

PUBLIC MEETING NOTICE

MEETING OF THE BOARD OF DIRECTORS OF THE KANSAS CITY MAIN STREET RAIL TRANSPORTATION DEVELOPMENT DISTRICT

**MONDAY JULY 20, 2020 AT 5:00 P.M.
3931 MAIN STREET (MIDTOWN KC NOW)
KANSAS CITY, MISSOURI 64111**

A meeting of the Board of Directors of The Kansas City Main Street Rail Transportation Development District will take place on Monday July 20, 2020 beginning at 5:00 p.m., at 3931 Main Street (Midtown KC Now), Kansas City, Missouri 64111.

NOTE: In light of the COVID-19 virus and the existing State of Emergency, the Board meeting will be held remotely by video conference. Board members and citizens wishing to participate should do so through the video conference platform Zoom, using this link

<https://us02web.zoom.us/j/89849818664?pwd=bEJ3YlQ4K0tnTXBsU2VHS0lWU0IxZz09>

Meeting ID: 898 4981 8664 Password: 164900

Or Dial-In 1 (312) 626-6799 Code 87208063301# Password: 164900

One Tap Mobile 13126266799,,89849818664#,,,0#,,164900# US (Chicago)

TENTATIVE AGENDA

I. CALL TO ORDER

II. NEW BUSINESS

- A. Establishment of Special Assessment Zone Boundary and Finding Special Benefits To Property Within Such Zone (Resolution 2020-1)
- B. Approval of Minutes of September 18, 2019 Meeting (Resolution 2020-2)
- C. Approval of Minutes of December 10, 2019 Meeting (Resolution 2020-3)
- D. Approval of Minutes of June 16, 2020 Meeting (Resolution 2020-4)
- E. Public Comments (Please limit to 2 minutes)

III. OTHER BUSINESS

NOTE: Pursuant to Section 610.021(1), RSMo, there may be a closed session to discuss legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

This is an open meeting and the public is invited to observe the meeting using the Zoom platform and link set forth above. Any person with a disability desiring reasonable accommodation to participate in this meeting should contact Crissy Dastrup at 580-678-3123 at least 24 hours prior to the meeting.

I certify that a copy of this notice was posted on the door of the District's principal office at 3931 Main Street (Midtown KC Now), Kansas City, Missouri 64111, at ____ AM/PM on July __, 2020.

By: _____

Printed Name: _____

**KANSAS CITY MAIN STREET RAIL
TRANSPORTATION DEVELOPMENT DISTRICT**

RESOLUTION NO. 2020-1

**RESOLUTION OF KANSAS CITY MAIN STREET RAIL TRANSPORTATION
DEVELOPMENT DISTRICT ESTABLISHING SPECIAL ASSESSMENT ZONE
BOUNDARY AND FINDING SPECIAL BENEFITS TO PROPERTY WITHIN SUCH
ZONE**

WHEREAS, The Kansas City Main Street Rail Transportation Development District (the “**District**”) was established by Order of the Jackson County Circuit Court (the “**Circuit Court**”) on August 11, 2017 in Case No. 1616-CV13710 (the “**Formation Order**”) pursuant to a Petition seeking formation of the District (the “**Petition**”), and pursuant to the Circuit Court’s Findings of Fact, Conclusions of Law and Judgment entered on September 28, 2016 (the “**Judgment**”), all in accordance with the Missouri Transportation Development District Act, Sections 238.200, et seq., RSMo, as amended (the “**Act**”); and

WHEREAS, the District was formed for the purpose of undertaking, or causing to be undertaken, the design, construction, ownership and/or operation of a fixed rail streetcar and/or light rail system, and all elements thereof, within a certain preliminarily designated route, as more particularly described in the Petition (the “**Project**”); and

WHEREAS, the Act requires that the Petition include a proposal for funding the District, and that the Circuit Court make a number of determinations, including a determination as to whether the proposed funding method is illegal or unconstitutional; and

WHEREAS, the proposed funding method set forth in the Petition called for the imposition of a one percent (1%) sales tax within the entire boundary of the District, and certain Special Assessments as more specifically described in the Petition (the “**Special Assessments**”); and

