

**COOPERATIVE AGREEMENT**  
(Hazardous Material)

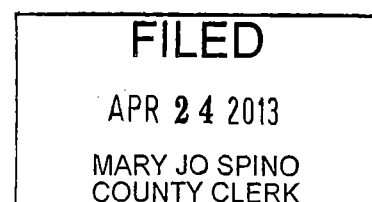
**AN AGREEMENT** by and between Jackson County, Missouri, hereinafter referred to as "the County" and the **Mid-America Regional Council**, 600 Broadway, Suite 200, Kansas City, MO 64105, a regional planning commission operating pursuant to Section 251.150 et seq., RSMo, hereinafter referred to as "MARC."

WHEREAS, the County deems it to be in the best interest of its citizenry to provide support for hazardous materials emergency response planning in order to discharge responsibilities related to MARC's designation by the County as its **Local Emergency Planning Committee** under the Federal Emergency Planning and Community Right-to-Know Act (Superfund Amendment and Reauthorization Act of 1986 - Title III); and,

WHEREAS, this Agreement is entered into pursuant to the provisions of Chapter 70, RSMo, dealing with cooperative agreements; therefore,

The County and MARC agree, in consideration of the following mutual promises and valuable consideration, as follows:

1. **Services to be provided.** MARC shall develop and maintain a hazardous materials emergency response plan; work with fire departments and industry to provide training and promote cooperative emergency response; assist industry in complying with reporting requirements to ensure that fire departments are informed of hazardous materials present in their service areas; and develop a list of technical expertise, resources and equipment available from area fire departments for use in responding to



accidents involving the release of hazardous materials, as is more fully set out in the document attached hereto as Exhibit A, and all for the benefit of the residents of Jackson County.

2. **Terms of Payment.** County shall pay to MARC the total sum of \$6,430.00 for such services upon the execution of this Agreement.

3. **Annual Report.** MARC shall submit an annual report, including invoices and cancelled checks, and other documentation as requested by the Director of Finance and Purchasing to show that the funds paid to MARC by the County were used for the purposes set forth in this Agreement. Said annual report shall be submitted no later than December 31, 2013. Failure to submit said annual report shall disqualify MARC from future funding by the County.

4. **Audit.** The County further reserves the right to examine and audit, during reasonable office hours, the books and records of MARC pertaining to the finances and operations of MARC.

5. **Default.** If MARC shall default in the performance or observation of any term or condition of this Agreement, the County shall give MARC written notice setting forth the default and correction required. Thereafter, if said default by MARC shall continue and not be corrected within ten days of the notice of default, the County may, at its election, terminate the Agreement and take such action in law or equity to recover all funds given to MARC under this Agreement, but not used for the purposes set forth in the Agreement, as the County deems appropriate.

6. **Conflict of Interest.** MARC 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.

7. **Termination.** This Agreement shall commence January 1, 2013, and shall terminate on December 31, 2013. This Agreement may be terminated prior to that date by either party upon written notice delivered fifteen days prior to the effective date of termination. If this Agreement is terminated by either party, the County shall pay only for those services actually performed as verified by the County's audit as provided in paragraph 4 above.

8. **Equal Opportunity.** In carrying out this Agreement, MARC shall insure that none of the benefits or services of the program are denied to any eligible recipient on the basis of race, color, religion, sex, age, handicap or national origin. MARC shall take affirmative action to insure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, age, handicap or national origin in terms and conditions of employment or termination, rates of pay or other forms of compensation and selection for training including apprenticeship. MARC shall in all solicitation or advertisements for employees placed by or on behalf of MARC, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, age, handicap or national origin.

9. **Employment of Unauthorized Aliens Prohibited.** Pursuant to §285.530.1, RSMo, MARC assures that it does not knowingly employ, hire for employment, or continue to employ an unauthorized alien to perform work within the State of Missouri and/or Jackson County, and shall affirm, by sworn affidavit and provision of


documentation, its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services. Further, MARC shall sign an affidavit, attached hereto and incorporated herein as Exhibit B, affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services.

