

AN ORDINANCE APPROVING THE PETITION TO ESTABLISH THE DOWNTOWN LINDEN COMMUNITY IMPROVEMENT DISTRICT.

WHEREAS, Sections 67.1401 to 67.1571 RSMo, 2000, as amended (the “**CID Act**”), authorize the governing body of any city, upon presentation of a proper petition requesting the formation and after a public hearing, to adopt an ordinance establishing a community improvement district; and

WHEREAS, the City of Gladstone, Missouri (the “**City**”) is a city of the third class and a political subdivision of the State of Missouri, duly created, organized and existing under and by virtue of the Constitution and laws of the State of Missouri; and

WHEREAS, on July 11, 2019, property owners representing the necessary amount of assessed value and per capita numbers within the proposed Downtown Linden Community Improvement District filed with the Clerk of the City (the “**City Clerk**”) a petition for the establishment of a community improvement district pursuant to the CID Act (the “**Petition**”), entitled the Downtown Linden Community Improvement District (the “**District**”); and

WHEREAS, the City Clerk verified that the Petition substantially complies with the CID Act, submitted the verified Petition to the City Council and set a public hearing with all proper notice being given in accordance with the CID Act or other applicable law; and

WHEREAS, none of the signatures of the signers of the Petition were withdrawn within seven days after the Petition was filed with the City Clerk; and

WHEREAS, all the real property included in the District is entirely located within the City; and

WHEREAS, on July 29, 2019, the City Council held a public hearing at which all persons interested in the formation of the District were allowed an opportunity to speak and at which time the City Council heard all protests and received all endorsements.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF GLADSTONE, MISSOURI, AS FOLLOWS:

SECTION 1. APPROVAL OF PETITION. That the Downtown Linden Community Improvement District is hereby approved and shall be established within the City as a political subdivision of the State of Missouri, as provided in the Petition filed with the City Clerk on July 11, 2019 a copy of which is attached hereto as **Exhibit A** and incorporated herein by this reference.

SECTION 2. FINDING OF BLIGHT. Pursuant to Section 67.1401.2(3)(a) RSMo, the City Council finds and determines that the area described in the Petition is a blighted area based on information included in and testimony related to the blight study submitted with the Petition

and presented at the public hearing on July 29, 2019. The City Council further finds and determines that the use of District revenues related to the construction of the improvements and services described in the Petition are reasonably anticipated to remediate the blighting conditions within the District and will serve a public purpose.

SECTION 3. PURPOSE AND POWERS. That the District is hereby established for the purposes set forth in the petition; that the District shall have all the powers and authority authorized by the petition the Act, and by law; and that the District shall continue for twenty (20) years with additional ten (10) year terms subject to approval of the City Council and unless terminated in accordance with Missouri law.

SECTION 4. CITY REPORTING. That upon the effective date of this ordinance, the City Clerk is hereby directed to report the creation of the District to the Missouri Department of Economic Development pursuant to Section 67.1421.6 RSMo, by sending a copy of this ordinance to said agency.

SECTION 5. FURTHER AUTHORIZATION. That the City Manager, City Clerk and such other officials of the City may execute any other additional documents or take such other actions as are necessary, incidental or expedient to carry out the intent of this Ordinance approved and the authority granted herein.


SECTION 6. EFFECTIVE DATE. That this ordinance shall be in full force and effect from and after the date of its passage and approval.

INTRODUCED, PASSED, SIGNED, AND MADE EFFECTIVE BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, ON THIS 29TH DAY OF JULY, 2019.



Mayor Carol J. Suter

ATTEST:



Ruth E. Bocchino, City Clerk

First Reading: July 29, 2019

Second Reading: July 29, 2019



Request for Council Action

RES ☐ # City Clerk Only

BILL ☒ # 19-31

ORD ☒ # 4.482

Date: 7/24/2019

Department: General Administration

Meeting Date Requested: 07/29/19

Public Hearing: Yes ☒ Date: 7/29/2019

Subject: Approval of an Ordinance approving the Petition to establish the Downtown Linden Community Improvement District.

Background: As part of the project associated with the construction of a hotel in the 6900 block of North Oak, the City of Gladstone (property owner) has petitioned for the establishment of the Downtown Linden Community Improvement District, which will help fund the construction of certain improvements within the proposed district. Anticipated improvements to be carried out during the first five (5) years of the district include: construction, installation, reconstruction, and maintenance associated with public art, signage, landscaping, construction of retaining walls and fences, and legal costs associated with the formation of the proposed district.

Budget Discussion: Funds are budgeted in the amount of \$ 0 from the GENERAL fund. Ongoing costs are estimated to be \$ 0 annually. Previous years' funding was \$0

Public/Board/Staff Input: N/A

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk

Bob Baer
Assistant City Manager

PC
City Attorney

SW
City Manager

Exhibit A

Petition to Establish the Downtown Linden Community Improvement District

City Clerk Verification

Pursuant to Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri (the "CID Act"), I, Ruth Bocchino, City Clerk of the City of Gladstone, Missouri, state the following:

1. A petition to form the Downtown Linden Community Improvement District was filed with the City Clerk on July 11, 2019.
2. It has been determined on July 12, 2019, which does not exceed ninety days after receipt of the petition, that the petition substantially complies with the requirements of Section 67.1421.2 of the CID Act.
3. On July 11, 2019, I delivered the verified petition to the City Council of the City of Gladstone, Missouri.

Date:

