BILL 2014-22

****** Second and Final Reading ******

Agenda Item

TO: Mayor and City Council

FROM: Drew Bontrager, Public Works Director

DATE: May 19, 2014

RE: **Amendment #1 State Block Grant Agreement**

BACKGROUND

We originally entered an agreement with the Missouri Highways and Transportation Commission on October 9, 2013, and was executed by the Commission on November 5, 2013, under which the Commission granted the sum not to exceed Ninety-Nine Thousand Seven Hundred Ninety-Five Dollars ($99,795) to the City of Cameron to assist with Airfield Pavement Maintenance, AWOS and Land Acquisition.

The level of funding originally approved is not sufficient to cover the costs associated with Airfield Pavement Maintenance, AWOS and Land Acquisition and the Commission will grant an additional sum not to exceed Three Hundred Forty-Nine Thousand Three Hundred Twenty Dollars ($349,320). The amount of this grant represents the federal participation of One Hundred Fifty Thousand Dollars ($150,000) at ninety-five percent (95%) and One Hundred Ninety-Nine Thousand Three Hundred Twenty Dollars ($199,320) at ninety percent (90%) of eligible project costs. We provide total matching funds of Thirty Thousand Forty-Two Dollars ($30,042). This amount represents matching funds of Seven Thousand Eight Hundred Ninety-Five Dollars ($7,895) at five percent (5%) and Twenty-Two Thousand One Hundred Forty-Seven Dollars ($22,147) at ten percent (10%) toward the project

RECOMMENDATION

Staff recommends signing the Amendment #1, allowing us to spend Non-Primary Entitlement Grant Funds for the completion of our Airport Pavement Maintenance Project.

Bill 2014-22

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION PROVIDING FOR AMENDMENT NO. 1 TO THE ORIGINAL STATE BLOCK AGREEMENT PROJECT No. 13-013A-1 & 13-013A-2

WHEREAS, the City of Cameron entered into an Agreement with the Missouri Highways and Transportation Commission on October 9, 2013, and executed by the Commission on November 5, 2013, under which the Commission granted the sum not to exceed Ninety-Nine Thousand Seven Hundred Ninety-Five Dollars ($99,795) to assist with Airfield Pavement Maintenance, AWOS and Land Acquisition; and

WHEREAS, the level of funding originally approved is not sufficient to cover the costs associated with Airfield Pavement Maintenance, AWOS and Land Acquisition, and the Commission has sufficient funds to increase the grant amount for Airfield Pavement Maintenance, AWOS and Land Acquisition; and

WHEREAS, the Commission will grant the City of Cameron an additional sum not to exceed Three Hundred Forty-Nine Thousand Three Hundred Twenty Dollars ($349,320) for Airfield Pavement Maintenance, AWOS and Land Acquisition.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI AS FOLLOWS:

Section 1. The Mayor is hereby authorized to execute, on behalf of the City of Cameron, a contract with the Missouri Highways and Transportation Commission providing an amendment to the State Block Agreement.

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

Section 3. City Manager is hereby authorized to sign any ancillary documents as necessary.

Section 4. The Mayor is hereby authorized to sign this Ordinance on behalf of the City of Cameron.

Section 5. This ordinance shall be in full force and effect from and after the date of its passage and approval.

Second and Final Reading

Passed and approved on first reading this 19th day of May 2014.
Passed and approved on second reading this 2nd day of June 2014.
Passed and approved on third and final reading this 2nd day of June 2014.

_____
Mayor Dennis M. Clark

ATTEST:

_____
City Clerk/Finance Clerk

Second and Final Reading

CCO Form: AC10-A
Approved: 05/94 (MLH)
Revised: 12/12 (MWH)
Modified:

Sponsor: City of Cameron
Project No.: 13-013A-1 and 13-013A-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 AGREEMENT AMENDMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and City of Cameron (hereinafter, "Sponsor").

WITNESSETH:

WHEREAS, the parties entered into an Agreement executed by the Sponsor on October 9, 2013, and executed by the Commission on November 5, 2013, (hereinafter, "Original Agreement") under which the Commission granted the sum not to exceed Ninety-Nine Thousand Seven Hundred Ninety-Five Dollars ($99,795) to the Sponsor to assist with Airfield Pavement Maintenance, AWOS and Land Acquisition; and

WHEREAS, the Commission previously approved funds for Airfield Pavement Maintenance, AWOS and Land Acquisition; and

WHEREAS, the level of funding originally approved is not sufficient to cover the costs associated with Airfield Pavement Maintenance, AWOS and Land Acquisition.

WHEREAS, the Commission has sufficient funds to increase the grant amount for Airfield Pavement Maintenance, AWOS and Land Acquisition.

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 Three Hundred Forty-Nine Thousand Three Hundred Twenty Dollars ($349,320) for Airfield Pavement Maintenance, AWOS and Land Acquisition subject to the following conditions:

(A) The amount of this grant stated above represents the federal participation of One Hundred Fifty Thousand Dollars ($150,000) at ninety-five percent (95%) and One Hundred Ninety-Nine Thousand Three Hundred Twenty Dollars ($199,320) at ninety percent (90%) of eligible project costs.

(B) The Sponsor shall provide total matching funds of Thirty Thousand Forty-Two Dollars ($30,042). This amount represents matching funds of Seven Thousand Eight Hundred Ninety-Five Dollars ($7,895) at five percent (5%) and Twenty-Two Thousand One Hundred Forty-Seven Dollars ($22,147) at ten percent (10%) toward the project in addition to those previously committed by the Sponsor in the Original Agreement.

(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 June 30, 2014 or such subsequent date as may be prescribed in writing by the Commission.

(E) Based upon the revised project schedule, the original project time period of September 30, 2014 will be extended to November 30, 2014, to allow for completion of the work. Paragraph (2) of the Original Agreement is hereby amended accordingly.

(F) All other terms and conditions of the Original Agreement 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 ___ day of _____, 20___.

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 CAMERON

By _____

Title _____

By _____

Title _____

Approved as to Form:

_____

Title _____

Ordinance No._____
(if applicable)

CERTIFICATE OF SPONSOR'S ATTORNEY

I, _____, 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 CAMERON

_____
Name of Sponsor's Attorney (typed)

_____
Signature of Sponsor's Attorney

Date _____