



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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*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)*

Monday, December 3, 2007

2:30 PM

Forty-Seventh Regular Meeting

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

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, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
Absent: James D. Tindall

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2 THE PLEDGE OF ALLEGIANCE

Recited.

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3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Scott Burnett moved to approve the journal of the previous meeting held on 11/27/2007.
Seconded by Theresa Garza Ruiz.

The motion passed by a voice vote.

(APPROVED)

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4 HEARINGS

Public Hearing regarding Ordinance #3952, setting the 2008 Jackson County, Missouri tentative tax levy and Ordinance #3954, 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.

Henry C. Rizzo opened the public hearing.

Sharon Martin, Business Agent for the International Association of Firefighters Local 42, asked questions regarding the Memorandum of Understanding with Local 42.

Rebecca Leavitt, with the Prosecutor's office, asked about the merit raises.

Discussion.

Henry C. Rizzo closed the public hearing.

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5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

None.

Greg Grounds asked Mike Sanders, County Executive, what the county's obligation is in regards to the Extension Center and asked if he would direct any memorandums to him.

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6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

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[3949](#)

Land Use Committee moved to perfect.

Fred Arbanas objects to the consent agenda.

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[3949](#)

Fred Arbanas moved to perfect Ordinance #3949. Seconded by Bob Spence.

The motion passed by a voice vote.

(PERFECTED)

[3949](#)

Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3949. Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[3952](#)

AN ORDINANCE setting the 2008 Jackson County, Missouri tentative tax levy.

(Legislature As A Whole - 3rd. Perfection)

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[3954](#)

AN ORDINANCE 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.

(Legislature As A Whole - 3rd. Perfection)

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[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 - 2nd. Perfection)

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

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7 FINAL PASSAGE OF PROPOSED ORDINANCES

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[3949](#) Consent Agenda.

[3953](#) Consent Agenda.

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8 RESOLUTIONS IN COMMITTEE

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[16434](#) Authorizing the County Executive to execute an Amendment to the Site Agreement with T-Mobile Central LLC, regarding upgrades to its cellular tower adjacent to the Jackson County Sheriff's Headquarters at Fleming Park.

(WITHDRAWN BY ARBANAS. CONCURRED BY WAITS AND BURNETT.)

Dan Tarwater assumes the Chair.

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[16462](#) Public Works Committee moved do pass. Consent Agenda.

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[16463](#) Land Use Committee moved do pass. Consent Agenda.

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9 CONSENT AGENDA

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[3949](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RR (Residential Ranchette) a certain 31± acre tract, and approving the preliminary plat "Luttrell Estates," creating a six-lot residential subdivision.

(ADOPTED)

[3953](#) AN ORDINANCE appropriating \$87,863.00 from the unappropriated surplus of the 2007 Grant Fund in acceptance of a grant awarded to the Family Court Division by the Missouri Department of Public Safety for the Reentry Aftercare Functional Family Therapy Project.

(ADOPTED)

[16462](#) A RESOLUTION authorizing the County Executive to execute an Agreement for Engineering Services with Wilbur Smith Associates for the design of the Intersection Improvement Phase 1, Blue Ridge Boulevard and Wornall Road Project, No. 3086, at a cost to the County not to exceed \$93,140.00.

(ADOPTED)

[16463](#)

A RESOLUTION awarding a twenty-four (24) month term and supply contract on Bid No. 19-07 for roof replacement and roofing repair services for use by the Facilities Management and Parks and Recreation Departments to Delta Innovative Service, Inc., of Kansas City, KS, to provide for their needs for the upcoming one-year period, in the estimated amount of \$52,000.00.

(ADOPTED)

To adopt Ordinances 3949, 3953. To adopt Resolutions 16462, 16463.

Dennis Waits 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, Scott Burnett, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

Absent: 1 - James D. Tindall

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

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[3956](#)

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.

(Health and Justice Committee)

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[3957](#)

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.

(Health and Justice Committee)

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[3958](#)

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.

(Health and Justice Committee)

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[3959](#)

Enacting section 5529., Jackson County Code, 1984, relating to the registration of sex offenders, with a penalty provision.

(Legislature As A Whole)

[3960](#)

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.

(Land Use Committee)

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[3961](#)

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.

(Finance and Audit Committee)

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11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[16465](#) 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)

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[16466](#) 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.

(Land Use Committee)

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[16467](#) Dennis Waits moved the passage of Resolution #16467, congratulating Bishop James Dennis Tindall on the occasion of his 31st pastoral anniversary. Seconded by Henry C. Rizzo.

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

Absent: 1 - James D. Tindall

(ADOPTED)

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[16468](#) 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.

(Finance and Audit Committee)

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[16469](#) 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.

(Finance and Audit Committee)

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[16470](#) Bob Spence moved the passage of Resolution #16470, authorizing the County Executive to execute a Guaranty Termination and Release with Suez Energy Congeneration Corporation and a replacement Performance Guarantee with Thermal North America, Inc., at no cost to the County. Seconded by Dennis Waits.

Yes: 7 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence
Abstain: 1 - Scott Burnett
Absent: 1 - James D. Tindall

(ADOPTED)

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[16471](#) 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.

(Health and Justice Committee)

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[16472](#) 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.

(Public Works Committee)

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[16473](#) 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.

(Finance and Audit Committee)

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[16474](#) 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.

(Finance and Audit Committee)

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[16475](#) 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.

(Land Use Committee)

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[16476](#) Awarding a twelve (12) 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.

(Public Works Committee)

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[16477](#) 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.

(Health and Justice Committee)

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[16478](#) Awarding a contract for furnishing 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 \$2,015,058.00.

(Health and Justice Committee)

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12 COUNTY EXECUTIVE ORDERS

None.

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13 UNFINISHED BUSINESS

Discussion regarding legal ramifications if Memorandums of Understanding are not honored.

Mike Sanders said since this is a legal matter it should be discussed in closed session.

Dan Tarwater asked that a resolution for a closed session be prepared so it can be held on Monday, December 10, 2007.

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14 NEW BUSINESS

Henry C. Rizzo said the Budget Committee will meet Thursday, December 6, 2007.

Dan Tarwater said the legislative meeting scheduled to be held on Monday, December 10, 2007 will be held in Kansas City instead of Independence.

The Land Use Committee will meet on Wednesday, December 5, 2007 at 1 P.M. at the Fred Arbanas Golf Course.

The Public Works Committee will meet on Wednesday, December 5, 2007 at 1:15 P.M. at the Fred Arbanas Golf Course.

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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, December 10, 2007 at 2:30 P.M. in the Kansas City Legislative Assembly Area.