July 12, 2019

Ruth Bocchino
Ruth Bocchino
City Clerk
City of Gladstone, Missouri

**NOTICE OF PUBLIC HEARING
DOWNTOWN LINDEN COMMUNITY IMPROVEMENT DISTRICT**

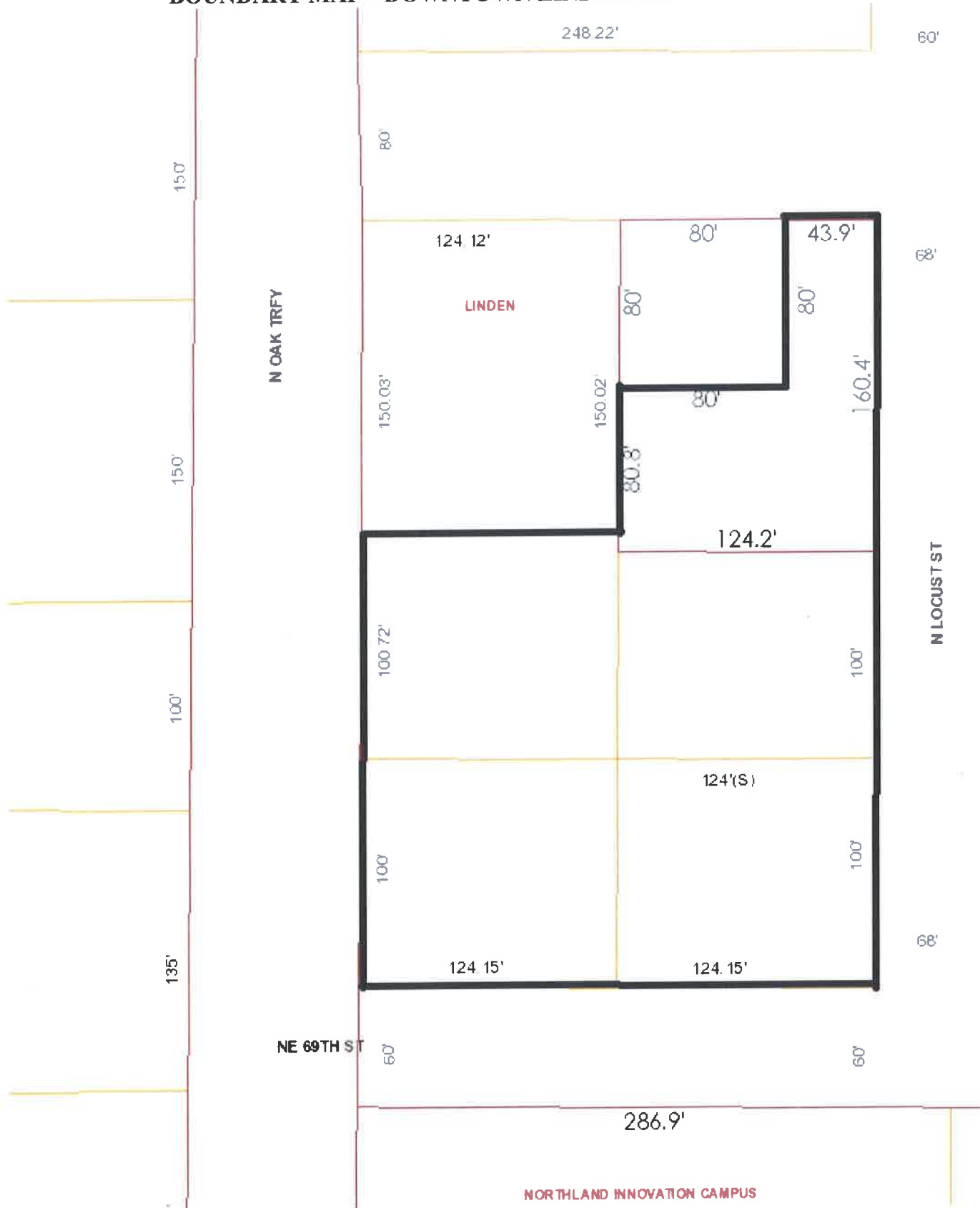
The City Council of the City of Gladstone, Missouri, will hold a public hearing during its meeting beginning at 7:00 p.m., on July 29, 2019, in the City Council Chambers at Gladstone City Hall, 7010 N. Holmes, Gladstone, Missouri 64118. The hearing is being held pursuant to the requirements of Section 67.1431 of the Revised Statutes of Missouri, as amended, regarding the establishment of the Downtown Linden Community Improvement District herein described.

1. A petition for the establishment of the Downtown Linden Community Improvement District has been filed with the Gladstone City Clerk.
2. The proposed district includes approximately 2 acres of land in an area located generally at the intersection of NE. 69th Street and N. Oak Trafficway. The boundaries of the proposed district are more specifically shown on the map attached hereto.
3. A copy of the petition is available for review at the office of the Gladstone City Clerk during regular business hours.
4. All interested persons shall be given an opportunity to be heard at the public hearing.



Ruth Bocchino
City Clerk
City of Gladstone, Missouri

BOUNDARY MAP – DOWNTOWN LINDEN CID



(Published in the Courier-Tribune Thurs., 7/18/19 & Thurs., 7/25/19)

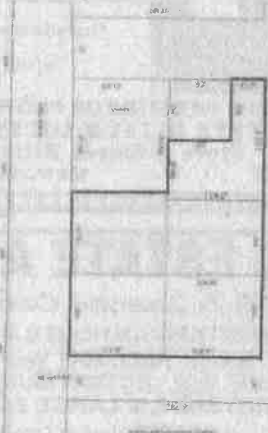
**NOTICE OF PUBLIC HEARING
LINDEN BLOCK 25 COMMUNITY IMPROVEMENT DISTRICT**

The City Council of the City of Gladstone, Missouri, will hold a public hearing during its meeting beginning at **7:00 p.m., on July 29, 2019**, in the City Council Chambers at Gladstone City Hall, 7010 N. Holmes, Gladstone, Missouri 64118. The hearing is being held pursuant to the requirements of Section 67.1431 of the Revised Statutes of Missouri, as amended, regarding the establishment of the Linden Block 25 Community Improvement District herein described.

1. A petition for the establishment of the Linden Block 25 Community Improvement District has been filed with the Gladstone City Clerk.
2. The proposed district includes approximately 2 acres of land in an area located generally at the intersection of NE. 69th Street and N. Oak Trafficway. The boundaries of the proposed district are more specifically shown on the map attached hereto.
3. A copy of the petition is available for review at the office of the Gladstone City Clerk during regular business hours.
4. All interested persons shall be given an opportunity to be heard at the public hearing.

/s/ Ruth Bocchino
Ruth Bocchino
City Clerk
City of Gladstone, Missouri

BOUNDARY MAP - LINDEN BLOCK 25 CTD



(Published in the Courier-Tribune Thurs., 7/18/19 & Thurs., 7/25/19)

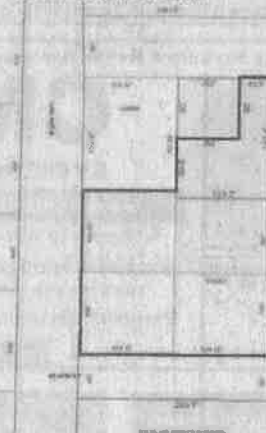
**NOTICE OF PUBLIC HEARING
DOWNTOWN LINDEN COMMUNITY IMPROVEMENT DISTRICT**

The City Council of the City of Gladstone, Missouri, will hold a public hearing during its meeting beginning at **7:00 p.m., on July 29, 2019**, in the City Council Chambers at Gladstone City Hall, 7010 N. Holmes, Gladstone, Missouri 64118. The hearing is being held pursuant to the requirements of Section 67.1431 of the Revised Statutes of Missouri, as amended, regarding the establishment of the Downtown Linden Community Improvement District herein described.

1. A petition for the establishment of the Downtown Linden Community Improvement District has been filed with the Gladstone City Clerk.
2. The proposed district includes approximately 2 acres of land in an area located generally at the intersection of NE. 69th Street and N. Oak Trafficway. The boundaries of the proposed district are more specifically shown on the map attached hereto.
3. A copy of the petition is available for review at the office of the Gladstone City Clerk during regular business hours.
4. All interested persons shall be given an opportunity to be heard at the public hearing.

