

Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri JOURNAL

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

County Legislature

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

Monday, September 19, 2022

10:00 AM

Thirty-sixth Regular Meeting

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

Charlie Franklin, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

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

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 Theresa Cass Galvin to approve the journal of the previous meeting held on September 12, 2022. The motion passed by a voice vote.

4 HEARINGS

Resolution #21044 was adopted at this time. See page 12 for details.

Dan Musser, Principal/Project Advisor for JCDC Partners, LLC, and Jeff Jenkins, Project Director with JE Dunn-Axiom, provided an update on the Detention Center project. A copy of Mr. Musser's presentation is available under the meeting details for the September 19, 2022, Legislative Meeting. https://jacksonco.legistar.com/MeetingDetail.aspx? ID=999229&GUID=F082784B-9FDE-4EB1-96C9-919AC2AC36CD&Opti ons=info%7Cnotes%7C&Search=&Refresh=1

Jeanie Lauer, County Legislator, said that Mr. Musser's presentation makes it seem like a foregone conclusion that this project will cost more than the \$256 million the Legislators were told it would cost. Mr. Musser said the Legislature will have options to consider to help contain these cost escalations. Ms. Lauer said the Legislature was told the design-build

plan meant the budget is the budget, but now they are being told it will cost more. Mr. Musser said JCDC Partners are looking at ways to reduce these costs. They will know more when they set the guaranteed maximum price (GMP) on October 26, 2022. JCDC plans to present the design build budget and a list of options with price tags — "a menu with prices."

Ms. Lauer said the next hearing date for JCDC Partners is on October 10, 2022, so the Legislature will not be notified of the GMP until November. Jeff Jenkins said they will have more specific cost information at the October hearing, although it may not be a final number. Ms. Lauer said. according to the ordinance introduced on this agenda, the Legislature has to review and adopt the bonds needed to finance the detention center. Troy Schulte. County Administrator, said the way the bonds are structured. there will be enough financing to keep JCDC Partners and JE Dunn-Axiom working. There are two bond issues to account for the escalation of costs and interest rates. The second issuance will be in late 2023 or 2024. Jeanie Lauer asked how this process will work if the bonds and budget do not match. Mr. Schulte said they will have the GMP by late October. They will know then what is needed to bring the project in under that number. There is not a lot of flexibility above the \$256 million number. Mr. Schulte said if they halt the project now the cost will increase. The County will need to work through getting the project costs down to meet the budget. Ms. Lauer said she is concerned about transparency since this project does not require voter approval.

Dan Tarwater III, County Legislator, said it sounds as if everything is cut down to the \$256 million amount, the end project will be half the value originally expected. That is not fair or transparent to those other firms that bid on the project. The County needs to find a way to get this done in accordance with the original plans.

Theresa Cass Galvin, County Legislator, said the contract was just signed last month. It hasn't been that long for JCDC to now come back to say the costs are higher. Charlie Franklin, County Legislator, agreed. He said, there needs to be more information to justify an increase. Tony Miller, County Legislator, said they will be doing a disservice to the community if the County delivers something less than the original plans.

Ronald E. Finley, County Legislator, asked when they will know what this project will look like within the confines of the \$256 million. He asked about the bids that are due today. Mr. Musser said they will have bids coming in soon on site clearance, mechanical, plumbing, electrical, security, detention equipment, fire protection and cell construction. These costs

represent 60 percent of the project costs. They will have the list of options to get back to the \$256 million number. He said this high escalation cost came as a surprise. Jeff Jenkins said they will have an estimate of the GMP by the next hearing date on October 10. Mr. Finley asked if there had been any progress with the discussions about a partnership with the City of Kansas City. Mr. Schulte said no.

Theresa Cass Galvin said she does not want them to come back with less programming or fewer beds. She wants the quality of work that the people of Jackson County deserve.

Jeanie Lauer expressed concern about waiting a month to get firm numbers. Mr. Musser said this has always been a 120 day process. There will be more information within the coming weeks. They are working with a sense of urgency. They are working toward a firm number, not a loose number with a large contingency attached to it.

Dan Tarwater III said from the beginning there was the assumption that the \$256 million was the guaranteed maximum price -- the highest number anticipated. Now they are hearing it will be higher than the GMP. Mr. Musser said the GMP was always to be set 120 days out.

