

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

TUESDAY SEPTEMBER 29, 2020 AT 4:30 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 Tuesday September 29, 2020 beginning at 4:30 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/87182973694?pwd=YXFsa1IzUkVDSXI3NnpZOXMyWWEvUT09>

Meeting ID: 871 8297 3694 Password: 796120

Or Dial-In 1 (929) 205-6099 Code 87182973694# Password: 796120

One Tap Mobile +19292056099,,87182973694#,,,,,0#,,796120#

TENTATIVE AGENDA

I. CALL TO ORDER

II. NEW BUSINESS

- A. Approval of Minutes of Board Meetings on September 18, 2019, December 10, 2019, June 16, 2020 and July 20, 2020 (Resolution 2020-2)
- B. Acknowledgment of Disqualification of Director and Appointment of Interim Director (Resolution 2020-3)
- C. Election/Appointment of Officers (Resolution 2020-4)
- D. Discussion Regarding Status of Non-TDD Funding Efforts and Timing of Commencement of Revenue Collection
- E. Discussion Concerning Director Election in April 2021
- F. 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 September __, 2020.

By: _____

Printed Name: _____

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

RESOLUTION NO. 2020-2

RESOLUTION APPROVING THE MINUTES OF THE MEETINGS OF THE BOARD OF DIRECTORS ON SEPTEMBER 18, 2019, DECEMBER 10, 2019, JUNE 16, 2020 AND JULY 20, 2020

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 meetings on September 18, 2019, December 10, 2019, June 16, 2020 and July 20, 2020; and

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

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

1. 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;
2. That the minutes of the Board of Directors meeting held on December 10, 2019 are attached hereto as **Exhibit B** and shall be and are hereby approved in all respects;
3. That the minutes of the Board of Directors meeting held on June 16, 2020 are attached hereto as **Exhibit C** and shall be and are hereby approved in all respects;
4. That the minutes of the Board of Directors meeting held on July 20, 2020 are attached hereto as **Exhibit D** and shall be and are hereby approved in all respects;
5. This Resolution shall take effect immediately.

PASSED by the Board of Directors of The Kansas City Main Street Rail Transportation Development District on September 29, 2020.

Jan Marcason, Chair

EXHIBIT A

SEPTEMBER 18, 2019 MEETING MINUTES

[SEE ATTACHED]

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

**MINUTES OF THE SEPTEMBER 18, 2019 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 September 18, 2019 commencing at 5:00 p.m., at 3931 Main Street (Midtown KC Now), Kansas City, Missouri 64111, pursuant to due notice.

The following members of the Board were present in person: Leonard Graham, Jeff Krum, Ruben Alonso, Jan Marcason, and Crissy Dastrup. Also in attendance was Allison Kite, Tom Gerend, Doug Stone, and Ryan Mott.

Jan Marcason called the meeting to order at 5:09 p.m. It was acknowledged that Ms. Dastrup and Mr. Graham had been effectively re-elected as Directors of the District, with a term to expire on the Municipal Election Day in 2022.

The first order of business was the approval of the June 28, 2018 minutes (Resolution 2019-08). Mr. Krum moved, Mr. Graham Seconded. All were in favor.

The next item of business was discussion of the election/appointment of Officers (Resolution 2019-9). Mr. Krum moved to adopt slate. Mr. Graham discussed the appearance of a conflict among him and his firm's involvement with the Streetcar extension process citing that his firm is not currently planning to engage in the near future. Mr. Stone advised that in his view, there would be no actual conflict in violation of Missouri law because the District would not be contracting with Mr. Graham's company, and would not have any influence over who is selected for such services by any third party responsible for such selections. Mr. Graham expressed that he will continue in his director role for the time being, but might decide to resign if his company's involvement ever engages in the Streetcar extension process, just to avoid even the least appearance of any potential impropriety. If Mr. Graham chooses to resign, according to the TDD bylaws, the board would appoint a replacement to serve for the remainder of Mr. Graham's unexpired term ending in 2022. Ms. Dastrup seconded the motion. All approved, and the motion passed.

The next item of business was discussion of the Financial Report. Mr. Graham led a review of the Main Street TDD estimated funding budget and cash flow projections from September 2017 through April 2020. The board decided to renew and continue D&O insurance policy for current Directors.

The next item of business was discussion regarding the April 7, 2020 election of Directors whose terms were up. April 2020 will be the election for Mr. Krum and Mr. Johnson's seat. Notice will go out in the Star and other outlets in December 2019. The budget reflects the potential cost for this election to the TDD.

The next item of business was discussion regarding the status of Alignment Planning for the Streetcar Extension. The planning is currently going through the submitted process. Feedback will be available from the engineering team by the end of 2019. The FTA will receive an update on the scope of all progress and the project will be re-rated close to February of 2020 in their listing of capital projects. We will also learn if there will be an allocation of federal funding by FY 2021. Community engagement has been ongoing, input has informed decisions. Additional community engagement with stakeholders along the future line will be forthcoming. Engineering updates on utility coordination will be starting soon, of which the contract will be city held. Coordination with city departments will be ongoing during this process for efficient timing of street construction. The new Streetcar video is up on the Streetcar Authority's website and will be shared across the stakeholders' social media outlets.

The next item of business was discussion regarding the status of non-TDD funding efforts and the timing of the commencement of revenue collection. The revenue projection sent to the FTA shows revenue commencement beginning in 2021 if the FTA moves the Streetcar extension project forward in 2020. Mr. Gerend summarized the July testimony he gave in US Congress about the importance of this project and federal support.

The Board then heard public comments. Ryan Mott gave feedback on the current resident outreach and looks forward to continued input. He noted the changes in the amount and location of on street parking as a subject of continued discussion.

Jan Marcason asked for a motion to adjourn, Mr. Alonso moved and Ms. Dastrup seconded.

The meeting was adjourned at 5:58 p.m.

Respectfully Submitted,

Crissy Dastrup, Secretary

EXHIBIT B

DECEMBER 10, 2019 MEETING MINUTES

[SEE ATTACHED]

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

**MINUTES OF THE DECEMBER 10, 2019 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 December 10, 2019 commencing at 6:06 p.m., at 2534 Madison Avenue (Second Floor, Madison Room) Kansas City, Missouri 6410, pursuant to due notice.

TDD Board Directors Jan Marcason, Jeff Krum, Crissy Dastrup, Ruben Alonso, David Johnson, and Cindy Circo were present. Also present in person were Doug Stone with Lewis Rice, LLC and Tom Gerend of the Kansas City Streetcar Authority (KCSA). A quorum was recognized and Chairwoman Jan Marcason called the meeting to order at 6:06 p.m.

The first order of business was the review of and interviews of candidates for Board appointment as Interim Director to replace Leonard Graham who resigned. Applicants under review were Zachari D. Sweets and Albert N. Ray. The Board of Directors reviewed each application packet thoroughly, after which the applicants were interviewed in person by the Board.

The next order of business was the acknowledgment of the resignation of Leonard Graham effective November 12, 2019, resulting in a vacancy of the Office of Treasurer, and to appoint an Interim Director and Interim Treasurer (Resolution 2019-10). Jan Marcason asked for a motion from The Board to appoint Zachari Sweets as the new Interim Director and to appoint Zachari Sweets as Board Treasurer who will serve through the Municipal Election Day in 2022. Ms. Dastrup motioned and Mr. Alonso seconded. All were in favor and Resolution 2019-10 passed unanimously.

There were no public comments.

Jan Marcason asked for a motion to adjourn, Ms. Dastrup moved and Ms. Circo seconded. The meeting was adjourned at 9:03 p.m.

Respectfully Submitted,

Crissy Dastrup, Secretary

EXHIBIT C

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. It was acknowledged that Mr. Krum and Mr. Johnson were effectively reelected as Directors of the District, with a term to expire on the Municipal Election Day in 2023.

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

EXHIBIT D

JULY 20, 2020 MEETING MINUTES

[SEE ATTACHED]

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

**MINUTES OF THE JULY 20, 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 July 20, 2020 commencing at 5:00 p.m., at 3931 Main Street (Midtown KC Now), Kansas City, Missouri 64111, pursuant to due notice. The meeting was also conducted via livestream video conference (pursuant to publically published web link) where all participants, in person or via video conference, could hear each other.

In attendance were Directors Jan Marcason in person, and David Johnson, Crissy Dastrup, Cindy Circo, Zachari Sweets, Ruben Alonso, and Jeff Krum via video conference. Also present were Doug Stone with Lewis Rice, LLC in person and Tom Gerend of the Kansas City Streetcar Authority (KCSA) via video conference. A quorum was recognized and Chairwoman Jan Marcason called the meeting to order at 5:03 p.m.

The first order of business was the establishment of a special assessment zone boundary and to determine a finding of special benefits to property within such zone (Resolution 2020-1). Doug Stone led the discussion. The Board reviewed the proposed assessment zone, which had been delineated and visually depicted initially as an exhibit to the Petition to form the District, and which had been publically disseminated during the elections to form the District and the subsequent election to approve the District's special assessments.

