

BILL NO. 20-158

AN ORDINANCE APPROVING THE CARES ACT BUDGET FOR THE CITY OF LEE'S SUMMIT AND APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH JACKSON COUNTY, MISSOURI TO ACCEPT CARES ACT FUNDS.

WHEREAS, the President of the United States, the Governor of the State of Missouri, and the Mayor of the City of Lee's Summit (the "City"), have each declared a state of emergency in response to the 2019 novel coronavirus ("COVID-19"); and,

WHEREAS, on March 27, 2020, the United States enacted the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") which established the Coronavirus Relief Fund (the "Fund") and appropriated \$150 billion to the Fund; and,

WHEREAS, Jackson County, Missouri (the "County") received \$122.7 million from the Fund, and the County, through Ordinance 5372, has appropriated approximately \$36.9 million of its CARES Act funding to the cities within its borders; and,

WHEREAS, the County appropriated to the City an amount not to exceed \$5,921,527.00, and the City may receive its entire appropriation upfront upon the County's approval of the City's budget for spending the Funds; and,

WHEREAS, under the CARES Act, the money may only be used to cover costs that: (1) are necessary expenditures incurred due to the public health emergency with respect to COVID-19; (2) were not accounted for in the budget most recently approved as of March 27, 2020 for the City; and (3) are incurred between March 1, 2020, and December 30, 2020; and,

WHEREAS, the City must execute an intergovernmental agreement with County which sets forth the terms and conditions regarding the receipt and use of the City's appropriation of Funds; and,

WHEREAS, § 70.220, RSMo. grants authority to the City to contract and cooperate with any other municipality or political subdivision of the State for the planning and operation of a common service, and § 70.230, RSMo, provides that the City can exercise this power by ordinance duly enacted which shall provide the terms agreed upon by the contracting parties to such contract or cooperative action; and,

WHEREAS, the City desires to execute an intergovernmental agreement with the County to accept its appropriation of CARES Act funding in response to the COVID-19 pandemic.

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

SECTION 1. The City's CARES Act budget, attached as Exhibit 1 and incorporated herein by reference, for spending its allocation of CARES Act funds from Jackson County (the "County") is hereby approved, and the City Manager is hereby authorized to submit such budget to the County for approval and to amend such budget only as necessary to meet the City's needs in response to the COVID-19 pandemic and to comply with the laws, regulations, and terms and conditions governing such funds.

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SECTION 2. The Intergovernmental Agreement between the City and the County, attached as Exhibit B and incorporated herein by reference, is hereby approved, and the Mayor is authorized to execute the same in substantially the same form as the attached by and on behalf of the City.

SECTION 3. City officers and agents of the City are each hereby authorized and directed to take such action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance and implementation of the attached budget and Intergovernmental Agreement.

SECTION 4. This Ordinance shall be in full force and effect from and after the date of its adoption, passage, and approval by the Mayor.

SECTION 5. 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 _____, 2020.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler-Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2020.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler-Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*