

BILL NO. 20-179

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AMENDMENT TO A SERVICE CONTRACT FOR SANITARY SEWER TREATMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT AND LITTLE BLUE VALLEY SEWER DISTRICT FOR THE MIDDLE BIG CREEK SUBDISTRICT AND AUTHORIZING THE MAYOR TO EXECUTE SAME.

WHEREAS, the City of Lee's Summit, Missouri (the "Public Entity") has heretofore entered into a Service Contract with Little Blue Valley Sewer District (the District) on behalf of Middle Big Creek Subdistrict providing among other things, for treatment by the District of sewage contributed to it by the Public Entity in consideration of the payment of a charge to the District by the Public Entity; and,

WHEREAS, the District operates a sewer system (the "System") for the primary benefit of the customers with the District including the Public Entity ("Customers"), and for others connected to the District's System; and,

WHEREAS, the District collects payment based on a Rate Methodology set in the Service Contract for the services rendered to the Public Entity based on set fees and flow contribution of the Public Entity; and,

WHEREAS, the District Periodically reviews the Rate Methodology to ensure accuracy and fairness to the Public Entity and for others connected to the District's System; and,

WHEREAS, the most recent review of the Rate Methodology indicated that the Methodology should be modified in the Service Agreement from a 20 quarter linear projection to a 20 quarter rolling average to more accurately reflect actual flow contributions.

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

SECTION 1. That the City Council of the City of Lee's Summit hereby authorizes the execution, by the Mayor on behalf of the City of Lee's Summit, of the First Amendment to Amended and Restated Service Contract for Sanitary Sewer Treatment by and between Little Blue Valley Sewer District and the City of Lee's Summit, Missouri Middle Big Creek Subdistrict a copy of which is attached hereto as "Exhibit A" and incorporated by reference as if fully set forth herein.

SECTION 2. That this Ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

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PASSED by the City Council of the City of Lee's Summit, Missouri, this ____ day of _____, 2020.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED by the Mayor of said city this _____ day of _____, 2019.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

Nancy Yendes, Chief Counsel of
Infrastructure and Planning
Office of the City Attorney