The Board reviewed third party studies with respect to the benefit to real property derived from new proximate fixed rail, and Mr. Stone told the Board that the City Finance Department reported that the percentage increase in total market value within the District between the total 2015 value and the total 2017 value was 27.61%, and within the same period, the percentage increase in total market values within all that part of Kansas City located in Jackson County was 11.81%. The Board noted 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.

Mr. Stone also called the Board's attention to 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 a district.

The Board concluded that the originally delineated assessment zone boundary was appropriate for final approval by the Board based on sound and impartial evidence considered by it in a rational decision making process, and that the boundaries reflect the criteria set out in the District's Formation Petition and the ballot questions approved by the qualified voters in the District. Mr. Sweets moved to approve Resolution 2020-1, Mr. Johnson seconded. All were in favor and Resolution 2020-1 passed unanimously.

Approval of September 18, 2019, December 10, 2019, and June 16, 2020 minutes will be completed at the next TDD Board meeting pending additional review.

Director Cindy Circo, also currently the TDD Executive Director, advised that she would be leaving the Board because she is planning to move out of the District. The Board will work to identify potential candidates to serve for the remainder of Ms. Circo's term (through April 2021) and will need to replace the Office of Executive Director.

There were no public comments.

Jan Marcason asked for a motion to adjourn, Ms. Dastrup moved and Mr. Johnson seconded. The meeting was adjourned at 5:58 p.m.

Respectfully Submitted,

Crissy Dastrup, Secretary

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

RESOLUTION NO. 2020-3

**RESOLUTION OF KANSAS CITY MAIN STREET RAIL TRANSPORTATION
DEVELOPMENT DISTRICT ACKNOWLEDGING DIRECTOR'S LOSS OF
STATUTORY QUALIFICATION TO SERVE, AND APPOINTING AN INTERIM
DIRECTOR FOR THE REMAINDER OF THE CURRENT OFFICE TERM**

WHEREAS, the Missouri Transportation Development District Act, Sections 238.200, RSMo et seq. (the “**Act**”), and the Bylaws of the Kansas City Main Street Rail Transportation Development District (the “**District**”) provide that upon the resignation or disqualification of a Director, the remaining members of the Board of Directors (the “**Board**”) shall fill the vacancy, and the Director so appointed shall serve for the remainder of the unexpired term and until his or her successor is elected and qualified; and

WHEREAS, Cindy Circo ceased to meet the qualifications to serve as a Director of the District upon her relocating her residence to a location outside the boundary of the District, effective August 1, 2020; and

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

1. The loss of qualification of Cindy Circo to serve as a Director of the District, effective August 1, 2020, is acknowledged.
2. The Board hereby appoints Albert N. Ray as an interim Director of the District to fill the vacancy created by the loss of qualification of Cindy Circo, to serve until the general the Municipal Election day in April 2021 and until his successor is elected and qualified.
3. This Resolution shall take effect immediately.

PASSED by the Board of Directors of The Kansas City Main Street Rail Transportation Development District on September 29, 2020.

Jan Marcason, Chair

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

RESOLUTION NO. 2020-4

**RESOLUTION OF THE KANSAS CITY MAIN STREET RAIL TRANSPORTATION
DEVELOPMENT DISTRICT APPOINTING OFFICERS OF THE DISTRICT**

WHEREAS, the Bylaws of The Kansas City Main Street Rail Transportation Development District (the “District”) require the District’s Board of Directors to appoint a Chair, Secretary, Treasurer, Executive Director and such other officers or employees as it deems necessary; and

WHEREAS, the Board desires to elect a Chair, and appoint a Secretary, Treasurer and Executive Director, as the officers of the District in accordance with the Bylaws; and

WHEREAS, the Chair, Secretary, Treasurer and Executive Director shall have the powers and duties described in the Bylaws.

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

1. Jan Marcason is elected Chair of the District.
2. _____ is appointed Secretary of the District.
3. _____ is appointed Treasurer of the District.
4. _____ is appointed Executive Director of the District.
5. Any individual holding an office pursuant to a resolution of the District adopted prior to the date hereof is hereby removed from office, and the appointments set forth above shall commence immediately.
6. Each officer of the District shall serve for a term of one year and until his or her successor has been duly elected or appointed. Each officer of the District shall exercise those powers and perform those duties as set forth in the Bylaws of the District.
7. The **Treasurer** shall, in the absence of the Chair or in the event of his or her inability or refusal to act, perform the duties and exercise the powers of the Chair, and shall perform such other duties and have such other powers as the Board may from time to time prescribe, or which the Chair may from time to time delegate.
8. This Resolution shall take effect immediately.

PASSED by the Board of Directors of The Kansas City Main Street Rail Transportation Development District on September 29, 2020.

Jan Marcason, Chair