



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

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, March 29, 2010

2:30 PM

Thirteenth 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 3/22/2010.  
Seconded by Dennis Waits.

**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**

None.

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

None.

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**7 FINAL PASSAGE OF PROPOSED ORDINANCES**

*None.*

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**8 RESOLUTIONS IN COMMITTEE**

Resolutions #17228, #17229 and #17230 were adopted at this time. See page 6 for details.

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[17212](#) Land Use Committee moved do pass. Consent Agenda.

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[17213](#) Finance and Audit Committee moved do pass. Consent Agenda.

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[17214](#) Land Use Committee moved do pass. Consent Agenda.

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[17215](#) Finance and Audit Committee moved do pass. Consent Agenda.

[17220](#) Justice and Law Enforcement Committee moved do pass. Consent Agenda.

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**9 CONSENT AGENDA**

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[17212](#) A RESOLUTION awarding a contract for the furnishing of eight (8) pontoon boats for use by the Parks and Recreation Department to Blue Springs Marine of Blue Springs, MO, under the terms and conditions of Invitation to Bid No. 2-10, at an actual cost to the County not to exceed \$115,160.00.

(ADOPTED)

[17213](#) A RESOLUTION awarding a twelve (12) month term and supply contract, and authorizing two (2) six (6) month options for extension, on Bid No. 7-10 for the furnishing of office supplies and equipment for use by various county departments to Phoenix Office Products of Kansas City, MO, to provide for countywide needs.

(ADOPTED)

[17214](#)

A RESOLUTION awarding a contract for the furnishing of two (2) greens aerators to Kansas Golf & Turf of Wichita, KS, and five (5) utility carts to Heritage Tractor of Harrisonville, MO, for use by the Parks and Recreation Department under the terms and conditions of Electronic Solicitation No. BB20101, in the actual amount of \$50,783.30, and declaring certain personal property as obsolete and unusable and authorizing its disposal by way of trade-in.

(ADOPTED)

[17215](#)

A RESOLUTION awarding a twelve (12) month term and supply contract with two (2) twelve (12) month options to extend for the furnishing of Goodyear tires, tubes, and related services for use by various county departments to Wingfoot Commercial Tire Systems, LLC of Kansas City, MO, under the terms and conditions of State of Missouri Contract No. C110143001, an existing government contract.

(ADOPTED)

*The Finance and Audit Committee Substitute of March 29, 2010 was adopted.*

[17220](#)

A RESOLUTION awarding a twenty-four (24) month term and supply contract with three (3) twelve month extension options for the furnishing of uniforms for use by the Sheriff's Office to The Armory, LLC of Kearney, MO, under the terms and conditions of Invitation to Bid No. 48-09.

(ADOPTED)

To adopt Resolutions 17212, 17213, 17214, 17215, 17220.

Dan Tarwater moved the passage of the consent agenda. Seconded by Dennis Waits. 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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[4198](#)

Amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RE (Residential Estates) a certain 2.3 ± acre lot.

*(Land Use Committee)*

*The Land Use Committee will have a public hearing regarding Ordinance #4198 on Friday, April 16, 2010 at Fleming Hall.*

*Ordinance #4199 was assigned to the Anti-Drug Committee.*

*Ordinance #4199 was reconsidered and adopted later in the meeting. See page 5 for details.*

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- [4199](#) Dan Tarwater moved to perfect the floor substitute of 3/29/2010. Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (PERFECTED)  
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- [4199](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4199. Seconded by Dennis Waits.  
**The motion passed by a voice vote.** (APPROVED)
- [4199](#) Dan Tarwater moved the passage of Ordinance #4199 as perfected, appropriating \$31,411.00 from the fund balance of the 2010 Anti-Drug Sales Tax Fund to fund a contractual interest payment and employee salaries and benefits for the Jackson County Drug Court program. 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)
- [4200](#) Repealing section 4031., and Schedule I to Chapter 40, Jackson County Code, 1984, relating to sanitation of food establishments, and enacting in lieu thereof, one new section and one new schedule relating to the same subject.  
(*Health and Environment Committee*)  
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- [4201](#) Fred Arbanas moved to perfect Ordinance #4201. Seconded by Bob Spence.  
**The motion passed by a voice vote.** (PERFECTED)  
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- [4201](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4201. Seconded by Dan Tarwater.  
**The motion passed by a voice vote.** (APPROVED)
- [4201](#) Dennis Waits moved the passage of Ordinance #4201 as perfected, appropriating \$596.00 from the fund balance of the 2010 Enterprise Fund in acceptance of donations made in Memory of Richard R. Allen, to be used specifically for the annual Jackson County Parks and Recreation Kid's Fishing Derby. 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)

[4202](#) Transferring \$149,872.52 within the 2010 General Fund and appropriating \$253,948.31 from the fund balance of the 2010 Grant Fund in acceptance of the Stop Violence Against Women Grant awarded by the Missouri Department of Public Safety for a program focused on prevention and prosecution of sexual assaults.

