

## **BILL NO. 23-168**

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AN ORDINANCE AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND THE SOUTHERN JACKSON COUNTY FIRE PROTECTION DISTRICT FOR WATER SERVICES FOR TRAINING PURPOSES LOCATED AT 11010 MILTON THOMPSON ROAD.

WHEREAS, the City of Lee's Summit, Missouri ("City") is a municipal corporation operating and existing under the laws of the State of Missouri; and,

WHEREAS, the Southern Jackson County Fire Protection District ("District") is a Missouri political subdivision organized and existing under the laws of the State of Missouri for the primary purpose of supplying protection by any available means to persons and property against injuries and damage from fire and from hazards which do or may cause fire; and,

WHEREAS, the District fire station is located at 11010 S. Milton Thompson Road, in unincorporated Jackson County, Missouri, immediately adjacent to the corporate limits of the City; and,

WHEREAS, the District desires to create a training facility at the 11010 S Milton Thompson Road site for fire protection purposes; and,

WHEREAS, the City has water infrastructure adjacent to that site and the District receives its' current water service from the City; and,

WHEREAS this use would be a new metered connection to the City's water system applicable to tap fees as be Section 32-107 of the Code of Ordinance of the City of Lee's Summit, Missouri; and,

WHEREAS, the District has requested that the City waive the tap fees based on the limited and intermittent nature of the use; and,

WHEREAS, the City has reviewed the expected use and agrees to the waiver based on the use type and the stipulation that this use could be terminated at the City's discretion; and,

WHEREAS, the District would be responsible for all construction and related costs to connect the District training area to the City's water system, including, but not limited to, costs for and acquisition of necessary easements for construction, and would be billed at the regular rate for all water services provided to District by the City.

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

SECTION 1. The Intergovernmental Agreement for water service by and between the City of Lee's Summit, Missouri, and the Southern Jackson County Fire Protection District, attached hereto as "Exhibit A" and incorporated herein by reference, is hereby approved and the Mayor is authorized to execute the same or substantially similar on behalf of the City.

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.

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SECTION 3. 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.

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.

ATTEST:

\_\_\_\_\_  
Mayor *William A. Baird*

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

\_\_\_\_\_  
Mayor *William A. Baird*

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney *Brian W. Head*