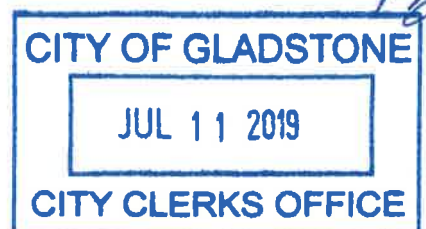
/s/ Ruth Bocchino
Ruth Bocchino
City Clerk
City of Gladstone, Missouri

BOUNDARY MAP - DOWNTOWN LINDEN CTD



**PETITION TO THE CITY COUNCIL
OF THE CITY OF GLADSTONE, MISSOURI FOR THE CREATION OF
THE DOWNTOWN LINDEN COMMUNITY IMPROVEMENT DISTRICT**

Submitted July 11, 2019



**PETITION FOR THE CREATION OF
THE DOWNTOWN LINDEN COMMUNITY IMPROVEMENT DISTRICT**

Pursuant to the authority of the Community Improvement District Act (the "Act"), Sections 67.1401 through 67.1571, RSMo, this verified Petition is filed with the City Clerk of the City of Gladstone, Missouri (the "City") by the undersigned. The undersigned, collectively representing i) the property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district; and ii) more than fifty percent per capita of all owners of real property within the boundaries of the proposed district, do hereby petition and request that the City Council of the City of Gladstone, Missouri create a community improvement district pursuant to Missouri law.

1. **Property Description.** The legal description of the proposed district is set forth in **Exhibit A-1** to this Petition and a map illustrating the contiguous boundaries of the District is set forth as **Exhibit A-2**. A list of the owners of all properties included within the boundaries of the proposed district as of the date of the filing of this Petition is attached hereto as **Exhibit B**.
2. **District Name.** The name of the proposed district shall be: Downtown Linden Community Improvement District.
3. **Notice to Petitioners.** The signers of this Petition understand that their signatures may not be withdrawn from this Petition later than seven (7) days after this Petition is filed with the City Clerk.
4. **Purpose and Five Year Plan.** A five-year plan stating a description of the purposes of the proposed district, the services it will provide, the improvements it will make and an estimate of costs of these services and improvements to be incurred is attached hereto as **Exhibit C**.
5. **Political Subdivision.** Petitioner requests the proposed district be created as a political subdivision of the State of Missouri.
6. **Governing Board.** Petitioner requests the proposed district be governed by a Board of Directors (the "Board") appointed by the Mayor of the City, with the consent of the City Council.
 - a. **Number.** The proposed district shall be governed by a Board of Directors ("Board") consisting of five (5) members
 - b. **Qualifications.** Each Member of the Board ("Director") shall meet the following requirements
 - i. be at least 18 years of age;
 - ii. be and must declare to either be an owner ("Owner") or an authorized representative of an Owner of real property within the District, an owner of a business ("Operator") or an authorized representative of such owner

Should the Mayor reject and return the slate to the Board, the Board shall within ten (10) days of such refusal submit an alternative slate to the mayor with two (2) alternates for each of the Board positions requested by the Mayor.

After receipt of the alternative slate, the Mayor shall either (i) choose from the alternate(s), approve the slate, and seek consent of the City Council at the next regular meeting of the City Council, or (ii) reject the alternative slate. In the event the Mayor rejects the alternative slate, Successor Directors that meet the qualifications of the CID Act and this Petition shall be appointed by the Mayor with the consent of the City Council.

7. **Assessed Value of Property.** The total assessed value of all real property within the proposed district is \$0.
8. **Determination of Blight.** Petitioner is seeking a determination of blight under Section 67.1401.2(3)(b), RSMo of the CID Act for property located within the District. In order for the District to be able to expend revenues pursuant to Section 67.1461.2(2), RSMo, this Petition seeks the City Council's determination that the use of District Revenues as described herein and pursuant to contracts to finance the demolition, removal, renovation, reconstruction and rehabilitation of existing structures within the District and related improvements and structures is reasonably anticipated to remediate the blighted conditions within the District and will serve a public purpose. A Blight Study conducted of the property is attached as **Exhibit E**.
9. **Duration of District.** The life of the District shall begin from the effective date of the ordinance establishing the District, and shall be in existence for twenty (20) years to fund improvements and services, provided however the District's life may be automatically continued for successive ten-year terms, until all of the project costs are satisfied, without having to submit a new petition subject to the condition precedent that the City Council shall not have adopted a resolution disallowing such continuation prior to the date upon which any successive term would have commenced unless sooner terminated in accordance with Section 67.1481, RSMo of the Act. .
10. **Real Property Taxes.** The proposed district will not have the power to impose a real property tax or a business license tax.
11. **Special Assessments.** The District shall be permitted to impose special assessments. The maximum rate of the special assessments and the method of each parcel are set forth in the Special Assessment Petition in **Exhibit D** (the "Special Assessment Petition") attached hereto and incorporated herein and made an integral part of this Petition. The special assessments shall be imposed once the improvements on each lot, parcel, or tract are constructed and a certificate of occupancy is issued.

By execution of this Petition, the Petitioner has executed the Special Assessment Petition and authorized the special assessments set forth in the Special Assessment Petition. Upon the City's adoption of an ordinance establishing the District according to the Act and as provided in this Petition, the Petitioner shall present the Special Assessment Petition to the Board of the District for its approval.

of a business operating within the District, or a registered voter ("Resident") residing within the District, as provided by the CID Act;

- iii. be and have been a resident of the State of Missouri for at least one year immediately preceding the date upon which he or she takes office in accordance with Article VII, Section 8 of the Missouri Constitution; and
 - iv. except for the initial directors named in this Petition, be nominated according to the slate submitted as described in **Section 6, paragraph e** of the Petition.
- c. Initial Directors. The initial Board of the proposed district shall be appointed by the Mayor with the consent of the City Council ("Initial Directors"). Two of the Initial Directors shall serve for four-year terms and the remaining three directors shall serve for two-year terms.
- d. Terms. Each Initial Director shall serve until his/her successor is appointed in accordance with **Section 6, paragraph e** of the Petition. Each Successive Director shall serve a four (4) year term or until his/her successors is appointment in accordance with **Section 6, paragraph e** of the Petition. If, for any reason, a Director is not able to serve his/her term, the remaining directors shall elect an Interim Director to fill the vacancy of the unexpired term.

Notwithstanding anything to the contrary, any Director's failure to the meet the qualification requirements of **Section 6, paragraph b** of the Petition, either in the Director's individual capacity or in a Director's representative capacity, shall constitute cause for the Board to take appropriate action to remove said Director.

