

CERTIFIED COPY OF ORDER



STATE OF MISSOURI }
County of Boone } ea.

June Session of the April Adjourned

Term. 20 08

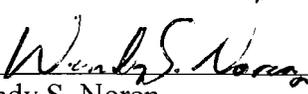
In the County Commission of said county, on the 19th day of June 20 08

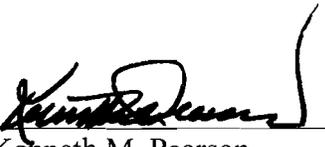
the following, among other proceedings, were had, viz:

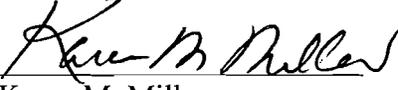
Now on this day the County Commission of the County of Boone does hereby authorize the transfer of Nina Turner to Position No. 95 – Sergeant at 107% of Mid-Point, effective retroactively to March 15, 2008.

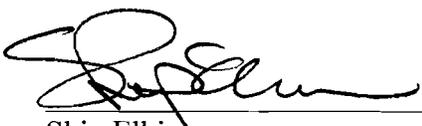
Done this 19th day of June, 2008.

ATTEST:


Wendy S. Noren
Clerk of the County Commission


Kenneth M. Pearson
Presiding Commissioner


Karen M. Miller
District I Commissioner


Skip Elkin
District II Commissioner

REQUEST TO TRANSFER ABOVE "ATS" (Authorized Transfer Salary) BOONE COUNTY Commission Order 146-2006

Description of form: To request approval to transfer above "ATS" (authorized transfer salary).

Procedure:

1. The Administrative Authority or designee completes the form and prepares a schedule that demonstrates that funding is available within the salary and wage appropriation (account #10100) and calculates the amount for a budget revision, if needed. The Administrative Authority submits the form, the schedule, and the budget revision (if needed) to the Auditor for certification of funds availability.
2. The Auditor certifies funds availability, approves budget revision (if applicable), returns original form to the Administrative Authority and forwards a copy to Human Resource Director.
3. The Human Resource Director reviews the request and provides recommendation to the Administrative Authority.
4. The Administrative Authority will schedule the request for approval by the Commission and provide the Commission with the HR Director's recommendation.
5. The County Commission will review all requests for a starting salary above the "ATS" and will either approve or deny the request. After approval/denial, the County Commission will return this form to the Administrative Authority.
6. The Administrative Authority will attach a copy of this approved form to the Personnel Action Form.

Name of prospective employee Nina Turner Department Boone County Sheriff's Department 1251

Position Title Sergeant Position No. 95

Proposed Starting Salary (complete one only) Annual: _____ % of Mid-Point _____
OR Hourly: \$23.00 % of Mid-Point 107%

No. of employees in this job classification within your Department? 12 (10 - w/2 vacancies)

Justification (Describe the prospective employee's education and/or work experience which supports this proposed compensation level) Nina Turner has been with our department approx. 8.5 years with a break in employment from 7/12/01 until 7/17/03. Nina has been in Investigation since 10/1/05 and has served as "Acting Supervisor" from March 15, 2008 until present. Ms. Turner has been through the application, testing and interview process. She was one of two applications for this position and was finally chosen after the process was completed.

If proposed salary exceeds what other employees in the same job classification are paid, explain how the prospective employee's background exceeds others working in the same job classification: All of the other sergeants are paid more than \$23.00 per hour.

What effect, if any, will this proposal have on salary relationships with other positions in your office and/or positions in other offices?
This promotion should not affect any other employee

Additional comments: _____

Administrative Authority's Signature: DeWayne Carey Date: 6-12-08

Auditor's Certification: Funds are available within the existing departmental salary and wage appropriation (#10100).
 Funds are not available within the existing departmental salary and wage appropriation (#10100); budget revision required to provide funding is attached.

Auditor's Signature: Karen Frederick Date: 6/13/08

Requested hourly rate is less than hourly rate for previous employee in this sergeant position (\$24.05/hr, term 4/24/08)

Human Resource Director's Recommendations: Recommend approval

Human Resource Director's Signature: Betty Dickneite Date: 6-16-08

County Commission Approve Deny
Comment(s): _____

Presiding Commissioner's Signature: [Signature] Date: 6/19/08

District I Commissioner's Signature: [Signature] Date: 6/30/08

District II Commissioner's Signature: [Signature] Date: 6/20/08

CERTIFIED COPY OF ORDER

STATE OF MISSOURI }
 County of Boone } ea.

