

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Executive to execute an Agreement with the Missouri Highways and Transportation Commission for the Adopt-A-Highway program, at no cost to the County.

RESOLUTION NO. 18468, April 7, 2014

INTRODUCED BY Theresa Garza Ruiz, County Legislator

WHEREAS, the Jackson County Recycling Committee desires to participate in the Missouri Adopt-A-Highway program to pick up litter along a certain portion of Missouri 291 Highway from Mulberry Street south to Tudor Road in Lee's Summit, MO; and,

WHEREAS, the attached Adopt-A-Highway Agreement sets out the rights and obligations of each party participating in the program; and,

WHEREAS, those employees volunteering for the program are required to sign a Release Waiver and Hold Harmless agreement; and,

WHEREAS, execution of the attached agreement with the Missouri Highways and Transportation Commission is in the best interest of the health, safety, and welfare of the citizens of Jackson County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the County Executive be and hereby is authorized to execute the attached Adopt-A-Highway Agreement with the Missouri Highways and Transportation Commission.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:


Chief Deputy County Counselor


County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 18468 of April 7, 2014, was duly passed on April 7, 2014 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 6

Nays 0

Abstaining 0

Absent 0

Excused 3

4.7.14
Date


Mary Jo Spino, Clerk of Legislature



www.modot.org
1-888-ASK-MODOT

Missouri Highways and Transportation Commission
Adopt-A-Highway Agreement



(Check all that apply) Litter pickup Mowing Beautification Native Area

(This Agreement is considered an application until executed by the Missouri Highways and Transportation Commission)

This Agreement is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and Jackson County Recycling Committees (hereinafter, "Adopter").

Is this request being made on behalf of a group or organization? Yes No

If yes, list the full name and street address of the group or organization. _____

Whereas, the Adopter requests permission to enter into the Adopt-A-Highway program in Jackson County on MO 291 S from Mulberry to At Cst Tudor RD W. Beginning log point 18.29, Ending log point 18.83, Length of adoption 0.536 mile and

Whereas, the Commission has the sole responsibility in determining whether an application is rejected or accepted and whether a highway will or will not be available for adoption; and

Whereas, the Adopter representative hereby certifies that the following information is true and accurate to the best of his or her knowledge and if he or she has submitted any false statements of a material fact or have practiced or attempted to practice any fraud or deception, the Commission may refuse to grant the request to participate in the program.

1. Adopter Representative: The Adopter representative for the purpose of administering the provisions of this Agreement is:

| | | | |
|------------------------|----------------------------------|--|--------------------------|
| Name: | <u>Chriss Howard</u> | | |
| Street Address: | <u>415 E 12th St , Suite 200</u> | | |
| City: | <u>Kansas City</u> | State: <u>MO</u> | Zip: <u>64106</u> |
| Telephone (day) | <u>816-881-3649</u> | (night): <u>NA</u> | |
| Fax: | <u>NA</u> | E-Mail: <u>choward@jacksongov.org</u> | |

2. Eligibility: Individuals, as Adopters or as members of Adopter organizations and enterprises, will not be approved to participate in the program if they have been convicted of, or pled guilty or no contest to, a violent criminal activity, unless 10 years have passed since completion of the latest incarceration, probation or parole for violent criminal activity.

3. Administrative Rules: The Adopter shall comply with the administrative rules of the Missouri Department of Transportation, under Title 7, Chapter 14, including any rules promulgated or amended after the date of this Agreement.

4. Amendments: Any change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment signed and approved by the Adopter representative and the Commission.

5. Signs: The sign shall have the actual name of either the adopter, or an individual in whose memory the adoption is being made, and shall not include telephone numbers, logos, slogans, dates, addresses, or Internet addresses. Please keep verbiage to a minimum for ease of reading. The Adopter's requested identification on the sign is worded as follows, with one character allowed per space:

Jackson County
 Recycling
 Committees

| | | | | | | | | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

6. Special Provisions: NA
NA

7. Safety Training: The Adopter or Adopter representative shall obtain safety materials, such as highway safety tips brochures and videos, from the Commission at a safety briefing, and agrees to abide by all provisions and safety requirements contained within these materials. Before any participant within a group takes part in the program, he or she must attend a meeting conducted by the Adopter representative to view these materials and discuss safety.

8. Indemnification: To the extent allowed by law, the Adopter assumes the obligation to indemnify and hold harmless the Commission, including its officers, employees and agents, from every expense, liability or payment arising from any claim, lawsuit or liability which may arise from the Adopter's participation in the program.

9. Commission Representative: The Commission's representative for the purpose of administering the provisions of this Agreement is:

Name: Nancy Engelhart
Street Address: 600 NE Colbern Road
City: Lee's Summit **State:** MO **Zip:** 64086
Telephone (day): 816-607-2039 **Fax:** 816-622-0449
E-Mail: nancy.engelhart@modot.mo.gov **Adopt-A-Highway E-mail:** aah@modot.org

In Witness Whereof, the parties have entered into this Agreement on the date last written below.

Executed by the Adopter this _____ day of _____ 20____.

Executed by the Commission this _____ day of _____ 20____.

Missouri Highways and Transportation Commission

Jackson County Recycling Committees

Adopter Name

Adopter Representative

To
 Accept
 Renewal

Daniel C Niec
 District Engineer