WHEREAS, the Petition provided that the Special Assessments would be imposable against real property that is specially benefitted by the Project as determined by the Board of Directors of the District (the “**Board**”), and that is located (x) within the boundary of the existing Kansas City Downtown Streetcar Transportation Development District (the “**Existing TDD Special Assessment Zone**”), or (y) within an area no further than one-third mile (or greater, if determined by the Board to be appropriate in order to include the entirety of a block otherwise partially included within such one-third mile distance, or to include the remainder of a recognized cohesive commercial, institutional or mixed-use area partially within such one-third mile distance) of either side of, or the southern terminus of, the “**Extension Route**” (as defined in the Petition) (the “**Modeled Extension Special Assessment Zone**” and collectively with the Existing TDD Special Assessment Zone, the “**Special Assessment Zone Boundary Criteria**”); and

WHEREAS, a proposed special assessment zone within a portion of the entire District (the “**Proposed Special Assessment Zone**”) intended to meet the Special Assessment Zone Boundary Criteria, was outlined on Exhibit B to the Petition (the “**District Map**”), and

WHEREAS, in the Judgment, the Circuit Court made a finding that the proposed funding method is neither illegal or unconstitutional; and

WHEREAS, on January 31, 2018, the Board adopted its Resolution 2018-4 (the “**Authorizing Resolution**”), authorizing the imposition of the Special Assessments within an area that meets the Special Assessment Zone Boundary Criteria, subject to approval of the “**Qualified Voters**” (as defined in the Act) in accordance with a ballot question set out in the Authorizing Resolution, and subject further to the satisfaction of certain other “**Conditions Precedent**” (as defined in the Authorizing Resolution); and

WHEREAS, the question of whether the District should have the authority to impose the Special Assessments subject to the Conditions Precedent was submitted to the Qualified Voters in mid-2018, and in such election (the “**Special Assessment Authorization Election**”) the Qualified Voters approved the authorization of the Special Assessments subject to the Conditions Precedent, as certified to the Circuit Court on June 20, 2018 by the election judges appointed by the Circuit Court; and

WHEREAS, the District Map reflecting the Proposed Special Assessment Zone including the Modeled Extension Special Assessment Zone was widely circulated in connection with the Special Assessment Authorization Election and has continued to be widely circulated among the general public since that time; and

WHEREAS, as of the date hereof, not all of the Conditions Precedent have been satisfied, but the Board desires to finalize by this Resolution the boundary of the area within which the Special Assessments will be imposed (the “**Special Assessment Zone**”) following the satisfaction of the remainder of the Conditions Precedent; and

WHEREAS, the Board notes that the maximum amount of the annual special assessment against any parcel of non-residential real property is equal to 0.1536% of the market value of such parcel as determined by Jackson County, Missouri, and the maximum amount of the annual special assessment against any parcel of residential real property is equal to 0.0912% of the market value of such parcel as determined by Jackson County, Missouri; and

WHEREAS, the Board has reviewed credible information regarding whether properties within the Special Assessment Zone will derive special benefits from the District’s Project, and in addition to the information reviewed by the Board, the Board takes notice of the Section 238.230, RSMo, as amended, which provides that improvements which may confer special benefits within a district include but are not limited to improvements which are intended primarily to serve traffic originating or ending within the district, to reduce local traffic congestion or circuity of travel, or to improve the safety of motorists or pedestrians within the district.