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

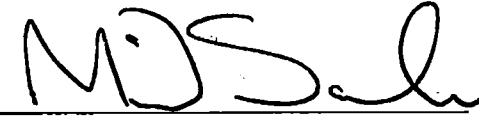
(Signature page to follow)

IN WITNESS WHEREOF, the County and MARC have executed this Agreement  
this 24<sup>th</sup> day of April, 2013.

APPROVED AS TO FORM:

  
W. Stephen Nixon  
County Counselor

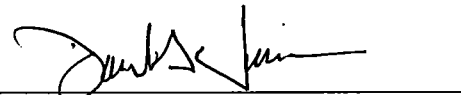
JACKSON COUNTY, MISSOURI

By   
Michael D. Sanders  
County Executive

ATTEST:

  
Mary Jo Spino  
Clerk of the Legislature

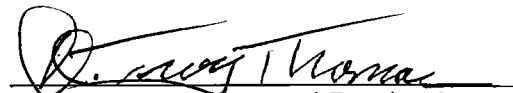
MID-AMERICA REGIONAL COUNCIL

By   
Executive Director  
Federal I.D. No: 43-0976432

### REVENUE CERTIFICATE

I hereby certify that there is a balance otherwise unencumbered to the credit of the appropriation to which this contract 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 \$6,430.00 which is hereby authorized.

April 22, 2013  
Date

  
Director of Finance and Purchasing  
Account No. 004-7902-56790  
79022013002

**Hazardous Materials  
Emergency Response**

**Res. 18090  
Exhibit A**



**OUTSIDE AGENCY FUNDING REQUEST FORM  
2013 BUDGET**

415 E 12th Street, 2nd Floor  
Kansas City, MO 64106

Email: [auditor@jacksongov.org](mailto:auditor@jacksongov.org)

Section A: Organization or Agency Information . . . . .	page 1
Section B: Agency's 2012 and 2013 Revenue Information . . . . .	page 2
Section C: Individual Program Budget . . . . .	page 3
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Section E: Summary of Request by Program . . . . .	page 9

**Section A: Organization or Agency Information**

Name:	Mid-America Regional Council		
Address:	600 Broadway, Suite 200, Kansas City, Missouri 64105-1659		
Phone No:	(816) 474-4240	Fax:	(816) 421-7758
Website Address:	<a href="http://www.marc.org">www.marc.org</a>		
Federal Tax ID No:	43-0976432	Fiscal Year Cycle:	January 1 to December 31
Executive Director:	David A. Warm		
Name and Title of Principal Contact Person:	Dorothy Pope, Director of Financial Affairs		
Phone No:	(816) 474-4240	Email Address:	<a href="mailto:poped@marc.org">poped@marc.org</a>
Submittal of this request has been authorized by:	Dorothy Pope, Director of Financial Affairs		
Date:	8/29/2012		

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Section A  
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## Section B: Agency's 2012 and 2013 Revenue Information

### Agency's 2013 Projected Revenue Information (Data shown is 2012 Budget)

Funding Entity	Agency's 2013 Total Projected Revenue Source You Will Request 2013 Funding From	Projected Amount	% of Total Revenue
Federal	Various direct and pass-through grants for	\$ 49,773,230	65
State	transportation, environment, aging services, etc.	\$ 4,264,135	6
Foundation, city and other counties	Early learning, community development, transportation, environment, etc.	\$ 8,388,181	11
Jackson County	See list below for 2012	\$ 397,353	1
Other Counties	Local dues only	\$ 158,651	0
City	Local dues only	\$ 415,265	1
Charity/Donations	Services to the elderly donations and contributed services	\$ 11,829,881	15
User Fees		\$ 1,219,088	2
Other	Investment income, miscellaneous income	\$ 77,200	0
<b>2013 Total Projected Revenue</b>		<b>\$ 76,522,984</b>	

