



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, Henry C. Rizzo (2nd AL), 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 10, 2007

2:30 PM

Forty-Eighth Regular Meeting

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

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Dan Tarwater, 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

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#### 2 THE PLEDGE OF ALLEGIANCE

Recited.

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#### 3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dennis Waits moved to approve the journal of the previous meeting held on 12/3/2007.  
Seconded by Henry C. Rizzo.

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 budget amendment and process.*

*Discussion regarding Ordinance #3954. Ordinance #3954 was adopted at this time. See page 2 for details.*

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#### 6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

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- [3952](#) Dennis Waits moved to perfect Ordinance #3952. Seconded by Henry C. Rizzo.  
**The motion passed by a voice vote.** (PERFECTED)  
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- [3952](#) Dennis Waits moved to suspend the rules to consider final passage of Ordinance #3952. Seconded by Henry C. Rizzo.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*
- [3954](#) James D. Tindall moved to approve the Floor Amendment dated December 10, 2007, to delete the figure "82,234,743" and insert the figure "82,399,743" after the "\$" in the "AMOUNT" column next to "General Fund", to delete the figure "779,511,715" and insert the figure "779,676,715" after the "\$" in the "AMOUNT" column as the total amount all on page one; to insert the phrase "as modified by the document attached hereto and marked "2008 Budget Adjustments." after the word "herein" in the paragraph on page two. Seconded by Henry C. Rizzo.  
Yes: 7 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater and Bob Spence  
No: 2 - Theresa Garza Ruiz and Greg Grounds  
(ADOPTED)  
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- [3954](#) Dennis Waits moved to perfect Ordinance #3954. Seconded by James D. Tindall.  
Yes: 7 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater and Bob Spence  
No: 2 - Theresa Garza Ruiz and Greg Grounds  
(PERFECTED)
- [3954](#) Henry C. Rizzo moved to suspend the rules to consider final passage of Ordinance #3954. Seconded by Dennis Waits.  
Yes: 7 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater and Bob Spence  
No: 2 - Theresa Garza Ruiz and Greg Grounds  
(APPROVED)
- [3954](#) Scott Burnett moved the passage of Ordinance #3954 as perfected, to adopt the annual budget and set forth appropriations for the various spending agencies and the principal subdivisions thereof, for the fiscal year ending December 31, 2008. Seconded by Dennis Waits.  
Yes: 7 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater and Bob Spence  
No: 2 - Theresa Garza Ruiz and Greg Grounds  
(ADOPTED)

[3955](#) AN ORDINANCE amending the zoning districts established by the Unified Development Code by changing from District A (Agricultural) to District RR (Residential Ranchette), a certain 5 ± acres for a one-lot residential subdivision to be known as "Saddlebred Estates".

*(Land Use Committee - 3rd. Perfection)*

*The Land Use Committee will have a public hearing regarding Ordinance #3955 on Friday, December 21, 2007 at 1 P.M. at Fleming Hall.*

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[3956](#) Health and Justice Committee moved to perfect.

*Theresa Garza Ruiz objects to the Consent Agenda.*

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[3956](#) Dennis Waits moved to perfect Ordinance #3956. Seconded by Theresa Garza Ruiz.

**The motion passed by a voice vote. (PERFECTED)**

[3956](#) Dennis Waits moved to suspend the rules to consider final passage of Ordinance #3956. Seconded by Theresa Garza Ruiz.

**The motion passed by a voice vote. (APPROVED)**

*Consent Agenda. See Final Passage of Proposed Ordinances.*

[3957](#) Health and Justice Committee moved to perfect.

*Greg Grounds objects to the Consent Agenda.*

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[3957](#) Greg Grounds moved to perfect Ordinance #3957. Seconded by Dennis Waits.

**The motion passed by a voice vote. (PERFECTED)**

[3957](#) Greg Grounds moved to suspend the rules to consider final passage of Ordinance #3957. Seconded by Theresa Garza Ruiz.

**The motion passed by a voice vote. (APPROVED)**

*Consent Agenda. See Final Passage of Proposed Ordinances.*

[3958](#) Health and Justice Committee moved to perfect.

*Greg Grounds objects to the Consent Agenda.*

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[3958](#) Greg Grounds moved to perfect Ordinance #3958. Seconded by Theresa Garza Ruiz.