June Session of the April Adjourned

Term. 20 08

In the County Commission of said county, on the 19th day of June 20 08

the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby approve the utilization of the City of Columbia cooperative contract 95/2007 for Police Uniforms with Southern Uniform & Equipment of Carthage, Missouri. It is further ordered the Presiding Commissioner is hereby authorized to sign said contract.

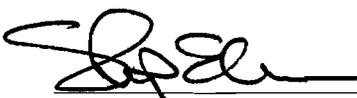
Done this 19th day of June, 2008.

ATTEST:


 Wendy S. Noren
 Clerk of the County Commission


 Kenneth M. Pearson
 Presiding Commissioner


 Karen M. Miller
 District I Commissioner


 Skip Elkin
 District II Commissioner

**PURCHASE AGREEMENT
FOR
POLICE UNIFORMS – TERM AND SUPPLY**

THIS AGREEMENT dated the 19th day of June 2008 is made between Boone County, Missouri, a political subdivision of the State of Missouri through the Boone County Commission, herein "County" and **Southern Uniform & Equipment**, herein "Contractor."

IN CONSIDERATION of the parties performance of the respective obligations contained herein, the parties agree as follows:

1. **Contract Documents** - This agreement shall consist of this Purchase Agreement for **Police Uniforms - Term and Supply** in compliance with all bid specifications and any addendum issued for the City of Columbia Contract **95/2007**. All such documents shall constitute the contract documents which are incorporated herein by reference. Service or product data, specification and literature submitted with bid response may be permanently maintained in the County Purchasing Office bid file for this bid if not attached. In the event of conflict between any of the foregoing documents, the City of Columbia Contract 95/2007 shall prevail and control over the vendor's bid response.

2. **Contract Duration** - This agreement shall commence on the date written above and extend through April 30, 2009, subject to the provisions for termination specified below. This agreement may be extended beyond the expiration date by order of the County for three (3) additional one-year periods subject to the pricing clauses in the Contractor's bid response and thereafter on a month to month basis in the event the County is unable to re-bid and/or award a new contract prior to the expiration date after exercising diligent efforts to do so or not.

3. **Purchase** - The County agrees to purchase from the Vendor and the Vendor agrees to supply the County with 5-in-1 Jackets on an as needed basis per the bid specifications.

4. **Response Time** - Vendor agrees to deliver stocked items within 45 days from receipt of order.

5. **Billing and Payment** - All billing shall be invoiced to the Boone County Sheriff Department and billings may only include the prices listed in the vendor's bid response. No additional fees for paper work processing, labor, or taxes shall be included as additional charges in excess of the charges in the Vendor's bid response to the specifications. The County agrees to pay all monthly statements within thirty days of receipt. In the event of a billing dispute, the County reserves the right to withhold payment on the disputed amount; in the event the billing dispute is resolved in favor of the Vendor, the County agrees to pay interest at a rate of 9% per annum on disputed amounts withheld commencing from the last date that payment was due.

6. **Binding Effect** - This agreement shall be binding upon the parties hereto and their successors and assigns for so long as this agreement remains in full force and effect.



**CITY OF COLUMBIA
PURCHASING DIVISION**

Melinda Pope, Procurement Officer
800 Cherry St., Lower Level
COLUMBIA, MO. 65201
Phone: (573) 874-7375
Fax: (573) 874-7762
mcp@gocolumbiamo.com

MID-YEAR ADD-ON ACCEPTANCE

The City of Columbia agrees to add the following items to its contract #132/06 for the remainder of the term listed below. This information will then be considered to be added to the contract and the pricing will be considered to be firm through the end of the current contract period. Please contact the procurement officer listed below if you have any questions regarding this contract.

DATE: June 10, 2008
CONTRACT NUMBER: 95/07
CONTRACT DESCRIPTION: Police Uniforms
AWARD DATE: June 10, 2008 thru April 30, 2009
CONTRACT YEAR: 2 of 5

VENDOR: Southern Uniform & Equipment
 PO Box 433
 Carthage, MO 64836
 Attn: Jim McClellan
 Phone: 417-358-7811
 Fax: 417-358-7433

ITEMS: Line 11B, 5-in-1 Jacket, Cat. #48017, Brown

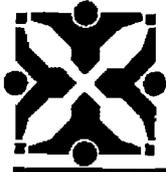
PRICE: Extra Small – 2XL - \$155.00 each

Post-it® Fax Note	7671	Date	6-10-08	# of pages	1
To	Melinda Bobbitt	From	Melinda Pope		
Co./Dept.		Co.			
Phone #		Phone #	874-7375		
Fax #	886-4390	Fax #			

Thanks,

Melinda Pope
Procurement Officer
City of Columbia, Missouri

c Melinda Bobbitt



CITY OF COLUMBIA, MISSOURI

May 7, 2007

FINANCE DEPARTMENT
PURCHASING DIVISION

NOTIFICATION OF AWARD - CITY OF COLUMBIA
CONTRACT FOR: Police Uniforms

Your firm has been awarded the contract herein in response to our recent Request for Quotation. Contract Period is award date through April 30, 2008. Please contact the Buyer shown below if there are any questions pertaining to this contract.

