

## **BILL NO. 21-33**

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AN ORDINANCE APPROVING AN EXTENSION OF AN INTERGOVERNMENTAL AGREEMENT WITH JACKSON COUNTY, MISSOURI FOR THE USE OF CARES ACT FUNDS, AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME.

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, appropriated approximately \$36.9 million of its Fund appropriation to the cities within its borders; and,

WHEREAS, the County appropriated \$5,921,527.00 to the City, and the City received its entire appropriation upfront after the County's approval of the City's budget for spending its allocation; and,

WHEREAS, pursuant to Ordinance No. 8940, the City executed an intergovernmental agreement with County which set forth the terms and conditions regarding the receipt and use of the City's appropriation of Funds ("Agreement"); and,

WHEREAS, on December 27, 2020, the United States enacted the Coronavirus Response and Relief Supplemental Appropriations Act, which extended the date by which state and local governments may spend their allocated Funds from December 30, 2020, to December 31, 2021; and,

WHEREAS, on January 4, 2021, the County approved Resolution 20600, which authorizes an amendment to the Agreement with the City to extend of the deadline for the City to spend its appropriated Funds to December 31, 2021 ("Amendment"); and,

WHEREAS, § 70.220, RSMo. authorizes 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 the Amendment to the Agreement to extend the deadline to use its appropriated Funds.

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

SECTION 1. The amendment to the intergovernmental agreement between the City of Lee's Summit and Jackson County, attached as Exhibit A and incorporated herein by reference, is hereby approved, and the Mayor is authorized to execute the same in substantially the same form

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as the attached by and on behalf of the City.

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

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 the City of Lee's Summit, Missouri, this \_\_\_day of \_\_\_\_\_, 2021.

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

ATTEST:

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

APPROVED by the Mayor of said city this \_\_\_ day of \_\_\_\_\_, 2020.

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Mayor *William A. Baird*

ATTEST:

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

APPROVED AS TO FORM:

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