

BILL NO. 19-276

AN ORDINANCE AUTHORIZING EXECUTION OF AN AGREEMENT FOR FACILITY RELOCATION BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND SPIRE ENERGY IN THE AMOUNT OF \$1,197,009.00 PURSUANT TO THE CHIPMAN ROAD IMPROVEMENTS FROM VIEW HIGH DRIVE TO BENT TREE DRIVE, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE SAME.

WHEREAS, the City is engaged in the design of the Chipman Road Improvements from View High Drive to Bent Tree Drive (hereinafter "Project"); and,

WHEREAS, Spire Energy delivers natural gas from a private easement owned by Spire Energy adjacent to Chipman Road; and,

WHEREAS, Spire Energy's gas line is in conflict with road widening, sidewalk installation, grade cuts and fills at three portions of the City's Project; and,

WHEREAS, the City desires that Spire Energy relocate their facilities from the three portions of the City's Project; and,

WHEREAS, Spire Energy is willing to relocate such facilities located in a private utility easement to mitigate conflicts with the City's Project if the City pays the actual cost thereof; and,

WHEREAS, the City desires to enter into an agreement with Spire Energy to perform the relocation of their facilities for the agreed upon payment estimate, paid by the City to Spire Energy prior to the relocation.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That the City Council of the City of Lee's Summit, Missouri hereby approves the agreement for facility relocation by Spire Energy, for an amount of \$1,197,009.00.

SECTION 2. That the City Council of the City of Lee's Summit, Missouri hereby authorizes the execution, by the City Manager, of an agreement with Spire Energy for facility relocation for an amount of \$1,197,009.00. Said contract is on file with the City of Lee's Summit Public Works Department and is incorporated by reference as if fully set forth herein.

SECTION 3. That this Ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

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PASSED by the City Council of the City of Lee's Summit, Missouri, this ____ day of _____, 2019.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED by the Mayor of said city this _____ day of _____, 2019.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

Office of City Attorney
Chief Counsel of Infrastructure and Planning,
Nancy K. Yendes,