

Subject: Fwd: Correspondence for the TIF Commission
From: Heather Cole <heather.cole@como.gov>
To: Jeremy Root <Jar281@nyu.edu>
Time: Tuesday, October 17, 2017 1:45:50 PM GMT-06:00

----- Forwarded message -----

From: **Heather Cole** <heather.cole@como.gov>
Date: Tue, Oct 3, 2017 at 3:34 PM
Subject: Correspondence for the TIF Commission
To: Andrew Beverley <andrew.beverley@columbiabancshares.com>, Andy Waters <awaters36@gmail.com>, Christine King <chking@cpsk12.org>, "Ernie Wren, III" <erniewren@gmail.com>, Heather Cole <Heather.Cole@como.gov>, Helen Wade <hwade@cpsk12.org>, "John G. Clark" <jgclark@mchsi.com>, June Pitchford <jpitchford@booncountymo.org>, Ken Pearson <Kmpearson11@gmail.com>, Lynn Cannon <LMCANNON@gocolumbiamo.com>, Maria Oropallo <maria.oropallo@gmail.com>, Martin Ghafoori <ghafoorim@stifel.com>, Melissa Carr <mcarr@dbrl.org>, Michael Kelly <michael.kelly@lssliving.org>, Nancy Thompson <Nancy.Thompson@como.gov>, Paul Cushing <pcushing@cpsk12.org>, "Tony St. Romaine" <Tony.St.Romaine@como.gov>

Good afternoon,
Please see the attached correspondence received today from Brown Willbrand P.C. to the TIF Commission.

Thanks,
Heather Cole
Assistant to the City Manager
Vision Zero Program Manager
City of Columbia
701 E. Broadway - 2nd Floor
Columbia, MO 65201
Phone: [573.874.6338](tel:573.874.6338)
Fax: [573.442.8828](tel:573.442.8828)

BW BROWN WILLBRAND, P.C.
Attorneys at Law

E.M. Brown (1926-1980)
H.C. Willbrand
B. Daniel Simon
James M. Powell
Marjorie M. Lewis
Karen E. Hajicek
R. Caleb Colbert
Jordan C. Dillender

601 E. Broadway, Ste. 203
Executive Building
P.O. Box 1304
Columbia, MO 65205
T 573-442-3181
F 573-874-3796
www.brownwillbrand.com
mlewis@brownwillbrand.com

October 3, 2017

Tax Increment Financing Commission
Attn: Lynn Canon, Staff Liaison
City of Columbia
PO Box 6015
701 East Broadway
Columbia, MO 65205

Via Hand Delivery

Re: The Broadway Hotel – Request for TIF for second hotel tower

Dear Commission Members:

This firm represents QuesTec Constructors, Inc., in the matter of *Highland Glass, Inc., Plaintiff, vs. Killian Construction Co., Broadway Lodging, LLC, et al.*, in the Circuit Court of Boone County, Missouri, Case No. 14BA-CV02717. In such action, QuesTec, along with other subcontractors, and the general contractor, are seeking a total of approximately \$3,002,271.92 for their work on The Broadway Hotel. QuesTec, located in Columbia, Missouri, specifically is seeking, among other things, payment of \$244,862.58 plus interest, attorneys' fees and expenses, for work it completed in 2014.

The Broadway Hotel now seeks some \$2 million in tax increment financing to partially fund a second hotel downtown. It plans to construct a \$20 million expansion, with a 73,000 square-foot, seven story tower, at 1104 E. Walnut Street, across from the current hotel tower at 1111 E. Broadway. It has been reported that The Broadway Hotel is also considering making a separate request for a community improvement district.

A public hearing with the Commission is scheduled for the TIF request on October 4, 2017. The Commission, will then eventually make a recommendation to the City Council regarding the TIF application.

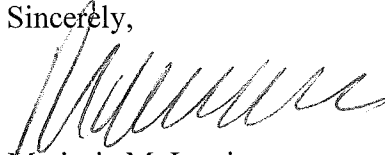
QuesTec asks that the Commission in its consideration of the TIF request, to the extent proper to do so, keep in mind the fact that substantial sums are claimed to be outstanding on the

Page 2

original hotel building. The public has a right to expect that a project owner which uses TIF funds, should not have a prior project for which subcontractors, including local subcontractors, still claim to be due substantial sums.

Should the Commission have any questions, please let me know. Your consideration of this matter is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Marjorie M. Lewis", written in a cursive style.

Marjorie M. Lewis