

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 051156

Authorizing the Director of Water Services to execute a Feasibility Study agreement with the U.S. Army Corps of Engineers, and Johnson County, Kansas, for a watershed based study of the Brush Creek basin in Kansas and Missouri, Project No. 82000072; authorizing the Director of Water Services to execute a separate cost-sharing agreement with Johnson County, Kansas for the local sponsor share; authorizing expenditure of \$280,000.00 for the study; and authorizing the Director of Finance to return unexpended appropriations to the appropriate account.

WHEREAS, on July 24, 2002, the House Committee on Transportation and Infrastructure requested the Secretary of the Army to review the report on Brush Creek and Tributaries, dated January 3, 1983, and other pertinent reports, to determine whether modifications to the recommendations were needed regarding flood damage reduction, environmental restoration and protection, and related purposes in the vicinity of Johnson County, Kansas, and Kansas City, Missouri; and

WHEREAS, the U.S. Army Corps of Engineers conducted a reconnaissance study of the Brush Creek Basin pursuant to this authority and determined that a feasibility study is required; and

WHEREAS, Section 105 of the Water Resources Development Act of 1986 (Public Law 99-662, as amended) requires local cost-sharing for the Feasibility Study; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Water Services is hereby authorized to enter into and execute, on behalf of the City, a cost-sharing agreement with the U.S. Army Corps of Engineers and Johnson County, Kansas, for a watershed-based feasibility study of the Brush Creek basin, Project No. 82000072. A copy of the agreement is on file in the office of the Director of Water Services.

Section 2. That the Director of Water Services is hereby authorized to enter into and execute, on behalf of the City, a cost-sharing agreement with Johnson County, Kansas for the local sponsor cost share of the watershed-based feasibility study of the Brush Creek basin, Project No. 82000072. A copy of the agreement will be filed in the office of the Director of Water Services.

Section 3. That the Director of Water Services is authorized to expend up to the sum of \$280,000.00 from funds previously appropriated in Account No. 06-3090-807521-B, Brush Creek Improvements, to satisfy the cost of this contract.

Section 4. That upon completion of the final costs of this contract, the Director of Finance is hereby authorized to return the unexpended portion of this appropriation to the Unappropriated Fund Balance from which it was derived.

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I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Wanda Gunter
Acting Director of Finance

Approved as to form and legality:

Cecilia O'Connor Abbott
Assistant City Attorney