

BILL NO. 16-235

AN ORDINANCE APPROVING A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND PREMIERLIFE REAL ESTATE HOLDINGS, A MISSOURI NOT FOR PROFIT CORPORATION, OUTLINING THE TERMS AND CONDITIONS OF THE PROPERTY ACQUISITION BY THE CITY OF LEE'S SUMMIT, MISSOURI FOR USE AS THE LOCATION OF A NEW FIRE STATION NO. 3 GENERALLY LOCATED ON NW PRYOR ROAD IN LEE'S SUMMIT, MISSOURI.

WHEREAS, the City of Lee's Summit (hereinafter "City") has determined, in part through its Fire Department Standards of Cover, that the current Fire Station No. 3 located at the northwest corner of NW Pryor Road and NW 3rd Street is no longer able to adequately meet the needs of the service area; and,

WHEREAS, in response to the observations in the Fire Department Standards of Cover and related analyses regarding the current Fire Station No. 3, as well as other identified public safety needs of the City, a proposed no tax increase bond initiative has been placed on the November 8, 2016 ballot which, if passed, would in part provide funding for the replacement of the current Fire Station No. 3, and,

WHEREAS, due to constraints of the property where Fire Station No. 3 is currently located, it will be necessary to relocate the proposed replacement Fire Station No. 3 at an alternate location within the service area if the proposed bond initiative is passed; and,

WHEREAS, PremierLife is the owner of certain property located on NW Pryor Road in Lee's Summit within the service area; and,

WHEREAS, contingent upon the passage of the aforementioned bond initiative, City and PremierLife have negotiated the terms and conditions concerning the transfer of a parcel of property from PremierLife to City for the purpose of constructing a new Fire Station No. 3, in exchange for certain considerations to be provided by City to PremierLife; and,

WHEREAS, City and PremierLife have reduced said considerations to writing in the form of a Memorandum of Understanding, attached hereto as Exhibit "A" and incorporated herein by reference; and,

WHEREAS, City and PremierLife wish to enter into said Memorandum of Understanding so that, in the event that the aforementioned bond initiative is successful, the process of transferring said parcel of property and related actions on the part of the City may begin expeditiously.

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

SECTION 1. That the Memorandum of Understanding by and between the City of Lee's Summit, Missouri and PremierLife Real Estate Holdings, attached hereto as Exhibit "A" and incorporated herein by reference be and the same is hereby approved.

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SECTION 2. That the City Manager and the Mayor are authorized to execute said Exhibit "A" as well as any related documents to effectuate the transfer of property and fulfillment of administrative obligations contemplated therein, as otherwise provided by law or ordinance, by and 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.

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2016.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED by the Mayor of said city this _____ day of _____, 2016

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:

Chief Counsel of Management and Operations/Deputy City Attorney
Jackie McCormick Heanue