

Source: City Clerk *SA*

Agenda Item No: REP 23-13

To: City Council

From: City Manager and Staff *MM*

Council Meeting Date: February 4, 2013

Re: Downtown Community Improvement District - Annual Budget and Report on Services, Revenues, Expenditures

**EXECUTIVE SUMMARY:**

The Downtown Community Improvement District (CID) was approved by Council on February 7, 2011. Pursuant to Sections 67.1471.2 and 67.1471.4 of the Revised Statutes of Missouri, the Downtown CID is submitting its annual budget and a report stating the services provided, revenues collected and expenditures made during the fiscal year along with copies of written resolutions approved by the CID Board.

**DISCUSSION:**

A diagram showing the boundaries of the Downtown CID is attached. The purpose of the district, when established, was to fund improvements that would enhance the downtown environment in terms of capital improvements, cleaning/maintenance and safety, and enhance the downtown economy through programs, marketing/events and communication/advocacy.

Pursuant to Section 67.1471.2 of the Revised Statutes of Missouri, which is attached, community improvement districts are required to provide the governing body of the city a proposed annual budget. The governing body can review and comment, but those comments shall only be recommendations.

Also, pursuant to Section 67.1471.4 of the Revised Statutes of Missouri, which is attached, community improvement districts are required to provide the governing body of the city a report stating the services provided, revenues collected and expenditures made during the fiscal year, and copies of written resolutions approved by the CID Board.

**FISCAL IMPACT:**

None.

**VISION IMPACT:**

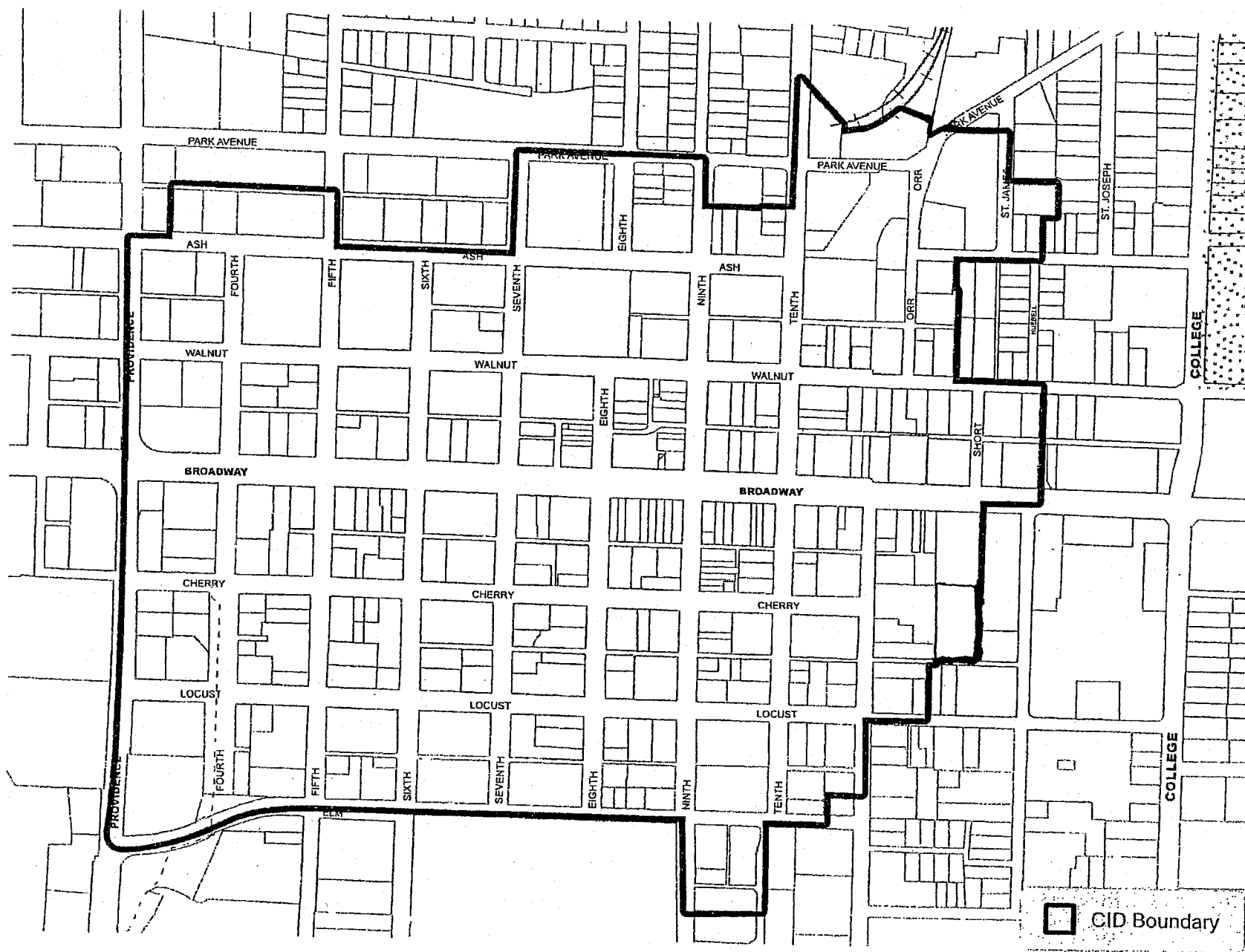
<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

6.1 Goal: Significant investments in the physical, community, and business environment, as well as the tools to leverage economic strength, will bring vibrancy and diversity of culture, professions, and businesses, and lead to major attractions and exciting destinations.

**SUGGESTED COUNCIL ACTIONS:**

Informational, unless Council wants to provide written comments to the Downtown Community Improvement District regarding its annual budget.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?		Federal or State mandated?	
Amount of funds already appropriated	\$0.00	Duplicates/Expands an existing program?		Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?		Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	Yes
One Time	\$0.00	Requires add'l FTE Personnel?		Primary Vision, Strategy and/or Goal Item #	6.1
Operating/ Ongoing	\$0.00	Requires add'l facilities?		Secondary Vision, Strategy and/or Goal Item #	
		Requires add'l capital equipment?		Fiscal year implementation Task #	



# *Missouri Revised Statutes*

## **Chapter 67** **Political Subdivisions, Miscellaneous Powers** **Section 67.1471**

August 28, 2012

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### **Fiscal year--budget--meeting--report.**

67.1471. 1. The fiscal year for the district shall be the same as the fiscal year of the municipality.

2. No earlier than one hundred eighty days and no later than ninety days prior to the first day of each fiscal year, the board shall submit to the governing body of the city a proposed annual budget, setting forth expected expenditures, revenues, and rates of assessments and taxes, if any, for such fiscal year. The governing body may review and comment to the board on this proposed budget, but if such comments are given, the governing body of the municipality shall provide such written comments to the board no later than sixty days prior to the first day of the relevant fiscal year; such comments shall not constitute requirements but shall only be recommendations.

3. The board shall hold an annual meeting and adopt an annual budget no later than thirty days prior to the first day of each fiscal year.

4. Within one hundred twenty days after the end of each fiscal year, the district shall submit a report to the municipal clerk and the Missouri department of economic development stating the services provided, revenues collected and expenditures made by the district during such fiscal year, and copies of written resolutions approved by the board during the fiscal year. The municipal clerk shall retain this report as part of the official records of the municipality and shall also cause this report to be spread upon the records of the governing body.

(L. 1998 H.B. 1636 § 8)

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Missouri General Assembly



**The District** • Downtown Community Improvement District  
11 South 10th Street • Columbia, MO 65201 • (573) 442-6816  
**DiscoverTheDistrict.com**



January 25, 2013

Ms. Amin:

Please accept the following FY 2013 budget information for the Downtown Community Improvement District. Our property assessment is set at .4778 per \$100 of assessed valuation and our sales tax is set at one half cent.

I've adjusted our calendar so please expect our FY 2014 budget sometime this June.

If you have any questions or need any further information, please feel free to contact me at 442-6816.