- e. Successive Directors. Successor Directors shall be appointed by the Mayor with the consent of the City Council by resolution according to the slate submitted by the Executive Director of the District to the City of Gladstone, Missouri's City Clerk (the "City Clerk"). The slate of proposed Successive Directors shall evidence in a from satisfactory to the City that each Successor Director meets the qualifications to serve as Director pursuant to the CID Act and this Petition.

Upon receipt of the slate of Successor Directors, the City Clerk shall promptly deliver the slate to the Mayor, and the Mayor shall either (i) approve the slate and seek consent of same from the City Council at the next regular meeting of the City Council or (ii) return the slate to the Board with a request for alternates for any or all of the Boards positions identified in the slate.

Should the City Council refuse to consent to the slate submitted to it by the Mayor, it shall request alternatives for any or all Board positions identified on the slate, the Board shall within ten (10) days of such refusal submit an alternative slate to the mayor with two (2) alternates for each of the Board positions requested by the City Council.

12. **Sales Taxes.** Qualified voters of the proposed district may be asked to approve a sales tax of up to one percent (1%), in accordance with the CID Act, to fund certain improvements within the proposed district and/or to pay the costs of services provided by the proposed district.
13. **Borrowing Capacity.** Petitioner does not seek limitations on the borrowing capacity of the proposed district.
14. **Revenue Generation.** Petitioner does not seek limitations on the revenue generation of the proposed district.
15. **Powers of District.** Petitioner does not seek limitations on the powers of the proposed district.

Exhibit A-1

The legal description of the proposed district

LOTS 4, 5, 6, 7, 8, 9, 10, 11 AND S. 10.72 FEET OF LOT 12, BLOCK 25, LINDEN SUBDIVISION.

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1, BLOCK 25, LINDEN SUBDIVISION; THENCE S. 89° 37'44" E. ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE CONTINUING ALONG SAID NORTH LINE OF S. 89° 37'44" E, A DISTANCE OF 43.91 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE ALONG THE EAST LINE OF SAID LOTS 1, 2 AND 3 S. 00° 25'15" W., A DISTANCE OF 160.38 FEET TO THE SOUTHEAST CORNER OF SAID LOT 3; THENCE ALONG THE SOUTH LINE OF SAID LOT 3 N. 89° 50'09" W., A DISTANCE OF 124.17 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE ON THE WEST LINE OF SAID LOTS 2 AND 3 N. 00° 30'41" E., A DISTANCE OF 80.83 FEET; THENCE PARALLEL WITH THE WEST LINE OF SAID LOTS 1,2, AND 3 N. 00° 30'41" E., A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING, BEING TRACT 2 AS SHOWN ON THE CERTIFICATE OF SURVEY RECORDED DECEMBER 7, 2016 AS DOCUMENT NO. 2016043750 IN BOOK H, PAGE 177.

Exhibit A-2

Map illustrating the contiguous boundaries of the proposed district

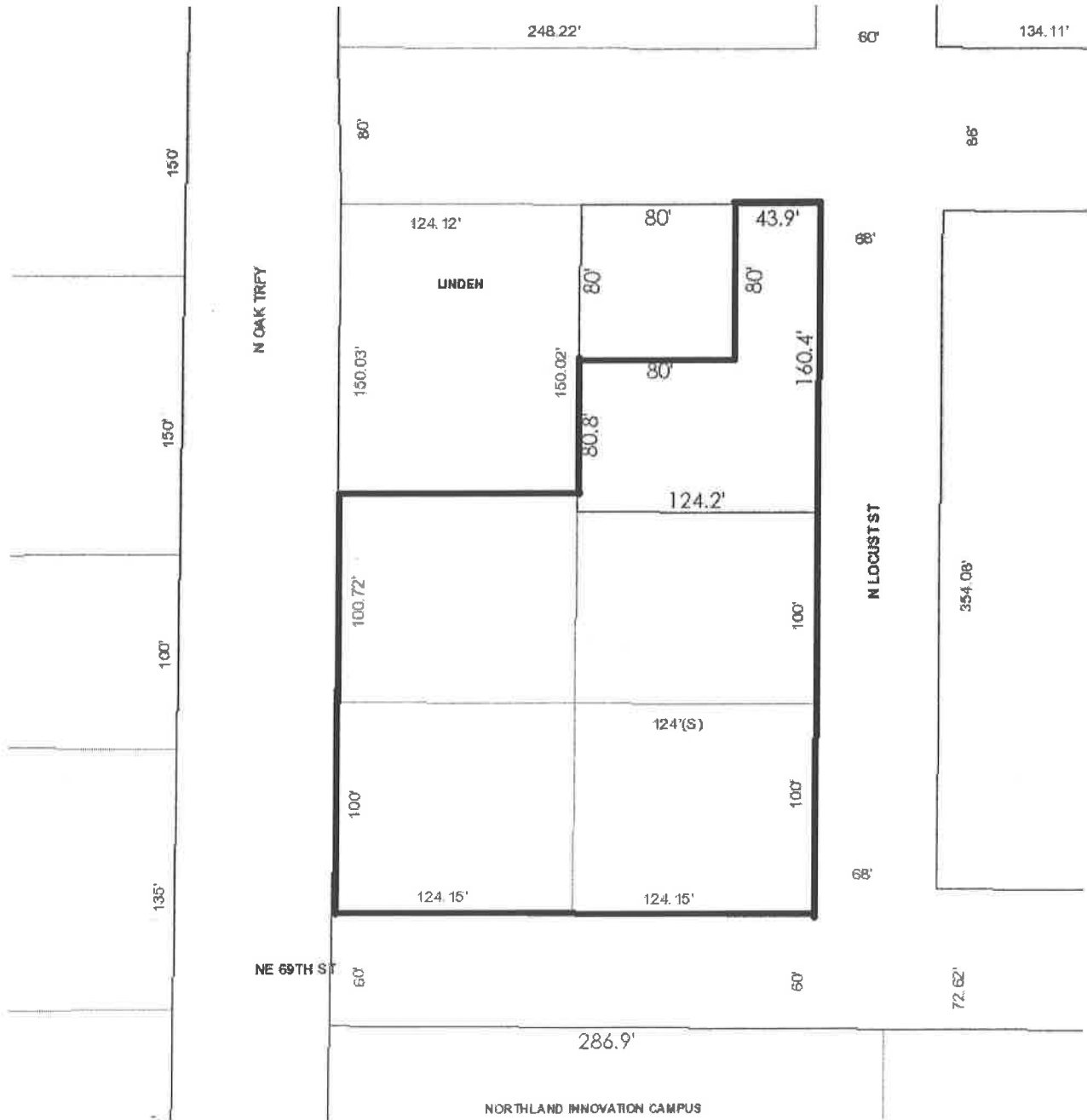


Exhibit B

**A list of the owners of all properties included within the boundaries of the proposed district
as of the date of the filing of this Petition**

Parcel #	Owner
13614002500200	City of Gladstone, Missouri
13614002500300	City of Gladstone, Missouri
13614002500400	City of Gladstone, Missouri
13614002500500	City of Gladstone, Missouri

**Signature Page for Petition to the City of Gladstone, Missouri for Establishment of the
Downtown Linden Community Improvement District**

The undersigned requests that the City Council of the City of Gladstone, Clay County, Missouri, establish the Downtown Linden Community Improvement District according to the preceding Petition and authorize the creation of the District.

