

**AN ORDINANCE OF THE CITY COUNCIL APPROVING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT WITH CITY UTILITIES OF SPRINGFIELD, MISSOURI TO DELIVER ELECTRIC SERVICE TO THE BROOKLINE SOUTH LIFT STATION**

**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**, on November 4, 2021, the Council authorized the City Administrator, via Ordinance No. 21-68, to enter into a Developer’s Agreement with Republic 63, LLC (“Developer”) for the development of the Hankins Farm Business Park area, located near 2561 South State Highway MM in Republic, Missouri (the “Hankins Farm Development Area”); and

**WHEREAS**, on February 22, 2022, the Council approved of the rezoning of the Hankins Farm Development Area, via Ordinance No. 22-07; and

**WHEREAS**, on July 26, 2022, the Council authorized the City Administrator, via Ordinance No. 22-47, to renew the Developer’s Agreement with Developer, as the previous agreement was expiring; and

**WHEREAS**, the Hankins Farm Development Area requires electric power be delivered to the Brookline South Lift Station; and

**WHEREAS**, an intergovernmental agreement between the City and City Utilities of Springfield, Missouri (“CU”) is necessary for the provision of the required electric service to the Brookline South Lift Station; and

**WHEREAS**, the intergovernmental agreement between the City and CU will require CU to install a specified portion of the three-phase electric power to the site, including labor and all materials, the cost for which is estimated to total approximately \$60,000, and the City will utilize American Rescue Plan Act (“ARPA”) funds to contribute to the cost; and

**WHEREAS**, the Council finds that an intergovernmental agreement with CU is in the City’s best interest, as it will enable the Brookline South Lift Station to safely and adequately accommodate the Hankins Farm Development Area, ultimately benefiting the City and its citizens and guests.

**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 an intergovernmental agreement with City Utilities of Springfield, Missouri, to bring electrical service to the Brookline South Lift Station as part of the Hankins Farm Development Area project, said agreement to be in substantially the same form as that attached hereto as “Attachment 1.”
- Section 2:** The City Administrator, or his designee(s), 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 \_\_\_\_\_, 2022.

**Attest:**

\_\_\_\_\_  
Matt Russell, Mayor

\_\_\_\_\_  
Laura Burbridge, City Clerk

**Approved as to Form:**

  
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Megan McCullough, City Attorney