



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

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

Monday, September 29, 2008

2:30 PM

Thirty-seventh Regular Meeting

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

Dennis Waits, 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
Excused: Scott Burnett

2 THE PLEDGE OF ALLEGIANCE

Recited.

[Play Video](#)

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dan Tarwater moved to approve the journal of the previous meeting held on 9/22/2008.
Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(APPROVED)

[Play Video](#)

4 HEARINGS

Jake Jacobs, Executive Director and Don Saxon, President of the Board, presented an overview of the Developmental Disability Services of Jackson County. (Handout provided.)

Bill Nigro, businessman/property owner and Bill George, Chief Executive Officer of Kansas City Transportation Group explained a proposal for an entertainment and attractions shuttle service and asked for an endorsement from the County Legislature to the Kansas City Council for their proposal. (Handout provided.)

Dennis Waits asked the County Counselor's office to draft a resolution endorsing the proposal.

[Play Video](#)

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Shelley Temple-Kneuvean, Deputy Chief Administrative Officer and Ken Conlee, Director of Corrections, gave a status report on changes at Jackson County Corrections. (Handout provided.)

Mike Sanders, County Executive, presented proclamations to The Honorable Peggy McGraw, Presiding Judge and The Honorable Justine Del Muro, Criminal A Judge, for their hard work and ability to come together and work with all these different groups to get what taxpayers want and expect. This is a success story because effective changes have been made at Jackson County Corrections.

Mike Sanders said the budget projections for 2009 are being prepared and will be presented to the Legislature in two weeks.

He said the Administration received a letter from the City Auditor's office stating that they would no longer work on the election board audits with Jackson County. Therefore, the County's purchasing department will issue Requests for Proposals and go forward with the audits.

Presentation by Bill Nigro and Bill George was done at this time. See details under HEARINGS.

Pension and Retirement Plan Review Task Force Report was given by Patrick Sterner. He said the critical flaw in the governance structure of the plan was that there was no Board of Trustees or Board of Directors. (Handout provided.)

Discussion.

[Play Video](#)

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[Play Video](#)

[4034](#) Anti-Drug Committee moved to perfect. Consent Agenda.

[Play Video](#)

[4035](#) Justice and Law Enforcement Committee moved to perfect. Consent Agenda.

[Play Video](#)

[4036](#) Finance and Audit Committee moved to perfect.

Bob Spence objects to the Consent Agenda.

[Play Video](#)

[4036](#) Bob Spence moved to perfect Ordinance #4036. Seconded by Fred Arbanas.

The motion passed by a voice vote.

(PERFECTED)

[4036](#) Bob Spence moved to suspend the rules to consider final passage of Ordinance #4036.
Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(APPROVED)

Consent Agenda. See Final Passages of Proposed Ordinances.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[Play Video](#)

[4028](#) Consent Agenda.

[Play Video](#)

[4030](#) Consent Agenda.

[Play Video](#)

[4031](#) Consent Agenda.

[Play Video](#)

[4032](#) Consent Agenda.

[Play Video](#)

[4033](#) Consent Agenda.

[Play Video](#)

[4036](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[Play Video](#)

[16706](#) A RESOLUTION authorizing the Trustees of the Land Trust of Jackson County to convey one hundred sixty-three (163) parcels of real property located in Kansas City, Missouri, for support of various projects for the upgrading and redevelopment of the urban core in accordance with §141.750.2 RSMo, 2000.

(Health and Environment Committee - 2nd. Meeting)

[Play Video](#)

[16708](#) Anti-Drug Committee moved do pass. Consent Agenda.

[Play Video](#)

[16710](#) Public Works Committee moved do pass. Consent Agenda.

[Play Video](#)

[16711](#) Anti-Drug Committee moved do pass. Consent Agenda.

[Play Video](#)

[16712](#) Public Works Committee moved do pass. Consent Agenda.

[Play Video](#)

[16713](#) Public Works Committee moved do pass. Consent Agenda.

[Play Video](#)

9 CONSENT AGENDA

[Play Video](#)

[4034](#) AN ORDINANCE transferring \$156,929.00 within and appropriating \$375,877.00 from the fund balance of the 2008 Anti-Drug Sales Tax Fund, in acceptance of the Drug Abatement Response Team (DART) grant for the Prosecuting Attorney's Office awarded by the Missouri Department of Public Safety, and authorizing the County Executive to execute a Memorandum of Understanding with the City of Kansas City, MO, and the Kansas City Board of Police Commissioners relating to the DART program, at a cost to the County not to exceed \$91,000.00.

(PERFECTED)

[4035](#) AN ORDINANCE repealing section 933., Jackson County Code, 1984, relating to the Combined Charities Campaign and enacting, in lieu thereof, one new section relating to the same subject.