Name of Owner:	City of Gladstone
Owner's Telephone Number:	(816) 436-2200
Owner's Mailing Address:	7010 N. Holmes
	Gladstone, Missouri 64118
Name of Signer:	Scott Wingerson
Basis of Legal Authority to Sign:	City Manager
Signer's Telephone Number:	Same as above
Signer's Mailing Address:	Same as above

The map, parcel number and assessed value of each tract of real property within the proposed District owned: The District will contain all or a limited portion of the following parcels:

<u>Address</u>	<u>Map/Parcel I.D.</u>	<u>Assessed Value</u>
6915 N. Oak Trafficway	13614002500200	\$0
6901 N. Oak Trafficway	13614002500300	\$0
6902 N. Locust Street	13614002500400	\$0
6906 N. Locust Street	13614002500500	\$0
Total		\$0

[SIGNATURE AND NOTARY PAGES TO FOLLOW]

By executing this Petition, the undersigned represents and warrants that he has received a copy of this Petition and its exhibits, has read this Petition and its exhibits, is authorized to execute this Petition on behalf of the property owner named immediately above, and authorizes this signature page to be attached to the original of this Petition to be filed in the Office of the City Clerk. The undersigned also acknowledges that his/her signature may not be withdrawn later than seven days after this Petition is filed with the City Clerk.

City of Gladstone, Missouri
a Third-Class City in Clay County, Missouri

By: 

Name: Scott Wingerson

Title: City Manager

Date: July 11, 2019

STATE OF mo.)
)
COUNTY OF Clay) SS.

BE IT REMEMBERED, that on this 11 day of July, 2019 before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Scott Wingerson, City Manager of the City of Gladstone Missouri, who executed the foregoing instrument on behalf of said City and he duly acknowledged the execution of the same to be the act and deed of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the City and State aforesaid, the day and year first above written.


Notary Public

My Commission Expires:

11-11-22

REBECCA JARRETT
Notary Public - Notary Seal
STATE OF MISSOURI
Clay County
My Commission Expires: November 11, 2022
Commission #14392947

**EXHIBIT C
FIVE YEAR PLAN**

(Attached)

FIVE YEAR DISTRICT MANAGEMENT PLAN
OF
DOWNTOWN LINDEN COMMUNITY IMPROVEMENT DISTRICT
CITY OF GLADSTONE, MISSOURI

The information and details outline in the following pages represent the strategies, and activities that it is anticipated will be undertaken during the initial five-year duration of the Downtown Linden Community Improvement District in Gladstone, Missouri. It is an integral and composite part of the petition to establish the Downtown Linden Community Improvement District.

July 11, 2019

Introduction

The Downtown Linden Community Improvement District (the "District") is created pursuant to Section 67.1401 through 67.1571 of the Revised Statutes of Missouri (the "CID Act"). Section 67.1421, RSMo, requires that the petition for the creation of the District be accompanied by a five-year plan which includes a description of the purposes of the proposed district, the improvements it will make and an estimate of the costs of these improvements to be incurred. This Five-Year District Management Plan (the "Plan") is designed to comply with this statutory requirement, and is appended to the Petition for Formation of the District.

Section 1

Why Create a Community Improvement District?

The District is proposed to provide funding for the Improvements and Services (as those terms are defined below). The District may incur obligations, which may include the issuance of bonds, the proceeds of which would be used to fund or reimburse all or a certain portion of the costs associated with construction of the Improvements and provision of the Services. The District will impose a sales tax on retail properties within the District. The revenues from the sales tax will be used to repay the District's obligations. If bonds are issued by the District, the bonds will not be a financial obligation of the City of Gladstone, Missouri.

Section 2

What is a Community Improvement District?

A community improvement district ("CID") is an entity that is separate from the City of Gladstone, Missouri (the "City") and is formed by the adoption of an ordinance by the City Council following a public hearing before the City Council regarding formation of the District. A CID may take the form of a political subdivision of the State of Missouri, or a nonprofit corporation that is formed and operated under Missouri corporation laws. CIDs are empowered to provide a variety of services and to finance a number of different types of improvements. CIDs derive their revenue from taxes levied within the boundaries of the CID. Such revenues are then used for the benefit of the properties within the CID. A CID is operated and managed by a board of directors, whose members may be appointed or elected. Board members serve for a designated period of time, and the Board positions are again elected or appointed at the expiration of each term.

Section 3

Management Plan Summary

This Plan is proposed to improve and convey special benefits to properties located within the boundaries of the District by providing assistance in the construction of certain Improvements and provision of certain Services. The District in this case will take the form of a

separate political subdivision of the State of Missouri, which will be governed by a Board of Directors that will consist of five members.

District Formation:

CID formation requires submission of signed petitions from a group of property owners:

- collectively owning more than fifty percent (50%) by assessed value of the real property within the District, and
- representing more than fifty percent (50%) per capita of all owners of real property within the District.

The Petition to which this Plan is attached meets these signature requirements.

Location:

The Project is located generally at the intersection of NE 69th Street and N. Oak Trafficway in Gladstone Missouri. The District will cover approximately 2 acres of land and is represented on the map included as **Exhibit A-2** of the Petition to which this Plan is attached.

Assessed Value of District:

The total assessed value of the properties within the District on the date of the Petition is \$0.

Improvements and Services

ANTICIPATED IMPROVEMENT	PRELIMINARY ESTIMATED COST
Grading of site	\$350,000
Reconstruction of Parking Lot	\$250,000
Engineering costs	\$125,000
Construction and extension of utilities	\$75,000
Legal Formation Cost	\$50,00
Total Estimated Cost of Improvements	\$850,000

The particular items included within the Improvements may be increased or amended from time to time and the costs of the Improvements to be financed by the District shall include all associated design, architecture, engineering, financing, private interest carry, legal and administrative costs of same.

In addition to the Improvements, the District is authorized to provide all of those services authorized by the Act, including the maintenance of public improvements and public and private property within the District, and supporting business activity and economic development in the District, including, but not limited to, the promotion of business activity, development and

retention, and recruitment of business. Such services shall only be paid by revenues of the district after the costs of improvements have been fully paid.

