



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

County Legislature

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

Dan Tarwater (4th) Chairman, Scott Burnett, (1st) Vice Chairman,
Theresa Garza Ruiz (1st AL), Crystal Williams (2nd AL), Fred Arbanas (3rd AL),
James D. Tindall (2nd), Dennis Waits (3rd), Greg Grounds (5th)
Bob Spence (6th)

Monday, October 8, 2012

2:30 PM

Thirty-Ninth Regular Meeting

Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers

Dan Tarwater, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present: Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

2 THE PLEDGE OF ALLEGIANCE

Recited.

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3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

James D. Tindall moved to approve the journal of the previous meeting held on 10/1/2012. Seconded by Scott Burnett.

The motion passed by a voice vote.

(APPROVED)

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4 HEARINGS

None.

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5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Discussion regarding add-on Resolution #17995, a twenty-five year lease with the City of Independence, for office space located in the Historic Truman Courthouse in Independence, Missouri.

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6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

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- [4439](#) AN ORDINANCE renewing the tax of 4.25% of the tariff rate for each local telephone access line, not to exceed 100 lines per person or per location, for emergency telephone service utilizing a single three-digit number "911."
(Finance and Audit Committee - 6th. Perfection)
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- [4444](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the Consent Agenda.
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- [4444](#) Fred Arbanas moved to perfect Ordinance #4444. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)
- [4444](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4444. Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [4445](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the Consent Agenda.
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- [4445](#) Fred Arbanas moved to perfect Ordinance #4445. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)
- [4445](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4445. Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [4446](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the Consent Agenda.
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- [4446](#) Fred Arbanas moved to perfect Ordinance #4446. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)

[4446](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4446.
Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

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[4444](#) Consent Agenda.

[4445](#) Consent Agenda.

[4446](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

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[17987](#) Finance and Audit Committee moved do pass. Consent Agenda.

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9 CONSENT AGENDA

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[4444](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing a certain 10 ± acres tract from District A (Agricultural) to District RR (Residential Ranchette). (ADOPTED)

[4445](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing a certain 7.9 ± acres tract from District A (Agricultural) to District RR (Residential Ranchette). (ADOPTED)

[4446](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing a certain 1.05 ± acres tract from District A (Agricultural) to District RS (Residential Suburban). (ADOPTED)

[17987](#) A RESOLUTION declaring certain property within various County departments as surplus and unusable personal property and authorizing its disposal. (ADOPTED)

To adopt Ordinances 4444, 4445, 4446. To adopt Resolution 17987.

Dennis Waits moved the passage of the consent agenda. Seconded by Theresa Garza Ruiz. The motion passed by a roll call vote:

Yes: 9 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

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[4458](#) James D. Tindall moved to perfect Ordinance #4458. Seconded by Dennis Waits. (PERFECTED)
Yes: 9 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

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[4458](#) James D. Tindall moved to suspend the rules to consider final passage of Ordinance #4458. Seconded by Theresa Garza Ruiz. (APPROVED)
The motion passed by a voice vote.

- [4458](#) James D. Tindall moved the passage of Ordinance #4458 as perfected, appropriating \$11,600.00 from the fund balance of the 2012 Grant Fund to cover the Truancy Diversion Contract program with the Kansas City, Missouri School District. Seconded by Theresa Garza Ruiz.
- Yes: 9 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
- (ADOPTED)
- [4459](#) James D. Tindall moved to perfect Ordinance #4459. Seconded by Dennis Waits.
- The motion passed by a voice vote.** (PERFECTED)
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- [4459](#) James D. Tindall moved to suspend the rules to consider final passage of Ordinance #4459. Seconded by Theresa Garza Ruiz.
- The motion passed by a voice vote.** (APPROVED)
- [4459](#) James D. Tindall moved the passage of Ordinance #4459 as perfected, appropriating \$596.00 from the fund balance of the 2012 Grant Fund in interest earned from the 2011 Byrne Justice Assistance Grant to provide funding for salaries of employees of the Jackson County Drug Court. Seconded by Theresa Garza Ruiz.
- Yes: 9 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
- (ADOPTED)
- [4460](#) James D. Tindall moved to perfect Ordinance #4460. Seconded by Theresa Garza Ruiz.
- The motion passed by a voice vote.** (PERFECTED)
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- [4460](#) James D. Tindall moved to suspend the rules to consider final passage of Ordinance #4460. Seconded by Theresa Garza Ruiz.
- The motion passed by a voice vote.** (APPROVED)
- [4460](#) James D. Tindall moved the passage of Ordinance #4460 as perfected, appropriating \$3,201.00 from the fund balance of the 2012 Grant Fund in interest earned from the 2009 Byrne Justice Assistance Grant to provide funding for salaries of employees of the Jackson County Drug Court. Seconded by Theresa Garza Ruiz.
- Yes: 9 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
- (ADOPTED)
- [4461](#) James D. Tindall moved to perfect Ordinance #4461. Seconded by Theresa Garza Ruiz.
- The motion passed by a voice vote.** (PERFECTED)
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- [4461](#) James D. Tindall moved to suspend the rules to consider final passage of Ordinance #4461. Seconded by Theresa Garza Ruiz.
The motion passed by a voice vote. (APPROVED)
- [4461](#) James D. Tindall moved the passage of Ordinance #4461 as perfected, appropriating \$941.00 from the fund balance of the 2012 Anti-Drug Sales Tax Fund in interest earned from the 2008 Byrne Justice Assistance Grant to provide funding for salaries of employees of the Jackson County Drug Court. Seconded by Theresa Garza Ruiz.
Yes: 9 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
(ADOPTED)
- [4462](#) Appropriating \$40,032.00 from the fund balance of the 2012 Grant Fund in acceptance of the Gender Specialized Tracker Program Grant received from the Missouri Department of Public Safety.
(Justice and Law Enforcement Committee)
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- [4463](#) James D. Tindall moved to perfect Ordinance #4463. Seconded by Dennis Waits.
Bob Spence objects to the consideration of Ordinance #4463.
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- [4463](#) Transferring \$18,887.00 within and appropriating \$188,874.00 from the fund balance of the 2012 Anti-Drug Sales Tax Fund in acceptance of the "Sentenced to the Arts" grant from the Missouri Department of Public Safety, and authorizing the County Executive to execute Cooperative Agreements with Arts Tech of Kansas City, MO, Deana Bellamaganya of Kansas City, MO, and Jennifer Osborne of Kansas City, MO, for the Prosecuting Attorney's Office's Sentenced to the Arts program, at an aggregate cost to the County not to exceed \$188,874.00.
(Anti-Drug Committee)
- [4464](#) James D. Tindall moved to perfect Ordinance #4464. Seconded by Theresa Garza Ruiz.
The motion passed by a voice vote. (PERFECTED)
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- [4464](#) James D. Tindall moved to suspend the rules to consider final passage of Ordinance #4464. Seconded by Theresa Garza Ruiz.
The motion passed by a voice vote. (APPROVED)