Sincerely,

Carrie Gartner  
Director  
Downtown Community Improvement District

**CID Board**

Andrew Beverley  
Landmark Bank

Blake Danuser  
Binghams

Adam Dushoff  
Addison's

Christina Kelley  
Makes Scents

Richard King  
The Blue Note

Tom Mendenhall  
The Lofts at 308 Ninth

Michael McClung  
Déjà vu, Resident

Allan Moore  
Moore & Shryock

John Ott  
Paramount Building

Jennifer Perlow  
PS: Gallery

Deb Sheals  
Historic Preservation Consulting

Ben Wade  
Guitarfinder

Michael Wagner  
Boone County National Bank

Marti Waigandt  
808 Cherry

Andrew Waters  
Columbia Daily Tribune

**Community Improvement District Budget**  
**-FINAL-**

	<u><b>FY2012</b></u>	<u><b>FY2013</b></u>	<u><b>CHANGE</b></u>	
<b>Recurring Revenue</b>				
Property Assessment	178,016	152,532	(25,484)	
Payment in lieu of tax			0	
City	17,500	17,500	0	
University of MO	5,700	5,700	0	
Sales Tax	0	401,429	401,429	
Holiday Light Sales	500	100	(400)	
Interest Income	400	301	(99)	
Miscellaneous Income	0	0	0	
<b>Total Recurring Revenue</b>	<b>202,116</b>	<b>577,562</b>	<b>375,446</b>	
<b>Recurring Expenses</b>				
<b>Program Management</b>				
Insurance (Health)	2,400	7,200	4,800	CG health insurance
Insurance (Property)	400	400	0	
Meals & Entertainment	296	300	4	
Membership	500	1,500	1,000	REDI
Office Equipment Rental	500	500	0	
Office Equipment Repair	500	500	0	
Office Repairs & Maintenance	500	5,000	4,500	bathroom/AV in board room/com
Office Supplies	1,500	1,500	0	
Parking	1,320	1,320	0	
Payroll	90,594	95,952	5,358	
Payroll Taxes	9,059	9,595	536	
<b>Postage</b>	<b>500</b>	<b>3,900</b>	<b>3,400</b>	
<b>Printing</b>	<b>2,000</b>	<b>5,200</b>	<b>3,200</b>	
Professional Services	4,000	6,500	2,500	
Rent	22,800	23,064	264	
Retirement Plan	2,955	3,829	875	
Seminars & Conferences	3,500	5,000	1,500	IDA, 2 -3 conferences
Subscriptions	200	200	0	
Telephone	3,500	3,500	0	
Utilities	5,700	6,500	800	internet/police
<b>Total Program Management</b>	<b>152,724</b>	<b>181,460</b>	<b>28,736</b>	
<b>Programs &amp; Services</b>				
<b>Environmental</b>				
Beautification/Streetscape				
District Wireless (Maintenance)	0	30,000	30,000	
Banner Installation	4,000	6,000	2,000	Arts District
City Horticulture	7,500	7,500	0	
Holiday Light Purchases	500	100	(400)	purchase of bulbs for resale
Public Art Program	500	500	0	
	<b>12,500</b>	<b>44,100</b>	<b>1,600</b>	
Cleaning and Maintenance				
Labor	22,100	44,000	21,900	4 hrs/6 days/\$8.50/9.00hr.
Payroll Tax	2,210	4,400	2,190	plus special clean ups
Equipment	400	1,000	600	brooms, graffiti remover, etc.
	<b>24,710</b>	<b>49,400</b>	<b>24,690</b>	

**Community Improvement District Budget**  
**-FINAL-**

<b>Economy</b>			
Economic Development			
Business Marketing	1,000	10,000	9,000
Research	0	7,500	7,500
	1,000	17,500	16,500
Marketing			
Image Marketing	1,000	10,000	9,000
Promotions & Events	0	10,000	10,000
Online Marketing	2,500	3,000	500
	3,500	23,000	29,500
<b>Total Programs &amp; Services</b>	<b>41,710</b>	<b>134,000</b>	<b>59,790</b>
<b>Total Recurring Expenses</b>	<b>194,434</b>	<b>315,460</b>	<b>121,026</b>
<b>Recurring Surplus (Deficit)</b>	<b>7,682</b>	<b>262,102</b>	<b>254,420</b>
<b>Non-Recurring Revenue</b>			
City Fund Balance Draw Down	4,918	0	(4,918)
SBD Fund Balance	0	0	0
<b>Total Non-Recurring Revenue</b>	<b>4,918</b>	<b>0</b>	<b>(4,918)</b>
<b>Non-Recurring Expenses</b>			
Environmental			
Beautification/Streetscape			
District Wireless (Installation)	0	30,000	30,000
Directional Signage (HUB)	0	10,000	10,000
Broadway Gateway	0	40,000	40,000
	0	80,000	80,000
Public Safety			
Lighting Grants	0	15,000	15,000
Cleaning and Maintenance			
Sidewalk Recycling Pilot Project	0	12,000	12,000
Cleaning Equipment	0	15,000	15,000
	0	27,000	27,000
Marketing			
Website Redesigns	0	10,000	10,000
August/September FY12	0		0
CID Fund Balance	0	100,000	100,000
<b>Total Non-Recurring Expenses</b>	<b>0</b>	<b>232,000</b>	<b>239,000</b>
<b>Non-Recurring Surplus (Deficit)</b>	<b>4,918</b>	<b>(232,000)</b>	<b>(227,082)</b>
<b>Total Surplus (Deficit)</b>	<b>12,600</b>	<b>30,102</b>	<b>(227,082)</b>



**The District** • Downtown Community Improvement District  
11 South 10th Street • Columbia, MO 65201 • (573) 442-6816  
[DiscoverTheDistrict.com](http://DiscoverTheDistrict.com)



January 25, 2013

Ms. Amin:

Please accept the following budget information regarding the Downtown Community Improvement District.

- 1) An outline of services provided, expenditures, and revenues.
- 2) All written resolutions approved by the board.

Although the CID was approved in February 2010, the organization had no budget (and thus no expenditures) until FY 2013. All services provided and expenditures made were done by the Columbia Special Business District.

If you have any questions or need any further information, please feel free to contact me at 442-6816.

Sincerely,

Carrie Gartner

Director

Downtown Community Improvement District

**CID Board**

Andrew Beverley  
Landmark Bank

Blake Danuser  
Binghams

Adam Dushoff  
Addison's

Christina Kelley  
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PS: Gallery

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Historic Preservation Consulting

Ben Wade  
Guitarfinder

Michael Wagner  
Boone County National Bank

Marti Waigandt  
808 Cherry

Andrew Waters  
Columbia Daily Tribune



# Memo

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To: Sheela Amin, City Clerk

From: Carrie Gartner, Downtown CID

Date: January 25, 2013

Re: CID Report

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Although the Downtown Community Improvement District was officially created in February of 2010, we did not completely transfer over duties to the CID until FY 2013. As such, please accept this truncated description of the CID activities over that time period.

## Services Provided

All services were officially provided by the Columbia Special Business District until the start of the FY 2013 budget year. At that point, all services were transferred over the Downtown CID.

## Expenditures

The first official budget year of the Downtown CID was FY 2013.

## Revenues

The CID assesses properties at .4778 per \$100 of assessed value. In FY 2011, revenues from these assessments were \$152,532. These funds were held until the transfer from the SBD to the Downtown CID was complete. At that point, these revenues were included in the CID's FY 2013 budget. (Please see enclosed for details.)

# CID Revenues

## Community Improvement District - Monthly Financial Data

					2013	2012	CID 2011
<b>Property Assessments</b>							
	October					0	0
	November					0	0
	December					25,920	17,640
	January				69,164		78,166
	February						53,710
	March						1,273
	April						1,034
	May						709
	June						0
	July						0
	August						0
	September						0
Total						95,084	152,532
						<i>FY2014 budget</i>	<i>FY2013 budget</i>
<b>Sales Tax</b>							
	October				23,579	0	
	November				74,130	0	
	December				40,022	0	
	January					0	
	February					0	
	March					0	
	April					0	
	May					33,552	
	June					41,788	
	July					19,254	
	August					57,244	
	September					41,550	
Total					114,152	193,389	
					<i>FY2013 budget</i>	<i>fund balance</i>	
<b>Local Option Use Tax</b>							
	October				1,022	0	
	November				214	0	
	December				18	0	
	January					0	
	February					0	
	March					0	
	April					0	
	May					7	
	June					92	
	July					945	
	August					185	
	September					8	
Total					1,254	1,236	
					<i>FY2013 budget</i>	<i>fund balance</i>	

## **CID Five Year Plan of Programs and Services**

Based upon property and business owner input from interviews and surveys, the CID provides funding to enhance downtown's environment and economy, including capital improvements, enhanced maintenance and safety initiatives, economic development, communications and advocacy programs.