(PERFECTED)

[4028](#) AN ORDINANCE appropriating \$11,996.91 from the fund balance of the 2008 Grant Fund in acceptance of a grant received from the Missouri Highway and Transportation Commission for Missouri's Blueprint for Roadway Safety, and authorizing the County Executive to execute a Program Agreement regarding said grant.

(ADOPTED)

[4030](#) AN ORDINANCE appropriating \$51,080.00 from the fund balance of the 2008 Grant Fund in acceptance of the Family Court Division's School Based Prevention and Diversionary Program Grant received from the Missouri Department of Social Services, Division of Youth Services.

(ADOPTED)

- [4031](#) AN ORDINANCE appropriating \$36,342.00 from the fund balance of the 2008 Grant Fund in acceptance of the Family Court Division's Community Restitution Program Grant received from the Missouri Department of Social Services, Division of Youth Services.
(ADOPTED)
- [4032](#) AN ORDINANCE appropriating \$67,212.00 from the fund balance of the 2008 Grant Fund in acceptance of the Family Court Division's After School Supervision Education & Treatment Grant received from the Missouri Department of Social Services, Division of Youth Services.
(ADOPTED)
- [4033](#) AN ORDINANCE appropriating \$131,523.00 from the fund balance of the 2008 Grant Fund in acceptance of the Family Court Division's Facilitating Treatment Delivery Grant received from the Missouri Department of Social Services, Division of Youth Services.
(ADOPTED)
- [4036](#) AN ORDINANCE enacting section 2133., Jackson County Code, 1984, relating to the collection of license issuance fees.
(ADOPTED)
- [16708](#) A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement with the Kansas City, MO, Neighborhood and Community Services Department for its Neighborhood Improvement Plan Initiative, at a cost to the County not to exceed \$75,000.00.
(ADOPTED)
- [16710](#) A RESOLUTION transferring \$80,000.00 within the 2008 Road and Bridge Fund to purchase haydite and other operational rock for the completion of the 2008 Annual Road Program for use by the Public Works Department.
(ADOPTED)
- [16711](#) A RESOLUTION awarding a six (6) month contract to increase the capacity to track drug treatment data among the treatment providers for use by the Jackson County COMBAT Commission, as a sole source purchase, to National Council on Alcohol and Drug Dependence (NCADD) of Kansas City, MO, at a cost to the County not to exceed \$40,000.00.
(ADOPTED)
- [16712](#) A RESOLUTION authorizing the County Executive to enter into a Cooperative Agreement with the City of Lee's Summit, MO, for road maintenance and snow removal services.
(ADOPTED)

[16713](#)

A RESOLUTION authorizing Change Order No. 1 to the contract with Radmacher Brothers Excavation of Pleasant Hill, MO, for the 85th & Troost Avenue Phase I Roadway Improvements Project, No. 2407, increasing the contract amount by \$117,606.65.

(ADOPTED)

To perfect Ordinances 4034, 4035. To adopt Ordinances 4028, 4030, 4031, 4032, 4033, 4036. To adopt Resolutions 16708, 16710, 16711, 16712, 16713.

Dan Tarwater moved the passage of the consent agenda. Seconded by Henry C. Rizzo. 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

Excused: 1 - Scott Burnett

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[Play Video](#)

[4037](#)

Appropriating \$100,500.00 from the fund balance of the 2008 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.

(Justice and Law Enforcement Committee)

[Play Video](#)

[4038](#)

Amending the zoning districts established pursuant to the Unified Development Code by changing from District RS (Residential Suburban) to District A (Agricultural) a certain 80 ± acre tract.

(Land Use Committee)

The Land Use Committee will have a public hearing on Friday, October 17, 2008 at 1:00 P.M. at Fleming Hall.

[Play Video](#)

[4039](#)

Appropriating \$16,662.00 from the fund balance of the 2008 Grant Fund in acceptance of the Sheriff's Office's "Sobriety Checkpoint" grant awarded by the Missouri Department of Transportation, Highway Safety Division, and authorizing the County Executive to execute a contract with the Missouri Highway Safety Division for the expenditure of the grant funds.

(Justice and Law Enforcement Committee)

[Play Video](#)

[4040](#)

Appropriating \$25,000.00 from the fund balance of the 2008 Grant Fund in acceptance of the Sheriff's Office's "Hazardous Moving Violation" grant awarded by the Missouri Department of Transportation, Highway Safety Division, and authorizing the County Executive to execute a contract with the Missouri Highway Safety Division for the expenditure of grant funds.

