

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO
A SUBAGREEMENT WITH THE SOUTHWEST MISSOURI JOINT MUNICIPAL WATER UTILITY
COMMISSION FOR REALLOCATED WATER STORAGE SPACE IN STOCKTON LAKE**

WHEREAS, the City of Republic, Missouri (“City” or “Republic”) is a municipal corporation and Charter City located in Greene County, Missouri, being duly organized and existing under the laws of the State of Missouri; and

WHEREAS, the Southwest Missouri Joint Municipal Water Utility Commission (“JMUC”) is a Joint Municipal Utility Commission formed under the Joint Municipal Utility Commission Act, Revised Statutes of Missouri Section 393.700 *et seq.*; and

WHEREAS, The City of Republic is a member of the Joint Municipal Water Utility Commission; and

WHEREAS, JMUC was created to develop water supply projects for Southwest Missouri to meet projected future needs for the City and other members; and

WHEREAS, to this end, JMUC has been working with the U.S. Army Corps of Engineers (“Corps”) for many years to secure a “storage contract” authorizing JMUC and/or its members to use storage in that project for water supply purposes; and

WHEREAS, JMUC has reason to believe that the Corps will enter into a storage contract substantially similar to the draft attached hereto as “Exhibit A” in the near future (the “Storage Contract”); and

WHEREAS, JMUC anticipates the Storage Contract will grant JMUC a permanent right to utilize 90,790 acre-feet of storage space in Stockton Lake to store water for municipal and industrial water supply, which is expected to provide a safe yield of approximately 38 million gallons per day (“mgd”); and

WHEREAS, JMUC further anticipates the Storage Contract will obligate JMUC to make annual “first cost” payments to the Corps of approximately \$2 million per year; occasional additional payments for “repair, rehabilitation, and maintenance costs,” which will be incurred as needed; and additional annual payments to cover “operations and maintenance costs” at Stockton Lake; and

WHEREAS, before executing any contract with the Corps, JMUC must have subagreements in place with participating members to pay these costs; and

WHEREAS, JMUC anticipates entering into “pass-through” subcontracts with its members, which will suballocate a portion of JMUC’s storage space to each member in exchange for an agreement to pay a proportional share of JMUC’s costs (the “Water Storage Subcontract”); and

WHEREAS, JMUC anticipates that the pass-through subcontracts will be substantially similar to the template contract attached hereto as “Exhibit B” (the “Template Subcontract”); and

WHEREAS, time is of the essence in formally executing subagreements once the pass-through subcontracts have been reviewed and approved by the Corps.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI,
AS FOLLOWS:**

Section 1. The City Council desires for the City of Republic to enter into a Water Storage Subcontract with the Southwest Missouri Joint Municipal Water Utility Commission ("JMUC"), substantially similar to the Template Subcontract hereto as "Exhibit B".

Section 2. The City Administrator, or their designee, on behalf of the City, is authorized to enter into the above-referenced Water Storage Subcontract with JMUC and to execute any other documents necessary in order to bind the City to such Water Storage Subcontract.

Section 3. The City Administrator, or his designee(s), on behalf of the City, is authorized to take other reasonable, necessary steps to implement this Resolution.

Section 4. The whereas clauses are specifically incorporated herein by reference.

Section 5. This Resolution shall take effect after passage as provided by law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Republic, Missouri, this _____ day of _____, 2025.

Attest:

Eric Franklin, Mayor

Laura Burbridge, City Clerk

Approved as to Form:



Megan McCullough, City Attorney

Final Passage and Vote: