



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

County Legislature

*Theresa Cass 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)*

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

Monday, June 29, 2020

10:00 AM

Twenty-fifth Regular Meeting

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

Theresa Cass Galvin, Chairman, 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 Cass 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 Crystal Williams to approve the journal of the previous meeting held on June 22, 2020. The motion passed by a voice vote.

4 HEARINGS

Theresa Cass Galvin, Chairman, opened the floor for nominations to the Jackson County Sports Complex Authority.

*Dan Tarwater III nominated John B. Boyd.
Tony Miller nominated Shawn G. Foster
Dan Tarwater III nominated Garry Kemp.*

A motion was made by Dan Tarwater III, seconded by Tony Miller, to close nominations to the Jackson County Sports Complex Authority. The motion passed by a voice vote.

A motion was made by Dan Tarwater III, seconded by Tony Miller to approve by acclamation the names John B. Boyd, Shawn G. Foster and Garry Kemp to be inserted in Resolution #20446. The motion passed by a voice vote.

Resolution #20446 was adopted at this time. See page 5 for details.

5 COMMUNICATIONS WITH AND REPORTS OF THE COUNTY EXECUTIVE

Frank White, Jr., County Executive, read a statement regarding the Andrew Jackson statues in front of the downtown and Independence Jackson County courthouses. He said that in December 2019 he had voiced his opposition to the process that called for plaques to be installed by the statues because it did not include input from his office or the African American and Native American communities. He said hindsight is 20/20. He is hopeful that they can work together in a thoughtful manner. He is confident that together they can make meaningful progress. He has seen racism throughout his lifetime including white only restrooms and water fountains. Mr. White said he, his children, or grandchildren could be George Floyd. George Floyd was not treated with respect or humanity. It makes him sad and angry to watch and talk about what is happening. Mr. White said we have a responsibility to speak up. Elected bodies throughout the country have spoken up. Mr. White asked, do our policies, practices, and symbols accurately reflect the type of inclusive community we want to be? The statues of Andrew Jackson outside our courthouses are symbols of slavery, oppression, and death. Our words about fairness, justice, and equality will ring hollow as long as these statues remain. Pursuant to Article III, section 6.7 of the Jackson County Charter, he recommends that the two statues be removed. He said to accomplish this goal he asks that the County Legislature form a special committee and begin holding public hearings to receive input from members of our community, and to ultimately pass legislation authorizing the removal of these statues. He said he requests the Chairman of the Legislature to appoint such a committee. He welcomes the opportunity to work with the Legislature to find a better home for these statues. This is not about erasing history, but it is about standing on the right side of history.

Theresa Cass Galvin, Chairman, said there are many views on this important decision. These statues belong to the people of Jackson County and she said she will be sponsoring an ordinance to put this question on the ballot to be decided by the voters of Jackson County.

Crystal Williams, County Legislator, said she would like to see what authority the Legislature has to take down the statues. She said the input she has received from her constituents is to take them down. She said she is not keen about putting this idea on the ballot. She said she appreciated Mr. White's thoughtful statement.

Jalen Anderson, County Legislator, thanked everyone for their support

recently. He said he introduced the resolution to install the plaques back in December. He said that President Jackson does not represent our society. In 1832, the Supreme Court heard a case regarding the struggles of the Native Americans in Georgia. President Jackson refused to uphold that decision of the Supreme Court, resulting in the death of 500 women and children. President Jackson also continued to support slavery after leaving office. He said this is not what Jackson County represents. He said we must be willing to take a stand now.

Discussion.

Theresa Cass Galvin announced that JCDC Partners, LLC will present an update on the jail July 13, 2020 and Brian Gaddie, Director of Public Works, will present an update on the elevators and courthouse work on July 20, 2020.

6 PERFECTON OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[5362](#)

Legislature As A Whole moved to perfect. Consent Agenda.

Deb Sees with the Jackson County Health Department explained Ordinance #5362.

[5365](#)

AN ORDINANCE appropriating \$113,317.00 from the undesignated fund balance of the 2020 Federal Forfeiture Fund and awarding a contract for the furnishing of portable and mobile radios for use by the Sheriff's Office and the Drug Task Force to Motorola Solutions of Chicago, IL, under the terms and conditions of Mid-America Regional Council/Kansas City Regional Purchasing Cooperative Contract No. 34733, a competitively-bid, fixed-price government contract, at an actual cost to the County in the amount of \$167,368.00.

(Budget Committee - 1st. Perfection)

A motion was made by Tony Miller, seconded by Dan Tarwater III to waive the reading of Ordinance #5367. The motion passed by a voice vote.

[5367](#)

Legislature As A Whole moved to perfect. Consent Agenda.

