

AN ORDINANCE APPROVING A REDEVELOPMENT AGREEMENT AND A COOPERATION AND TRANSPORTATION PROJECT AGREEMENT IN CONNECTION WITH THE LAKEPORT VILLAGE TAX INCREMENT FINANCING REDEVELOPMENT PLAN.

WHEREAS, the Board of Aldermen has approved the “Lakeport Village Tax Increment Financing Redevelopment Plan” and the “Redevelopment Project” described therein; and

WHEREAS, the Lakeport Village Community Improvement District (the “CID”) and the Lakeport Village Transportation Development District (the “TDD”) will be created in connection with the implementation of the Lakeport Village Tax Increment Financing Redevelopment Plan; and

WHEREAS, Section 70.220 of the Revised Statutes of Missouri authorizes the City to cooperate with other political subdivisions and political entities for the planning, development, construction, acquisition or operation of any public improvement or facility; and

WHEREAS, the City desires to enter into a Redevelopment Agreement in substantially the form of Exhibit A attached hereto (the “Redevelopment Agreement”) with Lakeport Village LLC (the “Developer”) with respect to the availability of tax increment financing assistance in connection with the Redevelopment Project; and

WHEREAS, the City desires to enter into a Cooperation and Transportation Project Agreement in substantially the form of Exhibit E to the Redevelopment Agreement (the “Cooperation Agreement”) with the Developer, the CID and the TDD to set forth the terms and conditions upon which certain portions of the Redevelopment Project will be financed, constructed and maintained;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI, AS FOLLOWS:

Section 1. Approval of Agreements. The Board of Aldermen hereby finds and determines that it is necessary and desirable to enter into the Redevelopment Agreement and the Cooperation Agreement in connection with the Redevelopment Project. The Mayor is hereby authorized and directed to execute the Redevelopment Agreement and the Cooperation Agreement on behalf of the City. The City Clerk is hereby authorized and directed to attest to the Redevelopment Agreement and the Cooperation Agreement and to affix the seal of the City thereto. The Redevelopment Agreement shall be in substantially the form attached as Exhibit A, which Redevelopment Agreement is hereby approved by the Board of Aldermen with such changes therein as shall be approved by the officers of the City executing the same. The Cooperation Agreement shall be in substantially the form attached as Exhibit E to the Redevelopment Agreement, which Cooperation Agreement is hereby approved by the Board of Aldermen with such changes therein as shall be approved by the officers of the City executing the same.

EXHIBIT A

REDEVELOPMENT AGREEMENT

EXHIBIT E

COOPERATION AGREEMENT

Section 2. Further Authority. The officers of the City are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable to carry out and perform the purposes of this Ordinance and to make ministerial alterations, changes or additions to the documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 3. Severability. The sections of this Ordinance shall be severable. If any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections shall remain valid, unless the court finds that: (a) the valid sections are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the Board of Aldermen has or would have enacted the valid sections without the void one; and (b) the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after the date of passage and approval of the Mayor.

READ FIRST TIME: June 1, 2023 READ SECOND TIME: June 15, 2023

I hereby certify that Ordinance No. 23.47 was duly passed on June 15, 2023, by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes:	6	Nays:	0
Abstentions:	0	Absent:	0

This Ordinance is hereby transmitted to the Mayor for his signature.

June 15, 2023
Date

Tara Berreth
Tara Berreth, City Clerk

Approved as to form:

Cole Bradbury
Cole Bradbury, City Attorney

I hereby approved Ordinance No.23.47.

Michael Harmison
Michael Harmison, Mayor

June 15, 2023
Date

Tara Berreth
Tara Berreth, City Clerk