



# Jackson County Missouri

## JOURNAL

### County Legislature

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

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)

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Monday, December 6, 2010

2:30 PM

Forty-seventh Regular Meeting

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

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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, 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**

Dan Tarwater moved to approve the journal of the previous meeting held on 11/29/2010.  
Seconded by Dennis Waits.

**The motion passed by a voice vote.**

(APPROVED)

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**4 HEARINGS**

*Resolution #17438 was adopted at this time. See page 6 for details.*

*Dan Tarwater, Vice Chairman, assumed the Chair.*

*Resolution #17430 was adopted at this time. See page 5 for details.*

*Dennis Waits, James D. Tindall and Henry C. Rizzo, County Legislators presented Resolution #17423 adopted November 29, 2010 to John J. Rizzo, State Representative, 40th District.*

*Henry C. Rizzo resumed the Chair.*

*Resolution #17439 was adopted at this time. See page 7 for details.*

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*Berma Webb, Recreation Therapist with the Parks Department received a 30 year service pin.*

*Dan Tarwater presented two plaques to Henry C. Rizzo; one for serving as Chairman in 2010 and one for his years of service on the County Legislature.*

*Henry C. Rizzo presented a plaque to Dan Tarwater for serving as Vice Chairman in 2010.*

*The County Legislature went into closed session.*

*The County Legislature reconvened.*

*Resolution #17441 was adopted at this time. See page 7 for details.*

## 5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

*Dennis Waits said he is delighted to have Judge Nixon as County Counselor as he is fair, compassionate and truly cares about the community.*

*Mike Sanders, County Executive introduced Judge Steve Nixon as the new County Counselor effective January 4, 2011. He said as Presiding Judge, Steve Nixon led the judiciary through historic budget cuts which is a testament of his leadership and the respect of his peers. He thanked Bill Snyder for his leadership, loyalty and dedication to Jackson County. He also thanked Jay Haden for being the anchor in the County Counselor's office.*

*Steve Nixon thanked the County Executive for this opportunity. He said he has developed respect for the Executive and Legislature because as Presiding Judge he has been able to work with them to resolve difficult issues.*

*James D. Tindall praised Judge Nixon for opening doors in the juvenile system by talking with leaders in the African American community.*

*Henry C. Rizzo complimented Judge Nixon for bridging the gap during budget negotiations with the Administration/Legislature and the courts. He also thanked Jay Haden and Bill Snyder for all their help and excellent work they have done in the County Counselor's office.*

*Bill Snyder, County Counselor, said he was proud to have Judge Nixon as his next boss.*

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## 6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

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[4273](#)

Budget Committee moved to perfect.

*Dennis Waits objects to the Consent Agenda.*

[4273](#)

Dennis Waits moved to perfect Ordinance #4273. Seconded by James D. Tindall.

**The motion passed by a voice vote.**

**(PERFECTED)**

[4273](#)

Dennis Waits moved to suspend the rules to consider final passage of Ordinance #4273. Seconded by James D. Tindall.

**The motion passed by a voice vote.**

(APPROVED)

*Theresa Garza Ruiz objects to the Consent Agenda.*

*Theresa Garza Ruiz said she does not disagree with what this program stands for or what it does in the community. However, since 2005 Jackson County has spent \$1,689,928.00 on the MyARTS program and she has yet to see data indicating the impact of this program on at risk youth. She said she will continue to vote against any future legislation for MyARTS until she receives the information.*

*Jim Kanatzar, Prosecuting Attorney and Angela Castle Gravino, Anti-Drug Program Administrator, agreed to provide the information requested by Theresa Garza Ruiz.*

[4273](#)

Dennis Waits moved the passage of Ordinance #4273 as perfected, authorizing and directing the issuance, sale, and delivery of not to exceed \$1,180,000.00 principal amount of tax exempt special obligation bonds (MyARTS Building Project) Series 2010, of Jackson County, Missouri, and authorizing certain other documents and actions in connection therewith. Seconded by James D. Tindall.

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

No: 2 - Theresa Garza Ruiz and Bob Spence

(ADOPTED)

## 7 FINAL PASSAGE OF PROPOSED ORDINANCES

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[4269](#)

Consent Agenda.

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## 8 RESOLUTIONS IN COMMITTEE

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[17421](#)

Finance and Audit Committee moved do pass. Consent Agenda.

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## 9 CONSENT AGENDA

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[4269](#) AN ORDINANCE appropriating \$49,397.00 from the fund balance of the 2010 Grant Fund in acceptance of the Family Court Division's Girl Specialized Caseload and Girls Circle Program Grant received from the Missouri Department of Public Safety.