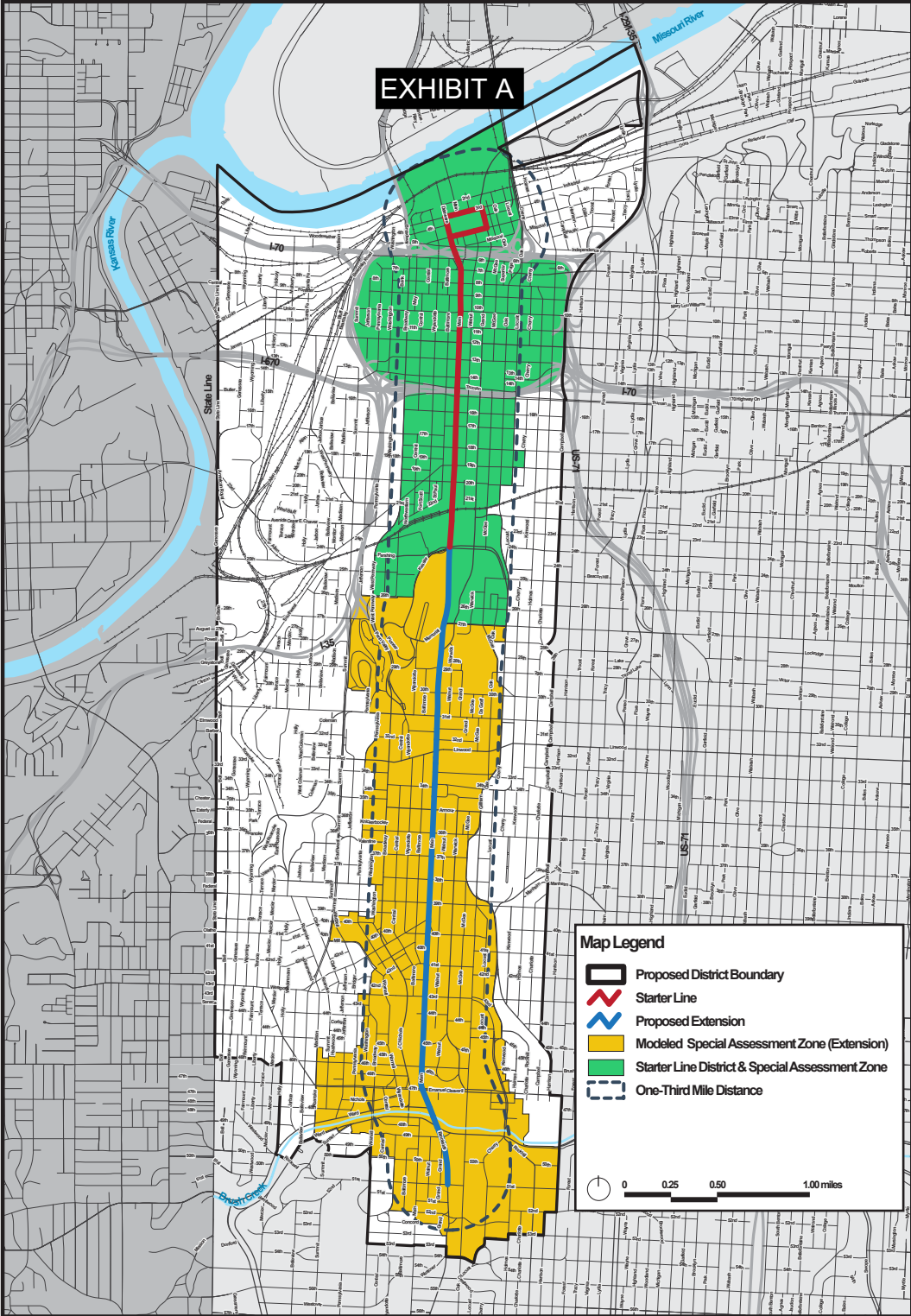
NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of The Kansas City Main Street Rail Transportation Development District, as follows:

1. The Board hereby finds and determines that those parcels of real property situated within the area highlighted in yellow or in green on the map attached as **Exhibit A** to this Resolution and incorporated herein by this reference will receive special benefit from the District's Project.
2. The Board hereby establishes the area highlighted in yellow or in green on **Exhibit A** as the Special Assessment Zone.
3. This Resolution shall take effect immediately.

PASSED by the Board of Directors of The Kansas City Main Street Rail Transportation Development District on July 20, 2020.

Jan Marcason, Chair

EXHIBIT A



**KANSAS CITY MAIN STREET RAIL
TRANSPORTATION DEVELOPMENT DISTRICT**

RESOLUTION NO. 2020-2

**RESOLUTION APPROVING THE MINUTES OF THE SEPTEMBER 18, 2019 BOARD
OF DIRECTORS MEETING**

WHEREAS, the Bylaws of the Kansas City Main Street Rail Transportation Development (the “District”) require the District to keep minutes of meetings of the Board of Directors (the “Board”);

WHEREAS, the Board conducted a meeting on September 18, 2019; and

WHEREAS, minutes of such meeting have been prepared and circulated to members of the Board.

NOW, THEREFORE, BE IT RESOLVED, that the minutes of the Board of Directors meeting held on September 18, 2019 are attached hereto as **Exhibit A** and shall be and are hereby approved in all respects.

PASSED by the Board of Directors of The Kansas City Main Street Rail Transportation Development District on July 20, 2020.