### Agency's 2012 Revenue Information (Data shown is 2011 audit results)

Funding Entity	Agency's 2012 Total Revenue Source You Received Funding From	Amount	% of Total Revenue
Federal	Various direct and pass-through grants for	\$ 54,535,440	71
State	transportation, environment, aging services, etc.	\$ 3,070,133	4
Foundation, city and other counties	Early learning, community development, transportation, environment, etc.	\$ 6,462,427	8
Jackson County		\$ 378,668	0
Other Counties	Local dues only	\$ 180,097	0
City	Local dues only	\$ 377,206	0
Charity/Donations	Services to the elderly donations and contributed services	\$ 10,676,623	14
User Fees		\$ 568,033	1
Other (please list)	Investment income, miscellaneous income	\$ 75,218	0
<b>2012 Total Revenue</b>		<b>\$ 76,323,845</b>	

If your agency received funding from Jackson County in 2012, please identify the funding source, amount and program name below.

Jackson County Funding Source	Yes	No	Amount	Program Name
COMBAT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$ -	
Mental Health Levy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$ -	
Board of Services for Developmentally Disabled	<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$ -	
Domestic Violence Board	<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$ -	
Housing Resources Commission	<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$ -	
Outside Agency Program	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	\$ 68,685	#1 - MARC Local Appropriations
Outside Agency Program	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	\$ 25,947	#2 - Older Americans Act Match
Outside Agency Program	<input checked="" type="checkbox"/>	<input type="checkbox"/>	\$ 91,858	#3 - Supplemental Aging Services
Outside Agency Program	<input checked="" type="checkbox"/>	<input type="checkbox"/>	\$ 7,237	#4 - Government Innovations Forum
Outside Agency Program	<input checked="" type="checkbox"/>	<input type="checkbox"/>	\$ 5,196	#5 - Government Training Institute
Outside Agency Program	<input checked="" type="checkbox"/>	<input type="checkbox"/>	\$ 6,430	#6 - HazMat Emergency Response
Outside Agency Program	<input checked="" type="checkbox"/>	<input type="checkbox"/>	\$ 192,000	Pass-thru to Outside Agencies
<b>2012 Total Jackson County Funding</b>			<b>\$ 397,353</b>	

Did your agency receive funding or resources in 2012 from either of the following?

Mid America Regional Council	<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$ -
Harvesters	<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$ -

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## Section C: 2013 Program Budget

*Complete a separate program budget for each program your agency is applying for funding.*

**Agency Name:** Mid-America Regional Council

**Program Name:** #6 - Hazardous Materials Emergency Response

<b>Personal Services</b>			
For each salary request below please attach a job description or duties.			
Position / Title	Total Salary	% of Salary to be funded by Jackson Co.	Amount of Salary to be funded by Jackson County
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
<b>Total Salaries</b>			\$ -
<b>Total Benefits</b>			\$ -
<b>Total Personal Services</b>			<b>\$ -</b>
<b>Contractual Services</b>			
Annual support for hazardous materials emergency response planning			\$ 6,430
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
<b>Total Contractual Services</b>			<b>\$ 6,430</b>
<b>Supplies</b>			
			\$ -
			\$ -
			\$ -
			\$ -
<b>Total Supplies</b>			<b>\$ -</b>

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**Total Program Request \$ 6,430**



## Section D: 2013 Program Information

Complete a separate program information sheet for each program your agency is applying for funding.

Agency Name: Mid-America Regional Council

Program Name: #6 - Hazardous Materials Emergency Response

### Proposed Program

Detail functions to be performed by each program.

In 1988, MARC formed the Mid-America Local Emergency Planning Committee (LEPC) to assist area counties in planning for response to hazardous materials incidents. Cass, Clay, Jackson, Platte, and Ray counties have asked MARC on an annual basis to provide administrative support to the multi-county LEPC. In 2010, the Mid-America LEPC added representation from the three Kansas counties in the MARC region, ensuring that bi-state cooperation in hazardous materials emergency response continues to be well coordinated.

The LEPC maintains information on the quantities and types of hazardous materials present at facilities throughout the metropolitan area, develops and updates a regional hazardous materials plan, organizes hazardous materials training classes and exercises, and educates the public about hazardous materials safety issues. The LEPC provides an important role in bringing public emergency response agencies together with area industry to reduce risks from accidental or intentional chemical releases that could harm the public. The Mid-America LEPC and MARC have been working with Jackson County departments and other public agencies in Jackson County on related homeland security planning and investments.