Formation Costs:

It is anticipated that all costs, including attorneys' fees and engineering, architectural and consulting fees, associated with formation of the District, including, but not limited to, the preparation of the CID Petition, the negotiation and drafting of any agreements entered into upon formation of the District in furtherance of the District's purposes, the establishment of the District boundaries, organization of District property owners, and the initial implementation of the District ("Formation Costs") will be reimbursed to the advancing party, or paid directly, from funds generated by the District.

Method of Financing:

The District will impose a sales tax on all retail sales made in the District which are subject to taxation pursuant to Sections 144.010 to 144.525 of the Revised Statutes of Missouri, except the sale of motor vehicles, trailers, boats or outboard motors and sales to public utilities, all as allowed by Sections 67.1461 and 67.1545 of the Revised Statutes of Missouri (the "District Sales Tax"). The District will also levy a special assessment of Five Dollars (\$5.00) per occupied hotel room per night (the "District Special Assessment"; the District Sales Tax and District Special Assessment are collectively the "District Revenue"). The District Revenue will be used to pay costs of construction of the Improvements, Services, and the payment of administrative costs of the District.

Cost:

The total estimated cost of the Improvements and the estimated annual cost of administering and operating the District is not currently known. The preliminary cost of initial Improvements anticipated to be undertaken within the District in the first five years of the District's formation are anticipated to cost \$850,000.

City Services:

The CID Act mandates that existing City services will continue to be provided within a CID at the same level as before the District was created (unless services are decreased throughout the City) and that District services shall be in addition to existing City services. The District anticipates that City services will continue to be provided within the District at the same level as before the District was created, and the District will not cause the level of City services within the District to diminish.

Duration:

The District will operate for a maximum term of twenty (20) years beginning 2019. The term of the District may be automatically continued for successive ten (10) year terms, without

having to submit a new petition, subject to the condition precedent that the City Council shall not have adopted a resolution disallowing such continuation prior to the date upon which any successive term would have commenced. No plan for distribution of assets on dissolution may be approved unless the title to assets of the District are to be owned by the State of Missouri or a political subdivision of the State of Missouri.

Governance:

The District's budgets and policies may be refined annually by the District's Board of Directors. The District will enter into a contract with the necessary parties to coordinate construction, maintenance and financing activities of the District. Budgets and reports will be submitted annually to the City for review and comment. The District will operate at all times in accordance with the District Rules and Regulations (Section 7) and the Bylaws of the District.

Section 4

District Boundaries

Approximately 2 acres have been identified for the District. The map of the District is attached as **Exhibit A-2** to the Petition.

Section 5

Facilities and Services to Be Provided

As summarized above, during the first five years, the District will be used as a mechanism to finance the cost of constructing the Improvements and providing the Services. The District will also provide for its operating costs, including administrative and legal services.

Section 6

Governing the Community Improvement District

City Council

Following the submission of the Petition, the City Council will conduct a public hearing and then consider an ordinance to create the District.

Board of Directors for CID:

CID budgets and policies may be refined annually by the District's Board of Directors. Annual budgets will be submitted annually to the City of Gladstone for review and comment.

Contract with the City:

The District may enter into a contract with the City of Gladstone regarding the operation of the District, the imposition and collection of the District Sales Tax and any other relevant

aspects of the overall financing for the Improvements, Services, and administration and operation of the District. Pursuant to Section 67.1461.3, RSMo, the contract between the District and the City may also provide for the annual reimbursement to the City for the reasonable and actual expenses incurred by the City to establish the District.

Section 7

District Rules and Regulations

1. The District shall operate at all times in accordance with Bylaws that shall be adopted by the Board of Directors. At all times, the District shall conduct its proceedings in accordance with Robert's Rules of Order, except as otherwise provided in the Bylaws.
2. The District will meet on an annual or more frequent basis. The District shall hold meetings when so requested by the City.
3. The District will annually prepare a budget, and an annual report describing the major activities of the District during the preceding year and upcoming year. The Budget and Report shall be submitted to the City Finance Director or City Manager for review and comment no earlier than 180 days and no later than 90 days prior to the first day of each fiscal year.

EXHIBIT D
SPECIAL ASSESSMENT PETITION

The Downtown Linden Community Improvement District (the "District") shall be authorized to levy special assessments against real property benefited within the District for the purpose of providing revenue to fund certain improvements within the District and/or to pay the cost of services authorized to be provided in the petition to establish the District, such special assessments to be levied against each tract, lot, or parcel of real property listed below within the District which receives special benefit as a result of such service and/or projects, the cost of which shall be assessed against the applicable users of any Hotel within the District in an amount equal to, and not to exceed, Five Dollars (\$5.00) per occupied hotel room per night. A "Hotel" shall mean an establishment providing accommodations, rooms, lodging, and other related services for travelers and tourists.


The existing tracts of land located within the District which will receive special benefit from the services and/or improvements are as follows:

City of Gladstone

<u>Address</u>	<u>Map/Parcel I.D.</u>	<u>Assessed Value</u>
6915 N. Oak Trafficway	13614002500200	\$0
6901 N. Oak Trafficway	13614002500300	\$0
6902 N. Locust Street	13614002500400	\$0
6906 N. Locust Street	13614002500500	\$0
Total		\$0

By executing this Petition, the undersigned represents and warrants that he is legally authorized to execute this Petition on behalf of the property owner named immediately above and that said property owner consents to the imposition of the special assessments herein described in this Petition

THE CITY OF GLADSTONE, MISSOURI
A Third-Class City in Clay County, Missouri

By: 
Name: Scott Wingerson
Title: City Manager
Date: July 11, 2019

STATE OF *mo.*)
COUNTY OF *Clay*) SS.

BE IT REMEMBERED, that on this 11 day of July, 2019 before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Scott Wingerson, City Manager of the City of Gladstone Missouri, who executed the foregoing instrument on behalf of said City and he duly acknowledged the execution of the same to be the act and deed of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the City and State aforesaid, the day and year first above written.


Notary Public

My Commission Expires:

11-11-22

REBECCA JARRETT
Notary Public - Notary Seal
STATE OF MISSOURI
Clay County
My Commission Expires: November 11, 2022
Commission #14392947

Exhibit E

Blight Study Attached

Downtown Gladstone Hotel

Blight Study

Summary Findings

The following is a study of a site, further described in this study, in the City of Gladstone, Missouri (the "City"). This study seeks to determine whether the subject site is blighted under the definition set forth in Section 67.1401.2(3) Revised Statutes of Missouri, which defines "Blighted Area" in part as:

an area which by reason of the predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals or welfare in its present condition and use

As determined by this study, it is the opinion of the City of Gladstone Department of Community Development that the subject property is a "blighted area" as set forth in the above definition. The primary blighting factors are:

- Unsanitary or unsafe conditions
- Deterioration of site improvements
- The existence of conditions which endanger life or property by fire or other causes
- Problematic topography conditions

The presence of the blighting conditions listed above creates an economic and social liability for the City, in that the presence of the blighting factors lower property values, increase public costs, and lower tax revenues. Vacancies and underdevelopment hinder economic opportunities available to the area and the City, and limits the funds available to address routine maintenance and repair which in turn, creates a cycle of blight throughout the area. Statistically, a failure to maintain property substantially increases public maintenance costs. The site (also referred to herein as the "Redevelopment Area") is socially and economically underutilized and fails to generate adequate taxes for the applicable taxing districts.

