

**COMMUNITY DEVELOPMENT AGENCY
LEXINGTON NEBRASKA
May 17, 2021**

A Regular Meeting of the Community Development Agency was held Monday, May 17, 2021, at Lexington City Hall, located at 406 East 7th Street, Lexington, Nebraska at 5:30 p.m. Members present were Kory Cetak, Seth McFarland, Gail Hall, Steve Smith, Jason Fagot, and John Fagot. Chris Denker was absent. City Officials present were City Manager Joe Pepplitsch, Assistant City Manager Dennis Burnside, City Attorney Brian Copley, Finance Director Barb Hodges and Secretary Pamela Baruth. The press was represented by Clipper-Herald.

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 Chair Cetak 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 4-19-2021: Minutes of the Regular meeting held Monday, April 19, 2021, were presented for consideration. Moved by John Fagot, seconded by Smith, to approve the minutes as presented. Roll call. Voting “aye” were McFarland, Jason Fagot, Hall, Smith, John Fagot, Cetak. Motion carried.

RESOLUTION: Pepplitsch reviewed a proposed redevelopment plan with Brian Levander for construction of a commercial building in Redevelopment Area #1, outlining responsibilities of the developer and CDA, as well as minor revisions to the completion timeline. Following discussion, Resolution No. 2021-06 was presented. Moved by John Fagot, seconded by Jason Fagot, to approve Resolution No. 2021-06. Roll call. Voting “aye” were Hall, Smith, McFarland, Jason Fagot, John Fagot, Cetak. Motion carried.

RESOLUTION NO. 2021-06

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

RECITALS

WHEREAS 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”).

WHEREAS the Redevelopment Plan for Redevelopment Area #1, as amended, includes a redevelopment project referred to as the Levander Redevelopment Project (the “Project”).

WHEREAS the CDA has prepared a redevelopment contract that will implement and govern the Project (the “Redevelopment Contract”), a copy of which is attached as **Exhibit “A”** and incorporated herein by this reference.

WHEREAS 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 BY THE BOARD OF THE COMMUNITY DEVELOPMENT AGENCY OF LEXINGTON, NEBRASKA:

Section 1. That the CDA does hereby approve and adopt the Redevelopment Contact.

Section 2. That the CDA hereby authorizes the chairperson of the CDA to execute and enter into the Redevelopment Contact on the CDA’s behalf and to take all actions necessary to carry out and implement the Redevelopment Contract, including without limitation the issuance of TIF Indebtedness and the sale of the Redevelopment Area from the CDA to the Redeveloper, as set forth in the Redevelopment Contract.

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

PASSED AND APPROVED this 17th day of May, 2021.

DEVELOPMENT AGREEMENT: Pepplitsch reviewed a proposed development agreement with the City of Lexington and Lacy Construction Company. He stated the agreement authorizes the CDA to convey of up to 40 housing lots to the developer for construction of workforce housing over a twenty-four-month period. Following discussion, moved by Smith, seconded by Jason Fagot, to approve the development agreement and to authorize the execution of necessary documents. Roll call. Voting “aye” were John Fagot, Hall, McFarland, Jason Fagot, Smith, Cetak. Motion carried.

ROUNDTABLE DISCUSSION: Pepplitsch gave an update on current projects and upcoming agenda items.

ADJOURNMENT: There being no further business to discuss, Chair Cetak declared the meeting adjourned.

Respectfully submitted,
Pamela Baruth
CDA Secretary