[5369](#)

Legislature As A Whole moved to perfect. Consent Agenda.

Bridgette Shaffer, Director of the Health Department, addressed Ordinance #5369. She said, as of today Eastern Jackson County has had 1,149 positive cases. This is up from 536 positive cases on June 1, 2020. She said the County will announce an order effective July 1, for masks to be worn throughout the County.

Ronald E. Finley, County Legislator, said he does not think people

understand the seriousness of this situation. He asked about a plan to increase awareness about the importance of wearing masks.

Discussion.

[5370](#)

Budget Committee moved to perfect. Consent Agenda.

[5371](#)

AN ORDINANCE appropriating \$1,500,000.00 from the undesignated fund balance of the 2020 CARES Act Fund to allow for allocation to food banks and other food providers in Jackson County to insure that food insecurity is minimized in the wake of the full economic impact in connection with the fight against the ongoing Coronavirus/COVID-19 pandemic and authorizing the Administration to solicit proposals from outside agencies to assist in mitigating that need.

(Legislature As A Whole - 1st. Perfection)

Troy Schulte, County Administrator, said he recommended a floor substitute for Ordinance #5371 that would give this allocation to Harvesters. This would allow Harvesters to distribute food to area pantries. Scott Burnett, County Legislator, said he has heard that food pantries have more food right now than they can give away. Jeanie Lauer, County Legislator, said she was concerned about having sufficient funds available in the event of a second wave of positive cases.

Discussion.

A motion was made by Ronald E. Finley seconded by Scott Burnett to hold Ordinance #5371 in Legislature As A Whole. The motion passed by a voice vote.

Jeanie Lauer asked Troy Schulte if the allocation proposed by Ordinance #5372 will be given out as a lump sum payment or as a reimbursement. Mr. Schulte said this may either be given as a reimbursement or as a distribution of funds. The agreements drafted for the municipalities will require the cities to be in compliance with the restrictions of the CARES Act. There will be an indemnification clause in all of the contracts. Some cities want a reimbursement and others prefer a direct disbursement, but that will require the city to submit a plan and a budget and the allocation will be subject to review and audit. Mr. Schulte said he will present a recommendation for an outside accounting firm soon.

Jay Haden, Chief Deputy County Counselor, said the cities have a copy of the proposed agreement from outside counsel for their review

Discussion.

[5372](#)

A motion was made by Crystal Williams, seconded by Tony Miller to perfect Ordinance #5372. The motion passed by a voice vote.

(PERFECTED)

[5372](#)

A motion was made by Dan Tarwater III, seconded by Tony Miller, to adopt Ordinance #5372 appropriating \$36,924,000.00 from the undesignated fund balance of the 2020 CARES Act Fund to provide funds to the cities of Kansas City, Independence, Lee's Summit, Blue Springs, Raytown, Grandview, Grain Valley, Oak Grove, and Greenwood, Missouri, to allow them to meet unanticipated costs necessary in connection with the fight against the ongoing Coronavirus/COVID-19 pandemic and authorizing the County Executive to execute Intergovernmental Agreements with the cities at an aggregate cost to the County not to exceed \$36,924,000.00. 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 Cass Galvin

(ADOPTED)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[5355](#)

Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[20446](#)

A motion was made by Dan Tarwater III, seconded by Tony Miller, to adopt Resolution #20446, nominating candidates for appointment to the Jackson County Sports Complex Authority, for a term to expire July 15, 2025. The motion passed by a roll call vote:

Yes: 8 - Jalen Anderson, Crystal Williams, Tony Miller, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

Absent: 1 - Scott Burnett

(ADOPTED)

[20448](#)

Anti-Crime Committee moved to adopt. Consent Agenda.

[20449](#)

Finance and Audit Committee moved to adopt. Consent Agenda.

9 CONSENT AGENDA

[5362](#) AN ORDINANCE appropriating \$26,898.00 from the undesignated fund balance of the 2020 CARES Act Fund for use by Environmental Health to meet unanticipated costs at wastewater treatment plants necessary in connection with the fight against the ongoing Coronavirus/COVID-19 pandemic.

(PERFECTED)

[5367](#) AN ORDINANCE appropriating \$157,500.00 from the undesignated fund balance of the 2020 CARES Act Fund to allow the Information Technology, Collection, and Public Works Departments, and County Executive's Office, to acquire mobile computers and virtual meeting software, provide health screenings at County facilities, rent automobiles and tents, and pay other costs necessary in connection with the fight against the ongoing Coronavirus/COVID-19 pandemic.