Ronald E. Finley said he urges them to get to this \$256 million number.

Theresa Cass Galvin said the majority of Legislature had an expectation of this project coming in at or below \$256.5 million. They need to get to that number. She asked who will be issuing the bonds. Mr. Schulte said the lead underwriter is Morgan Stanley with Valdez Marino as co-counsel.

Jalen Anderson, County Legislator, asked at what point did JCDC Partners determine the \$256 million price tag was not sufficient. Mr. Musser said these concerns have been coming together over the past few months. Mr. Anderson said this is the first they have heard this. Mr. Schulte said they knew the delays would bring higher costs. He encouraged the Legislature not to panic at this point. Now they must start making choices and make the budget work. They should let JE Dunn get the numbers finalized and then they will look at the options and make some decisions.

Chairman Charlie Franklin requested that the Budget Committee Chairman Theresa Cass Galvin conduct the public hearing regarding Ordinances #5662, #5663, #5664, and #5665, setting the 2022 merchants' and manufacturers' inventory replacement tax levy, the Jackson County, Missouri tax levy, the Jackson County Board of Services for the Developmentally Disabled Levy and the Jackson County Community Mental Health Fund Levy.

John Gordon, Treasurer, said the merchants' and manufactures' levy is set consistently at the same level unless there is voter approval for an increase. Ronald E. Finley asked if this levy is increasing. Mr. Finley asked for clarification from Mary Jo Spino, County Clerk. Ms. Spino explained this levy is the same as last year. There were no additional public comments on Ordinance #5662.

Mr. Gordon said the Jackson County levy set by Ordinance #5663 is increasing slightly because of the resolution passed last year by the Legislature to reverse its previous voluntary rollback of the levy. Last year's levy was .5824. The proposed is .5920. Mr. Finley asked what that amount means to a taxpayer. Mr. Gordon said this will result in a \$1.82 increase for a typical \$100,000 home.

Jeanie Lauer asked what the impact of this ordinance on other taxing entities such as fire districts. Mr. Gordon said the Jackson County levy has no bearing on the levy for other entities. There were no additional public comments on Ordinance #5663. Jalen Anderson asked if this reverse of the rollback is turning the County back to its previous level. Mr. Gordon agreed.

Jorgi McNamara, Executive Director of EITAS – the Board of Services for the Developmentally Disabled, and Tom Holcomb, Chief Financial Officer of EITAS, spoke in support of Ordinance #5664, setting the tax levy for the Jackson County Board of Services for the Developmentally Disabled. Tony Miller asked if there were plans for the facilities used by the workshops and if workshops are back at work from the pandemic shutdown. Ms. McNamara said most of the workshops are back to full or nearly full capacity. There are many issues with the facilities that need to be addressed as well as transportation needs. They hope to address these needs by fully funding this levy. They hope to be able to transfer these properties to the providers so the tax dollars can be used to directly support the community they serve. Ronald E. Finley asked how this levy compares with last year. John Gordon said last year's rate was 0.0663. The proposed new rate is .0836. This is a \$3.29 increase for a \$100,000 home. Jalen Anderson said it is crucial that EITAS is running at full speed and that we support this levy. There were no additional public comments on Ordinance #5664.

Dr. Bruce Eddy, Executive Director of the Community Mental Health Fund, and John Fierro, Executive Director of the Maddie Rhodes Center, spoke in support of Ordinance #5665, setting the tax levy for the Jackson County Mental Health Fund. Dr. Eddy said the levy provides funding support for 40 not-for-profit organizations and 18,000 Jackson County residents. Mr. Fierro said these funds have been critical to meet the needs of the Hispanic community, particularly during the COVID-19 pandemic. John Gordon said last year's rate was .1077. The proposed rate is .1113. The increase of this levy would result in a .68 cent tax increase on a \$100,000 home. There were no additional public comments on Ordinance #5665.

Theresa Cass Galvin closed the public hearing.