**The motion passed by a voice vote. (PERFECTED)**

- [3958](#) Greg Grounds moved to suspend the rules to consider final passage of Ordinance #3958. Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*
- [3959](#) Legislature As A Whole moved to perfect.  
*Theresa Garza Ruiz objects to the Consent Agenda.*  
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- [3959](#) Henry C. Rizzo moved to perfect Ordinance #3959. Seconded by Theresa Garza Ruiz.  
**The motion passed by a voice vote.** (PERFECTED)
- [3959](#) Henry C. Rizzo moved to suspend the rules to consider final passage of Ordinance #3959. Seconded by Theresa Garza Ruiz.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*
- [3960](#) Land Use Committee moved to perfect.  
*Fred Arbanas objects to the Consent Agenda.*  
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- [3960](#) Fred Arbanas moved to perfect Ordinance #3960. Seconded by Bob Spence.  
**The motion passed by a voice vote.** (PERFECTED)
- [3960](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3960. Seconded by Bob Spence.  
**The motion passed by a voice vote.** (APPROVED)  
*Consent Agenda. See Final Passage of Proposed Ordinances.*
- [3961](#) Finance and Audit Committee moved to perfect.  
*Scott Burnett objects to the Consent Agenda.*  
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- [3961](#) Scott Burnett moved to perfect Ordinance #3961. Seconded by Bob Spence.  
**The motion passed by a voice vote.** (PERFECTED)

[3961](#) Scott Burnett moved to suspend the rules to consider final passage of Ordinance #3961.  
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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[3952](#) Consent Agenda.

[3956](#) Consent Agenda.

[3957](#) Consent Agenda.

[3958](#) Consent Agenda.

[3959](#) Consent Agenda.

[3960](#) Consent Agenda.

[3961](#) Consent Agenda.

## 8 RESOLUTIONS IN COMMITTEE

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[16465](#) A RESOLUTION awarding a twelve (12) month term and supply contract with two (2) twelve-month extensions for the printing of stationery, envelopes, and business cards for use by various County departments to Service Printing & Graphics of Kansas City, MO, under the terms and conditions of Electronic Solicitation No. BB200740.

*(Finance and Audit Committee - 1st. Meeting)*

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[16466](#) Land Use Committee moved do pass. Consent Agenda.

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[16468](#) Finance and Audit Committee moved do pass. Consent Agenda.

*(Resolution #16468 was adopted pending compliance.)*

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- [16469](#) Finance and Audit Committee moved do pass. Consent Agenda.  
[Play Video](#)
- [16471](#) Health and Justice Committee moved do pass. Consent Agenda.  
[Play Video](#)
- [16472](#) Public Works Committee moved do pass. Consent Agenda.  
[Play Video](#)
- [16473](#) Finance and Audit Committee moved do pass. Consent Agenda.  
[Play Video](#)
- [16474](#) Finance and Audit Committee moved do pass. Consent Agenda.  
[Play Video](#)
- [16475](#) Land Use Committee moved do pass. Consent Agenda.  
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- [16476](#) Public Works Committee moved do pass the Public Works Committee Amendment of 12/5/2007, to delete the word and figure "twelve (12)" and insert the words and figure "twenty-four (24)" after the words "awarding a" in the heading; to delete the word and figure "twelve (12)" and insert the words and figure "twenty-four (24)" after the words "of a" in the third paragraph on page one. Consent Agenda.  
*Resolution #16476 was adopted as amended.*
- [16477](#) Health and Justice Committee moved do pass. Consent Agenda.  
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- [16478](#) Health and Justice Committee moved do pass the Health and Justice Committee Amendment of 12/10/2007, to delete the figure "2,015,058.00" and insert the figure "2,023,003.00" after the "\$" in the heading, to delete the title "BID" and insert the title "PRICE PROPOSAL" in the amount column all on page one; to insert the word "and" after the word "County;" in the second "WHEREAS" paragraph on page two; to insert the paragraph "WHEREAS, negotiations with Advanced Correctional Healthcare subsequent to the submission of its price proposal have resulted in agreement on a revised cost to the County of \$2,023,003.00 for 2008; now" before the word "therefore," as the third paragraph on page two. Consent Agenda.

