Lockton Companies, LLC., of Kansas City, MO, under the terms and conditions of Request for Proposals No. 46-19, at an actual annual cost to the county in the amount of \$892,844.00.
(ADOPTED)

*Ordinance #5262 was moved to the Consent Agenda for perfection.
Ordinance #5259 and Resolutions #20244, #20252, #20254, #20256,
#20257, #20258 and #20259 were moved to the Consent Agenda for adoption.*

A motion was made by Dan Tarwater III, seconded by Tony Miller, to approve the Consent Agenda. The motion passed by a roll call vote:
Yes: 9 - Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

UNFINISHED BUSINESS was addressed at this time. See page 11 for details.

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[5269](#) Appropriating \$11,087.00 from the undesignated fund balance of the 2019 Special Road & Bridge Fund in acceptance of insurance proceeds for the total loss of a fleet vehicle for use by the Public Works Department.
(Assigned to the Public Works Committee.)

[5270](#) A motion was made by Crystal Williams, seconded by Dan Tarwater III to perfect Ordinance #5270. The motion passed by a voice vote.
(PERFECTED)

[5270](#) A motion was made by Crystal Williams, seconded by Dan Tarwater III, to adopt Ordinance #5270, appropriating \$292,967.00 from the undesignated fund balance of the 2019 Grant Fund, in acceptance of the Family Court Division's Juvenile Court Diversion Program grant received from the State of Missouri Division of Youth Services. The motion passed by a roll call vote:
Yes: 9 - Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

(ADOPTED)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[20261](#) Awarding a contract on Bid No. PW 06-2019 for the East Cline Road Culver Replacement, County Project No. 3150, to Tasco, LLC, of Kingsville, MO, at an actual cost to the County not to exceed \$270,355.00, and authorizing the Director of Public Works to approve line item adjustments under this contract at no additional cost to the County.

(Assigned to the Public Works Committee.)

[20262](#) Transferring \$86,884.00 within the 2019 Anti-Crime Sales Tax Fund to fund the Gang Intelligence Officer position within the Sheriff's Office.

(Assigned to the Anti-Crime Committee.)

[20263](#) A motion was made by Ronald E. Finley, seconded by Jalen Anderson, to adopt Resolution #20263, transferring \$25,000.00 within the 2019 General Fund to cover the costs for the replacement of plumbing and mechanical equipment necessitated by recent water damage. The motion passed by a roll call vote:

Yes: 9 - Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

(ADOPTED)

[20264](#) Transferring \$16,200.00 within the 2019 General Fund to cover the cost of temporary staffing within the Public Works Department's Facilities Management Division.

(Assigned to the Public Works Committee.)

[20265](#) Authorizing the County Executive to execute a License and Professional Services Agreement with Entercom Kansas City, LLC, d/b/a KZPT, for the sponsorship of an event at Longview Lake, at an actual cost to the County not to exceed \$18,999.00.

(Assigned to the Land Use Committee.)

[20266](#) A motion was made by Ronald E. Finley, seconded by Crystal Williams, to adopt Resolution #20266, authorizing the County Executive to execute an agreement with the Independence School District for the use of the County's parking lot located at Kansas and Osage, for staging and gathering for a parade, at no cost to the County. The motion passed by a roll call vote:

Yes: 9 - Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

(ADOPTED)

[20267](#)

Transferring \$45,157.00 with the 2019 General Fund and awarding a contract for the furnishing of annual software maintenance for use by the Sheriff's Office to Omnigo Software of St. Louis, MO, at an actual cost to the County not to exceed \$65,110.00, as a sole source purchase.

(Assigned to the Justice and Law Enforcement Committee.)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

Presiding Judge David Byrne said Resolution #20263 is on the legislative agenda today to address some items that the courts requested be done during this time frame. Regarding the 3rd floor Court Administrator's area, he reported that work has begun and is progressing. He said Brian Gaddie, Director of Public Works, has received copies of 50% of the drawings and has shared them with the courts. A meeting is scheduled for Friday with Public Works and the architects. He was happy to report that there was much progress in the last couple of weeks and he thanked Brian Gaddie and his staff.

14 NEW BUSINESS

None.

15 ADJOURNMENT

A motion was made by Dan Tarwater III, seconded by Tony Miller, to adjourn the meeting. The motion passed by a voice vote.

Meeting adjourned until Monday, September 30, 2019 at 1:00 P.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.