5 COMMUNICATIONS WITH AND REPORTS OF THE COUNTY EXECUTIVE

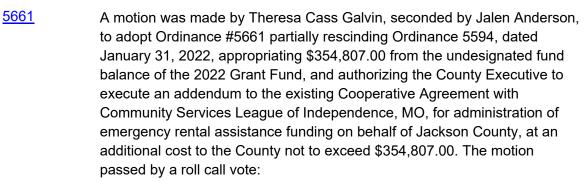
None.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

<u>5658</u>	Justice and Law Enforcement Committee moved to perfect. Consent Agenda.
<u>5659</u>	Budget Committee moved to perfect. Consent Agenda.
<u>5661</u>	Budget Committee moved to perfect.
	Ronald E. Finley objected to the Consent Agenda.
<u>5661</u>	A motion was made by Theresa Cass Galvin, seconded by Jalen Anderson

to perfect Ordinance #5661. The motion passed by a voice vote.

(PERFECTED)



Yes: 8 - Charlie Franklin, Theresa Cass Galvin, Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Dan Tarwater III and Jeanie Lauer

No: 1 - Ronald E. Finley

(ADOPTED)

- A motion was made by Theresa Cass Galvin, seconded by Dan Tarwater III to perfect Ordinance #5662. The motion passed by a voice vote.
 - Yes: 9 Charlie Franklin, Theresa Cass Galvin, Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Dan Tarwater III and Jeanie Lauer

(PERFECTED)

- A motion was made by Theresa Cass Galvin, seconded by Jalen Anderson, to adopt Ordinance #5662 setting the 2022 merchants' and manufacturers' inventory replacement tax levy. The motion passed by a roll call vote:
 - Yes: 9 Charlie Franklin, Theresa Cass Galvin, Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Dan Tarwater III and Jeanie Lauer

(ADOPTED)

A motion was made by Theresa Cass Galvin, seconded by Jalen Anderson to perfect Ordinance #5663. The motion passed by a voice vote.

(PERFECTED)

- A motion was made by Theresa Cass Galvin, seconded by Jalen Anderson, to adopt Ordinance #5663 setting the 2022 Jackson County, Missouri, tax levy. The motion passed by a roll call vote:
 - Yes: 8 Charlie Franklin, Theresa Cass Galvin, Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Dan Tarwater III and Jeanie Lauer

No: 1 - Ronald E. Finley

(ADOPTED)

<u>5664</u>	A motion was made by Theresa Cass Galvin, seconded by Dan Tarwater III
	to perfect Ordinance #5664. The motion passed by a voice vote.

(PERFECTED)

A motion was made by Theresa Cass Galvin, seconded by Dan Tarwater III, to adopt Ordinance #5664 setting the 2022 Jackson County Board of Services for the Developmentally Disabled (Sheltered Workshop) Levy. The motion passed by a roll call vote:

Yes: 8 - Charlie Franklin, Theresa Cass Galvin, Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Dan Tarwater III and Jeanie Lauer

No: 1 - Ronald E. Finley

(ADOPTED)

A motion was made by Theresa Cass Galvin, seconded by Jalen Anderson to perfect Ordinance #5665. The motion passed by a voice vote.

(PERFECTED)

A motion was made by Theresa Cass Galvin, seconded by Jalen Anderson, to adopt Ordinance #5665 setting the 2022 Jackson County Community Mental Health Fund Levy. The motion passed by a roll call vote:

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

(ADOPTED)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

A motion was made by Theresa Cass Galvin, seconded by Dan Tarwater III, to approve the Budget Committee Substitute for Resolution #21034 dated September 19, 2022, transferring \$39,375.00 within the 2022 General Fund and awarding a contract for the furnishing of law enforcement video equipment for use by the Sheriff's Office to Motorola Solutions of Chicago, IL, under the terms and conditions of Request for Proposals No.19-21, at an actual cost to the County in the amount of \$39,375.00. The motion passed by a voice vote. Consent Agenda.

(APPROVED)

<u>21035</u> Budget Committee moved to adopt. Consent Agenda.

21036 Finance and Audit Committee moved to adopt.

Ronald E. Finley objected to the Consent Agenda.

