



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, October 20, 2008

1:30 PM

Fortieth 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, 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 10/13/2008.
Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(APPROVED)

This motion also approved the journal of the meeting held on October 15, 2008.

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4 HEARINGS

None.

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5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Mike Sanders, County Executive, mentioned that the legislation funding the performance audits for the two election boards in Jackson County is on the agenda for legislative approval.

Fred Siems, Chief Administrative Officer, gave the 2009 Revenue Forecast.

Discussion.

Mike Sanders said they will prepare a report on the impact of Tax Increment Financing.

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Dennis Waits asked the TIF report be given at a December legislative meeting.

Scott Burnett, County Legislator, introduced Paul Snyder with Kansas City Power and Light and Hans Nettleblad with BMI Architects to speak about Resolution #16734.

Discussion.

Resolution #16734 was adopted at this time. See page 3 for details.

6 PERFECTON OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

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[4038](#) Land Use Committee moved to perfect.

Fred Arbanas objects to the Consent Agenda.

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[4038](#) Fred Arbanas moved to perfect Ordinance #4038. Seconded by Dan Tarwater.

The motion passed by a voice vote. (PERFECTED)

[4038](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #4038. Seconded by Theresa Garza Ruiz.

The motion passed by a voice vote. (APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[4045](#) Budget Committee moved to perfect. Consent Agenda.

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[4046](#) Budget Committee moved to perfect. Consent Agenda.

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[4047](#) Budget Committee moved to perfect. Consent Agenda.

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[4048](#) Budget Committee moved to perfect. Consent Agenda.

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[4049](#) Budget Committee moved to perfect.

Henry C. Rizzo objects to the Consent Agenda.

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[4049](#) Henry C. Rizzo moved to perfect Ordinance #4049. Seconded by Dan Tarwater.
The motion passed by a voice vote. (PERFECTED)

[4049](#) Henry C. Rizzo moved to suspend the rules to consider final passage of Ordinance #4049. Seconded by Dan Tarwater.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.

[4050](#) Budget Committee moved to perfect.
Henry C. Rizzo objects to the Consent Agenda.
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[4050](#) Henry C. Rizzo moved to perfect Ordinance #4050. Seconded by Dan Tarwater.
The motion passed by a voice vote. (PERFECTED)

[4050](#) Henry C. Rizzo moved to suspend the rules to consider final passage of Ordinance #4050. Seconded by Dan Tarwater.
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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[4038](#) Consent Agenda.

[4040](#) Consent Agenda.
[Play Video](#)

[4043](#) Consent Agenda.
[Play Video](#)

[4044](#) Consent Agenda.
[Play Video](#)

[4049](#) Consent Agenda.

[4050](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

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[16730](#) Budget Committee moved do pass. Consent Agenda.

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[16734](#) James D. Tindall moved the passage of Resolution #16734, supporting Proposition C on the November 4, 2008, ballot, and encouraging local voters to support the Missouri Clean Energy Initiative. Seconded by Scott Burnett.

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

No: 2 - Greg Grounds and Bob Spence

(ADOPTED)

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9 CONSENT AGENDA

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[4045](#) AN ORDINANCE appropriating \$58,000.00 from the fund balance of the 2008 General Fund, \$10,000.00 from the fund balance of the 2008 Health Fund, \$20,000.00 from the fund balance of the 2008 Road and Bridge Fund, \$15,000.00 from the fund balance of the 2008 Anti-Drug Fund, and \$20,000.00 from the fund balance of the 2008 Assessment Fund to cover the costs for a fire suppression system in three server rooms.

(PERFECTED)

[4046](#) AN ORDINANCE appropriating \$55,760.00 from the fund balance of the 2008 General Fund and \$9,160.00 from the fund balance of the 2008 Assessment Fund to cover the increased costs for employee parking.

(PERFECTED)

[4047](#) AN ORDINANCE appropriating \$24,000.00 from the fund balance of the 2008 General Fund to cover the installation of fire suppression sensors in the HVAC system in the downtown courthouse.

