



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

County Legislature

Jackson County Courthouse
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Kansas City, Missouri 64106
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*Henry C. Rizzo (2nd AL), Chairman, Dan Tarwater (4th), Vice-Chairman,
Theresa Garza Ruiz (1st AL), Fred Arbanas (3rd AL), Scott Burnett (1st),
James D. Tindall (2nd), Dennis Waits (3rd), Greg Grounds (5th),
Bob Spence (6th)*

Tuesday, October 12, 2010

11:00 AM

Thirty-ninth Regular Meeting

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

Henry C. Rizzo, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present: Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
Absent: Scott Burnett

2 THE PLEDGE OF ALLEGIANCE

Recited.

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3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dan Tarwater moved to approve the journal of the previous meeting held on 10/4/2010.
Seconded by Dennis Waits.

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

Mike Sanders, County Executive, explained that Resolution #17392 will replace Ordinance #4255 which is to freeze funds so they can be used for raises for Jackson County employees in 2011. This process is necessary in this volatile economy. It is an unusual step to assure that the money will be available. He said the County Legislature agrees that raises are a budgetary priority in 2011.

Theresa Garza Ruiz, County Legislator, asked if the 3% will be a Cost of Living Adjustment (COLA) for all employees.

Mike Sanders said he thinks merit raises make more sense. He said he does not recommend a COLA but if the Legislature wants it they can look at that option.

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Theresa Garza Ruiz confirmed that this is a raise for employees and not elected officials. Mike Sanders said she was correct.

The public transit presentation will be on Monday, October 25, 2010 at the legislative meeting to be held in Independence, Missouri.

Henry C. Rizzo asked for a moment of silence in honor of Nancy Lopez, an employee in the County Counselor's office, who passed away over the weekend.

There was a short presentation regarding Resolution #17390 and it was adopted at this time. See page 5 for details.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

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[4255](#)

Appropriating \$1,503,841.00 from the fund balance of the 2010 General Fund, \$100,456.00 from the fund balance of the 2010 Health Fund, \$159,921.00 from the fund balance of the 2010 Park Fund, \$227,939.00 from the fund balance of the 2010 Special Road and Bridge Fund, \$145,343.00 from the fund balance of the 2010 Assessment Fund, \$682.00 from the fund balance of the 2010 Sewer Fund, \$212,456.00 from the fund balance of the 2010 Anti-Drug Sales Tax Fund, \$624.00 from the fund balance of the 2010 Recorder's Technology Fund, \$1,171.00 from the fund balance of the 2010 Homeless Assistance Fund, \$5,501.00 from the fund balance of the 2010 Recorder's Fees Fund, \$4,664.00 from the fund balance of the 2010 Collector's Fund, and \$45,341.00 from the fund balance of the 2010 Park Enterprise fund, for the purpose of providing salary adjustments for County and circuit court employees in calendar year 2011.

(WITHDRAWN BY SPONSOR WAITS. CONCURRED BY TARWATER AND TINDALL.)

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7 FINAL PASSAGE OF PROPOSED ORDINANCES

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Bob Spence objects to the Consent Agenda. He said the Health Fund is not the appropriate fund because he believes the money should be used for people not animals.

[4251](#)

Dennis Waits moved the passage of Ordinance #4251 as perfected, appropriating \$2,000.00 from the fund balance of 2010 Health Fund to extend the agreement with Wayside Waifs, Inc., for providing animal shelter services. Seconded by Theresa Garza Ruiz.

Yes: 7 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater and Greg Grounds

No: 1 - Bob Spence

Absent: 1 - Scott Burnett

(ADOPTED)

Bob Spence objects to the Consent Agenda. He reiterated that he does not disagree with what they are doing just that the money is being taken from the wrong fund.

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[4252](#)

Dennis Waits moved the passage of Ordinance #4252 as perfected, appropriating \$18,240.68 from the fund balance of 2010 Health Fund to extend the agreement with the City of Kansas City, Missouri, for providing animal control services. Seconded by Dan Tarwater.