A motion was made by Tony Miller, seconded by Jalen Anderson, to adopt Resolution #21036, awarding a ten-year contract for the furnishing of a cloud-based, software-as-a-service solution for use by the Departments of Finance and Purchasing and Human Resources and the Jackson County Circuit Court to Precision Task Group, of Houston, TX, under the terms and conditions of the State of Texas, Department of Information Resources Contract No. DIR-TSO-4242, a competitively-bid government contract, at an actual cost to the County in the amount of \$2,122,164.00 for 2022 and a total 10-year cost of \$13,848,355.52. The motion passed by a roll call vote:

Yes: 8 - Charlie Franklin, Theresa Cass Galvin, Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Dan Tarwater III and Jeanie Lauer

No: 1 - Ronald E. Finley

(ADOPTED)

9 CONSENT AGENDA

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

(PERFECTED)

AN ORDINANCE appropriating \$45,000.00 from the undesignated fund balance of the 2022 Self-Insurance Fund and authorizing an increase to the contract with Missouri Public Entity Risk Management Fund of Jefferson City, MO, for the furnishing of vehicle liability insurance for use countywide.

(PERFECTED)

A RESOLUTION transferring \$39,375.00 within the 2022 General Fund and awarding a contract for the furnishing of law enforcement video equipment for use by the Sheriff's Office to Motorola Solutions of Chicago, IL, under the terms and conditions of Request for Proposals No.19-21, at an actual cost to the County in the amount of \$39,375.00.

(ADOPTED)

21035

A RESOLUTION transferring \$89,520.00 within the 2022 General Fund to cover unanticipated budgetary shortfalls within the Jackson County Circuit Court's budget.

(ADOPTED)

Ordinances #5658 and #5659 were moved to the Consent Agenda for perfection. Resolutions #21034 and #21035 were moved to the Consent Agenda for adoption.

A motion was made by Dan Tarwater III, seconded by Theresa Cass Galvin, to approve the Consent Agenda. The motion passed by a roll call vote:

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

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

Sgt. Audrey Kelley, Chapter President of the Jackson County Deputies Association, Chapter 3, Lodge 50, Fraternal Order of Police (FOP), and Sgt. Troy Williams spoke in favor of Ordinance #5666. A copy of the information distributed by Sgt. Kelley is attached to the details under Ordinance #5666 located at

https://jacksonco.legistar.com/LegislationDetail.aspx? ID=5841398&GUID=3C38AA59-6F84-4811-94D7-448D7E5E66F1&Options=ID|Text|Other|&Search=5666

She said the Sheriff is aware of the deputies' concerns and requests for a new salary schedule. They had two meetings with the Sheriff and two meetings were canceled by the Sheriff. Theresa Cass Galvin asked about the issues with their salaries. Sgt. Kelley said the deputies at the Sheriff's Office are the lowest paid on topped out pay for law enforcement officers in the area. Officers that have reached the top of the pay scale have not had a raise in six years. Theresa Cass Galvin asked about the impact of the Evergreen study on the deputy salary. Sgt. Kelley said the FOP is not asking for the maximum, just the average and back pay to July 1st. She said their pay and retirement is not tied to the FOP contract. They are not re-opening the Memorandum of Understanding. Ms. Galvin asked Troy Schulte if Ordinance #5666 is retroactive. Mr. Schulte said it is not. It sets an October 1st start date. Jeanie Lauer asked about the comparisons with other law enforcement agencies. Sgt. Kelley said the Sheriff's Office deputies are lower than Independence Police and Blue Springs Police. They do not have information about Platte, Cass, or Clay County Sheriff's Offices. Ms. Lauer asked if there have been significant changes to their duties. Sgt. Kelley said they are short staffed, and crime has increased,

particularly after the COVID-19 pandemic. The pandemic was a difficult time.

Sgt. Kelley said the Deputy I and II positions received a higher increase as a result of the Evergreen study, so they are asking for a four percent increase, but they are asking for a 10 percent increase for other deputy positions. Jeanie Lauer asked for clarification to the Sheriff's opinion of this proposal. Captain Rhonda Montgomery said the Sheriff's concerns are with other positions that will not be covered by these raises because they are not covered by an MOU, including civilian staff and that deputy or sergeant staff will not end up being paid more than captains or other sworn officers. Sgt. Kelley said the FOP is only allowed to negotiate for deputies and sergeants, not the other positions at the Sheriff's Office.

Sgt. Troy Williams said this ordinance is to help the department recruit and maintain staff. Theresa Cass Galvin said as the second largest county, it is concerning that our officers are among the lowest paid law enforcement in the area.

Crystal Williams, County Legislator, said she this is an apples to oranges comparison to other area County law enforcement officers. She said she does not need additional information and feels the FOP has made its case well.