### **Enhance the Downtown ENVIRONMENT**

**1. Capital Improvements, which may include:**

- Streetscape enhancements such as landscaping, flowers, street furniture and lighting
- Cosmetic improvements such as seasonal banners and decorations
- Development of a downtown wireless program

**2. Enhanced Cleaning and Maintenance, which may include:**

- Increased sidewalk cleaning
- Enhanced maintenance and cleaning of alleys and parking garages
- Enhanced services that would not be expected from the City, such as sidewalk power washing or recycling programs.

**3. Increased Safety, which may include:**

- Partnering with the Columbia Police Department to increase or improve safety patrols
- Deploying downtown ambassadors
- Providing additional equipment for safety patrols

### **Enhance the Downtown ECONOMY**

**1. Downtown Economic Development Programs, which may include:**

- Business recruitment and retention initiatives to broaden and diversify downtown's small business base
- Market research to understand both consumer and investor opportunities for downtown
- Create investor marketing information to educate entrepreneurs on downtown opportunities

**2. Marketing and Events, which may include:**

- Consumer marketing to reinforce The District brand and to generate foot traffic and drive sales
- Enhancement of The District website and the creation of a smart phone app.
- Holiday promotions, programs and events
- Merchant promotions and direct merchant assistance, such as merchandising and assistance to help existing businesses better market their products
- Support of selective special events which leverage marketing efforts to attract customers and investors to downtown
- Public relations, including efforts to improve the regional image of downtown Columbia

**3. Communications and Advocacy, which may include:**

- Manage media relations to project a positive image
- Advocate to advance policies and attract additional resources that will improve downtown
- Develop communications tools to reach out to stakeholders and educate ratepayers

# Memo

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From: Carrie Gartner, Downtown CID  
Date: January 25, 2013  
Re: CID Report

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## Revenues

The CID assesses properties at .4778 per \$100 of assessed value. In FY 2011, revenues from these assessments were \$152,532. These funds were held until the transfer from the SBD to the Downtown CID was complete. At that point, these revenues were included in the CID's FY 2013 budget. (Please see enclosed for details.)

**RESOLUTION NO. 2012-1**

**A RESOLUTION OF THE DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT REQUESTING THAT THE MAYOR OF THE CITY OF COLUMBIA, MISSOURI, APPOINT ANDREW BEVERLEY, BLAKE DANUSER, MICHAEL MCCLUNG, JENNIFER PERLOW AND ANDREW WATERS AS DIRECTORS FOR A THREE-YEAR TERM BEGINNING MARCH 1, 2012.**

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT AS FOLLOWS:**

WHEREAS, the Downtown Community Improvement Development District (the "District"), which was formed on February 7, 2011, by Special Ordinance No. 20866 (the "Ordinance") of the City Council of the City of Columbia, Missouri, is a political subdivision of the State of Missouri and is transacting business and exercising powers granted pursuant to the Community Improvement District Act, Sections 67.1401 through 67.1571, RSMo ("CID Act"); and

WHEREAS, under the Act, the above-referenced ordinance reserves unto the Mayor of the City of Columbia the power to appoint a successor Director with the advice and consent of the City Council to serve as a member of the Board of Directors of the District; and

WHEREAS, the Board of Directors recommends to the Mayor of the City of Columbia, Missouri, that Andrew Beverley, Blake Danuser, Michael McClung, Jennifer Perlow and Andrew Waters be appointed as Directors of the Board of Directors of the Downtown Community Improvement District to serve a three (3) year term of office commencing March 1, 2012.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT, AS FOLLOWS:**

1. The District hereby requests that the Mayor of the City of Columbia, Missouri, appoint Andrew Beverley, Blake Danuser, Michael McClung, Jennifer Perlow and Andrew Waters as Directors to serve a three (3) year term as a member of the Board of Directors of the Downtown Community Improvement District pursuant to the Act and the Ordinance cited above.

2. The Executive Director is authorized to communicate the fact and contents of this Resolution to the Mayor the City of Columbia and to the City Attorney of the City of Columbia as soon as possible hereafter so that same may be placed on the appropriate agenda of the City Council of the City of Columbia, Missouri, to ratify and approve the appointments of said Directors as made by the Mayor of the City of Columbia.

3 This resolution shall be in full force and effect from and after its passage by the Board of Directors.

Passed this 10th day of January, 2012.

\_\_\_\_\_  
\_\_\_\_\_, Chairman of the Board  
of Directors

(SEAL)

Attest:

\_\_\_\_\_  
\_\_\_\_\_, Secretary of the Board of Directors

**CERTIFICATE**

I, the undersigned, hereby certify that the above and foregoing is a true and correct copy of the Resolution of the Downtown Community Improvement District, passed by the Board of Directors on January 10, 2012, as the same appears of record in my office, and that said Resolution has not been modified, amended or repealed and is in full force and effect as of this date.

DATED: January 11, 2012.

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**Carrie Gartner, Executive Director**

**RESOLUTION NO. 2012-2**

**A RESOLUTION ADOPTING A BUDGET FOR THE  
DISTRICT'S FISCAL YEAR BEGINNING ON OCTOBER 1,  
2012, AND ENDING ON SEPTEMBER 30, 2013**

WHEREAS, Section 67.1471.2 of the Revised Statutes of Missouri, as amended, requires the District to prepare an annual budget; and

WHEREAS, the Board of Directors desires to establish both an operating budget and a capital budget for said fiscal year; and

WHEREAS, pursuant to Section 67.1471.2 of the Revised Statutes of Missouri the City Council of the City of Columbia has the right to review said budget and to comment upon same no later than sixty (60) days prior to the first day of the relevant fiscal year;

WHEREAS, following the receipt of such comment(s), the Board of Directors must approve said fiscal year budget no later than thirty (30) days prior to the commencement of said fiscal year; and

WHEREAS, the Downtown Community Improvement District was formed on February 7, 2010, the Board of Directors desires to submit said budget to the City within (10) days of the date of this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT AS FOLLOWS:

1. Subject to comments of the City of Columbia with respect to the contents thereof, the Board of Directors of the Downtown Community Improvement District (the "District") hereby adopts the District's annual operating and capital budgets (the "Budget") for the fiscal year beginning on October 1, 2012, and ending on September 30, 2013 ("Fiscal Year 2013"). A copy of the operating budget is attached hereto as Exhibit A and incorporated fully herein. A copy of the capital budget is attached hereto as Exhibit B and incorporated fully, herein.

2. The Executive Director for the District is authorized to furnish the City of Columbia with conformed copies of this Resolution and the Budget, including Exhibits A and B to this Resolution as soon as reasonably possible hereafter, and no earlier than April 1, 2012 and no later than July 1, 2012.

3. This Budget shall be finally approved and shall become binding upon the District at the meeting of the District scheduled for August 14, 2012, at 4:00 pm., and at said meeting any comments received from the City of Columbia shall be duly considered prior to the final adoption of said Budget. Subject to such comments and approval by the City of Columbia, however, the Board of Directors does hereby resolve that the attached Budget shall be the final



budget to be adopted for the fiscal year commencing October 1, 2012, and ending September 30, 2013.

4. Upon approval of the Budget by the City Council of the City of Columbia, the District hereby authorizes the Executive Director to execute a letter informing the Missouri Ethics Commission that the operating budget for the Board of Directors is less than one Million Dollars (\$1,000,000.00) for the coming and all foreseeable fiscal years.

5. Upon the final approval of this Budget by the Board of Directors at the annual meeting of the Directors scheduled for August 14, 2012, the amounts set forth on the Budget are hereby and shall be hereby appropriated for the purposes described in the Budget for Fiscal Year 2013.

6. This resolution shall be in full force and effect from and after its passage by the Board of Directors of the District.

Passed this 14th day of August, 2012.

\_\_\_\_\_, Chairman of the Board of  
Directors

(SEAL)

Attest:

\_\_\_\_\_, Secretary of the Board of Directors

**RESOLUTION NO. 2011-1**

**A RESOLUTION THAT THE DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT RATIFY, APPROVE, AND ACKNOWLEDGE THE TERMS AND CONDITIONS OF THE PETITION AND ORDINANCE CREATING THE DISTRICT DATED FEBRUARY 7, 2011, AS SPECIAL ORDINANCE NO. 20866 ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA**

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT AS FOLLOWS:**

WHEREAS, Sections 67.1401 through 67.1571 of the Revised Statutes of Missouri (the "Community Improvement District Act" or the "Act") authorized the creation by municipalities of community improvement districts; and

WHEREAS, the City of Columbia, Missouri, by its duly adopted and enacted Ordinance No. 20866 (the "Ordinance") did authorize and create the Downtown Community Improvement District pursuant to the Act; and

WHEREAS, the Board of Directors has been furnished with a conformed copy of the Ordinance creating the Downtown Community Improvement District and the petition approved by the Ordinance (the "Petition") which requested the formation of the Downtown Community Improvement District (the "District") and the Board desires to acknowledge the receipt thereof and its willingness to be bound in accordance with the terms thereof.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT AS FOLLOWS:**

1. The Board of Directors hereby approves of the Petition and acknowledges receipt of a conformed copy of the Ordinance creating the District and hereby orders same attached to these minutes and incorporated within the official records of the Downtown Community Improvement District.

