



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

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

Monday, November 2, 2009

2:30 PM

Forty-second 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, 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 10/26/2009.
Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

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4 HEARINGS

A Service Employees International Union (SEIU, Local 1) representative, spoke about the janitorial cleaning provided to Jackson County, Missouri by Modern Maintenance. A copy of the letter sent from Sherwin Carroll is available with the journal in the County Clerk's office.

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5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

None.

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6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

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[4163](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RS (Residential Suburban) a certain 1± acre tract.

(Land Use Committee - 1st. Perfection)

The Land Use Committee will have a public hearing regarding Ordinance #4163 on Friday, November 13, 2009 at 1 P.M. at Fleming Hall.

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[4164](#) Justice and Law Enforcement Committee moved to perfect. Consent Agenda.

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[4165](#) Justice and Law Enforcement Committee moved to perfect. Consent Agenda.

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7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

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8 RESOLUTIONS IN COMMITTEE

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[17047](#) Land Use Committee moved do pass. Consent Agenda.

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[17049](#) Finance and Audit Committee moved do pass.

Greg Grounds objects to the Consent Agenda.

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[17049](#) Dan Tarwater moved the passage of Resolution #17049, authorizing the Director of Finance and Purchasing to issue a check in the amount of \$16,000.00 to the Downtown KC Community Improvement District. Seconded by Dennis Waits.

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

Abstain: 1 - Greg Grounds

Absent: 1 - Scott Burnett

(ADOPTED)

[17050](#) Justice and Law Enforcement Committee moved do pass. Consent Agenda.

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[17051](#) Land Use Committee moved do pass. Consent Agenda.

Resolutions #17059 - #17068 were adopted at this time. See pages 3, 4, and 6 for details.

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9 CONSENT AGENDA

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- [4164](#) AN ORDINANCE appropriating \$1,130,734.01 from the fund balance of the 2009 Grant Fund in acceptance of the 2009 Justice Assistance Grant (JAG) Recovery Grant from the U. S. Department of Justice. (PERFECTED)
- [4165](#) AN ORDINANCE appropriating \$1,044,855.00 from the fund balance of the 2009 Grant Fund in acceptance of the 2009 Byrne Justice Assistance Grant (JAG) from the U. S. Department of Justice and authorizing the County Executive to execute an Interlocal Agreement pursuant to the terms of the grant award with the Cities of Kansas City, Blue Springs, Grandview, Independence, Raytown, Lee's Summit, and the Board of Police Commissioners of Kansas City for the County's distribution of the grant award proceeds, at a cost to the County not to exceed \$697,286.00. (PERFECTED)
- [17047](#) A RESOLUTION authorizing the County Executive to execute agreements with Kansas City Power and Light for lighting modifications at the Jacomo Dry Boat Storage Area and the Fred Arbanas Golf Course. (ADOPTED)
- [17050](#) A RESOLUTION transferring \$170,000.00 within the 2009 General Fund to cover the costs of overtime expenses within the Jackson County Department of Corrections. (ADOPTED)
- [17051](#) A RESOLUTION authorizing the County Executive to execute the First Amendment to the 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)
- [17059](#) A RESOLUTION congratulating Frank Joseph Ferro upon successfully completing all requirements to attain Scouting's highest honor, the rank of Eagle Scout. (ADOPTED)

- [17060](#) A RESOLUTION congratulating Todd Brandon Fonville upon successfully completing all requirements to attain Scouting's highest honor, the rank of Eagle Scout. (ADOPTED)
- [17061](#) A RESOLUTION congratulating Evan Joseph Harmon upon successfully completing all requirements to attain Scouting's highest honor, the rank of Eagle Scout. (ADOPTED)
- [17062](#) A RESOLUTION congratulating Jonathan Aaron McNeely upon successfully completing all requirements to attain Scouting's highest honor, the rank of Eagle Scout. (ADOPTED)
- [17063](#) A RESOLUTION congratulating Benjamin Christopher Pudenz upon successfully completing all requirements to attain Scouting's highest honor, the rank of Eagle Scout. (ADOPTED)
- [17064](#) A RESOLUTION congratulating Nicola Grabo Sarro upon successfully completing all requirements to attain Scouting's highest honor, the rank of Eagle Scout. (ADOPTED)
- [17065](#) A RESOLUTION congratulating Antonio Battaglia Camacho upon successfully completing all requirements to attain Scouting's highest honor, the rank of Eagle Scout. (ADOPTED)
- [17066](#) A RESOLUTION congratulating Peter Anthony Stone upon successfully completing all requirements to attain Scouting's highest honor, the rank of Eagle Scout. (ADOPTED)
- [17067](#) A RESOLUTION congratulating Aaron Nicholas Menichetti upon successfully completing all requirements to attain Scouting's highest honor, the rank of Eagle Scout. (ADOPTED)
- [17068](#) A RESOLUTION congratulating David Patrick Menichetti upon successfully completing all requirements to attain Scouting's highest honor, the rank of Eagle Scout. (ADOPTED)

To perfect Ordinances 4164, 4165. To adopt Resolutions 17047, 17050, 17051, 17059, 17060, 17061, 17062, 17063, 17064, 17065, 17066, 17067, 17068.

