

## **BILL NO. 16-255**

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AN ORDINANCE APPROVING ADDENDUM NO. 1 TO FIXED BASE OPERATOR AGREEMENT BETWEEN LEGACY AVIATION, INC. DBA FLYING KC (HEREINAFTER "OPERATOR") AND THE CITY OF LEE'S SUMMIT, MISSOURI (HEREINAFTER "CITY") AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY.

WHEREAS, the City and Operator entered into a Fixed Base Operator Agreement (hereinafter "Original Agreement") for Operator to lease certain premises owned by the City of Lee's Summit and to enable Operator to perform Aeronautical Services as a Fixed Base Operator (FBO) at the airport using said premises; and,

WHEREAS, the Original Agreement included provisions which permitted Operator to operate a Flight School, provide aircraft rental services, aircraft management and consulting services, and aircraft sales, and further provided for obligations on the part of the Operator consistent therewith, including, but not limited to, the provision of insurance coverage consistent with the policies for the same as set for the in the Original Agreement as well as the City's Minimum Standard Requirements for Aeronautical Services; and,

WHEREAS, the City and Operator desire and agree to amend certain provisions of the Fixed Base Operator Agreement specifically to allow Operator the opportunity to procure and provide insurance coverage as required by the Original Agreement as it beings provision of certain services; and,

WHEREAS, the cost of the lease shall not change subject to this Addendum.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That Addendum #1 to the Fixed Base Operator Agreement between Legacy Aviation, Inc. dba Flying KC and the City of Lee's Summit, Missouri, a true and accurate copy of the same being attached hereto as "Exhibit A" and incorporated herein by reference, be and is hereby approved.

SECTION 2. That the City Manager is authorized to execute said Addendum #1 to the Fixed Base Operator Agreement between Legacy Aviation, Inc. dba Flying KC and the City of Lee's Summit, Missouri on behalf of the City of Lee's Summit, Missouri.

SECTION 3. That this ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

SECTION 4. That should any section, sentence, or clause of this ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences or clauses.

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PASSED by the City Council of the City of Lee's Summit, Missouri, this \_\_\_\_day of \_\_\_\_\_, 2016.

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*Mayor Randall L. Rhoads*

ATTEST:

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*City Clerk Denise R. Chisum*

APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2016.

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*Mayor Randall L. Rhoads*

ATTEST:

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*City Clerk Denise R. Chisum*

APPROVED AS TO FORM:

\_\_\_\_\_  
*Staff Attorney  
Sheri Wells*