[4464](#)

James D. Tindall moved the passage of Ordinance #4464 as perfected, appropriating \$2,296.00 from the fund balance of the 2012 Grant Fund in acceptance of the Juvenile Justice Education Regional Training Initiative grant received from the Office of State Courts Administrator. Seconded by Theresa Garza Ruiz.

Yes: 9 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

(ADOPTED)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[17990](#)

Awarding a twenty-four month term and supply contract with three twelve-month options to extend, for the furnishing of mattresses, bedding, and linens for use by the Department of Corrections to Bob Barker Co., Inc., of Fuquay Varina, NC, Tabb Textile Co. of Opelika, AL, Cornerstone Institutional, LLC, of Tanner, AL, and Charm-Tex of Brooklyn, NY, under the terms and conditions of Invitation to Bid No. 72-12.

(Justice and Law Enforcement Committee)

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[17991](#)

Authorizing the County Executive to execute an Intergovernmental Agreement with the City of Kansas City, Missouri, for the Ryan White Comprehensive AIDS Resources Emergency (CARE) Act.

(Health and Environment Committee)

Discussion.

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[17992](#)

James D. Tindall moved the passage of Resolution #17992, transferring \$160,000.00 within the 2012 Grant Fund in modification of the 2009 Recovery Act Justice Assistance Grant received from the U.S. Department of Justice. Seconded by Dennis Waits.

Yes: 8 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater and Greg Grounds

No: 1 - Bob Spence

(ADOPTED)

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[17993](#) Bob Spence moved the passage of Resolution #17993, transferring \$3,100.00 within the 2012 Road and Bridge Fund and awarding a contract for the purchase of a John Deere 524K loader for use by the Public Works Department to Murphy Tractor & Equipment Company of Kansas City, MO, under the terms and conditions set forth in Missouri Department of Transportation Contract No. 03-120320RJ, an existing government contract, at an actual cost to the County not to exceed \$3,100.00, and declaring certain personal property as surplus to be used as a trade-in on this purchase. Seconded by Theresa Garza Ruiz.

Yes: 9 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

(ADOPTED)

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[17994](#) Determining to award certain construction contracts utilizing a project labor agreement.

(Legislature As A Whole)

The County Legislature will have a public hearing on October 15, 2012 at 2:30 P.M. regarding Resolution #17994.

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[17995](#) Authorizing the County Executive to execute a twenty-five year lease with one ten-year option to extend, with the City of Independence, Missouri, for the furnishing to the City office space located in the Historic Truman Courthouse located at 102 North Main Street, Independence, Missouri, for rents payable to the County.

(Finance and Audit Committee)

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[17996](#) Transferring \$66,550.00 within the 2012 General Fund and authorizing the County Executive to execute Amendment No. 1 to the Agreement for Professional Architectural Design Services with Piper-Wind Architects, Inc., for architectural design services in connection with the renovation of the Historic Truman Courthouse Renovation Project, No. 3147, at an additional cost to the County not to exceed \$66,550.00.

(Public Works Committee)

No objection to the consideration of Resolution #17997 - not on printed agenda.

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[17997](#) Bob Spence moved the passage of Resolution #17997, authorizing Change Order No. 2 to the contract with Superior Bowen Asphalt Company, LLC, of Kansas City, MO, for the 2012 Pavement Maintenance Project Phase 1 (asphaltic concrete overlay, chip seal, and pavement marking), No. 3161, increasing the contract amount by \$39,485.00. Seconded by Fred Arbanas.

Yes: 9 - Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

(ADOPTED)

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12 COUNTY EXECUTIVE ORDERS

None.

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13 UNFINISHED BUSINESS

None.

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14 NEW BUSINESS

None.

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15 ADJOURNMENT

Dennis Waits moved to adjourn the meeting. Seconded by Scott Burnett.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, October 15, 2012 at 2:30 P.M. in the Kansas City Legislative Assembly Area.

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