

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Executive to execute a Supplemental Agreement to Lease No. DACW41-1-89-181 with the U.S. Army Corps of Engineers for the purpose of adding an existing communications tower to the lease of government owned land located at Blue Springs Lake Park.

RESOLUTION #17764, January 3, 2012

INTRODUCED BY Fred Arbanas, County Legislator

WHEREAS, the U.S. Army Corps of Engineers and the County did enter into Lease No. DACW41-1-89-181 for the period of May 9, 1990, through May 8, 2040, for the development of Blue Springs Lake for public parks and recreational purposes; and,

WHEREAS, U.S. Army Corps of Engineers, by document no. DACW41-2-84-14, previously granted the County an easement for the installation, operation, and maintenance of a communications tower within the boundaries of the lease area, which expired on August 16, 2009; and,

WHEREAS, the U.S. Army Corps of Engineers recommends the execution of the attached Supplemental Agreement No. 1 to Lease No. DACW41-1-89-181 for the purpose of adding the communications tower to the existing lease agreement; and,

WHEREAS, the communications tower contains antennas and equipment utilized by the Park Safety and Enforcement Division of the Parks and Recreation Department, the Public Works Department, and the Missouri Water Patrol; and,

WHEREAS, the execution of the attached Supplemental Agreement to Lease No. DACW41-1-89-181 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 attached Supplemental Agreement to Lease No. DACW41-1-89-181 is hereby approved and that the County Executive is hereby authorized to execute on behalf of the County the Agreement and any other documents necessary to give effect to this Resolution.

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

APPROVED AS TO FORM:

Jim D. Hall
Chief Deputy County Counselor

W. Stephen Nijer
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #17764 of January 3, 2012, was duly passed on January 3, 2012 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9

Nays 0

Abstaining 0

Absent 0

1-3-12
Date

Mary Jo Spino
Mary Jo Spino, Clerk of Legislature

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res~~/Ord No.: 17764

Sponsor(s): Fred Arbanas

Date: January 3, 2012

<p>SUBJECT</p>	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Authorizing County Executive to execute Supplemental Agreement to Lease No. DACW41-1-89-181 designed to add existing communications tower to lease on Government Owned Land at Blue Springs Lake.</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:</p> <p><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: \$</p> <p>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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<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date):</p> <p>Prior resolutions and (date):</p>										
<p>CONTACT INFORMATION</p>	<p>RLA drafted by (name, title, & phone): Mark Trosen, Deputy Director of Park Operations, x34803</p>										
<p>REQUEST SUMMARY</p>	<p>The Department of Army-Corps of Engineers has requested that the County execute the Supplemental Agreement to Lease No. DACW41-1-89-181 because the easement No. DACW41-2-84-14 granted to Jackson County, Missouri for the installation, operation and maintenance of a communications tower expired on August 16, 2009.</p> <p>The communications tower contains antennas and equipment utilized by Parks & Recreation – Park Safety and Enforcement Division, Public Works Maintenance and Missouri Water Patrol.</p> <p>The communications tower is located on Government owned land at Blue Springs Lake under Lease No. DACW41-1-89-181.</p> <p>The Director of Parks & Recreation Department is recommending the execution of the supplemental agreement thereby granting the authority for continued use of the aforementioned tower site.</p>										
<p>CLEARANCE</p>	<p><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)</p>										

ATTACHMENTS	Supplemental Agreement to Lease No. DACW41-1-89-181 Location Maps	
REVIEW	Department Director: Michele Newman <i>Michele Newman</i>	Date: 12-15-11
	Finance (Budget Approval): <i>If applicable</i>	Date:
	Division Manager: <i>[Signature]</i>	Date: 12/14/11
	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.

**Jackson County
Parks & Recreation Department**

Memo

To: Shelley Temple-Kneuvean, Deputy Chief Administrative Officer
From: Mark Trosen, Deputy Director of Park Operations *MT*
Date: December 8, 2011
Re: RLA – COE Agreement pertaining to existing communication tower

The purpose of the RLA is to authorize the County Executive to execute a COE (Corps of Engineers) supplemental agreement to the overall lease agreement for Blue Springs Lake which will add the existing communications tower.

The COE has requested that the County execute the Supplemental Agreement because the easement No. DACW41-2-84-14 granted to the County for the installation, operation and maintenance of a communications tower expired on August 16, 2009.

The tower is generally located north of Woods Chapel Road across from Rennau Drive in the area commonly referred to as the Fleming Youth Camp. I have attached a location map to the RLA.

The communications tower contains antennas and equipment utilized by Parks & Recreation – Park Safety and Enforcement Division, Public Works Maintenance and Missouri Water Patrol.

Although we may not have a use for the tower once the County's new radio system is implemented, the tower will continue to be used by the Missouri Water Patrol.

Please let me know if you need additional information.

Thank you.