

**AN ORDINANCE OF THE CITY COUNCIL AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A
MUTUAL AID AGREEMENT WITH THE MISSOURI PUBLIC UTILITY ALLIANCE**

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 Missouri Public Utility Alliance (“MPUA”) offers assistance for municipal utility members in the event of an emergency that affects the operation of their respective utilities; and

WHEREAS, the City has been a member of MPUA since 2012 (via Ordinance No. 12-55) and last revised its agreement with MPUA in 2017 (via Ordinance No. 16-28); and

WHEREAS, the mutual aid agreement with MPUA helps the City to ensure it has prompt assistance with restoration efforts for electric, water, wastewater, and natural gas utilities, in the event of an emergency; and

WHEREAS, the Federal Emergency Management Agency (“FEMA”) requires cities to have a mutual aid agreement in place before a disaster occurs; otherwise, FEMA will not reimburse for the first eight (8) hours of recovery costs incurred; and

WHEREAS, the City wishes to revise its agreement with MPUA to add certain terms relating to insurance requirements and limits, the removal of arbitration as the sole dispute resolution method and expands the participating member pool; and

WHEREAS, upon review of all materials submitted and consideration of City staff presentation and recommendations, the Council finds it in the best interest of the City to authorize execution of the new mutual aid agreement with MPUA, as it will help to ensure continuity of support to the City in the event of an emergency under additional terms that are beneficial to the City.

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

- Section 1:** The City Administrator or his/her designee, on behalf of the City, is hereby authorized to execute a new Mutual Aid Agreement with the Missouri Public Utility Alliance to ensure the continuation of support to the City in the event of an emergency that affects the operation of the parties’ respective utilities, said agreement to be in substantially the same form as that attached hereto and labeled “Attachment 1.”
- Section 2:** The City Administrator, or his/her designee, on behalf of the City, is authorized to take the necessary steps to execute this Ordinance.
- Section 3:** The WHEREAS clauses above are specifically incorporated herein by reference.
- Section 4:** 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 5: 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 _____, 2024.

Attest:

Eric Franklin, Mayor

Laura Burbridge, City Clerk

Approved as to Form:



Megan McCullough, City Attorney

Final Passage and Vote: