

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$29,206.57 from the fund balance of the 2008 General Fund and authorizing the County Executive to execute a Cooperative Agreement with Arts Tech, at a cost to the County not to exceed \$29,206.57.

ORDINANCE #4011, July 7, 2008

INTRODUCED BY Dan Tarwater, County Legislator

WHEREAS, the MyARTS Program raised \$29,206.57 this year, which has been deposited into the 2008 General Fund.; and,

WHEREAS, the MyARTS program provides expressive therapy programs and services to adjudicated youth; and,

WHEREAS, the Prosecuting Attorney's Office recommends a Cooperative Agreement with Arts Tech, which will provide oversight and implementation of the program, and will purchase studio supplies; and,

WHEREAS, an appropriation is necessary to place to proceeds of the MyARTS Program in the appropriate spending account; and,

WHEREAS, the County Executive recommends said appropriation; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that the

following appropriation from the fund balance of 2008 General Fund be and hereby is made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
General Fund 001-2810	Budgetary Fund Balance	\$29,206.57	
General Fund Prosecuting Attorney 001-4101	57230 - Other Operating		\$29,206.57

and,

BE IT FURTHER ORDAINED that the County Executive be and hereby is authorized to execute a Cooperative Agreement with Arts Tech at a cost to the County not to exceed \$29,206.57, in a form to be approved by the County Counselor; and,

BE IT FURTHER ORDAINED that the Director of Finance and Purchasing be and hereby is authorized to make all payments, including final payment on the contract.

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:


Chief Deputy County Counselor


County Counselor

I hereby certify that the attached Ordinance, Ordinance #4011 introduced on July 7, 2008, was duly passed on July 28, 2008 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

Nays 0

Abstaining 0

Absent 1

This Ordinance is hereby transmitted to the County Executive for his signature.

7.29.08
Date


Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #4011.

7/30/2008
Date


Michael D. Sanders, County Executive

Funds sufficient for this appropriation are available from the source indicated below.

ACCOUNT NUMBER: 001 2810

ACCOUNT TITLE: General Fund
Budgetary Fund Balance

NOT TO EXCEED: \$29,206.57

7/30/08
Date


Director of Finance and Purchasing

COOPERATIVE AGREEMENT

THIS AGREEMENT, entered into this 1 day of October, 2008, by and between **JACKSON COUNTY, MISSOURI**, hereinafter referred to as "County," and **ARTS TECH**, a Missouri not-for-profit corporation, 1522 Holmes, Kansas City, MO 64106, hereinafter referred to as "Arts Tech."

WHEREAS, the MyARTS Program provides expressive therapy programs and services to adjudicated youth; and,

WHEREAS, Arts Tech shall provide oversight and implementation of the MyARTS Program, and will purchase studio supplies; and,

WHEREAS, County desires to contract for Arts Tech's services; and,

WHEREAS, this Agreement defines the rights and obligations of the parties;

NOW THEREFORE, it is agreed by and between the parties as follows:

1. Arts Tech shall use County's funds to perform services in connection with the MyARTS program, and will purchase studio supplies for the program as set out on the budget attached hereto as Exhibit 1.
2. The County agrees to pay Arts Tech a sum not to exceed \$29,206.57, to be paid as a lump sum upon execution.
3. Arts Tech agrees that it will utilize County's funds solely in connection with the MyARTS Program, which will involve adjudicated youth in an arts education program, community service, and expressive therapy, to prepare the youths to live drug-free lives.
4. Arts Tech agrees that all County funds shall be subject to audit by the County.

FILED
OCT 01 2008
MARY JO SPINCO
COUNTY CLERK



5. Arts Tech shall submit an annual report, including cancelled checks and invoices, and other documentation as requested by the County's Director of Finance and Purchasing, to show that the funds paid to Arts Tech by the County were used for the purpose set forth in this Agreement. Said annual report shall be submitted no later than December 31, 2008. Failure to submit the annual report shall disqualify Arts Tech from future funding by the County.

6. This Agreement shall be effective as of the date of execution, and shall extend through December 31, 2008, unless sooner terminated.

7. Arts Tech agrees, in addition to all other provisions herein that Arts Tech shall not assign any portion or the whole of this Agreement without the prior written consent of the County.

8. Arts Tech warrants that no officer or employee of the County, whether elected or appointed, shall in any manner whatsoever be interested in or receive any benefit from the profits or emoluments of this Agreement.

9. No party to this Agreement shall assume any liability for the acts of any other party to this Agreement, its officers, employees or agents and Arts Tech shall indemnify, defend and hold the County harmless from any and all claims, liabilities, damages, costs (including reasonable attorney's fees directly related thereto) including but not limited to violation of civil rights and/or bodily injury to or death of any person and for damage to or destruction of property if and to the extent caused by the negligence, willful misconduct or omissions of Arts Tech, its officers, employees or agents during the performance of this Agreement.

10. This Agreement incorporates the entire understanding and agreement of the parties.

JACKSON COUNTY, MISSOURI

ARTS TECH

By: MSa
Michael D. Sanders
County Executive

By: D. H. Sull
Title: Executive Director
Federal I.D. No.: 43-1019792

APPROVED AS TO FORM:

ATTEST:

By: Mark S. Jones
Mark S. Jones
County Counselor

By: Mary Jo Spino
Mary Jo Spino
Clerk of the Legislature

REVENUE CERTIFICATE

I hereby certify that there is a balance, otherwise unencumbered to the credit of the appropriation to which this Agreement is chargeable and a cash balance otherwise unencumbered in the treasury from which payment is to be made, each sufficient to meet the obligation of \$29,206.57 which is hereby authorized.

Date September 25, 2008

D. H. Sull
Director of Finance and Purchasing

Account No: 001-4101-57230
41012008001

Budget		PROJECT TITLE: MyARTS
INSTRUCTIONS		
LINE ITEM	DESCRIPTION	TOTAL COST
Studio Supplies	Graphic Design Studio	\$1,500.00
	Visual Arts Studio	\$1,500.00
	Ceramics Studio	\$7,103.28
	Screen Printing Studio	\$12,000.00
	Photography Studio	\$7,103.29
TOTAL BUDGET COST		\$29,206.57