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## Section D: 2013 Program Information

*Complete a separate program information sheet for each program your agency is applying for funding.*

**Agency Name:** Mid-America Regional Council

**Program Name:** #6 - Hazardous Materials Emergency Response

<b>Participants</b>	
Identify the number of participants by County that each program serves.	
Jackson, MO	665,821
Clay, Platte, Cass, MO	396,701
Wyandotte, Johnson, KS	792,336
Other Missouri	24,107

### Target Population

Describe target population and demographics to be served by each program.

The target population is the local first responders and area industry that uses, stores or transports hazardous materials within or through Jackson County and other parts of the Kansas City metropolitan region. The emergency responders include fire service, emergency medical services, public health and other local government agencies. The LEPC supported by MARC conducts public education and outreach to residents of Jackson County and other counties in the Kansas City region, educating them about the safe storage and use of hazardous materials, about the capabilities of the region's emergency responders to address chemical accidents or events, and actions the public should take, such as shelter-in-place if a chemical release were to occur. The LEPC program provides training to first responders, particularly smaller and volunteer fire service and hazardous materials response teams. The program provides data on locations of hazardous materials and planning resource information to local emergency response and emergency management agencies within the county.

Would you provide these services to anyone at your door? Answer: No

Is anyone denied services? Answer: No

What level of indigents (below poverty level) do you serve? Not applicable for this program.

Please classify your program from the following types by percentage of your agency's overall services:

Senior Program	%
Indigent Program (Below Poverty Level)	%
Senior Indigent Program	%

What criteria do you have for the clients you serve?

The program serves emergency response, emergency management agencies and other governmental agencies as well as private industry involved in use of hazardous materials within the metro area. The public receives benefit through information provided at events, website and other outreach services.

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## Section D: 2013 Program Information

Complete a separate program information sheet for each program your agency is applying for funding.

Agency Name: Mid-America Regional Council

Program Name: #6 - Hazardous Materials Emergency Response

### Service Delivery Area

Identify your specific geographic service delivery area for each program.

The Mid-America LEPC serves the five Missouri counties in the Kansas City region, including Jackson, Cass, Clay, Platte and Ray counties; and three Kansas counties, Leavenworth, Johnson and Wyandotte counties.

### Fund Separation

Indicate what measures your agency will take to ensure that funds received from Jackson County will be utilized for the benefit of Jackson County residents.

The funds are not measured by individual resident utilization. The program provides training to local emergency response personnel and is able to document the number of personnel trained on an annual basis. In addition, the LEPC holds monthly meetings and records discussions held and actions taken. The meetings are open to the public. Information is maintained on the LEPC website, and the number of visitors to the website is monitored. Public education materials are distributed through public events, and those materials are tracked to determine the number of residents and others receiving information.

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## Section D: 2013 Program Information

Complete a separate program information sheet for each program your agency is applying for funding.

Agency Name: Mid-America Regional Council

Program Name: #6 - Hazardous Materials Emergency Response

### Approach & Method

List the top three (3) objectives for each program.

1. Increase the region's capabilities to prevent and respond to intentional or accidental releases of hazardous chemical through effective planning, training and exercises, and resource allocation.

2. Support the Mid-America LEPC's efforts to maintain an up-to-date hazardous materials emergency plan and updated inventory of stored materials to assist local agencies to reduce risks and respond to emergency events involving hazardous chemicals.

3. Increase the cooperation between emergency services agencies and private industry to reduce risks from hazardous chemical incidents.

Detail specific methods you will use to achieve these objectives.

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## Section D: 2013 Program Information

*Complete a separate program information sheet for each program your agency is applying for funding.*

**Agency Name:** Mid-America Regional Council

**Program Name:** #6 - Hazardous Materials Emergency Response

The LEPC brings emergency service representatives together to strengthen relationships, share information important to the community's protection and coordinate activities on a monthly basis. The meetings are open to the public. The LEPC maintains an inventory of locations where hazardous materials are stored and provides that information to area fire departments and districts and emergency managers. The LEPC assists in educating local businesses and the public. The LEPC maintains information on MARC's website for the public and local officials, stores sensitive information and hazardous materials plans and data which can be accessed by county personnel.

