

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement with the City of Independence, Missouri, for the purpose of transferring the control, ownership, operation, and maintenance of Jackson County Sewer Districts Nos. 93, 94, 95, and 101, and extensions.

RESOLUTION #17363, August 30, 2010

INTRODUCED BY Bob Spence, County Legislator

WHEREAS, the County, under article II, sections 16. (27) and (28) of the Jackson County Charter, and the City of Independence, MO, under the provisions of the Independence Charter, are empowered to acquire, construct, maintain, and control common systems of sewers and sewage treatments plants to secure proper sanitary conditions for the preservation of public health; and,

WHEREAS, the provisions of sections 70.210 et seq., RSMo, allow political subdivisions and municipalities of Missouri to contract and cooperate with other political subdivisions and municipalities for the planning, development, construction, acquisition, or operation of public improvements or facilities, or for common services; and,

WHEREAS, the County has developed and constructed Sewer Districts Nos. 93, 94, 95, and 101, and extensions thereto, to provide sanitary wastewater collection; and,

WHEREAS, the City of Independence has been providing wastewater transportation and treatment services for the Salem East area under an agreement dated September 10,

1999; and,

WHEREAS, the County wishes to divest itself of ownership responsibility for these sanitary wastewater collection systems; and,

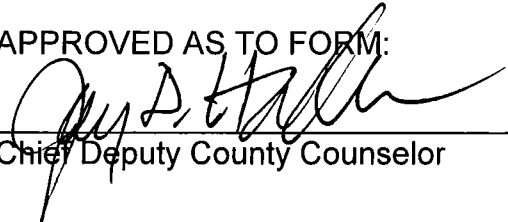
WHEREAS, the City of Independence has agreed to accept this responsibility as to the above named sewer districts; and,

WHEREAS, to effect this agreement, the City and the County have negotiated the attached Cooperative Agreement; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Cooperative Agreement are hereby approved, and the County Executive be and hereby is authorized to execute on behalf of the County the attached Cooperative Agreement and any other documents necessary to complete this transfer, including conveyance instruments, in a form substantially similar to that attached, to be approved by the County Counselor.

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



Acting County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #17363 of August 30, 2010, was duly passed on September 27, 2010 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 7 Nays 0
Abstaining 0 Absent 2

9.28.10

Date



Mary Jo Spino, Clerk of Legislature

REQUEST FOR LEGISLATIVE ACTION

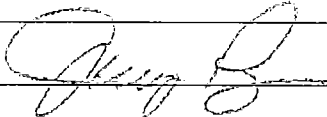
Completed by County Counselor's Office:

Res~~Ord~~ No.: 17363

Sponsor(s): Bob Spence

Date: August 30, 2010

<p>SUBJECT</p>	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Resolution authorizing the County Executive to execute a Cooperative Agreement and quit claim deeds or other deeds in favor of the City of Independence, Missouri for the purpose of transferring the control, ownership, operation, and maintenance of Jackson County Sewer Districts Nos. 93, 94, 95, 101 and extensions.</u></p>										
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT TO ACCT</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION: <input checked="" type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$ Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT
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Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT										
<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date): None</p> <p>Prior resolutions and (date): Resolution 12785, 1999</p>										
<p>CONTACT INFORMATION</p>	<p>RLA drafted by (name, title, & phone): Mark Trosen, Planning and Development Administrator, 881-4645</p>										
<p>REQUEST SUMMARY</p>	<p>WHEREAS, County, under the provisions of Jackson County Charter, Article I, Sections 27-28, and City, under the provision of the Independence Charter, are empowered to acquire, construct, maintain, and control common systems of sewers and sewage treatment plants to secure proper sanitary conditions for the preservation of public health; and</p> <p>WHEREAS, the provisions of Sections 70.210 <u>et seq.</u>, RSMo, allow political subdivisions and municipalities of Missouri to contract and cooperate with other political subdivisions and municipalities for the planning, development, construction, acquisition, or operation of public improvements or facilities, or for common services; and</p> <p>WHEREAS, County has developed and constructed Sewer Districts Nos. 93, 94, 95, 101 in unincorporated Jackson County and extensions to provide sanitary wastewater collection; and</p> <p>WHEREAS, City has been providing wastewater transportation and treatment services for the Salem East area under an agreement dated September 10, 1999; and</p> <p>WHEREAS, County wishes to divest itself in ownership responsibility for sanitary wastewater collection systems; and</p> <p>WHEREAS, City and County now desire to enter into the following Cooperative Agreement which will implement ownership transfer of the improvements constructed in Jackson County Sewer Districts Nos. 93, 94, 95, 101 and extensions, from County to City;</p> <p>WHEREAS, when enacted, the users average monthly sewer bill will go from \$31.91 to \$23.10 for a reduction of \$8.81 per month;</p>										

	<p>Be It Resolved by the County Legislature of Jackson County, Missouri that the Cooperative Agreement and quit claim deed or deeds are hereby approved and that the County Executive be and hereby is authorized to execute on behalf of the County, the attached Cooperative Agreement and quit claim deeds or other deeds in form to be approved by the County Counselor;</p> <p>Be It Further Resolved that the effective date of this agreement be October 1, 2010 which corresponds with the 1st Quarter of the Little Blue Valley Sewer District fiscal year.</p>	
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS	1) Cooperative Agreement 2) Map of Sewer Districts	
REVIEW	Department Director: Jerry A. Page, P.E. 	Date: 8/19/10
	Finance (Budget Approval): <i>If applicable</i>	Date:
	Division Manager:	Date:
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- 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.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.