

AN ORDINANCE AMENDING ORDINANCE #2297 AUTHORIZING THE MAYOR OF THE CITY OF WAYNESVILLE TO EXECUTE SUPPLEMENTAL AGREEMENT #2 FOR THE STATE BLOCK GRANT AGREEMENT BETWEEN THE CITY OF WAYNESVILLE, CITY OF ST. ROBERT AND THE MISSOURI HIGHWAY AND TRANSPORTATION COMMITTEE; FIXING AN EFFECTIVE DATE

WHEREAS, on January 18, 2018 the City Council of the City of Waynesville entered into a State Block Grant Agreement, Project #17-057B-1 with the City of Saint Robert and the Missouri Highways and Transportation Committee to Design a Parallel Taxiway, Wind Cone and Fuel Access Road; and

WHEREAS, the proposed Agreement will increase the grant amount by an additional \$261,553.00.

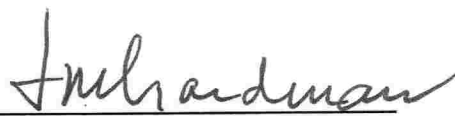
NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WAYNESVILLE, MO AS FOLLOWS:

Section 1. The Mayor and/or City Administrator is hereby authorized to execute, on behalf of the City of Waynesville, Missouri, Exhibit "A", a supplemental agreement with the City of St. Robert and the Missouri Highways and Transportation Committee, incorporated herein by specific reference.

Section 2. That all ordinances or parts of ordinances therefore enacted which are in conflict are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after its passage and approval.

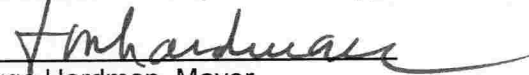
PASSED BY THE CITY COUNCIL ON THIS 20th DAY OF FEBRUARY, 2020.


Luge Hardman, Mayor

ATTEST:


Michele Brown, City Clerk

APPROVED by the Mayor on this 20th Day of February, 2020.


Luge Hardman, Mayor



CCO Form: MO18
Approved: 05/94 (MLH)
Revised: 03/17 (MWH)
Modified:

Sponsor: Cities of Waynesville & St. Robert
Project No.: 17-057B-1

CFDA Number: CFDA #20.106
CFDA Title: Airport Improvement Program
Federal Agency: Federal Aviation Administration, Department of Transportation

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
AMENDMENT TO STATE BLOCK GRANT AGREEMENT**

AMENDMENT #2

THIS AGREEMENT AMENDMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the City of Waynesville (hereinafter "Sponsor") and the City of St. Robert (hereinafter, "Co-Sponsor").

WITNESSETH:

WHEREAS, the Sponsor and the Co-Sponsor have entered into a joint use agreement for the Waynesville-St. Robert Regional Airport at Forney Field; and

WHEREAS, in the joint use agreement, the Sponsor agreed to be the sole applicant to the Commission for all aviation grants on behalf of both the Sponsor and the Co-Sponsor; and

WHEREAS, the reference throughout this Agreement Amendment to "Sponsor" shall be intended to refer to both the Sponsor and Co-Sponsor, and

WHEREAS, the parties entered into an Original Agreement executed by the Sponsor on January 18, 2018, the Co-Sponsor on February 6, 2018, and the Commission on February 21, 2018, (hereinafter, "Original Agreement") under which the Commission granted the sum not to exceed Four Hundred Thirty-Seven Thousand Seven Hundred Ten Dollars (\$437,710) to the Sponsor to assist with Design Parallel Taxiway, Windcone, and Fuel Access Road; and

WHEREAS, the parties entered into an Amendment #1 to the Original Agreement executed by the Sponsor on October 18, 2018, the Co-Sponsor on October 23, 2018, and the Commission on November 26, 2018, (hereinafter, "Amendment #1") under which the Commission granted an additional sum not to exceed Three Million Seven Hundred Five Thousand Ninety-Six Dollars (\$3,705,096) to the Sponsor to assist with Design and Construct Parallel Taxiway, Windcone, and Fuel Access Road; and

WHEREAS, the Commission previously approved funds for Design and Construct Parallel Taxiway, Windcone, and Fuel Access Road; and

WHEREAS, the level of funding originally approved is not sufficient to cover the costs associated with Design and Construct Parallel Taxiway, Windcone, and Fuel Access Road.

