

BILL NO. 24-152

AN ORDINANCE APPROVING A RIGHT-OF-ENTRY AGREEMENT BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND THE UNITED STATES ARMY CORPS OF ENGINEERS TO ENTER UPON PROPERTY FOR SURVEY AND EXPLORATION, AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME.

WHEREAS, Pursuant to Ordinance No. 9508, the City entered into an Intergovernmental Agreement with the Mid-America Regional Council (MARC) to complete the Little Blue Watershed Feasibility study; and,

WHEREAS, The United States Army Corps of Engineers (USACE) is working with MARC as the lead agency for the watershed study; and,

WHEREAS, The scope of work includes developing proposed projects to improve stream ecosystems and mitigate flood risks within the City of Lee's Summit; and,

WHEREAS, USACE desires access for engineering surveys and site visits on property owned by the City of Lee's Summit to complete field investigations necessary for the study; and,

WHEREAS, The City and the United States Army Corps of Engineers desire to enter into a right-of-entry agreement.

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

SECTION 1. The City Council of the City of Lee's Summit, Missouri, hereby approves a Right-of-Entry agreement, substantially similar to said agreement attached hereto as Exhibit A.

SECTION 2. The Mayor, or designee, is further authorized to take such further action and execute such documents as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

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

SECTION 4. Should any section, sentence, or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences, or clauses.

PASSED by the City Council of the City of Lee's Summit, Missouri, this ____ day of _____, 2024.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

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APPROVED by the Mayor of said city this ____ day of _____, 2024.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*