



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)*

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**Monday, November 9, 2009**

**2:30 PM**

**Forty-third Regular Meeting**

**Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers**

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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, 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**

Dennis Waits moved to approve the journal of the previous meeting held on 11/2/2009.  
Seconded by Theresa Garza Ruiz.

**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**

*Mike Sanders, County Executive, said it was necessary to have a closed session today to discuss a personnel matter. He said the meeting was informational only and no action would be taken today.*

*He recognized Lt. Ron Bearce, with the Corrections Department, as September 2009 Employee of the Month.*

*Mike Sanders thanked Ken Conlee, Director of Corrections, for his hard work at the regional correctional center. He said Ken has provided great management and leadership for the jail.*

*Ken Conlee gave a 90 day report on the jail.*

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*Henry C. Rizzo said the County Legislature will meet at 9 A.M. on Tuesday, December 1 instead of Monday, November 30, in the Kansas City Legislative Assembly Area. Budget hearings will begin after the meeting.*

*Resolutions #17077 and #17078 were adopted at this time. See page 5 for details.*

*Resolutions #17071 through #17075 were withdrawn at this time. See page 4 for details.*

**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 - 2nd. Perfection)*

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

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[4167](#)

Anti-Drug Committee moved to perfect.

*Dan Tarwater objects to the Consent Agenda.*

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[4167](#)

Dan Tarwater moved to perfect Ordinance #4167. Seconded by Dennis Waits.

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

(PERFECTED)

[4167](#)

Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4167. Seconded by Dennis Waits.

**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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[4164](#) Consent Agenda.

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[4165](#) Consent Agenda.

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[4167](#) Consent Agenda.

**8 RESOLUTIONS IN COMMITTEE**

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[17045](#) A RESOLUTION 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.

*(Finance and Audit Committee - 1st. Meeting)*

[17054](#) Land Use Committee moved do pass. Consent Agenda.

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[17055](#) Public Works Committee moved do pass. Consent Agenda.

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[17056](#) Public Works Committee moved do pass. Consent Agenda.

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[17058](#) Land Use Committee moved do pass. Consent Agenda.

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[17069](#) Finance and Audit Committee moved do pass. Consent Agenda.

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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.
- (ADOPTED)
- [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.
- (ADOPTED)
- [4167](#) AN ORDINANCE 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.
- (ADOPTED)
- [17054](#) A RESOLUTION 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.
- (ADOPTED)
- [17055](#) A RESOLUTION 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.
- (ADOPTED)
- [17056](#) A RESOLUTION 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.
- (ADOPTED)
- [17058](#) A RESOLUTION 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.
- (ADOPTED)

[17069](#)

A RESOLUTION 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.

(ADOPTED)

To adopt Ordinances 4164, 4165, 4167. To adopt Resolutions 17054, 17055, 17056, 17058, 17069.

Dan Tarwater moved the passage of the consent agenda. Seconded by Dennis Waits. 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**

*None.*

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**11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE**

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[17071](#)

Congratulating Barbara Potts on her induction into the Greater Kansas City Women's Political Caucus Hall of Fame.

*(WITHDRAWN BY SPONSOR GARZA RUIZ. CONCURRED BY WAITS AND TARWATER.)*

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[17072](#)

Congratulating Beth Smith on her induction into the Greater Kansas City Women's Political Caucus Hall of Fame.

*(WITHDRAWN BY SPONSOR GARZA RUIZ. CONCURRED BY WAITS AND TARWATER.)*

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[17073](#)

Congratulating Hila "Dutch" Newman on her induction into the Greater Kansas City Women's Political Caucus Hall of Fame.

*(WITHDRAWN BY SPONSOR GARZA RUIZ. CONCURRED BY WAITS AND TARWATER.)*

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[17074](#) Congratulating Rafaela "Lali" Garcia on her induction into the Greater Kansas City Women's Political Caucus Hall of Fame.

*(WITHDRAWN BY SPONSOR GARZA RUIZ. CONCURRED BY WAITS AND TARWATER.)*

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[17075](#) Congratulating Carol Jean Mays on her induction into the Greater Kansas City Women's Political Caucus Hall of Fame.

*(WITHDRAWN BY SPONSOR GARZA RUIZ. CONCURRED BY WAITS AND TARWATER.)*

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[17076](#) Authorizing the County Executive to execute a termination agreement to the lease with the Missouri Department of Conservation for the construction and operation of a public shooting facility.

*(Land Use Committee)*

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[17077](#) Bob Spence moved the passage of Resolution #17077, congratulating Angela Larson upon receiving an ING Unsung Heroes grant for 2009. 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)

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[17078](#) Bob Spence moved the passage of Resolution #17078, congratulating Lee's Summit on its success in the downtown revitalization strategies, and on receipt of three Downtown Revitalization Awards. 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)

*No objection to the consideration of Resolutions #17079 and #17080 - not on printed agenda.*

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[17079](#)

Dan Tarwater moved the passage of Resolution #17079, authorizing the Jackson County Legislature to hold a closed meeting on Monday, November 9, 2009, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under sections 610.021(1) and 610.021(3) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting. 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)

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[17080](#)

Dan Tarwater moved the passage of Resolution #17080, congratulating the Kansas City Ballet on the groundbreaking of the Todd Bolender Center for Dance and Creativity. 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

(ADOPTED)

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## 12 COUNTY EXECUTIVE ORDERS

*None.*

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## 13 UNFINISHED BUSINESS

The County Legislature went into closed session.

The County Legislature reconvened.

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## 14 NEW BUSINESS

*None.*

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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, November 16, 2009 at 2:30 P.M. in the Kansas City Legislative Assembly Area.*

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