WHEREAS, the Commission has sufficient funds to increase the grant amount for Design and Construct Parallel Taxiway, Windcone, and Fuel Access Road.

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations in this Agreement, the parties agree as follows:

(1) ADDITIONAL GRANT: The Commission grants to the Sponsor an additional sum not to exceed Two Hundred Sixty-One Thousand Five Hundred Fifty-Three Dollars (\$261,553) for Design and Construct Parallel Taxiway, Windcone, and Fuel Access Road subject to the following conditions:

(A) The amount of this grant above represents ninety-five percent (95%) of eligible project costs.

(B) The Sponsor shall provide matching funds of not less than Thirteen Thousand Seven Hundred Sixty-Six Dollars (\$13,766) toward the project in addition to those previously committed by the Sponsor in the Original Agreement and Amendment #1.

(C) The project will be carried out in accordance with the assurances (Exhibit 1) given by the Sponsor to the Commission as specified in the Original Agreement.

(D) This Amendment shall expire and the Commission shall not be obligated to pay any part of the costs of the project unless this grant amendment has been executed by the Sponsor on or before March 15, 2020, or such subsequent date as may be prescribed in writing by the Commission.

(E) All other terms and conditions of the Original Agreement, and Amendment #1 entered into between the parties shall remain in full force and effect.

[Remainder of Page is Intentionally Left Blank.]

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below:

Executed by the Sponsor this 20th day of FEBRUARY, 2020.

Executed by the Co-Sponsor this 4th day of February, 2020.

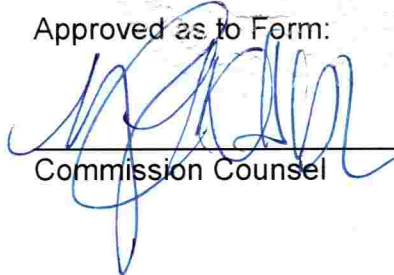
Executed by the Commission this 5 day of March, 2020.

**MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION**

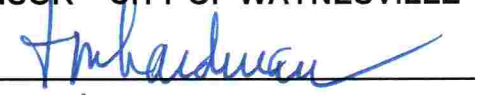

Title Assistant Chief Engineer



Secretary to the Commission

Approved as to Form:



Commission Counsel

SPONSOR – CITY OF WAYNESVILLE

By 
Title Mayor

By 
Title City Clerk

Approved as to Form:


Title City Clerk

Ordinance No. 2402
(if applicable)

CO-SPONSOR- CITY OF ST. ROBERT


By 

Title Mayor

By _____

Title _____

Approved as to Form:



Title Deputy City Clerk

Ordinance No. 3479
(if applicable)

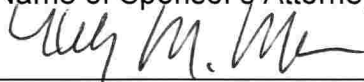
CERTIFICATE OF SPONSOR'S ATTORNEY

I, RALPH MUXLOW, acting as attorney for the Sponsor do hereby certify that in my opinion the Sponsor is empowered to enter into the foregoing grant Agreement under the laws of the State of Missouri. Further, I have examined the foregoing grant Agreement and the actions taken by said Sponsor and Sponsor's official representative have been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said state and the Airport and Airway Improvement Act of 1982, as amended. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said grant constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

SPONSOR – CITY OF WAYNESVILLE

RALPH MUXLOW

Name of Sponsor's Attorney (typed)



Signature of Sponsor's Attorney

Date FEBRUARY 20, 2020

CERTIFICATE OF CO-SPONSOR'S ATTORNEY

I, Tyce S. Smith , acting as attorney for the Sponsor do hereby certify that in my opinion the Sponsor is empowered to enter into the foregoing grant Agreement under the laws of the State of Missouri. Further, I have examined the foregoing grant Agreement and the actions taken by said Sponsor and Sponsor's official representative have been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said state and the Airport and Airway Improvement Act of 1982, as amended. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said grant constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

CO-SPONSOR - CITY OF ST. ROBERT

^S
Tyce W. Smith

Name of Sponsor's Attorney (typed)



Signature of Sponsor's Attorney

Date 2/4/20