

## **BILL NO. 22-146**

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AN ORDINANCE APPROVING THE FIRST AMENDMENT TO THE AMENDED AND RESTATED DEVELOPMENT STRUCTURE AGREEMENT AMONG THE CITY OF LEE'S SUMMIT, MISSOURI, LANE4 DEVELOPMENT GROUP, INC., AND BIEDERMAN REDEVELOPMENT VENTURES FOR THE DOWNTOWN MARKET PLAZA PROJECT.

WHEREAS, the City has engaged in planning and preparation efforts to proceed with the Downtown Lee's Summit Market Center Project (the "**Downtown Market Center Project**") which is generally planned to be located in an area bounded by 2nd Street on the north, 3rd Street on the South, Green Street on the west and Johnson Street on the east, and extending across Green Street into the area that currently serves as the Civic Plaza for City Hall (collectively the "**Redevelopment Area**"); and,

WHEREAS, the City and the Downtown Community Improvement District collaborated to form a seven-member selection committee (the "**Selection Committee**") which was charged with reviewing responses to a request for qualifications (the "**RFQ**") that was issued by the City to solicit statements of qualifications for a private developer of the Project that would partner with the City for design and construction of the Project and a manager of the Project who would have primary responsibility for managing the public components of the Project and integrating the public and private uses; and,

WHEREAS, the Selection Committee thereafter conducted interviews of the most qualified applicants during December 2020, ranked the most qualified applicants for the positions, and thereafter recommended to the City that Lane4 Development Group, Inc., and Biederman Redevelopment Ventures should be selected as the Developer and the Manager, respectively, for the Downtown Market Center Project; and,

WHEREAS, the parties executed the original Development Structure Agreement on May 21, 2021; and,

WHEREAS, the parties executed an Amended and Restated Development Structure Agreement dated January 4, 2022, for the purpose of accomplishing additional tasks including authorization to execute an Architect Contract with GLMV, which is the company that the City and Developer jointly selected as the most qualified architect company for this work, authorize the expenditure of funds to conduct a structural analysis of the Ice House structure, and authorize the expenditure of additional funds within the parameters of the City's current Procurement Policy for additional services that may be needed as the project continues; and,

WHEREAS, the City Council now desires to approve a First Amendment to the Amended and Restated Development Structure Agreement for the purpose of continuing to work on the items discussed above for the planning and preparation of the Downtown Market Center Project.

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

SECTION 1. The First Amendment to the Amended and Restated Development Structure Agreement among the City, Lane4 Development Group, Inc., and Biederman Redevelopment Ventures, which is attached hereto as **Exhibit A** and incorporated herein by reference, is hereby approved and the City Manager is authorized and directed to execute the First Amendment in substantial compliance with the attached version.

**BILL NO. 22-146**

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SECTION 2. City officers and agents of the City are each hereby authorized and directed to take such action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance and the Development Structure Agreement.

SECTION 3. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, adoption, and approval by the Mayor.

PASSED by the City Council of the City of Lee's Summit, Missouri, this \_\_\_\_ day of July, 2022.

\_\_\_\_\_  
Mayor *William A. Baird*

ATTEST:

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this \_\_\_\_\_ day of July, 2022.

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Mayor *William A. Baird*

ATTEST:

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney *Brian W. Head*

**BILL NO. 22-146**

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EXHIBIT A

FIRST AMENDMENT TO THE AMENDED AND RESTATED  
DEVELOPMENT STRUCTURE AGREEMENT

[ATTACHED]