*(Justice and Law Enforcement Committee)*

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[4203](#) Amending section 24003., Jackson County Code, 1984, relating to variances used for the development of land in unincorporated Jackson County.

*(Land Use Committee)*

*The Land Use Committee will have a public hearing regarding Ordinance #4203 on Friday, April 16, 2010 at Fleming Hall.*

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[4204](#) Repealing section 5245., Jackson County Code, 1984, relating to the penalty for driving while revoked, and enacting in lieu thereof, one new section relating to the same subject.

*(Budget Committee)*

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[4205](#) Dan Tarwater moved to perfect Ordinance #4205. Seconded by Fred Arbanas.

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

**(PERFECTED)**

[4205](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4205. Seconded by Fred Arbanas.

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

**(APPROVED)**

[4205](#) Dan Tarwater moved the passage of Ordinance #4205 as perfected, appropriating \$58,500.00 from the unappropriated surplus of the 2010 Anti-Drug Sales Tax Fund to cover 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 Memoranda of Understanding with the United States Attorney's Office for the Western District of Missouri and the Platte County, Missouri Sheriff. 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)**

## 11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[17223](#)

James D. Tindall moved the passage of Resolution #17223, awarding a twenty-four (24) month term and supply contract with two (2) twelve (12) month extension options for the furnishing of prisoner transportation services for use by the Sheriff's Office to Security Transport Services of Topeka, KS, under the terms and conditions of the Johnson County, Kansas, Contract No. 2009-027, an existing government contract. 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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[17224](#)

James D. Tindall moved the passage of Resolution #17224, awarding a contract for the purchase of in-car digital video equipment for use by the Sheriff's Office to Digital Ally of Overland Park, KS, under the terms and conditions of the State of New York Contract No. PC64413, an existing government contract, at an actual cost to the County not to exceed \$162,341.53. 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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[17225](#)

Theresa Garza Ruiz moved the passage of Resolution #17225, authorizing the County Executive to execute an indemnification agreement with Merchants Bonding Company of Des Moines, IA, in support of surety bonds for the use and benefit of the Public Administrator in the performance of her statutory duties, at no additional cost to the County. 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)

*Rebecca Lake Wood, Public Administrator was present to explain Resolution #17225.*

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[17226](#)

Authorizing the County Executive to execute Amendment No. 1 to the contract with Pars Consulting Engineers, Inc., of Leawood, KS, for the 39th Street between Noland Road and Chrysler Avenue Project No. 3036, at an additional cost to the County not to exceed \$67,000.00.

*(Public Works Committee)*

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[17227](#)

Dennis Waits moved the passage of Resolution #17227, awarding a nine (9) month term and supply contract with three (3) twelve (12) month extension options for the furnishing of electronic monitoring equipment for use by the Department of Corrections, Office of Population Control, to BI Monitoring of Boulder, CO, under the terms and conditions of State of Missouri Contract No. C209079001, an existing government contract. 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)

*Ordinance #4199 was reconsidered and adopted at this time. See page 3 for details.*

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[17228](#)

Dennis Waits moved the passage of Resolution #17228, recognizing Matthew Cushman for his volunteer humanitarian efforts in assisting victims of the catastrophic earthquake in Haiti. 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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[17229](#)

Dan Tarwater moved the passage of Resolution #17229, recognizing the League of Women Voters upon the celebration of their 90th Anniversary. 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)

*No objection to the consideration of Resolution #17230 - not on printed agenda.*

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[17230](#)

Bob Spence moved the passage of Resolution #17230, congratulating Michael Liebig upon achieving all 122 Merit Badges available through the Boy Scouts of America Merit Badge program and recognizing him for his qualities of leadership, dedication, and commitment. 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 #17231 and #17232 - not on printed agenda.*

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[17231](#)

Dennis Waits moved the passage of Resolution #17231, confirming an agreement with Bruce Trammell of Lee's Summit, Missouri to provide fiscal officer services for the use and benefit of Jackson County Drug Task Force operations, at an actual cost to the County in the amount of \$15,000.00 and authorizing the Director of Finance & Purchasing to make payments thereunder. 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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[17232](#)

Dennis Waits moved the passage of Resolution #17232, authorizing the County Executive to execute an intergovernmental agreement with the City of Independence for the use of certain county property for civic events, at no cost to the County. Seconded by Greg Grounds.

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)

*Scott Burnett, County Legislator asked questions regarding Resolution #17232. The Administration agreed to report back to him with the answers.*

**12 COUNTY EXECUTIVE ORDERS**

*None.*

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**13 UNFINISHED BUSINESS**

A roll call vote was taken at this time for Resolution #17221 introduced on Monday, March 22, 2010 for clarification.

Dennis Waits moved the passage of Resolution #17221. 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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**14 NEW BUSINESS**

Henry C. Rizzo reminded everyone that the legislative meeting next week will be held one hour earlier at the Independence Courthouse Annex.

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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, April 5, 2010 at 1:30 P.M. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.*

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