(ADOPTED)

[17421](#) A RESOLUTION awarding a twelve (12) month term and supply contract with four (4) twelve (12) month options to extend for vehicle liability insurance for use countywide to the Missouri Public Entity Risk Management Fund (MOPERM) of Jefferson City, Missouri, pursuant to Request for Proposals No. 41-10.

(ADOPTED)

To adopt Ordinance 4269. To adopt Resolution 17421.

Dennis Waits moved the passage of the consent agenda. Seconded by James D. Tindall. The motion passed by a roll call vote:

Yes: 9 - Theresa Garza Ruiz, Henry C. Rizzo, 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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[4274](#) Transferring \$19,013.00 within and appropriating \$55,915.00 from the fund balance of the 2010 Anti-Drug Sales Tax Fund in acceptance of a grant received from the Missouri Department of Public Safety for the Prosecuting Attorney's Office's Victim Services Program.

*(Anti-Drug Committee)*

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[4275](#) Dan Tarwater moved to perfect Ordinance #4275. Seconded by James D. Tindall.

**The motion passed by a voice vote.**

(PERFECTED)

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[4275](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4275. Seconded by James D. Tindall.

**The motion passed by a voice vote.**

(APPROVED)

[4275](#) Dan Tarwater moved the passage of Ordinance #4275 as perfected, appropriating \$29,000.00 from the fund balance of the 2010 Grant Fund in acceptance of a grant received from the United States Executive Office of the President's Midwest High Intensity Drug Trafficking Area Investigative Support Center for use by the Jackson County Sheriff's Office and authorizing the County Executive to execute a Memorandum of Understanding with the Kansas Bureau of Investigation. Seconded by Scott Burnett.

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

Absent: 1 - Dennis Waits

(ADOPTED)

[4276](#) Transferring \$21,426.00 within and appropriating \$60,655.00 from the fund balance of the 2010 Anti-Drug Sales Tax Fund, in acceptance of the Project Safe Neighborhoods grant awarded by the Kansas City Metropolitan Crime Commission.

*(Anti-Drug Committee)*

*No objection to the consideration of Ordinance #4277 - not on printed agenda.*

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[4277](#) James D. Tindall moved to perfect Ordinance #4277. Seconded by Dan Tarwater.

**The motion passed by a voice vote.**

(PERFECTED)

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[4277](#) James D. Tindall moved to suspend the rules to consider final passage of Ordinance #4277. Seconded by Dan Tarwater.

**The motion passed by a voice vote.**

(APPROVED)

[4277](#) James D. Tindall moved the passage of Ordinance #4277 as perfected, appropriating \$345,681.00 from the fund balance of the 2010 Grant Fund in acceptance of the Justice Assistance Grant (JAG) received from the United States Department of Justice. Seconded by Dan Tarwater.

Yes: 9 - Theresa Garza Ruiz, Henry C. Rizzo, 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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[17427](#) Bob Spence moved the passage of Resolution #17427, congratulating the Lee's Summit West High School girls cross country team upon winning its fourth consecutive state championship. . Seconded by Dan Tarwater.

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

(ADOPTED)

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[17428](#)

James D. Tindall moved the passage of Resolution #17428, recognizing the 55th anniversary of the integration of the Kansas City Metropolitan Bar Association. Seconded by Scott Burnett.

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

(ADOPTED)

*There will be a roundtable discussion of this major moment in local civil rights history on Wednesday, December 8, 2010 at 6:30 P.M. at the Kansas City Public Library located at 14 W. 10th Street, Kansas City, Missouri 64105.*

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[17429](#)

Bob Spence moved the passage of Resolution #17429, congratulating the Lee's Summit Parks Board and staff on being named the Gold Medal Agency of the Year. Seconded by Dan Tarwater.

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

(ADOPTED)

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[17430](#)

Dan Tarwater moved the passage of Resolution #17430, congratulating Passantino Bros. Funeral Home on its 80th anniversary of serving the northeast community of Kansas City. Seconded by Dennis Waits.

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

(ADOPTED)

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[17431](#)

Authorizing the County Executive to execute an agreement with The Storytellers, Inc., of Kansas City, MO, to provide weekly sessions to drug court participants for use by the Prosecuting Attorney's Office, at a cost to the County not to exceed \$22,000.00.

*(Anti-Drug Committee)*

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[17432](#)

James D. Tindall moved the passage of Resolution #17432, authorizing the County Executive to execute a contract with the Kansas City Metropolitan Crime Commission to provide Crime Stoppers TIPS Hotline services for use by the Sheriff's Office, at a cost to the County not to exceed \$5,000.00. Seconded by Dennis Waits.