2. The Board of Directors agrees to be governed in accordance with the terms of the Ordinance, the attachments thereto, and by the provisions of the Act.

3. This Resolution shall take effect and be in full force immediately after its adoption by the Board of Directors of the District.

Passed this 8th day of March, 2011.

\_\_\_\_\_, Chairman of the Board of  
Directors

(SEAL)

Attest:

\_\_\_\_\_, Secretary of the Board of Directors

**RESOLUTION NO. 2011-3**

**A RESOLUTION OF THE DOWNTOWN COMMUNITY  
IMPROVEMENT DISTRICT ADOPTING OFFICIAL  
BYLAWS OF THE DISTRICT**

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DOWNTOWN  
COMMUNITY IMPROVEMENT DISTRICT AS FOLLOWS:**

The Downtown Community Improvement District (the "District") hereby adopts the Bylaws in the form attached hereto as Exhibit A as the official Bylaws of the District, and same shall apply to any meetings or actions of the Board of Directors of the District and to all boards, commissions, committees, and other governmental bodies of the District, and further resolved that the Secretary of the District is instructed to insert a copy of said Bylaws as hereby approved and adopted in the official minute book of the District.

Passed this 8th day of March, 2011.

\_\_\_\_\_  
\_\_\_\_\_, Chairman of the Board of  
Directors

(SEAL)

Attest:

\_\_\_\_\_  
\_\_\_\_\_, Secretary of the Board of Directors

**RESOLUTION NO. 2011-6**

**A RESOLUTION OF DOWNTOWN COMMUNITY  
IMPROVEMENT DISTRICT ADOPTING THE FISCAL  
YEAR OF THE CITY OF COLUMBIA AS THE DISTRICT'S  
FISCAL YEAR, TO-WIT: OCTOBER 1 TO SEPTEMBER  
30**

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DOWNTOWN  
COMMUNITY IMPROVEMENT DISTRICT AS FOLLOWS:**

The Downtown Community Improvement District (the "District") hereby adopts as its fiscal year the fiscal year of the City of Columbia, Missouri, to-wit: October 1 through September 30, all as prescribed by Section 67.1471.1 RSMo.

Passed this 8th day of March, 2011.

\_\_\_\_\_  
\_\_\_\_\_, Chairman of the Board of  
Directors

(SEAL)

Attest:

\_\_\_\_\_  
\_\_\_\_\_, Secretary of the Board of Director

**RESOLUTION NO. 2011-5**

**A RESOLUTION APPROVING THE ADOPTION OF A  
CONFLICT OF INTEREST POLICY APPLICABLE TO  
THE DIRECTORS OF THE DISTRICT**

WHEREAS, the Downtown Community Improvement District (the "District") was formed on February 7, 2011, by Special Ordinance No. 20866 of the City Council of the City of Columbia, Missouri, is a political subdivision of the State of Missouri and is transacting business and exercising powers granted pursuant to the Community Improvement District Act, Sections 67.1401 through 67.1571, RSMo ("CID Act"); and

WHEREAS, Section 67.1461 RSMo., as amended, grants the board of directors of a community improvement district the authority to possess and exercise all of the community improvement district's legislative and executive powers;

WHEREAS, pursuant to 67.1461 RSMo, as amended, of the CID Act, the District is authorized to adopt a conflict of interest policy which will be applicable to its Directors; and

WHEREAS, the Board of Directors of the District have determined that it is necessary and desirable that the District enter into a Conflict of Interest policy (the "Conflict of Interest Policy"), a copy of which is attached hereto as Exhibit A.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT, AS FOLLOWS:

1. The Board of Directors hereby approves the Conflict of Interest Policy for the Directors of the District, in the form attached as Exhibit A hereto and incorporated herein by reference. The Chairman is hereby authorized and directed to execute the Conflict of Interest Policy on behalf of the District and the Secretary is hereby authorized and directed to attest to the Conflict of Interest Policy.

2. This Resolution shall take effect and be in full force immediately after its adoption by the Board of Directors of the District.

Passed this 8th day of March, 2011.

\_\_\_\_\_, Chairman of the Board of  
Directors

(SEAL)

Attest:

\_\_\_\_\_, Secretary of the Board of Directors

**RESOLUTION NO. 2011-7**

**A RESOLUTION OF THE DOWNTOWN COMMUNITY  
IMPROVEMENT DISTRICT APPROVING VAN MATRE,  
HARRISON, HOLLIS, PITZER, AND TAYLOR, P.C., AS  
LEGAL COUNSEL TO THE DISTRICT**

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF  
DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT AS FOLLOWS:**

The Downtown Community Improvement District (the "District") hereby retains Van Matre, Harrison, Hollis, Pitzer, and Taylor, P.C., as its legal counsel pursuant to the engagement letter executed this date by the Board of Directors of the District in the form attached hereto as Exhibit A.

Passed this 8th day of March, 2011.

\_\_\_\_\_  
\_\_\_\_\_, Chairman of the Board of  
Directors

(SEAL)

Attest:

\_\_\_\_\_  
\_\_\_\_\_, Secretary of the Board of Director

**RESOLUTION NO. 2011-8**

**A RESOLUTION OF THE DOWNTOWN COMMUNITY  
IMPROVEMENT DISTRICT ADOPTING A POLICY  
CONCERNING OPEN MEETINGS AND RECORDS**

WHEREAS, Section 610.028(2) of the Revised Statutes of Missouri, as amended, requires each political subdivision to provide a reasonable written policy in compliance with sections 610.010 to 610.035 of the Revised Statutes of Missouri, as amended, regarding the release of information on any meeting, record, or vote.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF  
DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT AS FOLLOWS:**

Downtown Community Improvement District (the "District") hereby adopts the open meetings and records policy in the form attached hereto as Exhibit A and resolves that said policy shall apply to the Board of Directors of the District and to all boards and committees of the District.

Passed this 8th day of March, 2011.

\_\_\_\_\_, Chairman of the Board of  
Directors

(SEAL)

Attest:

\_\_\_\_\_, Secretary of the Board of Director



**EXHIBIT A  
TO RESOLUTION NO. 2011-8**

**OPEN MEETINGS AND RECORDS POLICY**

**WHEREAS**, Section 610.023.1 of the Revised Statutes of Missouri, provides that the District is to appoint a custodian to maintain that body's records and the identity and location of the custodian is to be made available upon request; and

**WHEREAS**, Section 610.026 of the Revised Statutes of Missouri, sets forth that the District shall provide access to and, upon request, furnish copies of public records; and

**WHEREAS**, Section 610.028.2 of the Revised Statutes of Missouri, provides that the District shall provide a reasonable written policy in compliance with Sections 610.010 to 610.030 RSMo., commonly referred to as the Sunshine Law, regarding the release of information on any meeting, record, or vote.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT HEREBY ADOPTS THE FOLLOWING AS ITS AMENDED AND RESTATED OPEN MEETINGS AND RECORDS POLICY, TO-WIT:**

**Section 1.** All meetings, records, and votes of all boards, commissions, committees, or governmental bodies of the Downtown Community Improvement District (the "District") are open to the public, except the District may close any meeting, record, or vote relating to the following:

a. Legal actions, causes of action, or litigation involving the District and any confidential or privileged communications between the District or its representatives and its attorneys. However, any minutes, vote, settlement agreement relating to legal actions, causes of action, or litigation involving the District, or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of the District as its insured, shall be made public upon final disposition of the matter voted upon and upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of Section 610.011 of the Revised Statutes of Missouri, as amended; however, the amount of any monies paid by, or on behalf of, the District shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such legal action. Legal work product shall be considered a closed record;

b. Leasing, purchasing, or sale of real estate by the District where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes, vote or public record approving a contract relating to the leasing, purchase, or

sale of real estate by the District shall be made public within seventy-two (72) hours after execution of the lease, purchase, or sale of the real estate;

c. Hiring, firing, disciplinary, or promotion of particular employees by the District when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by the District, to hire, fire, promote, or discipline an employee of the District must be made available with a record of how each member voted to the public within seventy-two (72) hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two (72) hour period before such decision is made available to the public. As used in the subdivision, the term "personal information" means information relating to the performance or merit of individual employees;

d. Preparation, including any discussions or work product, on behalf of the District or its representatives, for negotiations with employee groups;

e. Software codes for electronic data processing and documentation thereof;

f. Specifications for competitive bidding, until either the specifications are officially approved by the District or the specifications are published for bid;

g. Sealed bids and related documents, until the earlier of either when the bids are opened, or all bids are accepted, or all bids are rejected;

h. Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries, and lengths of service of officers and employees of public agencies once they are employed as such;

i. Records which are protected from disclosure by law;

j. Confidential or privileged communications between the District and its auditor, including all auditor work product;

k. Confidential or privileged communications between the District and its attorneys, including all attorney work product; and

l. Any other reason for closing a meeting which is authorized by Section 610.021 RSMo., as amended.

