



Jackson County Missouri

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

Legislation Text

File #: 3141, Version: 1

Substitute

Public Works
Committee

2001

April 16,

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE repealing § 3606., Jackson County Code, 1984, relating to the Stormwater Commission, and enacting, in lieu thereof, one new section relating to the same subject.

ORDINANCE 3141, April 2, 2001

INTRODUCED BY Bill Petrie, County Legislator

WHEREAS, the ad hoc Stormwater Advisory Committee has recommended that the requirement that all districts of the Legislature be represented on the Stormwater Commission be replaced by a more relaxed requirement that the County Executive in making appointments to the commission seek out representation from all of the watersheds within the County; and,

WHEREAS, the recommended modification is in the best interest of the health, welfare, and safety, of the citizens of Jackson County; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, as follows:

Section A. Enacting Clause. Section 3606., Jackson County Code, 1984, is hereby repealed and one new section enacted in lieu thereof, to be known as § 3606., to read as follows:

3606. Stormwater Commission.

There is hereby created the Jackson County Stormwater Commission.

3606.1 Purpose.

The purpose of this commission shall be to develop recommendations, provide advice to the county executive and legislature, and coordinate efforts on stormwater management issues and projects throughout the county. The effort can be viewed as addressing a comprehensive stormwater management plan for Jackson County, Missouri. Specific areas of emphasis will include:

- a. Watershed management and erosion/sediment control - 5 year plan;
- b. Development of regional stormwater management regulations;

- c. Standardization of regional ordinances and regulations;
- d. Coordination of stormwater grant processes;
- e. Development of methods of administering revenue sources for regional stormwater management and flood control;
- f. Conducting surveys of regional needs;
- g. Promotion of community educational and awareness programs;
- h. Maintenance of awareness of all national, states and regional initiatives; and
- i. Preparation of a comprehensive stormwater plan.

3606.2 Membership.

The commission shall consist of participating members and ex officio members as specified below:

a. Participating Members.

There shall be nine participating members of the commission, to be appointed by the county executive subject to the disapproval of the legislature. [At least one participating member shall reside in each of the six county legislative districts.] At least one participating member shall reside in each of the following water sheds: Mile Creek, Fire Prairie Creek, Little Blue, Blue River, and Sni-A-Bar Creek. The county executive shall designate one member as the chair. Of the initial appointees, three shall be appointed to terms of one year, three shall be appointed to terms of two years, and three shall be appointed to terms of three years. Thereafter, all members shall serve terms of three years. In making these appointments, the county executive shall seek out and give due consideration to nominees suggested by the governing bodies of the cities within the county and shall strive to ensure that the commission's membership is representative of Big Creek, West Branch and Sibley West.

b. Ex Officio Members.

In order to ensure coordination of stormwater management throughout the county and the metropolitan area, the governing bodies of Wyandotte and Johnson Counties in Kansas, and Cass, Clay, and Lafayette Counties in Missouri, the Missouri Department of Natural Resources, the Missouri Department of Conservation, the Missouri Department of Transportation and the Mid America Regional Council shall be entitled to appoint a representative from their jurisdictions to serve as ex officio members on the commission without vote.

c. Technical Assistance Committee.

The county executive shall also have the authority to appoint a technical assistance committee. The technical assistance committee shall be composed of those persons the county executive deems necessary for any technical advice to the commission.

3606.3 Responsibilities.

It shall be the duty and responsibility of the commission to:

- a. Review and monitor, as necessary, the comprehensive stormwater plan for Jackson County;
- b. Review and/or recommend such studies as it deems advisable to evaluate stormwater management needs and erosion/sediment control through the county and within any watershed of the county;

- c. Determine and recommend to the county executive and legislature criteria for the reimbursement of costs for engineering plans and studies conducted by the cities after January 1, 2000;
- d. Develop and recommend to the county executive and legislature funding participation policies and guidelines for the sharing of the costs between the cities and the county for engineering and construction of stormwater improvements;
- e. Provide reports to the county executive and legislature advising on the status of stormwater management needs and practices in the county, and recommending strategies and activities needed to improve stormwater management throughout the county;
- f. Develop and recommend to the county executive and legislature criteria for prioritizing stormwater management projects and improvements and for the coordination of projects in varying jurisdictions;
- g. Provide suggestions and recommendations to the county executive and legislature advising on infrastructure improvements and land use planning guidelines that are needed or may be advisable to protect the citizens of the county from injury or damage due to stormwater flooding;
- h. Consider, review, and submit recommendations to the Missouri Department of Natural Resources (MDNR);
- i. Prepare and submit to the county executive and legislature for consideration a proposed five-year capital improvement plan for stormwater management projects;
- j. Provide coordination between the county and the cities and other governmental entities on proposed or planned stormwater management projects and/or the implementation of regulations and development of standards;
- k. Review, prioritize, and make recommendations to the county executive and legislature concerning implementation and funding for proposed or planned stormwater projects or studies.
- l. Provide such other reports, recommendations and advice as may be requested by the county executive or legislature.
- m. Appear before government bodies at State and Federal levels.

3606.4 Power and Authority.

The commission shall be an advisory body only and shall not have any power or authority to bind any city, the county, or any other governmental entity, and shall not have any power to contract, to sue or be sued, to incur debt or other obligations, nor to hire or retain employees or services. All authority and power for decisions and actions shall vest and remain with the county executive and legislature for administration of the stormwater management program and for the expenditure of funds from any stormwater managements funds.

3606.5 Meetings.

- a. The commission shall meet as a whole no less often than bi-monthly unless there is no business to be conducted as determined by the chair, and shall meet at any reasonable time upon request of the county executive or legislature. Special meetings may be called by the chair, or upon petition of a majority of the participating members of the commission upon two days' prior written notice.
- b. A majority of participating members of the commission shall constitute a quorum, and minutes shall be kept for each meeting of the commission.
- c. Any participating member of the commission who shall have unexcused absences from

three (3) consecutive meetings of the commission shall be deemed to have resigned from the commission. The offending member will be so advised, and the county executive will be notified of the vacancy.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

County Counselor

I hereby certify that the attached Ordinance, Ordinance # 3141 of April 2, 2001 was duly passed on _____ April 16 _____, 2001 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____ 7 _____ Nays _____ 0 _____
Abstaining _____ 0 _____ Absents _____ 2 _____

This Ordinance is hereby transmitted to the County Executive for her signature.

Date Mary Jo Brogato, Clerk of Legislature

I hereby approve the attached Ordinance #3141.

Date Katheryn J. Shields, County Executive