Memo

To: Mayor and City Council

Fr: Shellby Hendee, Development Director

Dt: December 14, 2010

Re: Ordinance, TIF Certification, Commercial Enterprise, L.L.C. (Dr. Gasparovic)

ISSUE

Following completion of construction of Family Foot Healthcare by Commercial Enterprise, L.L.C. as pursuant to the TIF Redevelopment Agreement, Dr. Nancy Gasparovic now submits her Certificate of Substantial Completion and Certificate of Reimbursable Project Costs and Payment Request. These required forms attest that construction was carried out as prescribed and substantiated by documentation; and requests TIF reimbursement over the 23-year TIF term as ordinary taxes are collected.

Although Dr. Gasparovic's actual costs exceed estimates, she does not seek additional TIF reimbursement because she is unlikely to recover costs beyond those already approved within the 23-year TIF term. She is authorized to recover some $163,000 including finance charges, however, estimated real property taxes over the term are unlikely to exceed $150,000.

The City earlier approved TIF reimbursement for professional fees, site preparation and parking lot totaling $95,000. It is understood that these are estimates, however actual total TIF reimbursement cannot exceed $95,000 for these items. It has been accepted practice, and recommend by our TIF attorney, to adjust these values in accordance with actual expenses providing that the total amount does not exceed that approved earlier.

RECOMMENDATION

City Staff recommends that the City Council pass the attached Ordinance approving Substantial Completion and Reimbursable Costs as set forth therein for Commercial Enterprise, L.L.C.

Bill 2010-74

AN ORDINANCE FOR THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI, APPROVING A CERTIFICATE OF SUBSTANTIAL COMPLETION AND REIMBURSABLE PROJECT COSTS IN THE AMOUNT OF $95,000 PLUS FINANCING COSTS IN CONNECTION WITH REDEVELOPMENT PROJECT IV UNDER THE CROSSROADS II TAX INCREMENT FINANCING PLAN, AS AMENDED; AND ACTIONS IN CONNECTION THEREWITH FOR COMMERCIAL ENTERPRISE, L.L.C.

WHEREAS, the Tax Increment Financing Commission of Cameron, Missouri ("TIF Commission") was created by the City of Cameron, Missouri ("City") pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "Act").

WHEREAS, the City Council, pursuant to Ordinance adopted March 2, 2009, and after recommendation by the TIF Commission, approved the Third Amendment to the Crossroads II Tax Increment Financing Plan and the Redevelopment Project IV, adopted tax increment financing for the Redevelopment Project Area IV and selected Commercial Enterprise, LLC as the Developer to implement Redevelopment Project IV under the Redevelopment Plan.

WHEREAS, the City Council, pursuant to Ordinance adopted March 2, 2009, entered into that certain Redevelopment Agreement with the Developer for the implementation of Redevelopment Project IV under the Redevelopment Plan ("Agreement"); and

WHEREAS, the Agreement provided an estimated total project cost of $459,598 for Redevelopment Project IV and that Reimbursable Project Costs could not exceed $95,000 plus financing costs unless approved by the City.

WHEREAS, the Developer has submitted a Certificate of Reimbursement Project Costs in the amount of $95,000 and a total project cost of $477,888 for Redevelopment Project IV.

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

Section 1. Approval of Reimbursable Project Costs. There is hereby approved (i) Reimbursable Project Costs in the amount of $95,000 plus financing costs as provided for in the Agreement, and (ii) the associated Certificate of Reimbursable Project Costs, as set forth as **Exhibit C and Schedule 1**, attached hereto and incorporated herein by reference; provided, that Developer's actual receipt of reimbursement shall be dependent upon the availability of tax

increment financing revenues pursuant to the Redevelopment Plan and the Agreement.

Section 2. **Authorization**. The Mayor and the City Manager are each hereby authorized to execute the Certificate of Reimbursable Project Costs and the Certificate of Substantial Completion, attached hereto and incorporated herein, for and on behalf of and as the act and deed of the City. The Mayor is further authorized to sign this Ordinance, approving it on behalf of the City.

Section 3. Further Authority. All actions heretofore taken by the authorized representatives, agents and employees of the City in connection with the transaction contemplated by this Ordinance are hereby ratified and confirmed, and the City shall, and the representatives, agents and employees of the City are hereby authorized to, take such further action, and execute and deliver such other documents and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

Section 4. Effective Date. This Ordinance shall take effect and be in full force upon its passage by the City Council.

Read two times, passed and approved this 20th day of December 2010.

_____
Mayor Dennis M. Clark

ATTEST:

_____
City Clerk

EXHIBIT A

CERTIFICATE OF REIMBURSABLE PROJECT COSTS

(Attached hereto.)