**Section 2.** All records that may be closed are hereby closed records unless the District votes to make them public. Before closing a meeting to the public, a majority of a quorum of the Directors of the District must vote to do so in a public vote. The vote of each member of the Board of Directors of the District on the question of closing the meeting or vote and the reason for closing the meeting by reference to a specific exception listed in Section 1

herein shall be announced publicly at an open meeting of the District's Board of Directors and entered into the minutes.

**Section 3.** The District's Board of Directors shall give notice of the time, date, and place of a closed meeting or vote and the reason for holding it by reference to a specific exception listed in Section 1 herein. The notice shall be the same as described in Section 4 below. No other business may be discussed in a closed meeting, record, or vote which does not directly relate to the specific reason announced to close the meeting or vote to the public. The District's Board of Directors holding a closed meeting must close only an existing portion of the meeting facility necessary to house the members of the District's Board of Directors in the closed session, allowing members to the public to remain to attend any subsequent open session held by the Board of Directors of the District following the closed session.

**Section 4.** The District's Board of Directors shall give notice of the time, date, place of each meeting, and its tentative agenda, in a manner reasonably calculated to advise the public of the matters to be considered. The notice shall be placed on the 4<sup>th</sup> floor bulletin board at the City of Columbia, 701 East Broadway, Columbia, Missouri, and at the principal meeting place of the body holding the meeting if the meeting place is not in at the City of Columbia Offices. Notice shall be given at least twenty-four (24) hours, exclusive of weekends and holidays when the facility is closed, prior to the commencement of the meeting. If an emergency makes it impossible or impractical to give twenty-four (24) hour notice, the reason must be reflected in the minutes, and as much notice as is reasonably possible shall be given. Notice shall also be provided to any representative of the news media who requests notice of a particular meeting concurrent with the notice being made available to the members of the District.

**Section 5.** The meeting place must be reasonably accessible and must be reasonably convenient to the public. At any meeting conducted by telephone or other electronic means, the public shall be allowed to observe and attend the meeting at a designated location identified in the notice of the meeting. Reasonable efforts must be made to grant special access to the meeting to handicapped or disabled individuals. If it is not possible or practical to hold the meeting at a reasonable place or time, then the reason must be stated in the minutes.

**Section 6.** A formally constituted subunit of the Board of Directors of the District may conduct a meeting without notice as required by this policy during a lawful meeting of the Board of Directors of the District, a recess in that meeting, or immediately following that meeting if the meeting of the subunit is publicly announced at the meeting of the Board of Directors of the District and the subject of the meeting reasonably coincides with the subjects discussed or acted upon by the Board of Directors of the District.

**Section 7.** The Custodian of the Records of the District shall provide public access to the public records of the District as soon as possible but no later than the end of the third business day following the date the request is received by the Custodian of the Records of the District. If access to said public records is not granted immediately, the Custodian of the Records of the District shall give a detailed explanation for the delay and the place and earliest time and date that the record will be available for inspection. If a request for access is denied, the Custodian of the Records of the District shall provide, upon request, a written statement of

the grounds for such denial. Such statement shall cite the specific provision of law under which access is denied and shall be furnished to the requester no later than the end of the third business day following the date that the request for the statement is received.

**Section 8.** Van Matre, Harrison, Hollis, Pitzer, and Taylor, P.C., is appointed custodian of the records of the Downtown Community Improvement District and such custodian shall keep said records at 1103 East Broadway, Columbia, Missouri 65201. Said custodian shall respond to all requests for access to or copies of a public record within the time period provided by statute except in those circumstances authorized by statute.

**Section 9.** The fees to be charged for access to or furnishing copies of records shall be the maximum fees allowed to be charged as prescribed in Section 610.026 RSMo., as amended. Fees for copying or reproducing public records of the District shall be paid in advance by the requestor unless this requirement is expressly waived by the Board of Directors of the District. If the requestor requests a summary of information contained within the District's public records, the cost of preparing such summary shall be paid by the requestor, in advance, based on the usual and customary hourly rates charged by the Custodian of the Custodian's legal services to the District at the time of such request.

**Section 10.** The Custodian and any Director or officer of the District shall be indemnified and held harmless by the District for the costs of any legal defense incurred by him or her as a result of any charge that he or she has violated the provisions of Section 610.010 through 610.030 RSMo.

\* \* \* \* \*

**RESOLUTION NO. 2011-10**

**A RESOLUTION ADOPTING AND ESTABLISHING  
POLICIES OF DOWNTOWN COMMUNITY  
IMPROVEMENT DISTRICT CONCERNING THE  
SOLICITATION OF BIDS AND THE AWARDING OF  
CONTRACTS FOR THE PROCUREMENT OF WORK FOR  
THE DISTRICT**

WHEREAS, Downtown Community Improvement District (the "District") was created by the City Council of the City of Columbia, Missouri, pursuant to its Ordinance of February 7, 2011; and

WHEREAS, pursuant to the Community Improvement Act (Sections 67.1401 through 67.1571 RSMo., the "Act") and the bylaws of the District, the Board of Directors of the District (the "Board") is authorized to seek competitive bids for contracts to be awarded by the Board to contractors for the construction and completion of the District's Projects; and

WHEREAS, as a part of the contracting process for the construction and completion of the District's Projects, the Board desires to establish policies governing the procurement of work and bids thereupon.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT, AS FOLLOWS:

Section 1. All work completed by or on behalf of the District shall conform to the Missouri Prevailing Wages on Public Works Act, Sections 290.210 through 290.340, RSMo., as amended.

Section 2. The Board hereby establishes the following policies for the procurement of construction work and engineering and technical services in the design of the Community Improvement Projects.

a. Construction Contracts:

(1) Solicitation Requirements:

(a) Contracts Exceeding \$30,000.00: If the estimated construction contract cost exceeds \$30,000.00, the Board shall issue public notice with respect to same in the *Columbia Tribune* and the *Missourian*. Sealed bids shall be required.

(b) Contracts \$30,000.00 or Less: If the estimated construction contract cost does not exceed \$30,000.00, public notice and sealed bids shall not be required except if required by laws of Missouri. However,

competitive bids shall be solicited by any reasonable method from a reasonable number of qualified sources.

(c) Emergency Contracts: If the Board determines there exists an imminent threat to public health, welfare, safety, or essential operations of the District, contracts may be entered into without competitive bid or public notice.

(2) Bid Security: When the estimated cost of a construction contract exceeds \$30,000.00, bid security in the amount of at least five percent (5%) of the bidder's price on the base bid shall be required. The security shall be in one of the following forms as determined by the Board: surety bond; letter of credit; cashier's check; certificate of deposit; or other form approved by the Board.

(a) Forfeiture of Security: If a bidder fails or refuses to execute the construction contract when requested by the Board, any bid security given to the District shall immediately become due and payable and forfeited to the District as liquidated damages.

(b) Mistake in Bid Security: Notwithstanding anything to the contrary, a bidder shall correct a mistake on a bid security submission when requested by the District. When such a mistake occurs and a bidder fails or refuses to correct the mistake or execute the contract when requested by the District, any bid security shall be forfeited to the District.

