

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Executive to execute an Agreement for Services with the Mid-America Local Emergency Planning Committee and the Mid-America Regional Council, at no cost to the County.

RESOLUTION NO. 18862, June 22, 2015

INTRODUCED BY Crystal Williams, County Legislator

WHEREAS, Jackson County, together with Cass, Clay, Platte, and Ray Counties, have cooperatively formed a local emergency planning committee (LEPC) under the provisions of the Emergency Planning and Community Right-to-Know Act of 1986; and,

WHEREAS, each county receives a grant from the Missouri Emergency Response Commission in accordance with Missouri's Emergency Planning and Community Right-to-Know Act (Sections 292.600 to 292.625, RSMo); and,

WHEREAS, these funds are paid directly by the State directly to LEPC, to be used for programs which support the LEPC's hazardous materials planning and training and related activities; and,

WHEREAS, each of the five counties, as a member of the LEPC, has entered into an agreement with the Mid-America Regional Council (MARC) approving the scope of work by MARC and the LEPC on its behalf; and,

WHEREAS, MARC is a public not-for-profit organization, formed in 1972 by area cities and counties, including the counties that have formed the LEPC, to address issues and problems of mutual concern; and,

WHEREAS, MARC can provide administrative and technical assistance to carry out the scope of work developed for the aforementioned grants; and,

WHEREAS, the attached Agreement for Services adequately sets out the rights and obligations of LEPC and MARC in this regard; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the attached Agreement for Services with the Mid-America Local Emergency Planning Committee and the Mid-America Regional Council be and hereby is approved; and,

BE IT FURTHER RESOLVED that the County Executive be and hereby is authorized to execute the Agreement between Mid-America and Local Emergency Planning Committee and the Mid-America Regional Council.

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. 18862 of June 22, 2015, was duly passed on June 22, 2015 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

Nays 0

Abstaining 0

Absent 0

Excused 1

6.23.15
Date


Mary Jo Spino, Clerk of Legislature

AGREEMENT FOR SERVICES

by and between

JACKSON COUNTY,

the

MID-AMERICA LOCAL EMERGENCY PLANNING COMMITTEE

and the

MID-AMERICA REGIONAL COUNCIL

This Agreement, entered this 1st day of July, 2015, by and between Jackson County, the Mid-America Local Emergency Planning Committee, hereinafter referred to as the "LEPC" and the Mid-America Regional Council, hereinafter referred to as "MARC" for professional services.

WHEREAS, the following counties have cooperatively formed a local emergency planning committee under the provisions of the Emergency Planning and Community Right-to-Know Act of 1986:

The County of Cass, Missouri;

The County of Clay, Missouri;

The County of Jackson, Missouri;

The County of Platte, Missouri; and

The County of Ray, Missouri

WHEREAS, each county receives a grant from the Missouri Emergency Response Commission in accordance with Missouri's Emergency Planning and Community Right-to-Know Act (RsMO Sections 292.600 to 292.625); and

WHEREAS, these funds are to be used for programs which support the LEPC's hazardous materials planning, training and related activities; and

WHEREAS, MARC can provide administrative and technical assistance to carry out the scope of work developed for the aforementioned grant;

NOW THEREFORE, the parties to this Agreement agree as follows:

ARTICLE I

SCOPE OF SERVICES

MARC hereby agrees to fulfill the following scope of work in accordance with proposals submitted to the Missouri Emergency Response Commission and other state agencies with the oversight and assistance of the LEPC:

- A. Coordination and scheduling of monthly meetings and necessary subcommittee meetings, usually at the MARC offices, to discuss the LEPC's operation, activities, projects and issues which may affect the LEPC.
- B. Development and distribution of agendas for and summaries of the above meetings.
- C. Development and maintenance of a regional hazardous materials plan and assistance with the development of county hazardous materials plans or hazardous materials annexes to county emergency operations plans.
- D. Development of exercises to evaluate regional and local hazardous materials response capabilities.
- E. Sponsorship of hazardous materials and other training courses and coordination of hazardous materials training with the Missouri Emergency Response Commission, Missouri State Emergency Management Agency, Department of Public Safety, University of Missouri, and other entities offering hazardous materials training.
- F. Collection of Tier II forms and related information from facilities in each member county required to complete and submit these items and development of a database of chemical inventory and emergency contact information for these facilities.
- G. Operation and maintenance of an LEPC website.
- H. Development and management of a public education and awareness program.
- I. Completion of all reports and documentation necessary for the administration and operation of the LEPC.
- J. Coordination and integration of LEPC activities with those of other MARC emergency services committees and metropolitan area emergency services organizations.
- K. Other activities that are mutually agreed upon by the LEPC and MARC.

ARTICLE II

TIME OF PERFORMANCE

MARC shall provide the services described in Article I for the period commencing July 1, 2015 through June 30, 2016. The time and services of this Agreement may be extended or amended by Addendum hereto, containing the signatories of the parties and an identification of the extension period including any other amendments to the original Agreement.

ARTICLE III

CONSIDERATION

In consideration of the services provided by MARC and described in Article I, Jackson County and the LEPC authorize MARC to administer the FY 2015-2016 grant of approximately \$62,845.00 and any carryover funds from previous years as well as, any additional funds that may be competitively awarded from the Hazardous Materials Emergency Preparedness (HMEP) fund required to carry out the scope of work specified in this Agreement and as listed in Attachment 1, FY 2015-2016 LEPC Budget. It is the parties' understanding that the State of Missouri will provide the LEPC with approximately \$62,845.00 from the state's CEPF to be used as resources for the operation of the LEPC and its programs and activities, consistent with the terms and conditions placed on the counties by the Missouri Emergency Response Commission and as directed by the LEPC at their regular meetings. Any additional HMEP funds to be awarded to the Mid-America LEPC to support training activities will also be used according to the terms of this agreement. MARC agrees to provide detailed records of revenues and expenses associated with the performance of this Agreement. All expenditures will be consistent with CEPF and HMEP budgets approved by the LEPC.

ARTICLE IV

TERMINATION OR SUSPENSION OF AGREEMENT

This Agreement will terminate on June 30, 2016 unless extended by Addendum hereto as provided in Article II. However, if for any justifiable reason any party wishes to terminate this Agreement prior to the completion of the time of performance, this may be done by serving thirty (30) days notice upon the other parties. Payment for services shall be pro rata to the term of the Agreement and to the work effort completed.

ARTICLE V

EQUAL EMPLOYMENT OPPORTUNITY

Jackson County, the LEPC and MARC attest that they do not now, nor shall they discriminate against any employee who is employed in the work covered by this Agreement or against any applicant for such employment, due to race, color, religion, sex, age, handicap, or national origin.

IN WITNESS WHEREOF, the parties have executed this Agreement on the 1st day of July 2015.

Approved by Jackson County, Missouri

County Executive, Jackson County

Date

Approved by the Mid-America Local Emergency Planning Committee

Mid-America LEPC Chair

Date

Approved by the Mid-America Regional Council

Executive Director

Date