(PERFECTED)

[4048](#) AN ORDINANCE appropriating \$75,000.00 from the fund balance of the 2008 General Fund to cover the costs for countywide telephone costs.

(PERFECTED)

- [4038](#) AN ORDINANCE 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.
(ADOPTED)
- [4040](#) AN ORDINANCE 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.
(ADOPTED)
- [4043](#) AN ORDINANCE appropriating \$25,000.00 from the fund balance of the 2008 Grant Fund to cover a grant received from the Missouri Highway and Transportation Commission in acceptance of the Jackson County Sheriff's Office Safe Routes to School Program grant, and authorizing the County Executive to execute a Program Agreement regarding said grant.
(ADOPTED)
- [4044](#) AN ORDINANCE appropriating \$2,500.00 from the fund balance of the 2008 Grant Fund in acceptance of the Sheriff's Office's Traffic Unit Hardware project 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.
(ADOPTED)
- [4049](#) AN ORDINANCE appropriating \$65,000.00 from the fund balance of the 2008 General Fund, \$20,000.00 from the fund balance of the 2008 Assessment Fund, and \$75,000.00 from the fund balance of the 2008 Park Fund to cover the costs for unanticipated legal expenses and operating costs.
(ADOPTED)
- [4050](#) AN ORDINANCE appropriating \$22,722.00 from the fund balance of the 2008 General Fund and awarding a contract for the repair of the chimney at the Independence Courthouse Annex to Brunn-Ulmer Construction Co., of Kansas City, KS, at a cost to the County not to exceed \$22,722.00.
(ADOPTED)
- [16730](#) A RESOLUTION transferring \$160,000.00 within the 2008 General Fund to cover the costs of supplemental funding in food services for the Department of Corrections.
(ADOPTED)

To perfect Ordinances 4045, 4046, 4047, 4048. To adopt Ordinances 4038, 4040, 4043, 4044, 4049, 4050. To adopt Resolution 16730.

Dan Tarwater 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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[4051](#)

Dan Tarwater moved to perfect Ordinance #4051. Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(PERFECTED)

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[4051](#)

Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4051. Seconded by Theresa Garza Ruiz.

The motion passed by a voice vote.

(APPROVED)

[4051](#)

Dan Tarwater moved the passage of Ordinance #4051 as perfected, approving the issuance of not to exceed \$12,000,000.00 principal amount of Jackson County, Missouri, Tax Anticipation Notes, Series 2008, authorizing and approving certain documents in connection with the issuance of said notes; and authorizing certain other actions in connection with the issuance of said notes. Seconded by Theresa Garza Ruiz.

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)

[4052](#)

Transferring \$17,256.00 within the 2008 General Fund and appropriating \$103,105.00 from the fund balance of the 2008 Grant Fund in acceptance of a grant received by the Prosecuting Attorney's Office from the Missouri Department of Public Safety.

(Justice and Law Enforcement Committee)

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[4053](#)

Rescinding Resolution 16729 dated October 6, 2008, and appropriating \$50,000.00 from the fund balance of the 2008 Prosecuting Attorney Bad Check Fund to cover the costs of moving the Bad Check Unit from its current location.

(Justice and Law Enforcement Committee)

Discussion regarding Ordinance #4054.

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[4054](#) Dan Tarwater moved to perfect Ordinance #4054. Seconded by Henry C. Rizzo.
The motion passed by a voice vote. (PERFECTED)

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[4054](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4054. Seconded by Henry C. Rizzo.
The motion passed by a voice vote. (APPROVED)

[4054](#) Dan Tarwater moved the passage of Ordinance #4054 as perfected, transferring \$21,761.00 within and appropriating \$217,605.00 from the fund balance of the 2008 Anti-Drug Sales Tax 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 \$217,605.00. 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)

Discussion regarding Ordinance #4055.

No objection to the consideration of Ordinance #4055 - not on printed agenda.

