

AN ORDINANCE OF THE CITY COUNCIL AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A PARTICIPATION AGREEMENT WITH CITY UTILITIES OF SPRINGFIELD AND VARIOUS OTHER SURROUNDING COMMUNITIES AS PART OF A REGIONAL BROADBAND INITIATIVE DEDICATED TO EXTENDING BROADBAND HIGH-SPEED INTERNET SERVICES TO REPUBLIC AND SURROUNDING AREAS

WHEREAS, the City of Republic, Missouri, (“City” 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 City has identified a group of surrounding municipalities and counties who share a mutual interest with the City in bringing high-speed broadband internet to their respective citizens, including Christian County, Nixa, Ozark, Strafford, Willard and Greene County (in addition to Republic) (herein, “the Participants”); and

WHEREAS, in Resolution No. 22-R-17, the City Council authorized the City Administrator to execute a cost share agreement with the Participants for identifying a qualified broadband consultant to conduct the broadband feasibility study required to install the broadband utilities (“the Feasibility Study”), in exchange for a flat fee of \$20,000 to be divided amongst the Participants in a pro rata allocation based on pre-determined household/population figures (Republic’s share being approximately \$1,521.77); and

WHEREAS, City Utilities of Springfield (“CU”) has proposed a Regional Broadband Initiative Participation Agreement (herein, “Agreement”), pursuant to which the Participants would combine their mutual interests and efforts through a Regional Broadband Initiative Board (“RBI Board”) created to identify and retain a qualified consultant to conduct the Feasibility Study, and in the event the Feasibility Study finds that expanding broadband into Republic and the surrounding areas is feasible under such conditions as are acceptable to the Participants, to then manage and direct all such expansions; and

WHEREAS, the RBI Board is the necessary and proper means through which the Participants may collaborate their interests and efforts and otherwise receive the bargained for value from the RBI Board; and

WHEREAS, the City Council finds it is in the best interest of the City to authorize the City Administrator to enter into the Agreement, as it will minimize cost to the City while maximizing potential benefit to the City in providing various high-speed internet options to the citizens.

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

- Section 1.** The City Administrator or his designee(s), on behalf of the City, is authorized to enter into the Regional Broadband Initiative Participation Agreement, to be in substantially and materially the same form as that attached hereto as **Exhibit 1**.
- Section 2.** The City Administrator, or his designee(s), on behalf of the City, is authorized to take the necessary steps to execute the Regional Broadband Initiative Participation Agreement.

Section 3: The City Administrator or his designee(s), on behalf of the City, is authorized to take the steps necessary to execute this Ordinance.

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

Section 5: This Ordinance will 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 _____, 2022.

Matt Russell, Mayor

Attest:

Laura Burbridge, City Clerk

Approved as to Form:



Megan McCullough, City Attorney