Dan Tarwater moved the passage of the consent agenda. Seconded by Theresa Garza Ruiz. 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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[4167](#) Transferring \$21,038.00 within the 2009 Anti-Drug Sales Tax Fund, appropriating \$210,380.00 from the fund balance of the 2009 Anti-Drug Grant 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 and Deana Bellamaganya for the Prosecuting Attorney's Office's Sentenced to the Arts program, at an aggregate cost to the County not to exceed \$231,418.00.

(Anti-Drug Committee)

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[4168](#) Dan Tarwater moved to perfect Ordinance #4168. Seconded by Dennis Waits.

The motion passed by a voice vote.

(PERFECTED)

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[4168](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4168. Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

[4168](#) Dan Tarwater moved the passage of Ordinance #4168 as perfected, appropriating \$339,974.74 from the fund balance of the 2009 Anti-Drug Grant Fund in acceptance of a grant awarded by the U.S. Department of Justice. 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)

[4169](#) Dan Tarwater moved to perfect Ordinance #4169. Seconded by Dennis Waits.

The motion passed by a voice vote.

(PERFECTED)

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[4169](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4169. Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

[4169](#) Dan Tarwater moved the passage of Ordinance #4169 as perfected, transferring \$57,311.00 within and appropriating \$68,679.51 from the fund balance of the 2009 Anti-Drug Grant Fund in acceptance of a grant received by the Prosecuting Attorney's Office from the Missouri Department of Public Safety. 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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[17054](#)

Awarding a contract for the purchase of soccer goals for use by the Parks and Recreation Department to Gametime c/o Cunningham Associates, Inc., of Charlotte, NC, under the terms and conditions of State of North Carolina Contract No. 040376.13, an existing government contract, at an actual cost to the County not to exceed \$33,301.85.

(Land Use Committee)

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[17055](#)

Authorizing Change Order No. 1 to the contract with Miles Excavating Inc., of Kansas City, KS, for the Intersection Improvements, Gregory Boulevard and Lee's Summit Road Project, No. 3083, increasing the contract amount by \$80,730.00.

(Public Works Committee)

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[17056](#)

Awarding a contract on Bid No. PW 08-2009 for the Longview Road, Hickman Mills drive to Orchard/Applewood Drive, Project No. 3088, to Freeman Concrete Construction, LLC, of Shawnee Mission, KS, at a total cost to the County not to exceed \$1,257,425.36, and authorizing the Director of Public Works to approve line item adjustments under this contract at no additional cost to the County.

(Public Works Committee)

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[17057](#)

Bob Spence moved the passage of Resolution #17057, authorizing the Jackson County Legislature to hold a closed meeting on Monday, November 2, 2009, 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: 0

No: 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

(DEFEATED)

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[17058](#) Awarding a contract for the furnishing of steel marina decking for use by the Parks and Recreation Department to Premier Materials of Minneapolis, MN, under the terms and conditions of Electronic Solicitation No. BB200945, at a cost to the County not to exceed \$70,803.20.

(Land Use Committee)

No objection to the consideration of Resolutions #17059 through #17068 - not on printed agenda.

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[17059](#) Consent Agenda.

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[17060](#) Consent Agenda.

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[17061](#) Consent Agenda.

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[17062](#) Consent Agenda.

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[17063](#) Consent Agenda.

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[17064](#) Consent Agenda.

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[17065](#) Consent Agenda.

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[17066](#) Consent Agenda.

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[17067](#) Consent Agenda.

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[17068](#) Consent Agenda.

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[17069](#)

Awarding a contract for the furnishing of telecommunications connectivity for countywide use to Sure West of Lenexa, KS, under the terms and conditions of Request for Proposal No. 39-09, and authorizing the County Executive to execute the agreement, at a total five year cost to the County not to exceed \$622,005.00, with \$10,366.75 payable for the 2009 fiscal year.

(Finance and Audit Committee)

No objection to the consideration of Resolution #17070 - not on printed agenda.

[17070](#)

Dennis Waits moved the passage of Resolution #17070, transferring \$81,425.05 within the 2009 General Fund to cover the costs for unanticipated legal expenses. 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

Dennis Waits moved to suspend the rules for the purpose of reconsidering Resolution #17045. Seconded by Theresa Garza Ruiz.

The motion passed by a voice vote.

(APPROVED)

Dennis Waits moved to reconsider Resolution #17045 adopted October 19, 2009, transferring \$20,940.00 within the 2009 General Fund and awarding a twelve (12) month term and supply contract, with a twelve (12) month extension option, for the furnishing of parking spaces for use by County employees currently parking in spaces located at 1120 Oak Street to Diamond Executive Services of Parkville, MO, under the terms and conditions of Invitation to Bid No. 44-09. Seconded by Theresa Garza Ruiz.

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

Resolution #17045 was assigned to the Finance and Audit Committee.

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14 NEW BUSINESS

None.

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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, November 9, 2009 at 2:30 P.M. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.

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