CONTRACT NUMBER	VENDOR NUMBER	VENDOR NAME
95/2007	11678	Southern Uniform & Equipment PO Box 433 Carthage, MO 64836 Ph: 417-358-7811 Fax: 417-358-7433

ITEMS AWARDED

Line	Description	MfgNo	Size	UOM	Price
1	TACTICAL LONG SLEEVE SHIRT - Ripstop	72002	Small - 2XL	EA	\$28.82
			3XL - 4XL	EA	\$32.32
2	TALL = TACTICAL LONG SLEEVE SHIRT - Ripstop	72002T	Large - 5XL	EA	\$32.32
3	TACTICAL SHORT SLEEVE SHIRT - Ripstop	71001	Small - 2XL	EA	\$28.82
			3XL - 4XL	EA	\$32.32
4	TACTICAL PANT - Ripstop	74003	Extra Small - 2XL Short Reg & Long	EA	\$27.82
			3XL - 4XL Short Reg & Long	EA	\$31.32
5	CLASS A PANT	44059 & 34071	28-44 Mens 2-18 Womens	EA	\$41.75
			46-54 Mens	EA	\$46.00
			56-60 Mens	EA	\$48.25
			20-24 Womens	EA	\$45.00
6	CLASS B PANT	44058 & 34070	28-44 Mens 2-18 Womens	EA	\$47.23
			46-54 Mens	EA	\$51.48
			56-60 Mens	EA	\$53.73
			20-24 Womens	EA	\$50.48

800 CHERRY ST., LOWER LEVEL • P.O. BOX 6015 • COLUMBIA, MISSOURI 65205
(573) 874-7376 • FAX (573) 874-7762

7	CLASS A SHORT SLEEVE SHIRT	41137 & 31026	Small - 2XL Mens Extra Small - 2XL Womens	EA	\$36.85
			3XL - 6XL Mens 3XL Womens	EA	\$40.10
8	CLASS A LONG SLEEVE SHIRT	42153 & 32053	Small - 2XL Mens Extra Small - 2XL Womens	EA	\$37.92
			3XL - 6XL Mens 3XL Womens	EA	\$42.22
9	CLASS B SHORT SLEEVE SHIRT	41132	Small - 2XL Mens Extra Small - 2XL Womens	EA	\$36.85
			3XL - 6XL Mens 3XL Womens	EA	\$40.10
10	CLASS B LONG SLEEVE SHIRT	42147 & 32048	Small - 2XL Mens Extra Small - 2XL Womens	EA	\$39.15
			3XL - 6XL Mens 3XL Womens	EA	\$42.65
11	5-IN-1 JACKET.	48017	Extra Small - 2XL	EA	\$133.21
			3XL - 4XL	EA	\$144.96
12	TACTICAL VEST	80001	Small - 2XL	EA	\$45.75
			3XL	EA	\$49.00
13	TDU JUMPSUIT	75004	30-44 Short, Reg, Long	EA	\$65.55
			46-54 Short, Reg, Long	EA	\$71.05
			56-60 Short, Reg, Long	EA	\$76.55
14	TACTICAL PANT	74251 & 64355	28-44 Mens 2-16 Womens	EA	\$31.05
			46-54 Mens	EA	\$36.55
15	SHORTS	73285 &73285L	28-44	EA	\$26.45
			46-54		\$28.70
16	DISCOUNT OFF CATALOG, WEBSITE OR PRICE LIST				10%

PAYMENT TERMS: Net 30
 DELIVERY: Stock to 45 days
 SHIPPING: FOB COLUMBIA (NO SHIPPING CHARGES)



Melinda Pope
 Buyer/Purchasing
 573-874-7375

cc: Sandra Smith -- Police Dept.

CERTIFIED COPY OF ORDER

STATE OF MISSOURI }
 County of Boone } ea.

June Session of the April Adjourned

Term. 20 08

In the County Commission of said county, on the

19th day of June 20 08

the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby approve the agreement for consultant services with Engineering Surveys and Services for Fairway Meadows Subdivision Preliminary Storm Water Study. It is further ordered the Presiding Commissioner is hereby authorized to sign said agreement.

Done this 19th day of June, 2008.

