

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT #2 TO STTE BLOCK GRANT AGREEMENT, PROJECT NO. 17-045 A-1 WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI, AS FOLLOWS, WIT.

Section 1. That the Board of Aldermen has determined it is in the best interest of the City to authorize Amendment No. 2 to the Missouri Highways and Transportation Commission State Block Grant Agreement, Project No. 17-045 A-1 for Grand Glaize Airfield Pavement Maintenance and Installation of Hold Sign.

Section 2. That the Board of Aldermen agrees to the terms and conditions as set out in the attached as Exhibit A and included herein as Amendment No. 2 to the Missouri Highways and Transportation Commission State Block Grant Agreement, Project No. 17-045A-1, to allow the Grand Glaize Airfield pavement maintenance and installation of Hold Sign project time period to extend from December 1, 2018 to November 30, 2019, to allow for completion of the final paperwork.

Section 3. That this Ordinance shall be in full force and effect from and after the date of passage.

READ FIRST TIME: September 19, 2019      READ SECOND TIME: September 19, 2019

I hereby certify that the above Ordinance No. 19.67 was duly passed on September 19, 2019 by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: 5                      Nays: 0                      Abstain: 0                      Absent: 1

This Ordinance is hereby transmitted to the Mayor for his signature.

September 19, 2019  
Date

Tara Berreth  
Tara Berreth, City Clerk

Approved as to form:  
September 19, 2019  
Date

Edward B. Rucker  
Edward B. Rucker, City Attorney

I hereby approve Ordinance No. 19.67.

September 19, 2019  
Date

John Olivarri  
John Olivarri, Mayor

ATTEST:

Tara Berreth  
Tara Berreth, City Clerk

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

Sponsor: City of Osage Beach  
Project No.: 17-045A-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 Osage Beach (hereinafter, "Sponsor").

WITNESSETH:

WHEREAS, the parties entered into an Original Agreement executed by the Sponsor on June 30, 2017, and executed by the Commission on July 10, 2017, (hereinafter, "Original Agreement") under which the Commission granted the sum not to exceed Fifteen Thousand Four Hundred Sixteen Dollars (\$15,416) to the Sponsor to assist with Airfield Pavement Maintenance and Installation of Hold Sign; and

WHEREAS, the parties entered into an Amendment #1 to the Original Agreement executed by the Sponsor on September 27, 2017, and executed by the Commission on October 5, 2017, (hereinafter, "Amendment #1") under which the Commission granted an additional sum not to exceed Two Hundred Thirty-Seven Thousand Eight Hundred Eleven Dollars (\$237,811) to the Sponsor to assist with Airfield Pavement Maintenance and Installation of Hold Sign; and

WHEREAS, the parties wish to extend the project time period to allow for completion of the work.

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

(1) PROJECT TIME PERIOD: Based upon the revised project schedule, the project time period of December 1, 2018, will be extended to November 30, 2019, to allow for completion of the work. Paragraph (1) of the Original Agreement is hereby amended accordingly.

(A) The project will be carried out in accordance with the assurances (Exhibit 1) given by the Sponsor to the Commission as specified in Amendment #1.

(B) 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 November 15, 2019, or such subsequent date as may be prescribed in writing by the Commission.

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

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

Executed by the Sponsor this 19th day of September, 2019.

Executed by the Commission this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**MISSOURI HIGHWAYS AND  
TRANSPORTATION COMMISSION**

\_\_\_\_\_

Title \_\_\_\_\_

\_\_\_\_\_  
Secretary to the Commission

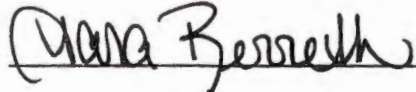
Approved as to Form:

\_\_\_\_\_  
Commission Counsel

**CITY OF OSAGE BEACH**

By 

Title Mayor

By 

Title City Clerk

Approved as to Form:



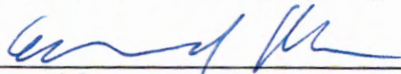
Title City Attorney

Ordinance No. 19.67  
(if applicable)

**CERTIFICATE OF SPONSOR'S ATTORNEY**

I, Edward Rucker, 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.

**CITY OF OSAGE BEACH**

Edward Rucker  
Name of Sponsor's Attorney (typed)  
  
Signature of Sponsor's Attorney  
Date 9/20/19