BILL 2020-29

Second/Final Reading

AGENDA ITEM

To: Mayor and City Council

From: Timothy Wymes, Community Development Director

Date: July 20, 2020

RE: Manion Quality Homes Redevelopment Agreement Amendment

Issues

Manion Quality Homes and Construction, LLC, redevelopment agreement is being amended due to the transfer of ownership. Cameron 36 Property, LLC which is owned and operated by Randy Curnow is seeking to develop a portion of land for expansion. The land is located off of Lana Drive just south of Hwy 36. The redevelopment agreement is to provide TIF incentives to the developer. The original agreement was issued to Manion Quality Homes and Construction, LLC but never activated or used. Cameron 36 Property, LLC is seeking to capitalize on the TIF incentives to assist with the cost of construction.

Recommendation

City Staff recommends approval.

Bill 2020-29

AN ORDINANCE FOR THE CITY OF CAMERON, MISSOURI APPROVING THE DEVELOPMENT AGREEMENT FOR THE REDEVELOPMENT AREA UNDER THE MANION PLAZA REDEVELOPMENT PLAN; AND AUTHORIZING THE EXECUTION OF DOCUMENTS AND THE TAKING OF ACTIONS RELATING THERETO

WHEREAS, the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "**Act**"), authorizes cities to undertake redevelopment projects in blighted, conservation or economic development areas, as defined in the Act; and

WHEREAS, the City of Cameron, Missouri (the "**City**") has duly created the Tax Increment Financing Commission of Cameron, Missouri (the "**TIF Commission**"); and

WHEREAS, the City Council, after recommendation by the TIF Commission, approved, pursuant to Ordinance 5839 dated August, 18, 2014, ("**TIF Ordinance**"), a redevelopment plan titled the "Manion Plaza Redevelopment Plan" (the "**TIF Plan**") pursuant to and in accordance with the Act; and

WHEREAS, pursuant to the Act, the City and the Manion Quality Homes and Construction, LLC entered into a Development Agreement for the Implementation of the Manion Plaza Redevelopment Plan dated August 18, 2014 (the "**Development Agreement**"); and

WHEREAS, pursuant to Section 18(d) and Section 22 of the Development Agreement, Manion Quality Homes and Construction, LLC transferred and assigned all rights under the Development Agreement and property contained in the Redevelopment Area, as said term is used in the TIF Plan, to Cameron 36 Property, LLC (the "**Developer**"); and

WHEREAS, the City and Developer desire to enter into the First Revised and Restated Development Agreement for the implementation of the TIF Plan (the "**Revised and Restated Development Agreement**") setting forth the respective rights and obligations of the City and the Developer with regard to the redevelopment of the Redevelopment Area.

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

Section 1. The City Council selects Cameron 36 Property, LLC as the developer to implement the TIF Plan, determines that the Developer has the qualifications and financial responsibility necessary and adequate to fulfill the obligations under the Revised and Restated Development Agreement, TIF Plan, and the Act, and further finds and determines that it is necessary and desirable to enter into the Revised and Restated Development Agreement with the Developer to implement the Redevelopment Project and redevelop the Redevelopment Area pursuant to the TIF Plan, the Act and the Revised and Restated Development Agreement.

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Section 2. The Mayor is hereby authorized to execute, on behalf of the City, the Development Agreement between the City and the Developer, and the City Clerk is hereby authorized to attest to the Revised and Restated Development Agreement and to affix the seal of the City thereto. The Revised and Restated Development Agreement shall be in substantially the form attached hereto as **Exhibit A,** which Revised and Restated Development Agreement is hereby approved by the City Council, with such changes therein as shall be approved by the officers of the City executing the same.

Section 3. The officers, agents and employees of the City are hereby authorized to execute all documents and take such steps as they deem necessary and advisable in order to carry out and perform the purpose of this Ordinance.

Section 4. The sections of this Ordinance shall be severable. If any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections shall remain valid, unless the court finds that: (a) the valid sections are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the City Council has or would have enacted the valid sections without the void ones; and (b) the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

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

Passed on first reading this 6th day of July 2020.

Passed and approved on final reading this 20th day of July 2020.

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Mayor Pro-Tem Julie Ausmus

ATTEST:

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City Clerk

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