(3) Required Submissions: A bidder or any construction contract shall furnish the following to the District, within the time frames stated in the bid documents or within 14 calendar days after receiving notice of intent to contract from the District unless good cause is shown:

(a) The bidder's federal employer identification number;

(b) Bonds and insurance certificates as required in the bid documents;

(c) Copies of all licenses required by the City of Columbia to do the work;

(d) A copy of its certificate of corporate good standing or fictitious name registration from the Missouri Secretary of State or other evidence acceptable to the District;

(e) A statement regarding all work performed two years immediately preceding the date of the bid that contains either:

- (i) A contract by contract listing of any written notices of violations of any federal or state prevailing wage statute in which prevailing wage penalties were assessed against the bidder or paid by the bidder; or
  - (ii) A statement that there have been no such written notices of violations or such penalties.
- (f) A statement that the bidder is current on payment of its:
  - (i) Federal income tax withholding; and
  - (ii) State income tax withholding and unemployment insurance payments, either in Missouri for companies doing business in Missouri, or in the state in which bidder has its principal office.
- (4) Subcontractor Requirements: Each contractor that has entered into a construction contract with the District shall obtain and retain in its contract files in accordance with the contract requirements the following documentation from any subcontractor:
  - (a) A copy of its certificate of corporate good standing or a copy of its fictitious name registration from the Missouri Secretary of State or evidence acceptable to the City of Columbia;
  - (b) Copies of all licenses required by the contract documents;
  - (c) Evidence that it has in force general, automobile, and employer's and worker's compensation liability insurance in the amounts required by the contract documents;
  - (d) Evidence, which may be a copy of its most recent quarterly contribution and wage report, that is a participant in the state unemployment compensation fund; and
  - (e) A statement regarding all work performed two years immediately preceding the date of the bid that contains either:
    - (i) A contract by contract listing of any written notices of violations of any federal or state prevailing wage statute in which prevailing wage penalties were assessed against the bidder or paid by the bidder; or
    - (ii) A statement that there have been no such written notices of violations or such penalties.

b. Professional Services Contracts (Legal, Engineering, Accounting, Etc.): It shall be the policy of the District to negotiate contracts for professional services on the basis of demonstrated competence and qualifications for the professional services required and such services shall be at fair and reasonable prices. Among other things, the District may evaluate the qualifications of professional firms using the following criteria:

- (1) The specialized experience in technical competence of the professional firm with respect to the type of services required by the District;
- (2) The capacity and capability of the professional firm to perform the work required, including specialized services, within the time limitations fixed for the completion of the applicable projects or professional services required by the District;
- (3) The past record of performance of the professional firm with respect to such factors as control of costs, quality of work, and ability to meet schedules; and
- (4) The professional firm's proximity to and familiarity with the area in which the District's projects are located.

Upon procuring said professional services, the District may require that the professional firm annually submit a statement of qualifications and performance data for review.

c. Construction Management Services: Solicitations for any construction management services shall conform to Sections 8.675 to 8.687, RSMo.

d. Contract Award:

- (1) Contracts shall be awarded to the lowest and best bidder or best proposer/qualifier. The District has the right to reject any and all bids or proposals.
- (2) The Board may negotiate a revised bid with the apparent lowest and best bidder, including changes in bid requirements, price, scope or quantity, on any contract except a construction contract bid if:
  - (a) The bid is more than the appropriation or relevant budget item for that project; and
  - (b) It is not in the District's best interests to resolicit bids because of time or other circumstances.
- (3) The Board may offer the apparent lowest and best bidders on a construction contract the option of performing the work for the engineer's



estimate for the project with no changes to the bid requirements or scope of the project if the bid is not more than five percent higher than the engineer's estimate.

(4) If the Board rejects any or all bids or proposals, the Board may:

(a) Resolicit bids or proposals only from those bidders or proposers that submitted a bid or proposal pursuant to the original solicitation; and/or

(b) Use an expedited bid or proposal submission schedule with or without readvertising or issuing any other public notice when the Board determines that the delay from the normal solicitation procedure would not be in the District's best interests.

e. Extraordinary Awards: Notwithstanding any other provision of this policy and upon the request of a bidder, the Board may waive the requirements of this section and award a District contract to a lowest and best bidder or a best proposer if the Board determines it is in the best interests of the District.

Passed this 8th day of March, 2011.

\_\_\_\_\_, Chairman of the Board of  
Directors

(SEAL)

Attest:

\_\_\_\_\_, Secretary of the Board of Directors

**RESOLUTION NO. 2011-12**

**A RESOLUTION AUTHORIZING AN AGREEMENT WITH  
THE ACCOUNTING FIRM OF GERDING, KORTE &  
CHITWOOD, FOR ACCOUNTING SERVICES FOR THE  
DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT**

WHEREAS, 67.1461.1 of the Revised Statutes of Missouri, as amended, grants the board of directors of a community improvement district the authority to possess and exercise all of the community improvement district's legislative and executive powers; and

WHEREAS, the Board of Directors of the Downtown Community Improvement District (the "District") desires to employ the accounting firm of Gerding, Korte & Chitwood, 20 S. Fifth, Columbia, Missouri 65201 to perform accounting services for the District for each fiscal year; and

WHEREAS, the Board of Directors desires to designate \_\_\_\_\_, as "Budget Officer" for the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT AS FOLLOWS:

1. The Board of Directors hereby approves the proposal/agreement attached hereto as Exhibit A and the Chairman of the District is authorized to execute, and the Secretary is authorized to attest on behalf of the District, an agreement with the accounting firm of Gerding, Korte & Chitwood, for the provision of accounting services related to the District.

2. The District hereby designates \_\_\_\_\_, as Budget Officer to prepare the reports required by Section 67.14 RSMo.

3. This resolution shall be in full force and effect from and after its passage by the Board of Directors.

Passed this 8th day of March, 2011.

\_\_\_\_\_  
\_\_\_\_\_, Chairman of the Board of  
Directors

(SEAL)

Attest:

\_\_\_\_\_  
\_\_\_\_\_, Secretary of the Board of Directors

**RESOLUTION NO. 2011-13**

**A RESOLUTION OF THE DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT REQUESTING THAT THE MAYOR OF THE CITY OF COLUMBIA, MISSOURI, APPOINT THOMAS BRINKER FOR THE REMAINDER OF THE TERM OF A DIRECTOR THAT RESIGNED BEGINNING FEBRUARY 21, 2011, AS SUCCESSOR TO HIS RESPECTIVE BOARD POSITION**

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT AS FOLLOWS:**

WHEREAS, the Downtown Community Improvement Development District (the "District"), which was formed on February 7, 2011, by Special Ordinance No. 20866 (the "Ordinance") of the City Council of the City of Columbia, Missouri, is a political subdivision of the State of Missouri and is transacting business and exercising powers granted pursuant to the Community Improvement District Act, Sections 67.1401 through 67.1571, RSMo ("CID Act"); and

WHEREAS, under the Act, the above-referenced ordinance reserves unto the Mayor of the City of Columbia the power to appoint a successor Director with the advice and consent of the City Council to serve as a member of the Board of Directors of the District; and

WHEREAS, pursuant to Special Ordinance No. 20866 of the City Council of the City of Columbia, Missouri, Michael (Mills) Menser was appointed to a term of office as Director for two years and resigned from his position as Director on February 8, 2011; and

WHEREAS, it is necessary for the Mayor of the City of Columbia, Missouri, to appoint a replacement (successor) Director for said person to serve as such for the remainder of such two (2) year term; and

WHEREAS, the Board of Directors recommends to the Mayor of the City of Columbia, Missouri, that Thomas Brinker be appointed as Director of the Board of Directors of the Downtown Community Improvement District to serve during the remainder of such two (2) year term of office commencing May 10, 2011.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT, AS FOLLOWS:**

1. The District hereby requests that the Mayor of the City of Columbia, Missouri, appoint Thomas Brinker as Director to serve during the remainder of a two (2) year term as a member of the Board of Directors of the Downtown Community Improvement District pursuant to the Act and the Ordinance cited above.

2. The Executive Director is authorized to communicate the fact and contents of this Resolution to the Mayor the City of Columbia and to the City Attorney of the City of Columbia as soon as possible hereafter so that same may be placed on the appropriate agenda of the City Council of the City of Columbia, Missouri, to ratify and approve the appointments of said Directors as made by the Mayor of the City of Columbia.

3 This resolution shall be in full force and effect from and after its passage by the Board of Directors.

Passed this 12th day of April, 2011.

\_\_\_\_\_  
\_\_\_\_\_, Chairman of the Board  
of Directors

(SEAL)

Attest:

\_\_\_\_\_  
\_\_\_\_\_, Secretary of the Board of Directors

**CERTIFICATE**

I, the undersigned, hereby certify that the above and foregoing is a true and correct copy of the Resolution of the Downtown Community Improvement District, passed by the Board of Directors on March 8, 2011, as the same appears of record in my office, and that said Resolution has not been modified, amended or repealed and is in full force and effect as of this date.