**9 CONSENT AGENDA**

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- [3952](#) AN ORDINANCE setting the 2008 Jackson County, Missouri tentative tax levy.  
(ADOPTED)
- [3956](#) AN ORDINANCE transferring \$10,148.00 within and appropriating \$50,739.00 from the unappropriated surplus of the 2007 Grant Fund in acceptance of a grant received from the Missouri Department of Public Safety for the office's Victim Services Program.  
(ADOPTED)
- [3957](#) AN ORDINANCE transferring \$14,751.00 within the 2007 General Fund, and appropriating \$100,711.00 from the unappropriated surplus of the 2007 Grant Fund in acceptance of a grant received from the Missouri Department of Public Safety.  
(ADOPTED)
- [3958](#) AN ORDINANCE transferring \$7,240.00 within the 2007 General Fund, appropriating \$26,330.00 from the unappropriated surplus of the 2007 Grant Fund, and authorizing an extension of the Coordinated Community Response to Domestic Violence Grant funded by the U.S. Department of Justice.  
(ADOPTED)
- [3959](#) AN ORDINANCE enacting section 5529., Jackson County Code, 1984, relating to the registration of sex offenders, with a penalty provision.  
(ADOPTED)
- [3960](#) AN ORDINANCE repealing Schedule I, Chapter 50, Jackson County Code, 1984, relating to park fees and charges, and enacting, in lieu thereof, a new schedule relating to the same subject.  
(ADOPTED)
- [3961](#) AN ORDINANCE appropriating \$126,031.00 from the unappropriated surplus of the 2007 Recorder's Technology Fund and awarding a contract for the furnishing of software upgrades for use by the Recorder of Deeds Department to Manatron, Inc., of Portage, MI, at a cost to the County not to exceed \$126,031.00, as a sole source purchase.  
(ADOPTED)
- [16466](#) A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement with the City of Independence, MO, to provide for the construction of an additional 3.5 miles of trail along the Little Blue Trace.  
(ADOPTED)
- [16468](#) A RESOLUTION awarding twelve-month term and supply contracts for the furnishing of cellular telephone service and equipment for use countywide to Sprint/Nextel Wireless of Overland Park, KS, and AT&T/Cingular Wireless of Overland Park, KS, under the terms and conditions set forth in Western States Contracting Alliance Contract No. 1523, an existing government contract of the State of Nevada.  
(ADOPTED)

- [16469](#) A RESOLUTION awarding a contract for the furnishing of consulting services to determine the feasibility of adopting Voice over Internet Protocol (VoIP) or other alternative communications systems to Alexander Open Systems of Overland Park, KS, at an actual cost to the County not to exceed \$24,600.00.
- (ADOPTED)
- [16471](#) A RESOLUTION awarding a twenty-four (24) month contract with a twelve-month extension option for the furnishing of inmate commissary services for use by the Department of Corrections to Keefe Commissary of Earth City, MO, under the terms and conditions of Invitation to Bid No. 20-07, for a fee payable to the County.
- (ADOPTED)
- [16472](#) A RESOLUTION awarding a twenty-four (24) month term and supply contract with two (2) twelve-month extension options for the furnishing of clean rip rap rock for use by the Parks & Recreation and Public Works Departments to Damon Pursell Construction Co. of Liberty, MO, under the terms and conditions of Electronic Solicitation No. BB200745.
- (ADOPTED)
- [16473](#) A RESOLUTION awarding twenty-four (24) month term and supply contracts with two (2) twelve-month extension options for the furnishing of locksmith services for use countywide to Kenton Brothers of Kansas City, MO, and Ace Lock & Key Service of Independence, MO, under the terms and conditions of Invitation to Bid No. 26-07.
- (ADOPTED)
- [16474](#) A RESOLUTION awarding a twenty-four (24) month term and supply contract with two (2) twelve-month extension options for the furnishing of trash removal service for use county-wide to Deffenbaugh Industries, Inc., of Shawnee, KS, under the terms and conditions of Electronic Solicitation No. BB200748.
- (ADOPTED)
- [16475](#) A RESOLUTION authorizing the County Executive to execute a Fourth Addendum to the Cooperation and Use Agreement with Longview Horse Park Association, at no additional cost to the County, for a term of three years.
- (ADOPTED)
- [16476](#) A RESOLUTION awarding a twenty-four (24) month term and supply contract with two (2) twelve-month extension options for the furnishing of rock salt for use by the Public Works Department to Independent Salt Co. of Kanopolis, KS, under the terms and conditions of Invitation to Bid No. 39-07.
- (ADOPTED)
- [16477](#) A RESOLUTION awarding twenty-four (24) month term and supply contracts with two (2) twelve month extension options for the furnishing of uniforms for use by the Department of Corrections to Alamar Uniforms of North Kansas City, MO, and Galls, Inc., of Lexington, KY, under the terms and conditions of Electronic Solicitation No. BB200727.
- (ADOPTED)



[16478](#) A RESOLUTION awarding a contract for the furnishing of correctional healthcare services for a one-year period commencing in 2008, with five (5) one-year renewal options, to Advanced Correctional Healthcare of Peoria, IL, for the use and benefit of the Department of Corrections under the terms and conditions of RFQ No. 15-07, at an estimated cost to the County in 2008 of \$2,023,003.00

(ADOPTED)

To adopt Ordinances 3952, 3956, 3957, 3958, 3959, 3960, 3961. To adopt Resolutions 16466, 16468, 16469, 16471, 16472, 16473, 16474, 16475, 16476, 16477, 16478.

Dennis Waits moved the passage of the consent agenda. Seconded by Henry C. Rizzo. 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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[3962](#) Theresa Garza Ruiz moved to perfect Ordinance #3962. Seconded by Scott Burnett.

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

(PERFECTED)

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[3962](#) Theresa Garza Ruiz moved to suspend the rules to consider final passage of Ordinance #3962. Seconded by Henry C. Rizzo.

