

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE SOUTHWEST MISSOURI JOINT MUNICIPAL WATER UTILITY COMMISSION REGARDING REALLOCATION OF STOCKTON LAKE SURFACE WATER FOR USE AS PUBLIC WATER SUPPLY**

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

**WHEREAS**, the purpose of the Southwest Missouri Joint Municipal Water Utility Commission (“Water Commission”) is to develop water supply sources and related facilities required to meet the needs of the contracting members and citizens they serve, in the most economical and feasible manner; and

**WHEREAS**, the Water Commission has been collaborating with the U.S. Army Corps of Engineers (“Corps”) to secure a “storage contract” authorizing the Commission and its members to use storage in that project for water supply purposes; and

**WHEREAS**, the Water Commission anticipates the Storage Contract will procure permanent rights to utilize 92,250 acre-feet of space in Stockton Lake to store water for municipal and industrial water supply purposes; and

**WHEREAS**, the storage space in Stockton Lake could potentially supplement the City’s groundwater wells, allowing water to be received from Stockton Lake and delivered to the City through planned pipeline that will extend from Stockton Lake all the way to Joplin; and

**WHEREAS**, City staff seek the Council’s approval to execute a Memorandum of Understanding (“MOU”) with the Commission in order to convey its intent to participate and receive the water when the pipeline is constructed and to request an allocation of 2.5 million gallons from the source; and

**WHEREAS**, the proposed MOU does not bind the City to any monetary contribution or obligation, but merely serves as the City’s commitment to the Commission of its intent to participate in the pipeline distribution once constructed.

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

- Section 1.** The City Administrator and/or his designee, on behalf of the City, is authorized to enter into a Memorandum of Understanding with the Southwest Missouri Joint Municipal Water Utility Commission setting forth the City’s agreement to negotiate and participate in the reallocation of surface water from Stockton Lake for potential use as public water supply, to be in substantially the same form as that attached hereto as “Attachment 1”.
- Section 2.** The City Administrator, or his designee, on behalf of the City, is authorized to take the necessary steps to implement this Resolution.
- Section 3.** The WHEREAS clauses are hereby specifically incorporated herein by reference.

**Section 4.** This Resolution shall become effective on and after the date of passage and approval as provided by law.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Republic, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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Matt Russell, Mayor

**Attest:**

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Laura Burbridge, City Clerk

**Approved as to Form:**



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Megan McCullough, City Attorney

**Final Passage and Vote:**