

AN ORDINANCE OF THE CITY COUNCIL AUTHORIZING EXECUTION OF A SECOND SUPPLEMENTAL STP-URBAN PROGRAM AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE DESIGN AND RIGHT OF WAY ACQUISITION ON EXTENDING THE SHUYLER CREEK TRAIL

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, on November 5, 2019, in Resolution 19-R-37, the Council authorized the City’s Community Development Department (and other City departments) to apply for a grant to fund, at least in part, extension of the Shuyler Creek Trail (herein, “the Project”); and

WHEREAS, on May 19, 2020, in Ordinance 20-20, the Council approved a ‘Missouri Highways and Transportation Commission STP-Urban Program Agreement’ (herein, “First Agreement”) between the City and the Missouri Highways and Transportation Commission (“MHTC”) for the extension of the Shuyler Creek Trail; and

WHEREAS, the First Agreement was executed on July 7, 2020; and

WHEREAS, due to additional funding becoming available to the City on the Project after execution of the First Agreement, on September 15, 2020, in Ordinance 20-37, the Council approved a ‘Missouri Highways and Transportation Commission STP-Urban Program Supplemental Agreement’ (herein, “First Supplemental Agreement”), which altered the cost of the Project for the City; and

WHEREAS, after the adoption of Ordinance 20-37, MHTC requested the City execute a second supplement, primarily for the purpose of defining the sources of funding for the Project and adjusting the Project schedule outlined in Exhibit B of the First Agreement; and

WHEREAS, the MHTC presented the City with a ‘Missouri Highways and Transportation Commission STP-Urban Program Second Supplemental Agreement’ (herein, “Second Supplemental Agreement”) for consideration, and after review of the Second Supplemental Agreement, the Council finds it is in the best interest of the City to execute the same, as the Project will increase safety and activities for the community at large and the City’s residents by substantially adding to the City’s existing trail system.

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

Section 1: Mayor Matt Russell, on behalf of the City, is authorized to execute the ‘Missouri Highways and Transportation Commission STP-Urban Program Second Supplemental Agreement,’ said Second Supplemental Agreement to be in substantially the same form and content as the document attached hereto and labeled “Attachment 1.”

Section 2: The WHEREAS clauses above are specifically incorporated herein by reference.

Section 3: The provisions of this Ordinance are severable, and if any provisions hereof are declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this Ordinance.

Section 4: This Ordinance shall take effect and be in force from and after its 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 _____, 2022.

Attest:

Matt Russell, Mayor

Laura Burbridge, City Clerk

Approved as to Form:



Megan McCullough, City Attorney

Final Passage and Vote: