



**TIRZ #4 BOARD COMMUNICATION**

March 22, 2016

**SUBJECT:** Revised Construction, Funding and Development Agreement by and Between the City of Euless, the Board of Directors of Tax Increment Reinvestment Zone Number Four and the CADG 901 AIRPORT FREEWAY, LLC

**SUBMITTED BY:** Loretta Getchell, City Manager

**REFERENCE NO:** Resolution No. 2016-02

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**ACTION REQUESTED:**

Consider approval of Resolution No. 2016-02 TIRZ #4, approving a revised Construction, Funding and Development Agreement (CFDA) with the City of Euless and CADG 901 AIRPORT FREEWAY, LLC and rescinding the Agreement as approved on January 27, 2016.

**ALTERNATIVES:**

- Table the request
- Deny the request

**SUMMARY OF SUBJECT:**

Staff is requesting that the Board consider approval of Resolution #2016-02 which would approve a revised CFDA and would rescind the CFDA approved by the TIRZ #4 Board of Directors on January 27, 2016.

Subsequent to the initial approval, staff and the Developer continued discussions regarding the terms of the Promissory Note required pursuant to Section 3.07. Staff recommends amending the CFDA to include provisions requiring additional security and collateral.

Additionally, staff is recommending clarification in the CFDA regarding the terms of delivery and payment for Authorized Improvements under Section 6.01 and the related requirement that funds be set aside for a Debt Service Reserve.

Staff is not recommending any change regarding the amount of the Improvements to be funded or the nature of the improvements to be funded. Staff recommends approval of the revised Construction, Funding and Development Agreement.

**SUPPORTING DOCUMENTS:**

- Resolution No. 2016-02 TIRZ #4
- Revised Construction Funding and Development Agreement – Redline
- Revised Construction Funding and Development Agreement – Final

**APPROVED BY:**

\_\_\_\_\_ **LG** \_\_\_\_\_ City Manager's Office

\_\_\_\_\_ **LW** \_\_\_\_\_ City Secretary's Office