A motion was made by Crystal Williams, seconded by Tony Miller to perfect Ordinance #5666. The motion passed by a voice vote.

(PERFECTED)

A motion was made by Theresa Cass Galvin, seconded by Jalen Anderson, to adopt Ordinance #5666, approving salary ranges for deputies and sergeants within the Sheriff's Office to be effective for the years 2022-25 and authorizing their implementation by the Sheriff and other County officials. The motion passed by a roll call vote:

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

(ADOPTED)

Authorizing the issuance of special obligation bonds (Justice with Dignity Project) Series 2022A of Jackson County, Missouri, and authorizing certain other documents and actions in connection therewith.

(Assigned to the Finance and Audit Committee.)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

Authorizing the Jackson County Legislature to hold a closed meeting on Monday, September 19, 2022, 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.

(WITHDRAWN BY SPONSOR FRANKLIN. CONCURRED BY LEGISLATORS ANDERSON AND GALVIN.)

Awarding a twelve-month term and supply contract with one twelve-month option to extend for the furnishing of plumbing services for use by various County departments to Rand Construction of Kansas City, MO, under terms and conditions of invitation to Bid No.59-22.

(Assigned to the Finance and Audit Committee.)

Transferring \$13,560.00 within the 2022 Park Fund and awarding a contract for the furnishing of law enforcement video equipment for use by the Parks + Rec Department to Motorola Solutions of Chicago, IL, under the terms and conditions of Oklahoma Office of Management & Enterprise Services Contract No. OK-MO-145 OK # SW1057, an existing competitively bid government contract, at an actual cost to the County in the amount of \$13,560.00.

(Assigned to the Budget Committee.)

Transferring \$450,000.00 within the 2022 American Rescue Plan Fund to provide COVID-19 testing for unvaccinated Jackson County and 16th Circuit Court associates and Jackson County Detention Center inmates, at a cost to the County not to exceed \$450,000.00.

(Assigned to the Finance and Audit Committee.)

Awarding a contract for the furnishing of a full-size SUV for use by the Sheriff's Office to Joe Machens Ford/Lincoln of Columbia, MO, under the terms and conditions of State of Missouri Contract No. CC220022004, an existing competitively bid government contract, at an actual cost to the County in the amount of \$35,225.00.

(Assigned to the Justice and Law Enforcement Committee.)

21044

A motion was made by Jalen Anderson, seconded by Dan Tarwater III, to adopt Resolution #21044, recognizing the achievements of the Hispanic community in Jackson County by observing September 15 to October 15 as National Hispanic Heritage Month. The motion passed by a roll call vote:

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

(ADOPTED)

No objection to the consideration of Resolutions #21045 and #21046 - not on printed agenda.

21045

A motion was made by Theresa Cass Galvin, seconded by Jalen Anderson, to adopt Resolution #21045, approving the settlement of the claims of Linda Hengel in the case styled Linda Hengel v. Jackson County, Missouri, No. 2016-CV15161, now pending in the Circuit Court of Jackson County, Missouri, for a total payment by the County of \$150,000.00. The motion passed by a roll call vote:

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

(ADOPTED)

21046

A motion was made by Theresa Cass Galvin, seconded by Jalen Anderson, to adopt Resolution #21046, approving the settlement of the claims of Charlotte Hardin in the case styled Charlotte Hardin v. Jackson County, Missouri, No. 2016-CV15173, now pending in the Circuit Court of Jackson County, Missouri, for a total payment by the County of \$255,000.00. The motion passed by a roll call vote:

Yes: 8 - Charlie Franklin, Theresa Cass Galvin, Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Dan Tarwater III and Jeanie Lauer

Absent: 1 - Ronald E. Finley

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

I hereby appoint Lindsey Haldiman, D.O. as Acting Medical Examiner to serve until the return of Dr. Marius C. Tarau, M.D., effective August 28, 2022.

13 UNFINISHED BUSINESS

Tony Miller expressed his thanks to the County Administration and Parks +

Rec Department on a successful fundraiser for the family of Charlie Criniere. More than 500 cyclist attended the event last Saturday.

14 NEW BUSINESS

None.

15 ADJOURNMENT

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

Meeting adjourned until Monday, September 26, 2022 at 10:00 A.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.