(Justice and Law Enforcement Committee)

[Play Video](#)

[4041](#) Theresa Garza Ruiz moved to perfect Ordinance #4041. Seconded by Dan Tarwater.
The motion passed by a voice vote. (PERFECTED)

[Play Video](#)

[4041](#) Theresa Garza Ruiz moved to suspend the rules to consider final passage of Ordinance #4041. Seconded by Dan Tarwater.
The motion passed by a voice vote. (APPROVED)

[4041](#) Theresa Garza Ruiz moved the passage of Ordinance #4041 as perfected, appropriating \$280,470.56 from the fund balance of the 2008 Grant Fund in acceptance of the Jackson County Sheriff's Office's Traffic Unit grant awarded by the Missouri Department of Transportation, Highway Safety Division, and authorizing the County Executive to execute a contract with the Missouri Highway Safety Division for the expenditure of grant funds. 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
Excused: 1 - Scott Burnett
(ADOPTED)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[Play Video](#)

[16715](#) Dan Tarwater moved the passage of Resolution #16715, authorizing the Jackson County Legislature to hold a closed meeting on Monday, September 29, 2008, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under section 610.021(1) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting. Seconded by Henry C. Rizzo.
Yes: 8 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
Excused: 1 - Scott Burnett
(ADOPTED)

[Play Video](#)

[16716](#) Awarding a twenty-four (24) month term and supply contract, with a twenty-four (24) month extension option for the maintenance of mobile radios for use by the Parks and Recreation Department and Sheriff's Office to Commenco, Inc., of Kansas City, MO, and KC Wireless of Independence, MO, under the terms and conditions of Electronic Solicitation No. BB200822.

(Justice and Law Enforcement Committee)

[Play Video](#)

[16717](#) Awarding a twelve (12) month term and supply contract, with a thirty-six (36) month extension option, for the furnishing of mattresses, bedding, and linens for use by the Corrections Department to American Textiles of Cerritos, CA, Robinson Textiles of Gardena, CA, Derby Industries of South Bend, IN, Bob Barker Co. of Fuquay Varina, NC, Tabb Textiles of Opelika, AL, and ATD American of Wyncote, PA, under the terms and conditions of Electronic Solicitation No. BB200820.

(Justice and Law Enforcement Committee)

[Play Video](#)

[16718](#) James D. Tindall moved the passage of Resolution #16718, recognizing the W.E.B. DuBois Learning Center on its thirty-fifth Anniversary. 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

Excused: 1 - Scott Burnett

(ADOPTED)

[Play Video](#)

[16719](#) Awarding a contract for the purchase of playground equipment and installation for use by the Parks & Recreation Department to Gametime c/o Cunningham Associates, Inc., of Charlotte, NC, under the terms and conditions set forth in the State of North Carolina Contract No. 040376, an existing government contract.

(Land Use Committee)

[Play Video](#)

[16720](#) Authorizing the County Executive to execute a Permanent Easement and Temporary Construction Easement in favor of the Water Services Department of Kansas City, MO, granting a 31,716 square foot permanent easement and a 2.257 acre temporary construction easement across a portion of the Little Blue Trace Park to install a sewer interceptor line to upgrade existing service and provide service to property owners not currently served by public sewers.

(Land Use Committee)

No objection to the consideration of Resolution #16721 - not on printed agenda.

[Play Video](#)

[16721](#) Fred Arbanas moved the passage of Resolution #16721, authorizing the County Counselor to file a Petition for Review with the Missouri Judicial Finance Commission concerning the Circuit Court of Jackson County's 2009 budget request. Seconded by James D. Tindall.

Yes: 6 - Theresa Garza Ruiz, Fred Arbanas, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

Absent: 2 - Henry C. Rizzo and James D. Tindall

Excused: 1 - Scott Burnett

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

None.

[Play Video](#)

13 UNFINISHED BUSINESS

Dan Tarwater, Vice Chairman, mentioned that Scott Burnett's dad passed away this morning. He asked that everyone remember him and his family in their prayers.

Dan Tarwater moved that Scott Burnett be excused from the meeting. Seconded by Theresa Garza Ruiz.

The motion passed by a voice vote. (APPROVED)

Mark Jones, County Counselor, reminded the County Legislature that there would be business to conduct after the closed session.

Dennis Waits stated that the Office of Human Relations and Citizen Complaints Commission is not able to have meetings due to lack of a quorum. He asked legislators to forward the names of anyone interested in the positions to Calvin Williford, Chief of Intergovernmental Relations and Office of Communications.

[Play Video](#)

14 NEW BUSINESS

Dennis Waits said after the meeting they will select the organizations that will participate in Christmas in the Park. He explained how the selection process will work this year to ensure fairness. It was agreed that Henry C. Rizzo would pick the names out of the hat.

The County Legislature went into closed session.

The County Legislature reconvened.

Resolution #16721 was adopted at this time. See above for details.

[Play Video](#)

15 ADJOURNMENT

Dan Tarwater moved to adjourn the meeting. Seconded by Greg Grounds.

The motion passed by a voice vote. (APPROVED)

Meeting adjourned until Monday, October 6, 2008 at 2:30 P.M. in the Kansas City Legislative Assembly Area.

[Play Video](#)