Yes: 7 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater and Greg Grounds

No: 1 - Bob Spence

Absent: 1 - Scott Burnett

(ADOPTED)

8 RESOLUTIONS IN COMMITTEE

The Health and Environment Committee sent Resolution #17381 to the Legislature As A Whole Committee with no recommendation.

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[17381](#)

Theresa Garza Ruiz moved to send back to committee Resolution #17381, supporting the Greater Kansas City AFL-CIO's position in opposition to Proposition A, a state-wide ballot measure that could end the earnings tax in Kansas City and St. Louis. Seconded by Greg Grounds.

Yes: 3 - Theresa Garza Ruiz, James D. Tindall and Greg Grounds

No: 5 - Henry C. Rizzo, Fred Arbanas, Dennis Waits, Dan Tarwater and Bob Spence

Absent: 1 - Scott Burnett

(FAILED)

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[17381](#)

Fred Arbanas moved the passage of Resolution #17381, supporting the Greater Kansas City AFL-CIO's position in opposition to Proposition A, a state-wide ballot measure that could end the earnings tax in Kansas City and St. Louis. Seconded by Dennis Waits.

Yes: 3 - Theresa Garza Ruiz, Fred Arbanas and James D. Tindall

Abstain: 5 - Henry C. Rizzo, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

Absent: 1 - Scott Burnett

(DEFEATED)

[17382](#)

Finance and Audit Committee moved do pass. Consent Agenda.

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[17383](#)

Public Works Committee moved do pass. Consent Agenda.

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9 CONSENT AGENDA

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[17382](#)

A RESOLUTION declaring certain property within various County departments as obsolete and surplus personal property and authorizing its disposal.

(ADOPTED)

[17383](#)

A RESOLUTION authorizing the payment of \$63,614.00 to the City of Greenwood from the Greenwood CURS account to cover costs of the City's road improvements to Ranson Road, Allendale Drive, and Huntington Drive.

(ADOPTED)

To adopt Resolutions 17382, 17383.

Dan Tarwater moved the passage of the consent agenda. Seconded by Dennis Waits. The motion passed by a roll call vote:

Yes: 8 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
Absent: 1 - Scott Burnett

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

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[4257](#)

James D. Tindall moved to perfect Ordinance #4257. Seconded by Dennis Waits.

Yes: 8 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
Absent: 1 - Scott Burnett

(PERFECTED)

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[4257](#)

James D. Tindall moved to suspend the rules to consider final passage of Ordinance #4257. Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

[4257](#)

James D. Tindall moved the passage of Ordinance #4257 as perfected, appropriating \$25,000.00 from the fund balance of the 2010 Grant Fund in acceptance of the Jackson County Sheriff's Office "Safe Routes to School Enforcement" grant awarded by the Missouri Highway and Transportation Commission, and authorizing the County Executive to execute a Program regarding said grant. Seconded by Dennis Waits.

Yes: 8 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
Absent: 1 - Scott Burnett

(ADOPTED)

- [4258](#) Dan Tarwater moved to perfect Ordinance #4258. Seconded by Dennis Waits.
The motion passed by a voice vote. (PERFECTED)
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- [4258](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4258. Seconded by Dennis Waits.
The motion passed by a voice vote. (APPROVED)
- [4258](#) Dan Tarwater moved the passage of Ordinance #4258 as perfected, transferring \$26,951.00 within and appropriating \$242,559.00 from the fund balance of the 2010 Anti-Drug Sales Tax Fund in acceptance of a grant from the Missouri Department of Public Safety, and authorizing the County Executive to execute Cooperative Agreements with Arts Tech of Kansas City, MO, and Deana Bellamaganya 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 \$269,510.00. Seconded by Dennis Waits.
Yes: 7 - Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
No: 1 - Theresa Garza Ruiz
Absent: 1 - Scott Burnett
(ADOPTED)
- [4259](#) James D. Tindall moved to perfect Ordinance #4259. Seconded by Dan Tarwater.
The motion passed by a voice vote. (PERFECTED)
- [4259](#) James D. Tindall moved to suspend the rules to consider final passage of Ordinance #4259. Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)
- [4259](#) James D. Tindall moved the passage of Ordinance #4259 as perfected, transferring \$220.00 within the 2010 Homeless Assistance Fund and appropriating \$10,956.00 from the fund balance of the 2010 Grant Fund in acceptance of the State of Missouri's additional 2009 Emergency Shelter Grant (ESG), authorizing the County Executive to execute an amendment to the Agreement with the Missouri Department of Social Services, Family Support Division, and authorizing the County Executive to execute addenda to the Cooperative Agreements with certain outside agencies funded by the Emergency Shelter Grant, at an aggregate cost to the County not to exceed \$10,736.00. Seconded by Dennis Waits.
Yes: 8 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
Absent: 1 - Scott Burnett
(ADOPTED)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[17388](#)

