

ORDINANCE NO. 090120

Authorizing the Director of Water Services to execute an amendment to the Brush Creek Basin Study Agreement between the U.S. Army Corps of Engineers, the City of Kansas City, Missouri and Johnson County, Kansas for the watershed based study of the Brush Creek Basin in Kansas and Missouri; authorizing the Director of Water Services to execute a Cooperative Agreement with Johnson County, Kansas to set forth cost-sharing responsibilities for this study; authorizing an additional \$185,000.00 for the project; and authorizing the Director of Finance to return unexpended appropriations to the appropriate account.

WHEREAS, the City executed a \$560,000.00 Brush Creek Basin Study Agreement with the U. S. Army Corps of Engineers and Johnson County, Kansas following approval of Ordinance No. 051156 on September 22, 2005 for a watershed based study of the Brush Creek Basin in Kansas and Missouri; and

WHEREAS, an amendment is necessary to address the expanded scope and associated costs of the study; and

WHEREAS, the Sponsors (Kansas City, Missouri and Johnson County, Kansas) and the U.S. Army Corps of Engineers share the costs of the study equally; and

WHEREAS, a Cooperative Agreement between the Sponsors is required to establish equal cost-sharing responsibilities for this project; 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, an amendment to the Brush Creek Basin Study 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 amendment 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's costs of the Brush Creek Basin Study Agreement, 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 an additional sum of up to \$185,000.00 from funds previously appropriated in Account No. 09-3090-807521-B, Brush Creek Improvements, to satisfy the cost of this study.

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Section 4. That upon completion of the final costs of this amended Agreement, 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.

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.

Jeffrey A. Yates
Director of Finance

Approved as to form and legality:

Cecilia O'Connor Abbott
Assistant City Attorney