

ORDINANCE NO. 050491

Authorizing the Director of Water Services to execute a Cost Sharing Agreement for Planning Assistance with the U.S. Army Corps of Engineers to work toward regional watershed integration and coordination; and recognizing an emergency.

WHEREAS, the Congress has authorized the Corps of Engineers in Section 22 of the Water Resources Development Act of 1974 (Public Law 93-251) as amended to assist the States in the preparation of comprehensive plans for the development, utilization and conservation of water and related land resources; and whereas, Section 319 of the Water Resources Development Act of 1990 (Public Law 101-640) authorized the Government to collect from non-Federal entities fees for the purpose of recovering fifty (50) percent of the cost of the program; and

WHEREAS, the Sponsor has reviewed the state's comprehensive water plans and identified the need for the planning assistance as described in a Scope of Studies entitled "Regional Watershed Integration and Coordination", attached hereto and incorporated as a part of this Agreement; and

WHEREAS, the Sponsor has the authority and capability to furnish the cooperation hereinafter set forth and is willing to participate in study cost-sharing and financing in accordance with the terms of this agreement; and

WHEREAS, the Mid-America Regional Council and Johnson County, Kansas are also contributing to and are supportive of this initiative whose initial focus will be in the Brush Creek Basin. Under the Planning Assistance to States Cost Share Agreement the Corps and the City will participate in regional watershed management under a 50%-50% cost share, the City's payment to the Corps is \$30,000.00; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Water Services is hereby authorized to expend the sum of \$30,000.00 from funds previously appropriated to Account No. 06-3090-807521-B, Brush Creek Flood Mitigation, for the City's share of the regional watershed integration and coordination being done in cooperation with the Department of the Army, represented by the U.S. Corps of Engineers, with support from the Mid-America Regional Council and Johnson County, Kansas. A copy of the Cost Sharing Agreement is attached hereto and incorporated herein by reference.

Section 2. That this ordinance makes an appropriation for the payment of current expenses of City government, it is hereby recognized to be an emergency measure within the provisions of Article II, Section 15 of the Charter and shall take effect in accordance with that section.

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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.

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Wanda Gunter  
Acting Director of Finance

Approved as to form and legality:

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Mark P. Jones  
Assistant City Attorney