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

(ADOPTED)

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[17433](#) Awarding a twenty-four month term and supply contract with three twelve-month options for extension for the furnishing of plumbing services for use by the Parks and Recreation Department to Rand Construction Co. of Kansas City, MO, under the terms and conditions of Invitation to Bid No. 38-10.

*(Finance and Audit Committee)*

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[17434](#) Awarding a twelve (12) month term and supply contract with four (4) twelve (12) month options to extend for the furnishing of temporary personnel for use County-wide to Penmac Personnel Services of Lee's Summit, MO, under the terms and conditions of Request for Proposals No. EV1115.

*(Finance and Audit Committee)*

[17435](#) James D. Tindall moved the passage of Resolution #17435, transferring \$3,000.00 within the 2010 Special Road & Bridge Fund and awarding a contract for the furnishing of four vehicles for use by the Sheriff's Office, at a cost to the County not to exceed \$55,000.00. Seconded by Dan Tarwater.

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

(ADOPTED)

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[17436](#) Scott Burnett moved the passage of Resolution #17436, authorizing the County Executive to execute an addendum to the contract with Mitchell Humphrey and Company of St. Louis, MO for the purpose of providing financial systems software for use by the Finance and Purchasing Department, at an additional cost to the County not to exceed \$6,800.00, as a sole source purchase. Seconded by Dan Tarwater.

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

(ADOPTED)

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[17437](#) Authorizing the County Executive to execute an agreement with Cypress Research Associates of Kansas City, MO, to provide an evaluation of the Prosecuting Attorney's Office's Drug Court's Mental Health Toughness Group, at a cost to the County not to exceed \$5,000.00.

*(Anti-Drug Committee)*

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[17438](#)

Dan Tarwater moved the passage of Resolution #17438, recognizing Rockhurst High School for its outstanding athletic performance during fall semester 2010 in football, soccer, swimming & diving, and cross country. Seconded by Fred Arbanas.

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

(ADOPTED)

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[17439](#)

Dennis Waits moved the passage of Resolution #17439, authorizing the Jackson County Legislature to hold a closed meeting on Monday, December 6, 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 Dan Tarwater.

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

(ADOPTED)

*No objection to the consideration of Resolutions #17440 and #17441 - not on printed agenda.*

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[17440](#)

Authorizing the County Executive to execute a Cooperative Agreement with Jennifer Osborne of Kansas City, MO, for the Prosecuting Attorney's Office's Sentenced to the Arts program, at a cost to the County not to exceed \$15,600.00.

*(Anti-Drug Committee)*

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[17441](#)

Dennis Waits moved the passage of Resolution #17441, authorizing the County Executive to execute an Employment Agreement with W. Stephen Nixon of Lake Lotawana, MO, to serve as the County Counselor for a term expiring December 31, 2014. Seconded by Dan Tarwater.

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

(ADOPTED)

## 12 COUNTY EXECUTIVE ORDERS

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[10-10](#)

I hereby make the following appointments and reappointments to the Jackson County Board of Services for Developmentally Disabled - EITAS:

Appointments

Nadine C. Gordon, is appointed to fill the vacancy occasioned by the resignation of Rosetta B. Robins, for a new term to expire December 31, 2013. A copy of Ms. Gordon's resume is attached.

Millard F. Aldridge, is appointed to fill the vacancy occasioned by the resignation of Thomas R. Davis, for a term to expire December 31, 2012. A copy of Mr. Aldridge's resume is attached.

Tammy Flores, is appointed to fill the vacancy occasioned by the expiration of the term of Erika Ramirez, for a term to expire December 31, 2011. A copy of Ms. Flores' resume is attached.

Reappointments

Anita Kathleen Parran is reappointed for such term to expire December 31, 2012.

Don P. Saxton is reappointed for such term to expire December 31, 2013.

Barbara Winkler is reappointed for such term to expire December 31, 2012.

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[10-11](#)

I hereby rescind Executive Order 10-10 regarding appointments to the Board of Services for the Developmentally Disabled.

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[10-12](#)

I hereby appoint W. Stephen Nixon as County Counselor effective January 4, 2011, to fill the vacancy occasioned by the resignation of Mark S. Jones, for a new term to expire on December 31, 2014. A copy of Mr. Nixon's resume is attached.

**13 UNFINISHED BUSINESS**

Henry C. Rizzo announced that the next legislative meeting time and location has been changed to 12 noon in the Kansas City Legislative Assembly Area.

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**14 NEW BUSINESS**

None.

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15      **ADJOURNMENT**

Dan Tarwater moved to adjourn the meeting. Seconded by Dennis Waits.

**The motion passed by a voice vote.**

(APPROVED)

*Meeting adjourned until Monday, December 13, 2010 at 12 noon in the Kansas City Legislative Assembly Area.*

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