ATTEST:


 Wendy S. Noren
 Clerk of the County Commission


 Kenneth M. Pearson
 Presiding Commissioner


 Kareh M. Miller
 District I Commissioner


 Skip Elkin
 District II Commissioner

299-2008
JUN 25 2008

APPROVAL OF PROPOSAL FOR CONSULTANT SERVICES

Effective the 19th day of June, 2008, Boone County, Missouri, a political subdivision of the state of Missouri through its County Commission (herein "Owner") hereby approves and authorizes professional services by the Consultant referred to below for the services specified below.

Consultant Name: ENGINEERING SURVEYS AND SERVICES

Project/Work Description: FAIRWAY MEADOWS SUBDIVISION PRELIMINARY STORM WATER STUDY

Proposal Description: See attached Scope of Services and Fee Schedule dated May 30, 2008 issued by Engineering Surveys and Services.

Modifications to Proposal: Fees and expenses shall not exceed \$10,000.00 without prior written approval of Owner.

This form agreement and any attachments to it shall be considered the approved proposal; signature by all parties below constitutes a contract for services in accordance with the above described proposal and any approved modifications to the proposal, both of which shall be in accordance with the terms and conditions of the General Consultant Services Agreement signed by the Consultant and Owner for the current term of the Boone County Public Works Department, which is hereby incorporated by reference into the performance of Consultant's services and compensation for services approved proposal and any approved modifications to it and shall be in accordance with the General Consultant Services Agreement for the current term of the contract. In the event of a conflict in interpretation between the proposal approved herein and the General Consultant Services Agreement, the terms and conditions of the general agreement shall control unless the proposal approved herein specifically identifies a term or condition of the general Consultant Services Agreement that shall not be applicable.

Josh, 6/25
for your
originals.

ENGINEERING SURVEYS & SERVICES

By *David St. Bernards*
Title Vice-President Engineering

Dated: 6/23/08

BOONE COUNTY, MISSOURI

By *[Signature]*
Presiding Commissioner

Dated: 6/19/08

APPROVED AS TO FORM:

[Signature]
County Attorney

ATTEST:

[Signature]
County Clerk

APPROVED:

[Signature]
Director, Boone County Public Works

CERTIFICATION:
I certify that this contract is within the purpose of the appropriation to which it is to be charged and there is an unencumbered balance of such appropriation sufficient to pay the costs arising from this contract.

[Signature] 6/16/08
Auditor [Signature] Date 2045-71102

Engineering Surveys and Services

Consulting Engineers, Geologists, and Land Surveyors
Analytical and Materials Laboratories

Larry L. Hendren, PE, RG
David A. Bennett, PE
Timothy J. Reed, PLS
Morton L. Ratliff, PLS
Bruce A. Dawson, PE
Richard J. Rolsing, PE
Christopher M. Wickern, PLS

Randall A. Lee, PE, RG
Timothy J. O' Connor, PE
Benjamin A. Ross, PE, PTOE
Clifford S. Jarvis, PE
Zachary K. Thomas, PE
Matthew A. Kriete, PE

JUN - 2 2008

1113 Fay Street
Columbia, Missouri 65201
Telephone 573-449-2646
Facsimile 573-499-1499
E-Mail ess@ess-inc.com
<http://www.ess-inc.com>

May 30, 2008

Mr. Derin Campbell, P.E.
Boone County Public Works
5551 Highway 63 South
Columbia, MO 65201

RE: Professional Services Proposal
Fairway Meadows Subdivision
Preliminary Storm Water Study
Boone County, Missouri

Dear Mr. Campbell:

Thank you for the opportunity to submit this proposal for the referenced project.

The project consists of a Preliminary Storm Water Study of two locations in the Fairway Meadows Subdivision. Study Area #1 includes the existing concrete drainage swale between the houses at 741, 739, 740 and 738 Demaret Drive. Study Area #2 includes the street drainage along the roadway curve in front of the house at 714 Demaret Drive and the drainage flow path eastward past the house. We understand our scope of work to include:

Document Drainage Issues We will perform a field reconnaissance to observe the drainage conditions and problems at the two project areas. We will field verify the tributary drainage areas using an aerial topographic survey of the subdivision. The hydraulic conditions and problems at each area will be observed in order to generate corrective measure options.

Topographic Survey and Utility Locations Our survey crews will collect topographic survey and utility data at both study locations. We will collect additional spot elevations northward of Study Area #1 to Sarazen Drive in order to consider potential storm sewer pipes that may be constructed in future projects. Finish floor elevations and building opening elevations on all adjacent houses will be collected. We will contact Missouri One Call to mark the locations of all known utilities in the project areas in order to show them on the topographic survey. Utility owners will be contacted for record information on the size, material and depth of the utilities not evident from the ground surface. We will not physically expose the utilities as part of this project.