(PERFECTED)

[5369](#) AN ORDINANCE appropriating \$2,000,000.00 from the undesignated fund balance of the 2020 CARES Act Fund to support the Jackson County Health Department, allow the hiring of contact tracers, and pay other costs necessary in connection with the fight against the ongoing Coronavirus/COVID-19 pandemic.

(PERFECTED)

[5370](#) AN ORDINANCE appropriating \$19,500.00 from the undesignated fund balance of the 2020 Health Fund and awarding a contract for the furnishing of a used fleet vehicle for use by the Medical Examiner's Office to the Missouri State Highway Patrol, at an actual cost to the County in the amount of \$19,500.00, as an acquisition from another government.

(PERFECTED)

[5355](#) AN ORDINANCE repealing section 1810., Jackson County Code, 1984, relating to court costs, and enacting, in lieu thereof, one new section relating to the same subject.

(ADOPTED)

[20448](#) A RESOLUTION transferring \$68,276.00 within the 2020 Anti-Crime Sales Tax Fund and authorizing the issuance of payment in the amount of \$68,275.35 to the Missouri State Auditor for services rendered for the audit of the COMBAT tax.

(ADOPTED)

[20449](#) A RESOLUTION approving the 2020-2021 Jackson County Assessment and Equalization Maintenance Plan.

(ADOPTED)

Ordinances #5362, #5367, #5369, and #5370 were moved to the Consent Agenda for perfection. Ordinance #5355 and Resolutions #20448 and #20449 were moved to the Consent Agenda for adoption.

A motion was made by Dan Tarwater III, seconded by Jalen Anderson, 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 Cass Galvin

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[5373](#)

Repealing section 285. and schedules I through VI to chapter 2, Jackson County Code, 1984, relating to County associates not within the merit system and enacting, in lieu thereof, one new section and one new schedule relating to the same subject.

(Assigned to the Legislature As A Whole.)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[20450](#)

A motion was made by Dan Tarwater III, seconded by Crystal Williams, to adopt Resolution #20450, authorizing the Jackson County Legislature to hold a closed meeting on Monday, June 29, 2020, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under section 610.021(1) 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 - Jalen Anderson, Crystal Williams, Scott Burnett, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

Abstain: 1 - Ronald E. Finley

Absent: 1 - Tony Miller

(ADOPTED)

[20451](#)

Authorizing the County Executive to execute a change order to the contract with Radmacher Brothers Excavation Co., Inc., of Pleasant Hill, MO, for necessary changes to the construction of the Rock Island Shared Use Path Project, at an additional cost to the County not to exceed \$216,895.33.

(Assigned to the Land Use Committee.)

Theresa Cass Galvin asked the County Counselor's office to review Resolution #20451 and make necessary corrections prior to the July 13 legislative meeting.

[20452](#) Transferring \$63,428.00 within the 2020 Assessment Fund and authorizing the County Executive to execute an Intergovernmental Cooperative Agreement with the City of Kansas City, Missouri, for the purpose of performing a market value analysis for all residential neighborhoods in Jackson County, at an actual cost to the County in the amount of \$63,427.20.

(Assigned to the Budget Committee.)

[20453](#) Authorizing the County Counselor to an execute an addendum to the Legal Services Agreement with Husch Blackwell, LLP, of Kansas City, Missouri, at a cost to the County not to exceed \$89,000.00 for services to be performed in 2020.

(Assigned to the Finance and Audit Committee.)

The contracting party recommended in Resolution #20453 is not in compliance.

[20454](#) Transferring \$41,000.00 within the 2020 General Fund to continue to provide for temporary janitorial services for the Downtown Courthouse.

(Assigned to the Budget Committee.)

No objection to the consideration of Resolution #20455 - not on printed agenda.

[20455](#) A motion was made by Dan Tarwater III, seconded by Crystal Williams, to adopt Resolution #20455, authorizing the County Counselor to settle the claims of Nichole Renee Aguirre, Dominic Michael Bonavia, Joe Carl Anthony Boniva, and Mika Rae Thurman in the case of Aguirre et al. vs. Correct Care Solutions, LLC, et al., Case No. 1916-CV12993, now pending in the Circuit Court of Jackson County, MO, relating to alleged negligent acts within the Jackson County Detention Center, for a total payment by the County of \$50,000.00. The motion passed by a roll call vote:

Yes: 6 - Crystal Williams, Tony Miller, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

Abstain: 1 - Ronald E. Finley

Absent: 2 - Jalen Anderson and Scott Burnett

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

Closed meeting per Resolution #20450.

The County Legislature went into closed session.

The County Legislature reconvened. Resolution #20455 was adopted at this time. See page 8 for details.

15 ADJOURNMENT

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

The County Legislature will not meet the week of July 6th.

Meeting adjourned until Monday, July 13, 2020 at 10:00 A.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.