

BILL NO. 24-177

AN ORDINANCE APPROVING THE REDEVELOPMENT AGREEMENT AND LEASE AGREEMENT FOR THE BAYBERRY CROSSING REDEVELOPMENT PROJECT.

WHEREAS, the City of Lee's Summit, Missouri (the "City") is a charter city and a political subdivision of the State of Missouri, duly created, organized and existing under and by virtue of the Constitution and laws of the State of Missouri; and,

WHEREAS, pursuant to the Land Clearance for Redevelopment Act set forth in Sections 99.400 through 88.715, RSMo ("LCRA Act"), Bayberry Crossing Baceline, LLC (the "Developer") submitted the Bayberry Crossing LCRA Redevelopment Plan to the City (the "LCRA Redevelopment Plan"); and,

WHEREAS, on February 28, 2024 after the posting of proper notice of the consideration of this issue and after all parties in interest were provided the opportunity to be heard, the Land Clearance for Redevelopment Authority Board of Commissioners (the "LCRA") considered the LCRA Redevelopment Plan, and thereafter the LCRA adopted Resolution 2024-1, which recommended that the City Council approve the LCRA Redevelopment Plan, make the required findings to adopt the LCRA Redevelopment Plan, designate Developer as the developer of record for the LCRA Redevelopment Plan, and delegated to the City all of the authority, powers and functions of the LCRA as granted to the LCRA under the LCRA Act with respect to the planning and undertaking of the LCRA Plan and the land clearance project authorized therein within the Redevelopment Area, and the City will thereby be authorized to carry out and perform such authority, powers and functions for the LCRA; and,

WHEREAS, on March 26, 2024, at a public meeting of the City Council, after due notice in accordance with the Act, the City Council held a public hearing at which all interested persons were afforded an opportunity to make comments, file written objections, protests and be heard orally regarding adoption of the LCRA Redevelopment Plan, and then the City Council considered the LCRA Redevelopment Plan, the recommendation of the LCRA, the recommendations of City staff and consultants and considered the public objections, protests, comments and other evidence; and,

WHEREAS, on March 26, 2024, the City Council held a public hearing regarding the formation of the Bayberry Crossing Community Improvement District at which all interested persons were afforded an opportunity to make comments, file written objections, protests and be heard orally regarding adoption of the community improvement district; and

WHEREAS, on April 9, 2024, the City Council passed Ordinance No. 9886 and 9887 which approved the Bayberry Crossing Community Improvement District and the Bayberry Crossing LCRA Redevelopment Plan, respectively, and the City Council now desires to approve documents to implement the LCRA Plan and the CID.

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

SECTION 1. The Redevelopment Agreement, a copy of which is attached hereto as Exhibit A and incorporated herein by reference, and the Lease Agreement, a copy of which is attached hereto as Exhibit B and incorporated herein by reference, are hereby approved in substantial form

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with the attached exhibits, and the City Manager and Mayor are authorized and directed to execute the Redevelopment Agreement and Lease Agreement in substantial compliance with the attached documents.

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. 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 for the City of Lee's Summit, Missouri, this _____ day of _____, 2024.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2024.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*

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EXHIBIT A

REDEVELOPMENT AGREEMENT

[See attached]

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EXHIBIT B

LEASE AGREEMENT

[See attached]