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

(APPROVED)

[3962](#) Theresa Garza Ruiz moved the passage of Ordinance #3962 as perfected, appropriating \$3,600.00 from the unappropriated surplus of the 2007 Grant Fund to cover a grant received from the Missouri Highway and Transportation Commission for Missouri's Blueprint for Roadway Safety: Holiday Aggressive Driving Campaign, and authorizing the County Executive to execute a Program Agreement regarding said grant. Seconded by Henry C. Rizzo.

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)

[3963](#) Theresa Garza Ruiz moved to perfect Ordinance #3963. Seconded by Henry C. Rizzo.

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

(PERFECTED)

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[3963](#) Theresa Garza Ruiz moved to suspend the rules to consider final passage of Ordinance #3963. Seconded by Henry C. Rizzo.

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

(APPROVED)

[3963](#)

Theresa Garza Ruiz moved the passage of Ordinance #3963 as perfected, appropriating \$100,500.00 from the unappropriated surplus of the 2007 Grant Fund in acceptance of the Family Court Division's Family Centered Out-of-Home Care Grant received from the Missouri Department of Social Services Children's Division. Seconded by Henry C. Rizzo.

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 Ordinance #3964 - not on printed agenda.*

[3964](#)

James D. Tindall moved to perfect Ordinance #3964. Seconded by Dennis Waits.

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

(PERFECTED)

[3964](#)

James D. Tindall moved to suspend the rules to consider final passage of Ordinance #3964. Seconded by Theresa Garza Ruiz.

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

(APPROVED)

[3964](#)

James D. Tindall moved the passage of Ordinance #3964 as perfected, repealing Schedule I through VI to Chapter 2, Jackson County Code, 1984, relating to the salary ranges of employees not under the Merit System and enacting, in lieu thereof, six new schedules relating to the same subject. Seconded by Theresa Garza Ruiz.

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

Abstain: 1 - Henry C. Rizzo

(ADOPTED)

## 11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[16479](#)

James D. Tindall moved the passage of Resolution #16479, transferring \$16,754.00 within the 2007 Anti-Drug Sales Tax Fund to provide supplemental funding for the Family Court Division's "Night Light" program. Seconded by Henry C. Rizzo.

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)

*Henry C. Rizzo, Vice Chairman, assumes the Chair.*

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[16480](#)

Authorizing the Jackson County Legislature to hold a closed meeting on Monday, December 10, 2007, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under sections 610.021(1) and (9) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting.

*(WITHDRAWN BY SPONSOR TARWATER. CONCURRED BY RIZZO AND BURNETT.)*

*Dan Tarwater, Chairman, resumes the Chair.*

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[16481](#)

Dennis Waits moved the passage of Resolution #16481, recognizing Doris Saputo, for her service in Division 31 of the 16th Judicial Circuit Court of Jackson County, MO, and congratulating her on her retirement. Seconded by Henry C. Rizzo.

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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[16482](#)

Greg Grounds moved the passage of Resolution #16482, transferring \$362,279.00 within the 2007 General Fund to cover the costs of overtime and food service through December 31, 2007, for the Department of Corrections. Seconded by Henry C. Rizzo.

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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[16483](#)

Fred Arbanas moved the passage of Resolution #16483, establishing the grounds of the Jackson County Courthouse on the Square in Independence, MO, as a part of the County parks system, and authorizing the County Executive to execute a Technical Assistance Agreement with the Truman Heartland Foundation of Independence, MO, concerning the redevelopment and improvement of the courthouse grounds at an actual cost to the county of \$270,000.00. 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)

[16484](#)

Theresa Garza Ruiz moved the passage of Resolution #16484, transferring \$35,000.00 within the 2007 Special Road and Bridge Fund and authorizing the County Executive to execute a Multijurisdictional Cooperative Agreement for the establishment and maintenance of the ALERT/ETAC data warehouse, at an actual cost to the County of \$35,000.00. Seconded by Henry C. Rizzo.

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 #16485 and #16486 - not on printed agenda.*

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[16485](#)

Dennis Waits moved the passage of Resolution #16485, recognizing Virgil Smith for his service in the Independence Police Department and Municipal Court, and congratulating him on his retirement. Seconded by Henry C. Rizzo.

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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[16486](#)

James D. Tindall moved the passage of Resolution #16486, authorizing the County Executive to execute a Cooperative Agreement with Swope Health Services in the amount of \$75,000.00, to provide substance abuse treatment and mental health programs for clients of the Jackson County Mental Health Court. Seconded by Henry C. Rizzo.

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

*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 Henry C. Rizzo.

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

(APPROVED)

*Meeting adjourned until Monday, January 7, 2008 at 2:30 P.M. in the Kansas City Legislative Assembly Area.*