DATED: March 8, 2011.

\_\_\_\_\_  
**Carrie Gartner, Executive Director**

**RESOLUTION NO. 2011-14**

**A RESOLUTION AUTHORIZING THE CHAIRMAN OF  
THE DOWNTOWN COMMUNITY IMPROVEMENT  
DISTRICT TO PROCEED WITH ALL NECESSARY  
ACTIONS RELATING TO DESIGN, COMPLETION, AND  
CONSTRUCTION OF THE DISTRICT'S COMMUNITY  
IMPROVEMENT PROJECTS PURSUANT TO THE  
MISSOURI COMMUNITY IMPROVEMENT DISTRICT  
ACT**

WHEREAS, Downtown Community Improvement District (the "District") was formed on February 7, 2011, by virtue of an Ordinance entered by the City of Columbia, City Council (the "Ordinance");

WHEREAS, pursuant to the provisions of Sections 67.1401 through 67.1571 RSMo., as amended (the "CID Act"), the District is authorized to fund, promote, plan, design, construct, improve, maintain, and operate the Community Improvement Projects, as defined in the Ordinance;

WHEREAS, the Board of Directors of the District hereby finds and determines that it is necessary and desirable that the District's officers have the authority to engage in certain actions with regard to the District's Projects.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF  
DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT, AS FOLLOWS:**

1. The Board of Directors hereby authorizes the Chairman of the District, advisors to the District and other officers and representatives of the District to do all such acts and things and to execute, acknowledge and deliver all such documents as may, in their discretion, be deemed necessary or desirable in order to carry out or comply with the Ordinance and the terms and provisions of this Resolution in connection with the planning and implementation of the District's Projects.

2. The Board of Directors hereby resolves that all acts and undertakings of such officers and representatives of the District which are in conformity with the Act and the Ordinance and the intent and purposes of this Resolution, whether heretofore or hereafter taken or done, shall be and the same are hereby in all respects, ratified, confirmed and approved.

3. This Resolution shall take effect and be in full force immediately after its adoption by the Board of Directors of the District.

Passed this 8th day of March, 2011.

\_\_\_\_\_, Chairman of the Board of  
Directors

(SEAL)

Attest:

\_\_\_\_\_, Secretary of the Board of Directors

## **RESOLUTION NO. 2011-18**

### **A RESOLUTION OF THE DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT PROVIDING FOR THE IMPOSITION IN THE DISTRICT OF A ONE-HALF PERCENT SALES AND USE TAX; PROVIDING FOR THE SUBMITTAL OF A PROPOSAL TO THE QUALIFIED VOTERS OF THE DISTRICT TO AUTHORIZE A SALES AND USE TAX; AND AUTHORIZING AND DIRECTING RELATED ACTIONS**

WHEREAS, following receipt of a proper petition (the "Petition") submitted to the City of Columbia, Missouri (the "City") pursuant to the Community Improvement District Act, Sections 67.1401 through 67.1571 of the Revised Statutes of Missouri, as amended (the "CID Act") and conclusion of a duly noticed public hearing, the Downtown Community Improvement District (the "District") was formed by the City Council of the City by Ordinance No. 20866 on February 7, 2011 as a political subdivision of the State of Missouri (the "Ordinance"); and

WHEREAS, Section 67.1545.1 of the CID Act authorizes any community improvement district which is formed as a political subdivision to impose, by resolution of its board of directors, a district sales and use tax on all retail sales made in such district which are subject to taxation pursuant to sections 144.010 to 144.525 of the Revised Statutes of Missouri, as amended, with certain exceptions set forth in the CID Act, at the rate of up to one percent, subject to authorization by a majority of the votes cast by the qualified votes of the district; and

WHEREAS, the Board of Directors of the District (the "Board") has concluded that it is necessary and desirable to impose a one-half percent sales and use tax for the purpose of providing revenues to the District to fund the District Projects, CID Projects, District Obligations, CID Obligations (all as defined in the Ordinance and the Petition), and to accomplish any other power, duty or purpose of the District authorized by the CID Act (the "Obligations"); and

WHEREAS, the Board has concluded that it is necessary and desirable to submit to the qualified voters of the District a proposal to authorize imposition of the one-half percent sales tax in accordance with the CID Act by mail-in ballot for an election on November 8, 2011 (the "Election"); and

WHEREAS, at a meeting of the Board, convened at 4:00 p.m. on August 18, 2011 at 11 S. Tenth Street, Columbia, Missouri 65201, at which was present a quorum of the directors, the Board took the action further described herein.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Downtown Community Improvement District, as follows:

1. Sales Tax: Subject to the approval of a simple majority of qualified voters of the District voting in the Election by mail-in ballot in accordance with Section 67.1545.1 of the CID Act, there is hereby imposed a one-half percent (1/2%) sales and use tax on all retail sales within



the District which are subject to taxation under the provisions of Sections 144.010 to 144.525 of the Revised Statutes of Missouri, as amended, with certain exceptions set forth in the CID Act (the "CID Sales Tax"), for a period ending on the later of: (a) February 7, 2031; or (b) the completion and payment of the Obligations of the District, including, but not limited to any Obligations (as defined in the CID Act) issued by the District or any other obligations of the District. The tax imposed hereunder shall be in addition to any and all other sales taxes allowed by law.

2. Trust Fund: There is hereby established in the treasury of the District a special trust fund designated as the Downtown Community Improvement District Sales Tax Trust Fund (the "CID Trust Fund"), into which shall be deposited all revenues received by the District from the CID Sales Tax authorized pursuant to the provisions of Section 67.1545 of the CID Act and this Resolution.

3. Sales Tax Ballot: Promptly after adoption of this Resolution, there shall be submitted to the "qualified voters" (as that term is defined and used in the CID Act) of the District by mail-in ballot, a proposal to authorize the CID Sales Tax in substantially the form as the ballot attached hereto as Exhibit A. The Secretary of the Board is hereby authorized and directed to provide by hand delivery or by first class United States mail, return receipt requested to the County Clerk of Boone County, Missouri as the election authority, notice of this Resolution in substantially the form as Exhibit B attached to this Resolution.

4. Notice to the Department of Revenue: Within ten (10) days after the qualified voters have voted on and approved the imposition of the CID Sales Tax as provided in Section 3 of this Resolution, the Secretary of the Board of Directors of the District shall, in accordance with Section 32.087 of the Revised Statutes of Missouri, as amended, cause to be notified in writing the Director of the Missouri Department of Revenue (the "Director") of the imposition of such tax, such notice to be mailed by first class United States Mail, return receipt requested. The CID Sales Tax shall become effective on the first day of the second calendar quarter after the Director receives notice of the adoption of the CID Sales Tax as provided in this Section.

5. Severability: The portions of this Resolution shall be severable. In the event that any portion of this Resolution is found by a court of competent jurisdiction to be invalid, the remaining portions of this Resolution are valid, unless the court finds the valid portions of this Resolution are so essential and inseparably connected with the dependent upon the void portion that it cannot be presumed that the Board would have enacted the valid portions without the invalid ones, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

6. Effectiveness: Sections 2, 3, 4, 5, and 6 of this Resolution shall be in full force and effect from and after the adoption of this Resolution as provided by law. Section 1 of this Resolution shall be effective upon the approval of the simple majority of qualified voters of the District voting in the Election in favor of the CID Sales Tax as provided by law.

Adopted this 18 day of August, 2011.

\_\_\_\_\_, Chairman

Attest:

\_\_\_\_\_, Secretary

**EXHIBIT A**  
**THE DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT**  
**PROPOSAL TO IMPOSE A ONE-HALF PERCENT (1/2%) SALES AND USE TAX**

**MAIL-IN BALLOT**

Shall the **Downtown Community Improvement District** impose a district-wide sales and use tax at the maximum rate of one-half percent (1/2%) on all retail sales within the District that are subject to taxation for a period lasting the longer of (a) twenty (20) years from the date on which such tax is first imposed; or (b) the period necessary to pay for any lawful obligations of the district, for the purpose of providing revenue for any statutorily allowable capital improvement or service to accomplish any purpose of the district, such as the following:

(1) Downtown Beautification

**Examples:** Street, alley and sidewalk enhancements; sidewalk snow removal; recycling; **and/or**

(2) Technology and Public Information Enhancements

**Examples:** District-wide WiFi service; smartphone applications for event and product information; **and/or**

(3) Business Marketing and Development Assistance

**Examples:** Downtown promotion; entrepreneurial assistance; **and/or**

(4) Event Recruitment and Promotion

**Examples:** Street fairs; concerts; specialty markets; **and/or**

(5) Shopping, Dining, or Entertaining Enhancements

**Examples:** Sidewalk cafes; street musicians; curbside vendors

[ ] YES [ ] NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO"

By submitting this Ballot to the County Clerk of Boone County, Missouri, the undersigned hereby certifies, represents and warrants that the undersigned is a registered voter who resides within the District and is qualified and registered to vote pursuant to Chapter 115 of the Revised Statutes of Missouri, as amended, pursuant to the records of the County Clerk of Boone County, Missouri as of the thirtieth day prior to the date of this election.