[4055](#) Dan Tarwater moved to perfect Ordinance #4055. Seconded by James D. Tindall.
The motion passed by a voice vote. (PERFECTED)

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[4055](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4055. Seconded by Henry C. Rizzo.
The motion passed by a voice vote. (APPROVED)

[4055](#) Dan Tarwater moved the passage of Ordinance #4055 as perfected, appropriating \$89,570.00 from the fund balance of the 2008 General Fund and authorizing the Director of Finance and Purchasing to execute an agreement for the purpose of conducting performance audits of the Kansas City and Jackson County Election Boards with MGT of America, Inc., of Sacramento, CA, at a cost to the County not to exceed \$89,570.00. 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)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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- [16737](#) Authorizing the County Executive to execute Cooperative Agreements with Michele Bridges of Kansas City, KS, Andrea Yates of Shawnee, KS, and Meg Chamberlain of Sugar Creek, MO, to serve as artist-mentors for the MyARTS program, at an actual aggregate cost to the County not to exceed \$16,800.00.
(Anti-Drug Committee)
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- [16738](#) Awarding a twelve (12) month term and supply contract, with annual options to extend for a total of 36 months, for the furnishing of HVAC service and repair for use by the Parks and Recreation and Public Works Departments, to Benso, Inc., of Raytown, MO, under the terms and conditions of Invitation to Bid No. 25-08.
(Finance and Audit Committee)
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- [16739](#) Transferring \$27,699.00 within the 2008 Anti Drug Sales Tax Fund to cover the costs of urinalysis and treatment services for Jackson County Drug Court clients.
(Anti-Drug Committee)
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- [16740](#) Dan Tarwater moved the passage of Resolution #16740, authorizing the County Executive to execute a one-year contract with annual renewal options for five additional years for the furnishing of dental insurance as an employee benefit for use county wide to Assurant Employee Benefits of Overland Park, KS, under the terms and conditions of Request For Proposals No. 38-08 at an estimated first year cost to the County of \$47,140.00. 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)
Resolution #16740 was adopted pending compliance.
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- [16741](#) James D. Tindall moved the passage of Resolution #16741, authorizing the County Executive to execute a one-year contract with annual renewal options for five additional years for the furnishing of cafeteria plan administration for use countywide to ASI Flex of Columbia, MO, under the terms and conditions of Request For Proposals No. 34-08, at an estimated first year cost to the County of \$20,000.00. 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)
Resolution #16741 was adopted pending compliance.
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[16742](#) Authorizing the County Executive to execute a renewal of the County's Agreement with SBC Global/AT&T of Kansas City, MO, to provide Plexar and related telephone services for use countywide, for an additional one year term, as a sole source purchase, in the estimated annual amount of \$636,000.00.

(Finance and Audit Committee)

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[16743](#) James D. Tindall moved do pass the Floor Amendment of 10/20/2008, to delete the figure "10,055,859.12" and insert the figure "10,056,056.04" in the heading and third paragraph; to delete the figure "523.14" and insert the figure "523.40" in the column titled "INDIVIDUAL"; to delete the figure "1,449.81" and insert the figure "1,450.51" in the column titled "FAMILY", all on page two. Seconded by Fred Arbanas.

The motion passed by a voice vote.

(APPROVED)

[16743](#) James D. Tindall moved to adopt Resolution #16743 as amended, awarding a one-year term and supply contract with annual renewal options for five additional years for the furnishing of employee group health insurance as an employee benefit for use countywide to Blue Cross Blue Shield of Kansas City, MO, under the terms and conditions of Request For Proposals No. 39-08, at an estimated first year cost to the County of \$10,056,056.04. 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)

No objection to the consideration of Resolution #16744 - not on printed agenda.

[16744](#) Dan Tarwater moved the passage of Resolution #16744, recognizing Bishop James D. Tindall on his receipt of the NAACP Velma E. Woodson Outstanding Leadership Award. 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)

Dennis Waits said Drug Court Graduation is scheduled to be held on Monday, October 27, 2008 at 3:00 P.M. Senator Claire McCaskill will be present for the graduation. Due to the graduation, the Legislature will meet at 1:30 P.M.

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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

Dan Tarwater moved to adjourn the meeting. Seconded by James D. Tindall.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, October 27, 2008 at 1:30 P.M. in the Kansas City Legislative Assembly Area.

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