The blighting conditions of the identified property lower property values, lower taxes, increase maintenance costs, and increase the likelihood of crime, all of which create a menace to public health, safety, and welfare to the community.

Introduction

Identification of the Redevelopment Area

The study area is comprised of three parcels that contain 1.56 acres. The study area is presently zoned commercial with uses as vacant land, a building formerly known as Santé Fe Glass, which was demolished in late 2018 after lying vacant, and a cash loan business that has been demolished as of May 2019. The demolition of these sites were in response to public perception of our developing downtown as well as both sites attracting a homeless and vagrant population that resulted in the Gladstone Police being called to the site(Please see the attached police report). The site is located at the Northeast corner block of NE 69th Street and North Oak Trafficway, Gladstone, Clay County, Missouri.

Identification of the Problem

Purpose

The purpose of this blight study is to investigate and determine if blight conditions exist in the proposed study area according to the Missouri Community Development Improvement District (CID) statutes.

Definition

RSMO 67.1401 – “Blighted Area”: an area which (a) By reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals or welfare in its present condition and use; or

(b) Has been declared blighted or found to be a blighted area pursuant to Missouri law including, but not limited to, chapter 353, sections 99.800 to 99.865, or sections 99.300 to 99.715.

Effective Date

The effective date of this Blight Study is May 2019. A comparison of the date of this report to the effective date indicates that the conclusions are reflective of current market conditions.

Use or Function

This Blight Study was prepared for the sole and exclusive use of the City of Gladstone to assist in determining if the Study Area is eligible for designation as a blighted area if it is placed in a Community Improvement District.

Sources of Information

Market data was obtained from a variety of sources, including the following:

- City of Gladstone Public Safety Records Management System
- Clay County, Recorder of Deeds
- City of Gladstone, Geographic Information Systems

Land Use

Area land use is zoned commercial and mixed-use

Predominant Quality and Condition	Poor to Average
Life Cycle Stage	Declining
Immediate Surrounding Land Use: North South East West	Commercial Commercial Mixed – Use Commercial

Property Data

Site Description

Identification

Location	NE 69th St. & N. Oak Trafficway NE 70 th St. & N. Locust St.
Parcel ID Numbers	13614002500200 13614002500300 13614002500400 13614002500500 13614002500800

Physical Features

Size (Acres)	Five Parcels Combined = 1.56 acres
Topography	Poor to Average – Borehole report states limestone found 7 ft. - 15 ft. below surface depending on location on the property
Configuration	L Shape
Drainage	Not provided
Flood Plain	Not provided

Streets, Access, & Frontage (Southwest Corner)

Street	N. Oak Trafficway	NE 69 th & NE 70 th St.
Frontage	Yes	No
Paving	Asphalt/Concrete	Asphalt/Concrete
Curb/Gutter	Yes	Yes
Sidewalks	Yes	Yes
Lanes	4 - Lanes	2 - Lanes
Direction of Traffic	North/South	East/West
Condition	Good	Good
Traffic Level	Moderate	Light
Signals/Traffic Control	Signal on corner of N. Oak Trafficway and NE 70 th St.	Stop Signs
Access	Full	Full
Visibility	Good	Good

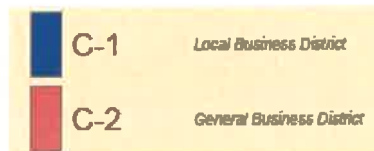
Legal

Zoning Designation – Commercial	13614002500200 C-2 General Business District
Prevailing Uses – Commercial	13614002500300 C-2 General Business District
	13614002500400 C-2 General Business District
	13614002500500 C-1 Local Business District
	13614002500800 C-1 Local Business District
Conformance	Existing Improvements are Conforming

Utilities

Adequate utilities including water, sewer, electricity, fiber (Internet) and gas are available and in place in the Redevelopment Area.