Dated: \_\_\_\_\_, 2011

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

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Address

This ballot may be mailed or hand delivered to the County Clerk of Boone County, Missouri,  
Attn: Wendy Noren, 801 East Walnut, Columbia, Missouri 65201.

## **EXHIBIT B**

### **THE DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT PROPOSAL TO IMPOSE A ONE-HALF PERCENT (1/2%) SALES AND USE TAX**

#### **NOTICE TO ELECTION AUTHORITY**

Notice is hereby given to the qualified voters of the Downtown Community Improvement District that the Board of Directors of said District has called for an election to be held on Tuesday the 8<sup>th</sup> day of November, 2011. The election shall be conducted under the provisions of 115.650 through 115.660 RSMo. and 15 CSR 30-5.020 by mailing ballots, not later than the 10<sup>th</sup> day prior to the date of the election, to each registered voter of said District at the address on the official voter registration file. Ballots shall be returned by the voter to the office of the election authority by mail or in person and received not later than 7:00 p.m. on the date of the election in order to be counted.

The question to be submitted to the voters of said District shall be as contained in the following sample Official Ballot.

**RESOLUTION NO. 2011-19**

**A RESOLUTION OF THE DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT REQUESTING THAT THE MAYOR OF THE CITY OF COLUMBIA, MISSOURI, APPOINT JENNIFER PERLOW FOR THE REMAINDER OF THE TERM OF A DIRECTOR THAT RESIGNED BEGINNING SEPTEMBER 14, 2011, AS SUCCESSOR TO HIS RESPECTIVE BOARD POSITION**

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT AS FOLLOWS:**

WHEREAS, the Downtown Community Improvement Development District (the "District"), which was formed on February 7, 2011, by Special Ordinance No. 20866 (the "Ordinance") of the City Council of the City of Columbia, Missouri, is a political subdivision of the State of Missouri and is transacting business and exercising powers granted pursuant to the Community Improvement District Act, Sections 67.1401 through 67.1571, RSMo ("CID Act"); and

WHEREAS, under the Act, the above-referenced ordinance reserves unto the Mayor of the City of Columbia the power to appoint a successor Director with the advice and consent of the City Council to serve as a member of the Board of Directors of the District; and

WHEREAS, pursuant to Special Ordinance No. 20866 of the City Council of the City of Columbia, Missouri, Paul Land was appointed to a term of office as Director for one year and resigned from his position as Director on August 9, 2011; and

WHEREAS, it is necessary for the Mayor of the City of Columbia, Missouri, to appoint a replacement (successor) Director for said person to serve as such for the remainder of such one (1) year term; and

WHEREAS, the Board of Directors recommends to the Mayor of the City of Columbia, Missouri, that Jennifer Perlow be appointed as Director of the Board of Directors of the Downtown Community Improvement District to serve during the remainder of such one (1) year term of office commencing September 13, 2011.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT, AS FOLLOWS:**

1. The District hereby requests that the Mayor of the City of Columbia, Missouri, appoint Jennifer Perlow as Director to serve during the remainder of a one (1) year term as a member of the Board of Directors of the Downtown Community Improvement District pursuant to the Act and the Ordinance cited above.

2. The Executive Director is authorized to communicate the fact and contents of this Resolution to the Mayor the City of Columbia and to the City Attorney of the City of Columbia as soon as possible hereafter so that same may be placed on the appropriate agenda of the City Council of the City of Columbia, Missouri, to ratify and approve the appointments of said Directors as made by the Mayor of the City of Columbia.

3 This resolution shall be in full force and effect from and after its passage by the Board of Directors.

Passed this 13th day of September, 2011.

\_\_\_\_\_  
\_\_\_\_\_, Chairman of the Board  
of Directors

(SEAL)

Attest:

\_\_\_\_\_  
\_\_\_\_\_, Secretary of the Board of Directors

**CERTIFICATE**

I, the undersigned, hereby certify that the above and foregoing is a true and correct copy of the Resolution of the Downtown Community Improvement District, passed by the Board of Directors on September 13, 2011, as the same appears of record in my office, and that said Resolution has not been modified, amended or repealed and is in full force and effect as of this date.

DATED: September 13, 2011.

\_\_\_\_\_  
**Carrie Gartner**, Executive Director



**RESOLUTION NO. 2011-21**

**A RESOLUTION APPROVING AND AUTHORIZING THE  
EXECUTION OF AN AGREEMENT BETWEEN THE  
DISTRICT AND THE CENTRAL COLUMBIA  
ASSOCIATION REGARDING FUNDING OF COMMUNITY  
IMPROVEMENT PROJECTS**

WHEREAS, the Downtown Community Improvement District (the "District") was formed on February 7, 2011, by Special Ordinance No. 20866 of the City Council of the City of Columbia, Missouri, is a political subdivision of the State of Missouri and is transacting business and exercising powers granted pursuant to the Community Improvement District Act, Sections 67.1401 through 67.1571, RSMo ("CID Act"); and

WHEREAS, Section 67.1461 RSMo., as amended, grants the board of directors of a community improvement district the authority to possess and exercise all of the community improvement district's legislative and executive powers; and

WHEREAS, pursuant to 67.1461 RSMo, as amended, of the CID Act, the District is authorized to approve the execution of an agreement between the District and the Central Columbia Association regarding funding of Community Improvement Projects, which is attached hereto as Exhibit A and incorporated herein by this reference.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF  
THE DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT, AS FOLLOWS:**

1. The Board of Directors hereby approves the execution of an agreement between the District and the Central Columbia Association regarding funding of Community Improvement Projects, as attached hereto as Exhibit A and incorporated herein by this reference. The Chairman was authorized and directed to execute the agreement on behalf of the District, and the Secretary was authorized and directed to attest to the agreement.

2. This Resolution shall take effect and be in full force immediately after its adoption by the Board of Directors of the District.

Passed this 11th day of October, 2011.

(SEAL)

\_\_\_\_\_, Chairman of the Board of Directors

Attest:

\_\_\_\_\_, Secretary of the Board of Directors

**RESOLUTION NO. 2011-22**

**A RESOLUTION APPROVING AND AUTHORIZING THE  
EXECUTION OF AN AGREEMENT BETWEEN THE  
DISTRICT AND THE SPECIAL BUSINESS DISTRICT  
REGARDING FUNDING OF COMMUNITY  
IMPROVEMENT PROJECTS**

WHEREAS, the Downtown Community Improvement District (the "District") was formed on February 7, 2011, by Special Ordinance No. 20866 of the City Council of the City of Columbia, Missouri, is a political subdivision of the State of Missouri and is transacting business and exercising powers granted pursuant to the Community Improvement District Act, Sections 67.1401 through 67.1571, RSMo ("CID Act"); and

WHEREAS, Section 67.1461 RSMo., as amended, grants the board of directors of a community improvement district the authority to possess and exercise all of the community improvement district's legislative and executive powers; and

WHEREAS, pursuant to 67.1461 RSMo, as amended, of the CID Act, the District is authorized to approve the execution of an agreement between the District and the Special Business District regarding funding of Community Improvement Projects, which is attached hereto as Exhibit A and incorporated herein by this reference.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF  
THE DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT, AS FOLLOWS:**

1. The Board of Directors hereby approves the execution of an agreement between the District and the Special Business District regarding funding of Community Improvement Projects, as attached hereto as Exhibit A and incorporated herein by this reference. The Chairman was authorized and directed to execute the agreement on behalf of the District, and the Secretary was authorized and directed to attest to the agreement.

2. This Resolution shall take effect and be in full force immediately after its adoption by the Board of Directors of the District.

Passed this 11th day of October, 2011.

(SEAL)

\_\_\_\_\_, Chairman of the Board of Directors

Attest:

\_\_\_\_\_, Secretary of the Board of Directors