

BILL NO. 16-122

AN ORDINANCE APPROVING A COOPERATIVE AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND SHOW ME PACE, A MISSOURI CLEAN ENERGY DEVELOPMENT BOARD AND AUTHORIZING THE EXECUTION OF DOCUMENTS RELATED TO THE SHOW ME PACE PROGRAM FOR PARTICIPATION BY THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, the City of Lee's Summit is a constitutional charter City, organized and existing under the laws of the State of Missouri; and,

WHEREAS, Article R-VI, Section 16 of the Constitution of the State of Missouri provides that any municipality or political subdivision of the State may cooperate under contract to provide a common service as provided by law; and,

WHEREAS, Sections 70.210 to 70.320, RSMo., provide that political subdivisions, including cities, towns, and villages, may jointly exercise their authority to provide a common service so long as the subject and purposes of such contract are within the scope of the powers of each such participating political subdivision; and,

WHEREAS, on June 15, 2015, a clean energy development board now named the Show Me PACE was established with the intention that all municipalities within the State of Missouri would be eligible to join and participate by approving an appropriate ordinance or resolution; and,

WHEREAS, on December 10, 2015, the City Council of the City of Lee's Summit approved Ordinance No. 7767 authorizing the City of Lee's Summit to participate in the Missouri Clean Energy District as authorized by the Property Assessment Clean Energy Act enacted by the 95th General Assembly of the State of Missouri; and,

WHEREAS, on January 27, 2016, the City Council of the City of Lee's Summit approved Ordinance No. 7800 authorizing the City of Lee's Summit to join and participate in Show Me PACE; and,

WHEREAS, Show Me PACE has presented to the City of Lee's Summit a Cooperative Agreement, attached hereto as Exhibit A and incorporated herein by reference, which outlines the terms and conditions of the City of Lee's Summit's participation in the program; and,

WHEREAS, the City of Lee's Summit and Show Me PACE desire to enter into said Cooperative Agreement setting forth the terms and conditions surrounding the City of Lee's Summit's participation in the program.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, AS FOLLOWS:

SECTION 1. That the Cooperative Agreement by and between the City of Lee's Summit and Show Me PACE, attached hereto as Exhibit A and incorporated herein by reference be and hereby is approved.

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SECTION 2. That the Mayor is authorized to execute the Cooperative Agreement on behalf of the City, as well as any other documents, certificates or instruments as may be necessary to carry out and comply with the intent of this Ordinance and the City's participation in the Show Me PACE program.

SECTION 3. That this Ordinance shall be in full force and effect from and after the date of its adoption, passage, and approval by the Mayor.

PASSED by the City Council of Lee's Summit, Missouri this ____ day of _____, 2016.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED by the Mayor of said City this ____ day of _____, 2016.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:

Chief Counsel of Management and Operations
Jackie McCormick Heanue