

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Executive to execute an addendum to the lease agreement with EL, LLC, for the furnishing of office space for use by Jackson County Drug Task Force, at no additional cost to the County for 2016.

RESOLUTION NO. 19300, October 31, 2016

INTRODUCED BY Dan Tarwater III, County Legislator

WHEREAS, the Jackson County Drug Task Force (JCDF) is a multi-jurisdictional law enforcement unit that conducts undercover drug operations; and,

WHEREAS, by Resolution 17567, dated April 11, 2011, the Legislature authorized the execution of a Lease Agreement with EL, LLC, for the furnishing of office space for use by the Jackson County Drug Task Force; and,

WHEREAS, the JCDF has negotiated a five-year extension to the lease agreement with EL, LLC, at the same monthly rate, at an annual cost to the County in the amount of \$48,000.00, subject to appropriation in 2017 and future years' annual budget; and,

WHEREAS, the execution of an extension to the lease agreement with EL, LLC, is in the best interest of the health, welfare, and safety 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 addendum to the lease agreement with EL, LLC; and,

BE IT FURTHER RESOLVED 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 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. 19300 of October 31, 2016, was duly passed on October 31, 2016 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

Nays 0

Abstaining 0

Absent 0

Excused 1

10.31.16
Date


Mary Jo Spino, Clerk of Legislature

Funding for future years is subject to annual appropriation in the County's then current budget.

October 24, 2016
Date


Chief Financial Officer

FIRST ADDENDUM TO LEASE AGREEMENT

THIS FIRST ADDENDUM TO LEASE AGREEMENT is entered into this ____ day of _____, 2016, by and between EL LLC, a Missouri limited liability company (the "Owner"), as lessor and JACKSON COUNTY, MISSOURI (the "Lessee"), as lessee.

WHEREAS, by Resolution 17567, dated April 11, 2011, the Legislature authorized the execution of a Lease Agreement between County and EL LLC, of Blue Springs, MO for the furnishing of office space for use by the Jackson County Drug Task Force (JCDTF), a multi-jurisdictional law enforcement unit that conducts undercover drug operations; and,

WHEREAS, the parties now desire to extend said Agreement for an additional five-year period;

NOW THEREFORE, in consideration of the foregoing and the terms and provisions herein contained, the County and EL LLC respectively agree as follows:

1. Except as hereinafter specifically modified or amended, all of the terms and conditions of the Lease Agreement dated April 14, 2011, between the parties shall remain in full force and effect pursuant to its terms.

2. The term of the Agreement is hereby renewed for a five-year period, effective January 1, 2017, and extending through December 31, 2021.

3. In regards to the Lease Agreement of April 14, 2011, Article VIII, section 8.01(a) Damage and Destruction. is amended to delete the addition of a reference to

proof of renters insurance so that the section shall read as follows:

"If during the Lease Term, the Property is damaged or destroyed, in whole or in part, by fire or other casualty, the Lessee shall promptly notify the Owner in writing as to the nature and extent of such damage or loss. The Owner shall forthwith repair the same at his expense. Any partial destruction shall neither annul nor void this Lease, except that the Lessee shall be entitled to a proportionate reduction of rent while the repairs are being made, any proportionate reduction being based on the extent to which the making of repairs shall interfere with the business carried on by the Lessee."

4. This First Addendum, together with the Lease Agreement dated April 14, 2011, constitutes the entire agreement and understanding of the parties.

IN WITNESS WHEREOF, the County and Association have executed this First

Addendum this ____ day of _____, 2016.

APPROVED AS TO FORM:

JACKSON COUNTY, MISSOURI

W. Stephen Nixon
County Counselor

By _____
Frank White, Jr.
County Executive

ATTEST:

Mary Jo Spino
Clerk of the County Legislature

EL LLC
By: Virgil G. England
Title: Managing Partner

REVENUE CERTIFICATE

Funding for future years is subject to annual appropriation in the County's then current budget.

Date

Chief Financial Officer
Account No. 008-4151-56620