

**COMMUNITY DEVELOPMENT AGENCY
LEXINGTON NEBRASKA
July 24, 2017**

A Regular Meeting of the Community Development Agency was held Monday, July 24, 2017, at Lexington City Hall, located at 406 East 7th Street, Lexington, Nebraska at 5:30 p.m. Members present were Seth McFarland, Abby Brecks, Gail Hall, Steve Smith, Kory Cetak, Jason Fagot and John Fagot. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Brian Copley and City Clerk Pamela Baruth. The press was represented by KRVN.

NOTICE: Notice of the meeting was given in advance notice, thereof by publication in the Lexington Clipper-Herald, the designated method for giving notice, as shown by the Affidavit of Publication attached to these Minutes. The proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. All items presented and discussed on the Agenda were available for public inspection.

CALL TO ORDER: The meeting was called to order by Chairman McFarland who informed the public that the Open Meetings Act is posted in the Council Chambers at the Lexington City Hall, located at 406 E. 7th Street, Lexington, Nebraska.

MINUTES – REGULAR MEETING 6-19-17: Minutes of the regular meeting held Monday, June 19, 2017, were presented. Moved by Smith, seconded by Brecks, to approve the minutes as presented. Roll call. Voting “aye” were John Fagot, Jason Fagot, Cetak, Hall, Brecks, Smith, McFarland. Motion carried.

REDEVELOPMENT AGREEMENT: Peplitsch presented a Redevelopment Agreement for the Row Development Project in the Southwest 1st Subdivision. Peplitsch reviewed the responsibilities and funding of the CDA and the Redevelopers. Following discussion, Resolution No. 2017-09 was presented. Moved by Jason Fagot, seconded by Smith, to approve Resolution No. 2017-09 as presented. Roll call. Voting “aye” were John Fagot, Cetak, Hall, Brecks, Smith, Jason Fagot, McFarland. Motion carried.

RESOLUTION No. 2017-09

(Redevelopment Agreement—The Row Redevelopment Project)

A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF LEXINGTON, NEBRASKA, APPROVING THE REDEVELOPMENT AGREEMENT FOR THE ROW REDEVELOPMENT PROJECT AND AUTHORIZING THE USE OF TAX INCREMENT FINANCING FOR SAID PROJECT AND THE SALE OF THE REDEVELOPMENT AREA TO THE REDEVELOPERS.

RECITALS

- A. The Community Development Agency of Lexington, Nebraska (the “CDA”) has been established and authorized to undertake redevelopment activities and administer the programs and benefits available under the Community Development Law of the State of Nebraska, codified at Neb. Rev. Stat. § 18-2101, et. seq., as amended (the “Act”).
- B. The Redevelopment Plan for Redevelopment Area #5, as amended, includes a redevelopment project referred to as the Row Redevelopment Project (the “Project”).

- C. The CDA has prepared a redevelopment agreement that will implement and govern the Project (the “Redevelopment Agreement”), a copy of which is attached as Exhibit “A” and incorporated herein by this reference.
- D. The CDA has determined that the Project would not be economically feasible as designed without the use of tax increment financing; the Project as designed would not occur in the Redevelopment Area without the use of tax increment financing; and the Project is in the long-term best interests of the community.

NOW THEREFORE, BE IT RESOLVED, that the CDA does hereby approve and adopt the Redevelopment Agreement.

BE IT FURTHER RESOLVED, that the CDA hereby authorizes the chairperson of the CDA to execute and enter into the Redevelopment Agreement on the CDA’s behalf and to take all actions necessary to carry out and implement the Redevelopment Agreement, including without limitation the issuance of TIF Indebtedness and the sale of the Redevelopment Area from the CDA to the Redevelopers, as set forth in the Redevelopment Agreement.

The CDA hereby rescinds any other resolutions or actions that are contradictory or incompatible with this Resolution.

DATED this 24th day of July, 2017

CONTRACT: Peplitsch reviewed a contract for labor associated with construction of speculative housing in the Northwest Fifth Addition. He reported that Brad Stallbaumer presented the lowest labor costs to build 3 speculative homes, with the CDA acting as the general contractor. Moved by Smith, seconded by Hall, to authorize the CDA chairman to enter into the New Home Construction Agreement as presented. Roll call. Voting “aye” were John Fagot, Jason Fagot, Cetak, Brecks, Hall, Smith, McFarland. Motion carried.

AGREEMENT: Peplitsch reviewed a draft agreement with the CED for speculative housing construction funding. The agreement is for a \$100,00 loan at 0% interest to be repaid upon the sale of each spec home; he noted that the specific terms associated with the repayment need be better clarified. Following discussion, moved by John Fagot, seconded by Brecks, to authorize the CDA chairman to enter into an agreement with CED as presented, upon clarification of the repayment section. Roll call. Voting “aye” were Jason Fagot, Cetak, Smith, Hall, Brecks, John Fagot, McFarland. Motion carried.

ROUNDTABLE: Peplitsch gave an update on other current projects.

ADJOURNMENT: There being no further business to discuss, Chairman McFarland declared the meeting adjourned.

Respectfully submitted,
Pamela Baruth
CDA Secretary