

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$50,000.00 from the undesignated fund balance of the 2013 Health Fund in acceptance of settlement proceeds relating to the construction of the Regional Animal Shelter and authorizing an Addendum to the Cooperative Agreement with Great Plains SPCA for the management and operations of the shelter.

ORDINANCE NO. 4514, March 25, 2013

INTRODUCED BY Dennis Waits, County Legislator

WHEREAS, BY resolution 18044, dated December 3, 2012 the County did contract with Great Plains SPCA for the operation and management of the County's new Regional Animal Shelter; and,

WHEREAS, by Ordinance 4492, dated December 3, 2012, the Legislature did authorize the appropriation of settlement funds in the amount of \$50,000.00 received from R.L. Philips Constructions, Inc., related to the construction of the Regional Animal Shelter; and,

WHEREAS these funds were not spent in 2012 and reverted back to the undesignated fund balance of the 2013 Health Fund; and,

WHEREAS, it is intended that these funds will be used to offset certain necessary start-up costs associated with the Regional Animal Shelter; and,

WHEREAS, Great Plains will provide a detailed accounting of the purchases; and,

WHEREAS, additionally, while the County's original agreement with Great Plains established that utility costs would be paid by Great Plains and reimbursed by the County, it since has been determined that it is more efficient for these costs to be paid directly by the County; and,

WHEREAS, the parties have negotiated the attached Addendum to the Cooperative Agreement to reflect the new agreement and understanding of the parties on these issues; and,

WHEREAS, an appropriation is necessary to place the start-up funds in the appropriate spending account; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that the following appropriation from the undesignated fund balance of the 2013 Health Fund be and hereby is made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
2013 Health Fund Non-Departmental			
002-2810	Undesignated Fund Balance	\$50,000	
002-5102	56790 – Other Contractual		\$50,000

and,


BE IT FURTHER ORDAINED that the County Executive be and hereby is authorized to execute the attached Addendum to the Cooperative Agreement with Great Plains

SPCA; and,

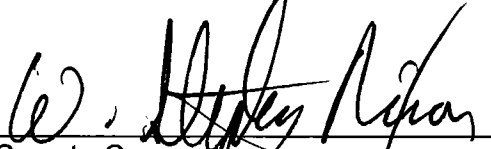
BE IT FURTHER ORDAINED that the Director of Finance and Purchasing be and hereby is authorized to make all payments, including final payment on the contract and addendum thereto.

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 No. 4514 introduced on March 25, 2013, was duly passed on March 25, 2013 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8


Nays 1

Abstaining 0

Absent 0

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

3/26/13
Date



Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 4514.

3/26/2013
Date



Michael D. Sanders, County Executive

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

ACCOUNT NUMBER: 001 2810
ACCOUNT TITLE: Health Fund
Undesignated Fund Balance
NOT TO EXCEED: \$50,000.00

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

ACCOUNT NUMBER: 002 5102 56790
ACCOUNT TITLE: Health Fund
Non-Departmental
Other Contractual Services
NOT TO EXCEED: \$50,000.00

March 25, 2013
Date


Director of Finance and Purchasing

ADDENDUM TO AGREEMENT

THIS ADDENDUM TO AGREEMENT, by and between **JACKSON COUNTY, MISSOURI**, a Constitutional Home Rule Charter County of the State of Missouri, hereinafter referred to as "the County" and **GREAT PLAINS SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS d/b/a GREAT PLAINS SPCA**, a Missouri Nonprofit Corporation, hereinafter referred to as "Great Plains," is made and entered into this _____ day of _____, 2013.

WITNESSETH:

WHEREAS, by Resolution 18044, dated December 3, 2012, the County awarded a contract to Great Plains for the operation of the County's animal shelter facility; and,

WHEREAS, the parties entered into a Cooperative Agreement dated January 7, 2013 (the Prior Agreement), to implement the Resolution; and,

WHEREAS, it is now necessary to amend the Prior Agreement; and,

WHEREAS, by Ordinance 4514, dated March 25, 2013, the County Legislature has authorized the County Executive to enter into this Addendum to Agreement;

NOW THEREFORE, in consideration of the mutual covenants and promises herein contained, County and Great Plains do hereby additionally agree as follows:

1. Except as hereinafter specifically modified, all of the terms of the Prior Agreement shall remain in full force and effect and the terms and conditions thereof are incorporated herein by reference.

2. Paragraph 6 of the Prior Agreement is replaced by the following:

For the duration of this Agreement, the County shall be responsible for utilities charges at the Facility and shall make payment for these charges directly to the utility providers. For purposes of this paragraph, "utilities" shall include electricity, natural gas, water, sewer, storm water runoff, and local telephone service. "Utilities" shall not include long distance telephone, cable television, internet, or any other service, which shall all be the responsibility of Great Plains. The County shall pay utility invoice(s) monthly upon receipt. The County's payment obligation under this paragraph shall not exceed \$130,000.00 in any year. If the utilities charges exceed this amount in any year, the difference will be deducted from the quarterly payments outlined in Paragraph 4 of the Prior Agreement.

3. The County has budgeted in 2013 a one-time amount of \$50,000 for the purchase of supplies and expendable materials for the start-up of the shelter. In 2013, the County will directly advance the sum of \$50,000.00 to Great Plains for eligible expenses. Great Plains will then provide documentation to the County to show the proper expenditure of the funds for eligible expenses.

4. This Addendum shall be effective upon its execution and shall extend for the duration of the Prior Agreement.

5. This Addendum together with the Prior Agreement constitutes the full agreement and understanding of the parties.

IN WITNESS WHEREOF, the parties hereto have signed and executed this Agreement on the date first above written.

APPROVED AS TO FORM:

JACKSON COUNTY, MISSOURI

By _____
W. Stephen Nixon
County Counselor

By _____
Michael D. Sanders
County Executive

ATTEST:

GREAT PLAINS SPCA

Mary Jo Spino
Clerk of the County Legislature

By _____
Courtney Thomas
President
Federal ID No. 05-0552529

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 \$50,000.00 which is hereby authorized.

Date

Director of Finance and Purchasing
Account No. _____