James D. Tindall moved the passage of Resolution #17388, transferring \$13,000.00 within the 2010 Grant Fund for the purchase of approved equipment items for the Sheriff's Department from the Recovery Act Justice Assistance Grant (JAG). Seconded by Dan Tarwater.

Yes: 8 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
Absent: 1 - Scott Burnett

(ADOPTED)

[Play Video](#)[17389](#)

Dan Tarwater moved the passage of Resolution #17389, rescinding Resolution 17371, dated September 20, 2010, and transferring \$40,448.00 within the 2010 Anti-Drug Sales Tax Fund to cover funding for the Sheriff's Office's 2010 Drug Abuse Resistance Education (DARE) program. Seconded by Dennis Waits.

Yes: 8 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
Absent: 1 - Scott Burnett

(ADOPTED)

[Play Video](#)[17390](#)

Dennis Waits moved the passage of Resolution #17390, supporting the passage of Proposition B, a statewide ballot measure known as the Puppy Mill Cruelty Prevention Act. Seconded by James D. Tindall.

Yes: 8 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
Absent: 1 - Scott Burnett

(ADOPTED)

Resolution #17392 was adopted at this time. See page 6 for details.

[Play Video](#)[17391](#)

Dan Tarwater moved the passage of Resolution #17391, authorizing the Jackson County Legislature to hold a closed meeting on Tuesday, October 12, 2010, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under section 610.021(1) and (3) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting. Seconded by Greg Grounds.

Yes: 8 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
Absent: 1 - Scott Burnett

(ADOPTED)

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[17392](#)

Dennis Waits moved the passage of Resolution #17392, freezing \$1,503,841.00 within the fund balance of the 2010 General Fund, \$100,456.00 within the fund balance of the 2010 Health Fund, \$159,921.00 within the fund balance of the 2010 Park Fund, \$227,939.00 within the fund balance of the 2010 Special Road and Bridge Fund, \$145,343.00 within the fund balance of the 2010 Assessment Fund, \$682.00 within the fund balance of the 2010 Sewer Fund, \$212,456.00 within the fund balance of the 2010 Anti-Drug Sales Tax Fund, \$624.00 within the fund balance of the 2010 Recorder's Technology Fund, \$1,171.00 within the fund balance of the 2010 Homeless Assistance Fund, \$5,501.00 within the fund balance of the 2010 Recorder's Fees Fund, \$4,664.00 within the fund balance of the 2010 Collector's Fund, and \$45,341.00 within the fund balance of the 2010 Park Enterprise fund, for the purpose of providing salary adjustments for County and circuit court employees in calendar year 2011. Seconded by Dan Tarwater.

Yes: 8 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

Absent: 1 - Scott Burnett

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

None.

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13 UNFINISHED BUSINESS

None.

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14 NEW BUSINESS

The County Legislature goes into closed session.

The County Legislature reconvenes.

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15 ADJOURNMENT

Dan Tarwater moved to adjourn the meeting. Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, October 18, 2010 at 2:30 P.M. in the Kansas City Legislative Assembly Area.

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