



Exhibit L

AGENDA ITEM STAFF ANALYSIS

Project/Issue Name: Resolution #10-R-36 A Resolution of the City Council of the City of Republic, Missouri, Authorizing the City Administrator to Transfer Ownership of the American LaFrance Fire Truck from the City of Republic, Missouri, to the Gateway Fire Historical Society.

Submitted by: Duane Compton, Fire Chief

Date: June 14, 2010

Issue Statement

To authorize the City Administrator to transfer the ownership of the American LaFrance Fire Truck to the Gateway Fire Historical Society located in St. Louis.

Discussion and/or Analysis

In 2005, the City of Republic entered into an agreement with the Republic Kiwanis Club transferring ownership of the American LaFrance Fire Truck to the Kiwanis. At that time the Gateway Fire Historical Society located in St. Louis had also expressed an interest in restoring the vehicle and placing it on display at their museum. The Kiwanis Club was given the opportunity to restore the vehicle and maintain the ownership locally. As indicated in Resolution #10-R-34, the Kiwanis Club has offered the fire truck to the City as outlined in the 2005 agreement and the City will transfer ownership to the Gateway Fire Historical Society.

Recommended Action

Fire Chief Duane Compton, recommends the City Council authorize the City Administrator to enter into an agreement to transfer ownership of the truck to the Gateway Fire Historical Society for restoration and display at their facility.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI,
AUTHORIZING THE CITY ADMINISTRATOR TO TRANSFER OWNERSHIP OF THE
AMERICAN LAFRANCE FIRE TRUCK FROM THE CITY OF REPUBLIC, MISSOURI, TO
THE GATEWAY FIRE HISTORICAL SOCIETY**

WHEREAS, the City of Republic, Missouri is a municipal corporation, duly organized and existing under the laws of the State of Missouri; and

WHEREAS, the City desires to transfer ownership of the American LaFrance fire truck to the Gateway Fire Historical Society for restoration; and

WHEREAS, the Gateway Fire Historical Society has agreed to the terms in the transfer document; and

NOW THEREFORE, be it resolved by the City Council of the City of Republic, Missouri, as follows: The City Administrator is authorized to enter into an agreement to transfer ownership of the American LaFrance fire truck to the Gateway Fire Historical Society.

PASSED AND ADOPTED by the City Council for the City of Republic, Missouri, this 14th day of June, 2010.

Brian C. Buckner, Mayor

Attest:

Brenda Jackson, City Clerk

Approved for Council Action: _____, City Administrator

Approved as to Form: _____, City Attorney

Final Passage and Vote: _____

TRANSFER WITH RIGHT OF FIRST REFUSAL

THIS RIGHT OF FIRST REFUSAL AGREEMENT, made and entered into on this ____ day of _____, 2010, by and between the City of Republic, Missouri, a municipal corporation, hereinafter "City", and, Gateway Fire Historical Society Missouri, hereinafter "Historical Society",

WITNESSETH:

WHEREAS, the City is transferring ownership of a 19__ La France fire truck, hereinafter "fire truck", to the Historical Society for use by Historical Society in its museum.

WHEREAS, the Historical Society agrees to grant to City a right of first refusal should Historical Society determine to sell or transfer ownership of the fire truck.

NOW, THEREFORE, in consideration of the premises and the mutual promises set forth in this agreement, City and Historical Society do hereby agree as follows:

1. The Historical Society agrees that it will not sell, transfer, mortgage or otherwise dispose of in anyway, to any third party its ownership interest in the fire truck, except in accordance with the right of first refusal which Historical Society grants to City pursuant to this agreement.
2. If at any time Historical Society proposes to sell, or transfer its interest in the fire truck to any third party it shall first give to the City by certified mail, return receipt requested addressed to City Administrator, 213 N. Main, Republic, Missouri 65738, or to such other address as City may furnish, notice of the proposed sale and the City shall have the option for a period of sixty (60) days from the receipt of such notice, to elect to purchase the fire truck at a price established by totaling the actual Historical Society expenditures for maintenance and refurbishing of the fire truck.
3. In the event City fails to notify Historical Society in writing within sixty (60) days of receipt of the notice of City's intention to exercise its right of first refusal to purchase the fire truck then this right of first refusal shall expire and Historical Society may proceed with the transaction described in the notice.
4. In the event that the City exercises its right of first refusal as set forth in paragraph 3 above, Historical Society agrees to sign and return a Contract for transfer of the fire truck to the City within seven (7) days after it is received by Historical Society.

Approved as to Form:

The City of Republic, Missouri

By: _____
City Attorney

By: _____
City Administrator

Date

Gateway Fire Historical Society, Missouri

By: _____

Title: _____