Jan Marcason, Chair

EXHIBIT A

SEPTEMBER 18, 2019 MEETING MINUTES

[SEE ATTACHED]

**KANSAS CITY MAIN STREET RAIL
TRANSPORTATION DEVELOPMENT DISTRICT**

RESOLUTION NO. 2020-3

**RESOLUTION APPROVING THE MINUTES OF THE DECEMBER 10, 2019 BOARD
OF DIRECTORS MEETING**

WHEREAS, the Bylaws of the Kansas City Main Street Rail Transportation Development (the “District”) require the District to keep minutes of meetings of the Board of Directors (the “Board”);

WHEREAS, the Board conducted a meeting on December 10, 2019; and

WHEREAS, minutes of such meeting have been prepared and circulated to members of the Board.

NOW, THEREFORE, BE IT RESOLVED, that the minutes of the Board of Directors meeting held on December 10, 2019 are attached hereto as **Exhibit A** and shall be and are hereby approved in all respects.

PASSED by the Board of Directors of The Kansas City Main Street Rail Transportation Development District on July 20, 2020.

Jan Marcason, Chair

EXHIBIT A

DECEMBER 10, 2019 MEETING MINUTES

[SEE ATTACHED]

**KANSAS CITY MAIN STREET RAIL
TRANSPORTATION DEVELOPMENT DISTRICT**

RESOLUTION NO. 2020-4

RESOLUTION APPROVING THE MINUTES OF THE JUNE 16, 2020 BOARD OF DIRECTORS MEETING

WHEREAS, the Bylaws of the Kansas City Main Street Rail Transportation Development (the “District”) require the District to keep minutes of meetings of the Board of Directors (the “Board”);

WHEREAS, the Board conducted a meeting on June 16, 2020; and

WHEREAS, minutes of such meeting have been prepared and circulated to members of the Board.

NOW, THEREFORE, BE IT RESOLVED, that the minutes of the Board of Directors meeting held on June 16, 2020 are attached hereto as **Exhibit A** and shall be and are hereby approved in all respects.

PASSED by the Board of Directors of The Kansas City Main Street Rail Transportation Development District on July 20, 2020.

Jan Marcason, Chair

EXHIBIT A

JUNE 16, 2020 MEETING MINUTES

[SEE ATTACHED]

**THE KANSAS CITY MAIN STREET RAIL
TRANSPORTATION DEVELOPMENT DISTRICT**

**MINUTES OF THE JUNE 16, 2020 MEETING OF
THE BOARD OF DIRECTORS OF THE DISTRICT**

A meeting of the Board of Directors (“Board”) of The Kansas City Main Street Rail Transportation Development District (the “District”) was held June 16, 2020 commencing at 4:36 p.m., at 3931 Main St., Kansas City, MO 64111, pursuant to due notice.

The following members of the Board were present: Jan Marcason, Cindy Circo and Zachari Sweets were present in person, and Ruben Alonso III, David Johnson and Jeff Krum joined via video conference. Also present in person was Doug Stone with Lewis Rice, LLC. Tom Gerend, Donna Mandelbaum, Alex Miller and Claus Wawrzinek were present on the video conference. A quorum was recognized and Chairwoman Jan Marcason called the meeting to order.

The first order of business was a discussion of the status of the New Starts application for federal grant funding. Mr. Gerend reported to the Board that the extension project has received approval from the Federal Transit Authority to enter the engineering phase. Mr. Gerend explained that this is a significant positive milestone for the project and often is an indication of a potential near-term approval for federal grant funding. He advised that there will be another annual rating of the project in September. He also advised that pre-construction services and final design services were already under contract.

There was then a discussion among the Board regarding finalizing the District’s special assessment boundary prior to actually levying the special assessments. Board members felt that establishing the boundary now would provide certainty to the public, and that it was appropriate now that the final alignment had been determined. After some discussion of potential options for such process, it was the consensus of the Board that it should meet in July for the purpose of establishing that boundary.

Next, Mr. Stone updated the Board on the information to be provided to the Missouri Department of Revenue in connection with the activation of the District’s sales tax. He explained that the Department of Revenue requires that the District provide a list of all businesses in the District, which in this case is a significant task. Mr. Stone reported that he was working with the finance staff of Kansas City to enlist their assistance.

The meeting was then opened to public comments, with a limit of 2 minutes per statement. Mr. Wawrzinek commented that he thought the Board was taking a reasonable approach with regard to the special assessments.

There being no further comments, and no further business, the meeting was adjourned by unanimous vote.

Respectfully submitted,

Douglas Stone, Counsel