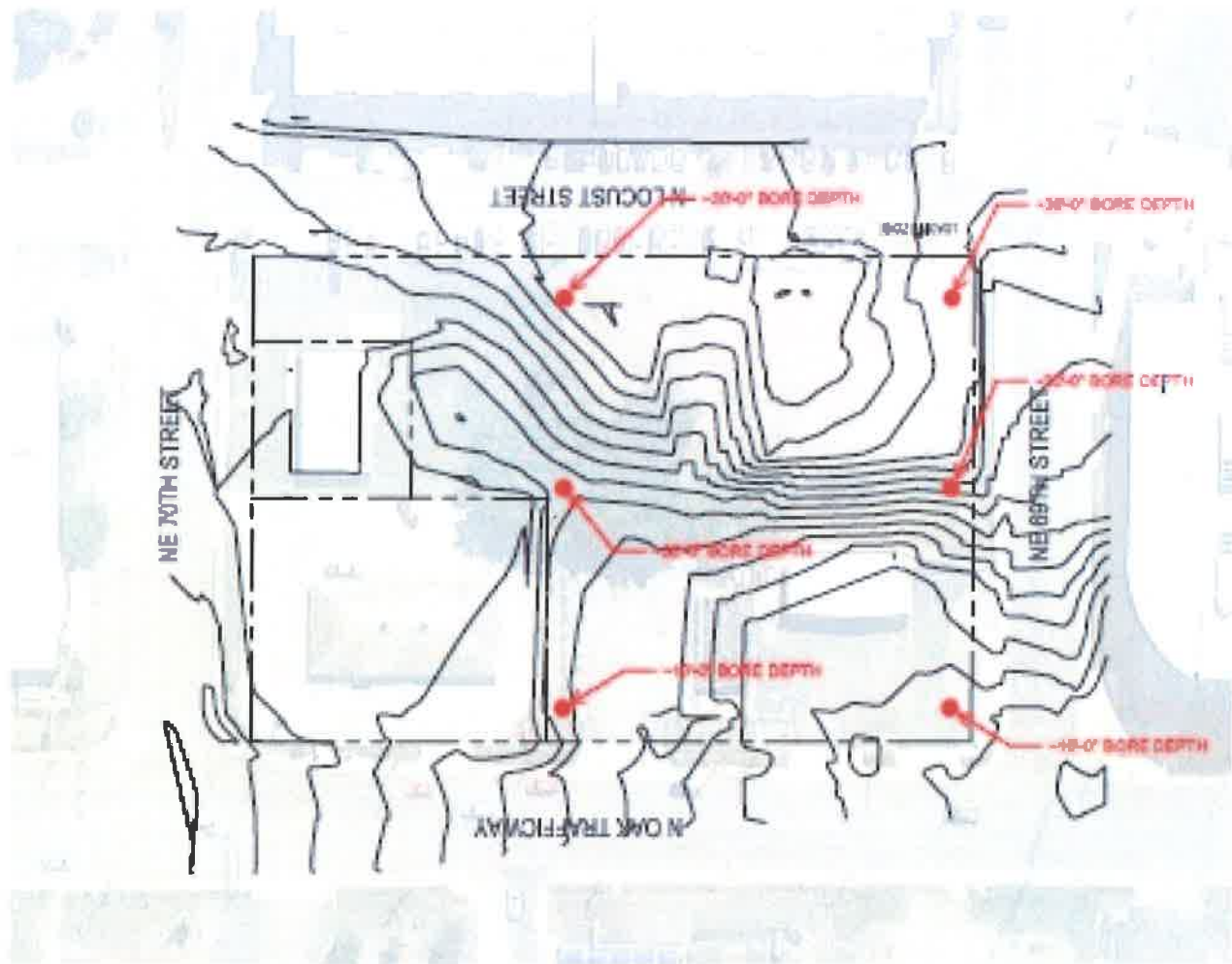
Zoning Map



Aerial/Parcel Map/Existing Site Layout –Google Maps Satellite, Accessed April 30, 2019



Topography & Geotech Survey – Olsson Associates Borehole Report is attached



*Graphic indicates a significant limestone shelf

Improvement Description

Description of the Redevelopment Area is based on physical inspection.

General

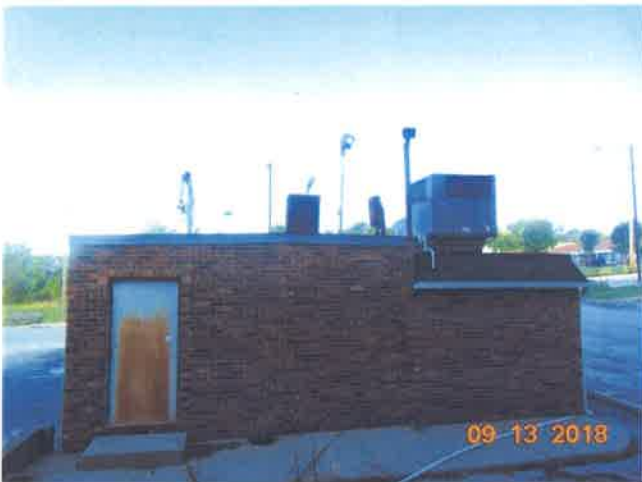
Design/Use	Buildings are/were single tenant use - Lend Nation (Demolition Complete May 2019) - Santa Fe Glass (Demolition Complete in 2018) Vacant land/Parking Lot
Year Built	Not Provided
Building Sizes (sq. ft.)	Approximately 2,500 – 5,000 sq. ft. per building
Configuration	Small dilapidated properties adjacent to major economic corridor
Tenant/Building Spaces	Single tenant spaces/buildings
Building Heights	Not Provided – Single Story Commercial

Improvement Analysis – Lend Nation (Current) & Sante Fe Glass (Previous)

Condition/Deferred Maintenance	Poor
Functional Utility	Poor

Subject Photos

Lend Nation (Demolished as of May 2019)









Subject Photos

Vacant & Underutilized Land (Problematic Topography Conditions)



Subject Photos

Sante Fe Glass (Demolished in 2018)









Findings Supporting a Finding of Blight

There are many indications of water issues within and around the building structures. Rotting wood, due to water infiltration, has softened wood which would indicate a high probability that termites are present.

Several instances of electrical wires not being properly contained were found at the site. These included open junction boxes and exposed wiring in areas located where water infiltration was observed. The site lacks a consistent maintenance program and appear to only be addressed when nuisances are noted by the city.

The topography of the land is problematic due to a limestone shelf identified by Olsson Associates when they conducted a geotechnical study (Borehole Report). This report concludes that weathered limestone can be found 7 ft. to 15 ft. below the surface depending on where the borehole was conducted. This discovery makes development more costly and difficult to navigate.

The Study Area is characterized by:

- Deteriorated parking lots (concrete & asphalt)
- Deteriorating structures
- Inadequate street/parking areas
- Water infiltration
- Wood rot
- Exposed electrical wires and junction boxes
- Holes in various spots of the structure
- Faded and peeling paint
- Fencing in disrepair around dumpster enclosure
- Problematic topography conditions due to a limestone shelf
- Broken windows
- Trash/Rubbish
- Unmaintained trees/brush

Blight Defined & Conclusion

As presented earlier, Section 67.1401 RSMo of Missouri's Community Improvement Act Statute defines "blighted area" as follows:

(a) By reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals or welfare in its present condition and use; or

(b) Has been declared blighted or found to be blighted area pursuant to Missouri law including, but not limited to, chapter 353, sections 99.800 to 99.865, or sections 99.300 to 99.715.

As determined by the following study, it is the opinion of the City of Gladstone Community Development Department that the subject property is a “blighted area” as defined in Section 67.1401 of the Revised Statutes of Missouri. The primary blighting factors are:

1. **Unsanitary or Unsafe Conditions:** The site is predominately a wood structure with substantial damage along with significant water infiltration, which has resulted in peeling paint, indications of mold growth, and rotting structural members.
2. **Deterioration of Site Improvements:** Due to age and location, many of the improvements constructed within the study area have deteriorated and are obsolete and have surpassed their useful life. The study area is characterized by:
 - Deteriorated and inadequate parking lots
 - Crumbling parking lot structures
 - Deteriorating building structures
 - Outmoded parking areas that are not properly marked
3. **The existence of conditions which endanger life or property by fire or other causes:** The presence of dangling and open electrical wires, weakening structural members and crumbling concrete/asphalt increases the likelihood of personal injury and endangers the property. The instance that occurred on March 21, 2019, where a police report was filed for an unlawful trespass and destruction of property that transpired at 6915 North Oak Trafficway, Gladstone, MO (Police report is attached).
4. **The problematic topography in regard to the limestone shelf found 7ft. to 15 ft. under the surface can make multi-story development more costly and difficult to circumvent.**

The presence of the blighting conditions discussed above, in relation to our developing downtown, creates an economic and social liability for the City, in that the presence of the blighting factors lower property values, increase public costs, and lower tax revenues. Deterioration of commercial property stunts potential development and income available, not only to the subject site, but also to the area surrounding the study area. This further limits the ability of the study area to make improvements, address needed maintenance issues, and creates a cycle of blighting influences for the entire area. Failure to maintain this property, next to a primary economic corridor, increases public maintenance costs.

The blighting condition lowers property values, lowers taxes, increases maintenance costs and increases the likelihood of crime, all of which creates a menace to the public health, safety, and welfare of the community.