COUNCIL BILL NO. 2023-509 ORDINANCE NO.

AN ORDINANCE approving the Second Amendment to the 32nd Street Place Tax Increment Financing Redevelopment Plan; approving a Side Letter Agreement for the Implementation of Redevelopment Project 4; approving a Side Letter Agreement for the Implementation of Redevelopment Project 5; authorizing the City Manager to execute the Agreements on behalf of the City of Joplin; and containing an emergency clause.

WHEREAS, on December 28, 2020, the City Council of the City of Joplin, Missouri (the "City") adopted Ordinance No. 2020-210 approving the 32nd Street Place Tax Increment Financing Redevelopment Plan (the "Redevelopment Plan"), all pursuant to the provisions of the Real Property Tax Increment Allocation Act, Sections 99.800 to 99.865, RSMo (the "Act"); and

WHEREAS, on August 1, 2022, the City Council adopted Ordinance No. 2022-122 approving the First Amendment to the Redevelopment Plan to reconfigure the boundaries of Redevelopment Project Areas 3 and 4; and

WHEREAS, a proposed Second Amendment to the Redevelopment Plan (the "Second Amendment") to reinstate a proposed movie theater into Redevelopment Project Area 4 was submitted to the Joplin Tax Increment Financing Commission (the "Commission") for consideration; and

WHEREAS, notice of a public hearing on April 27, 2023, before the Commission to discuss the proposed Second Amendment was provided in accordance with the provisions of the Act; and

WHEREAS, a public hearing before the Commission was held on April 27, 2023, and at the public hearing all interested parties were provided with an opportunity to present evidence and testimony regarding the Second Amendment and, on said date, the Commission having heard and considered the objections, protests, comments and other evidence adduced at the public hearing, closed the public hearing and voted to adopt a resolution recommending to the City Council that the Second Amendment to the 32nd Street Place Tax Increment Financing Redevelopment Plan be approved and adopted; and

WHEREAS, a Side Letter Agreement for the Implementation of Redevelopment Project 4 Under the Redevelopment Plan between the City, Woodsonia Joplin, LLC, and the 32nd Street Theatre Community Improvement District has been negotiated and drafted for approval by the parties; and

WHEREAS, a Side Letter Agreement for the Implementation of Redevelopment Project 5 Under the Redevelopment Plan between the City, HDDA-Joplin, LLC, Woodsonia Joplin, LLC, and the 32nd Street Place Community Improvement District has been negotiated and drafted for approval by the parties; and

WHEREAS, the City Council having considered the evidence and testimony submitted at the Commission public hearing and the recommendations of the Commission, desires to approve the Second Amendment to the 32nd Street Place Tax Increment Financing Redevelopment Plan, approve the Side Letter Agreement for the Implementation of Redevelopment Project 4, approve the Side Letter Agreement for the Implementation of Redevelopment Project 5 and authorize the City Manager to execute the Agreements on behalf of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That Second Amendment to the 32nd Street Place Tax Increment Financing Redevelopment Plan, a copy of which is attached hereto as Exhibit "A", is hereby approved and adopted.

Section 2. That the Side Letter Agreement for the Implementation of Redevelopment Project 4 Under the 32nd Street Place Tax Increment Financing Redevelopment Plan attached hereto as Exhibit "B" is approved and the City Manager is authorized to execute said Agreement on behalf of the City.

Section 3. That the Side Letter Agreement for the Implementation of Redevelopment Project 5 Under the 32nd Street Place Tax Increment Financing Redevelopment Plan is approved in substantially the form attached hereto as Exhibit "C" and the City Manager is authorized to execute said Agreement on behalf of the City.

Section 4. This Ordinance relating to the Second Amendment to the 32nd Street Place Tax Increment Financing Redevelopment Plan, the Side Letter Agreement for the Implementation of Redevelopment Project 4 Under the 32nd Street Place Tax Increment Financing Redevelopment Plan, and the Side Letter Agreement for the Implementation of Redevelopment Project 5 Under the 32nd Street Place Tax Increment Financing Redevelopment Plan is declared by the City Council to be an emergency within this meaning of Section 2.12, subparagraph (6), of the Home Rule Charter of the City of Joplin, Missouri, and as such shall become effective immediately upon its passage. This Ordinance needs to be approved to advance the project.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day

of _____, 2023, by a vote of _____.

_____
Douglas W. Lawson, Mayor

ATTEST:

_____
Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____

Peter C. Edwards, City Attorney

Exhibit A

Second Amendment to the 32nd Street Place Tax Increment Financing Redevelopment Plan

[see attached]

Exhibit B

Side Letter Agreement for the Implementation of Redevelopment Project 4 Under the 32nd Street Place Tax Increment Financing Redevelopment Plan

[see attached]

Exhibit C

Side Letter Agreement for the Implementation of Redevelopment Project 5 Under the 32nd Street Place Tax Increment Financing Redevelopment Plan

[see attached]