The LEPC evaluates the hazardous materials training needs of the county's emergency services agencies and develops and implements a hazardous materials training program based on a prioritization of training needs. The LEPC sponsors a variety of training courses on topics, such as: incident management system, hospital contamination and hospital hazardous materials operations, LP gas emergencies, gasoline truck specialist, rail safety, ignitable liquids, and responding to chemical emergencies.

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## Section D: 2013 Program Information

Complete a separate program information sheet for each program your agency is applying for funding.

Agency Name: Mid-America Regional Council

Program Name: #6 - Hazardous Materials Emergency Response

### Evaluation

How can the success of each program be evaluated?

Indicate performance measures or statistics you will use to demonstrate the success of each program.

The success of the program will be measured by attendance at monthly LEPC meetings and periodic subcommittee meetings, number of first responder personnel trained and the evaluation of training and related programs sponsored by the LEPC, and by the utility of work products developed by the LEPC such as plans, databases and reports. The websites viewed by the public, including PrepareMetroKC, are monitored to determine the extent of public use.

### Notification

How will your organization make clients, the public and the media aware of the generous taxpayer funding received from Jackson County? (Please attach any examples)

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Section D

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## Section D: 2013 Program Information

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**Agency Name:** Mid-America Regional Council

**Program Name:** #6 - Hazardous Materials Emergency Response

MARC will utilize media releases, newsletters, website articles and reports to share information with the public and the media about funding support for the LEPC from Jackson County.

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Exhibit B

WORK AUTHORIZATION AFFIDAVIT

As a condition for any service provided to the County, a business entity shall, by sworn affidavit and provision of documentation, affirm its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services.

Business entity, as defined in section 285.525, RSMo pertaining to section 285.530, RSMo, is any person or group of persons performing or engaging in any activity, enterprise, profession, or occupation for gain, benefit, advantage, or livelihood. The term "business entity" shall include but not be limited to self-employed individuals, partnerships, corporations, contractors, and subcontractors. The term "business entity" shall include any business entity that possesses a business permit, license, or tax certificate issued by the state, any business entity that is exempt by law from obtaining such a business permit, and any business entity that is operating unlawfully without such a business permit.

Every such business entity shall complete the following affidavit affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services. The completed affidavit must be returned as a part of the contract documentation.

This affidavit affirms that **Mid-America Regional Council**, is enrolled in, and is currently participating in, E-verify or any other equivalent electronic verification of work authorization operated by the United States Department of Homeland Security under the Immigration Reform and Control Act of 1986 (IRCA); and, **Mid-America Regional Council**, does not knowingly employ any person who is an unauthorized alien in conjunction with the contracted services.

In Affirmation thereof, the facts stated above are true and correct. (The undersigned understands that false statements made in this filing are subject to the penalties provided under section 575.040, RSMo.)

Dorothy Pape  
Authorized Representative's Signature  
Director of Financial Affairs  
Title

Dorothy Pape  
Printed Name  
4-11-13  
Date

Subscribed and sworn before me this 11<sup>th</sup> day of April, 2013. I am commissioned as a notary public within the County of Jackson, State of Missouri, and my commission expires on March 22, 2015.

Mark D. Johnson  
Signature of Notary

4-11-13  
Date

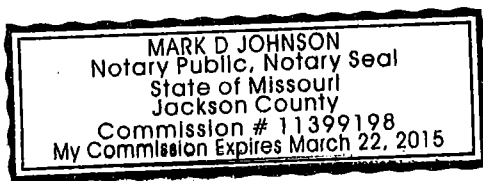




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\_\_\_\_\_  
Authorized Representative's Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 2013. I am commissioned as a notary public within the County of \_\_\_\_\_, State of \_\_\_\_\_, and my commission expires on \_\_\_\_\_.

\_\_\_\_\_  
Signature of Notary

\_\_\_\_\_  
Date