

BILL NO. _____

ORDINANCE NO. 23-38

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FREDERICKTOWN, MISSOURI, TO EXECUTE AN AMENDMENT TO AGREEMENT BY AND BETWEEN THE CITY OF FREDERICKTOWN AND MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION RELATIVE TO GRANT FUNDING FOR COMMISSION PROJECT NO. 21-069A-2 FOR PRECISION APPROACH PATH INDICATOR (PAPI) LIGHTS AND AIRFIELD SIGNAGE AT THE A. PAUL VANCE FREDERICKTOWN REGIONAL AIRPORT; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

WHEREAS, the City is in need of additional funds to cover the project, and said funds are available via grant.

WHEREAS, the Mayor and Board of Aldermen of the City of Fredericktown, Missouri, have heretofore reviewed the agreement marked Exhibit "A", attached hereto, and incorporated herein as if fully set forth; and

WHEREAS, the Mayor and Board of Aldermen of the City of Fredericktown, Missouri, deem it advisable to enter into said agreement;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF FREDERICKTOWN, MISSOURI, AS FOLLOWS:

Section 1. That the Mayor and Board of Aldermen for the City of Fredericktown, Missouri, approve the agreement marked Exhibit "A", which is attached hereto and incorporated herein as if fully set forth, between the City of Fredericktown and Missouri Highways and Transportation Commission for the purposes set forth hereinabove together with such changes therein as shall be approved by the officers of the City executing same which are consistent with the provisions and intent of this legislation and necessary, desirable, convenient or proper in order to carry out the matters herein authorized. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Fredericktown, Missouri, that the City enter into said agreement.

Section 2. That the Mayor, and other appropriate City officials, are hereby authorized to execute Amendment #1 in substantially the form as Exhibit A for and on behalf of the City of Fredericktown, Missouri and such additional documents and take any and all actions necessary, desirable, convenient or prudent in order to carry out the intent of this legislation.

Section 3. That the City Clerk of the City of Fredericktown is hereby authorized and directed to attest to the signature of the Mayor on the said agreement.

Section 4. If any section, subsection, sentence, clause or phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 5. This Ordinance shall take effect and be in force from and after its passage by the Board of Aldermen and approval according to law.

THIS ORDINANCE having been read by title only this 23rd day of October, 2023, the Board of Aldermen voted as follows:

Long	<u>aye</u>	Brown	<u>absent</u>
Polete	<u>aye</u>	Miller	<u>aye</u>
Jones	<u>aye</u>	Shankle	<u>aye</u>

THIS ORDINANCE having been read by title only the second time on this 23rd day of October, 2023, the Board of Aldermen voted as follows:

Long	<u>aye</u>	Brown	<u>absent</u>
Polete	<u>aye</u>	Miller	<u>aye</u>
Jones	<u>aye</u>	Shankle	<u>aye</u>

PASSED AND APPROVED this 23rd day of October, 2023, by 5 ayes, 0 nays, 0 abstentions and 1 absentees.

CITY OF FREDERICKTOWN, MISSOURI

By: [Signature]
Mayor

ATTEST:

[Signature]
Theresa Harbison, City Clerk

CCO Form: MO18
Approved: 05/94 (MLH)
Revised: 08/23 (MWH)
Modified:

Sponsor: City of Fredericktown
Project No.: 21-069A-2

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 #1

THIS AMENDMENT AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the City of Fredericktown (hereinafter, "Sponsor").

WITNESSETH:

WHEREAS, the parties entered into an Agreement executed by the Sponsor on December 14, 2021, and executed by the Commission on January 6, 2022, (hereinafter, "Original Agreement") under which the Commission granted the sum not to exceed Twenty Four Thousand Six Hundred Seventeen Dollars (\$24,617) to the Sponsor to assist with Install New PAPI & Airfield Signage; and

WHEREAS, the Commission previously approved funds for Install New PAPI & Airfield Signage; and

WHEREAS, the level of funding originally approved is not sufficient to cover the costs associated with Install New PAPI & Airfield Signage.

WHEREAS, the Commission has sufficient funds to increase the grant amount for Install New PAPI & Airfield Signage.

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 Twenty Four Thousand Nine Hundred Ninety-Four Dollars (\$224,994) for Install New PAPI & Airfield Signage subject to the following conditions:

(A) The Sponsor shall provide matching funds of not less than Twenty Five Thousand Dollars (\$25,000) toward the project in addition to those previously committed by the Sponsor in the Original Agreement.

(B) 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.

(C) 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 December 15, 2023, or such subsequent date as may be prescribed in writing by the Commission.

(D) Based upon the revised project schedule, the original project time period of June 30, 2023, will be extended to July 30, 2024, to allow for completion of the work. Paragraph (2) of the Original Agreement is hereby amended accordingly.

(E) All other terms and conditions of the Original Agreement 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 _____ (date).

Executed by MHTC _____ (date).

**MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION**

CITY OF FREDERICKTOWN

By Sheena Harrison

Title _____

Title City Clerk, MRCC

Secretary to the Commission

By [Signature]

Title Mayor

Approved as to Form:

Approved as to Form:

Commission Counsel

Title _____

Ordinance No. _____
(if applicable)