

BILL NO. 19-30

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, BY AND THROUGH THE LEE'S SUMMIT PARKS AND RECREATION BOARD AND JACKSON COUNTY, MISSOURI PARKS AND RECREATION FOR PARKING AREA USE AND IMPROVEMENTS.

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

WHEREAS, the Lee's Summit Parks and Recreation Board (hereinafter "LSPR") is empowered with the control of the supervision, improvement, care and custody of parks and recreation activities in the City of Lee's Summit, Missouri; and,

WHEREAS, LSPR owns property located at 3801 SW Longview Road, Lee's Summit, Missouri, commonly known as Longview Community Center; and,

WHEREAS, Jackson County leases property from the US Army Corps of Engineers, immediately adjacent to Longview Community Center to the west, which includes a parking lot that is connected to the west entrance and trash enclosure area for Longview Community Center, with the only access to the same being through the parking lot via SW County Park Road; and,

WHEREAS, in order to accommodate trash service needs for Longview Community Center, LSPR and Jackson County have negotiated certain terms and conditions which would allow for access across County leased property in favor of LSPR in exchange for certain improvements and maintenance obligations accruing to LSPR for the benefit of Jackson County, which have been established in response to the additional burden placed upon the area as a result of LSPR's use of the same; and,

WHEREAS, LSPR and Jackson County Parks and Recreation desire to enter into a formal agreement outlining said terms and conditions, said formal agreement being attached hereto as "Exhibit A"; and,

WHEREAS, RSMo. § 70.220.3 requires that any contract entered into between a municipality and another political subdivision be approved by the governing body of said municipality.

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

SECTION 1. The Intergovernmental Agreement for Parking Area Use and Improvements by and between the City of Lee's Summit, Missouri, by and through the Lee's Summit Parks and Recreation Board and Jackson County, Missouri Parks and Recreation, attached hereto as Exhibit A and incorporated herein by reference be, and the same is hereby approved, and the Mayor is hereby authorized to execute the same by and on behalf of the City of Lee's Summit, Missouri.

SECTION 2. 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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SECTION 3. 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 Lee's Summit, Missouri this ____ day of _____, 2019.

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:

Chief Counsel of Operations and Management
Daniel R. White