

## **BILL NO. 23-144**

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AN ORDINANCE APPROVING AN LCRA REDEVELOPMENT AGREEMENT BETWEEN KEVIN HIGDON, LLC, AND THE CITY OF LEE'S SUMMIT, MISSOURI, FOR THE KEVIN HIGDON CONSTRUCTION LCRA REDEVELOPMENT PROJECT.

WHEREAS, Ordinance No. 8460 was approved by the City Council on September 20, 2018 for the Kevin Higdon Construction LCRA Redevelopment Project located at 1450 SE Broadway Drive (the "Redevelopment Project" or "Project") to be undertaken by Kevin Higdon Construction, LLC (the "Company") pursuant to the Land Clearance for Redevelopment Authority Act set forth in Sections 99.300 to 99.715, RSMo (the "LCRA Act"); and,

WHEREAS, the Company has undertaken redevelopment and rehabilitation of the Redevelopment Project; and,

WHEREAS, Ordinance 8460 requires a redevelopment agreement to be approved and executed prior to the issuance of a Certificate of Qualification for Tax Abatement; and,

WHEREAS, the redevelopment agreement shall establish performance measures regarding the minimum level of investment for the project, job creation benchmarking, and provisions regulating any change in the use of the property while said abatement is in effect; and,

WHEREAS, the Company has completed the redevelopment project and is requesting the approval and execution of the proposed development agreement in order to allow for the issuance of the Certificate of Qualification for Tax Abatement.

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

SECTION 1. The Redevelopment Agreement (LCRA) for the Kevin Higdon Construction Redevelopment Project between City of Lee's Summit, Missouri, and Kevin Higdon Construction, LLC, 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 an agreement in substantial compliance with the attached agreement.

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.

SECTION 3. 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. 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 \_\_\_\_\_, 2023.

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

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

APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2023.

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

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

APPROVED AS TO FORM:

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

**EXHIBIT A**  
**REDEVELOPMENT AGREEMENT**

*[Attached]*