Preliminary Proposed Drainage System The report will include drawings showing the proposed options at each study area location. The options will convey the 10-year design storm runoff in accordance with Boone County's *Design Criteria for Storm Water Drainage Facilities* requirements and allow for safe passage of the 100-year storm runoff if possible. The

Mr. Campbell
May 30, 2008
Page 2

preliminary drainage system will show estimated pipe sizes and alignments, inlet locations, and other design features such as utility crossings and utility relocation requirements.

Two options will be prepared for Study Area #1. The first option will include an inlet on the south side of Demaret Drive with a pipe extending southward to the MoDOT right-of-way. We will discuss the drainage details at the MoDOT right-of-way with the appropriate MoDOT officials. The second option for Area #1 will include an inlet on the north side of Demaret Drive with a pipe connecting to the proposed inlet and storm sewer on the south side. The runoff carried by the existing concrete channel north of Demaret Drive will be intercepted in a back opening of this inlet. Appropriate curb and gutter transitions will be considered for both options.

The options for Study Area #2 will include methods to convey the street drainage past the existing house at 714 Demaret Drive to an appropriate location. A storm water inlet and pipe with associated overflow channel will be studied.

Preliminary Engineering Report A report summarizing all findings, observed problems, and proposed solutions will be prepared. The report will discuss anticipated problems and construction difficulties, if any. Estimated engineering and construction costs as outlined in the request for proposal will be included in the Engineering Report. We will request jurisdictional determinations from the U.S. Army Corps of Engineers for both sites.

Our fee for this service shall not exceed \$10,000. Final billing will be from our fee schedule on a time expended basis.

As an additional service, we recommend collecting boundary line and right-of-way information during this phase of the project. We believe there will be a cost savings to the County by collecting the boundary information at the same time the topographic survey is performed. The additional cost to collect the boundary and easement data for both Study Areas would be in the area of \$3,500.

Please contact us if you have any questions concerning this proposal or if you need additional information. Once again, we look forward to putting our more than 50 years of experience in Boone County to work for you.

Sincerely,



Benjamin A. Ross, P.E., PTOE

Boone County Public Works

David W. Mink, P.E.

Director of Public Works

- ❖ Maintenance Operations Division
- ❖ Design and Construction Division
- ❖ Facilities Maintenance Division



5551 Highway 63 South
Columbia, Missouri 65201-9711
(573) 449-8515 ext (223)
FAX (573) 875-1602
EMAIL: dmink@boonecountymo.org

Request for Proposal – Preliminary Storm Water Study May 22, 2008

Project Name: Fairway Meadows Subdivision

Boone County Public Works Department invites Engineering Surveys & Services (ES&S) to submit a proposal to conduct a preliminary storm water study for Fairway Meadows Subdivision and provide a report of findings and recommendations. Proposal is due by June 6, 2008, notice to proceed would then be anticipated by June 20, and the report would be due by July 25.

The primary scope of professional engineering services is to develop a preliminary engineering report containing general recommendations for drainage improvements in Fairway Meadows Subdivision. The study should look at various solutions to current drainage problems in the subdivision. Two areas identified to be studied are delineated on the enclosed map. Photographs are also included. Preliminary engineering report will include the following items:

- A. Documentation of Drainage Issues: Observe the hydraulic conditions and problems in the noted areas and perform preliminary engineering to generate corrective options.
- B. Topographical Survey and Utility Locations: Perform field survey within each study area to develop topographical map including utility locations.
- C. Preliminary Proposed Drainage System: Prepare a plan outlining the proposed options, which would adequately convey a 10-year design storm. Two options for Area # 1 should be developed. One option would be to consider an inlet structure on the south side of Demaret Drive between 738 and 740 with approximately 10 feet of transitional curb on each side and outflow pipe extending to and day-lighting onto MoDot Right-of-Way. The second option would add a crossroad pipe and an inlet on the north side with transitional curb to the driveways at 739 and 741 and a backside opening to receive the existing concrete drainage swale. The study for Area #2 should consider in particular the street drainage on the curve and a possible inlet structure near 714 Demaret with an outflow pipe extending to and day-lighting at an appropriate location. The preliminary drainage system should show:
 - Estimated Pipe system alignment and sizing.
 - Estimated Inlet locations.
 - Any other proposed design features.
- D. Preliminary Engineering Report: The report should summarize all findings, documented and observed problems, and discuss proposed solutions. In addition, this report should discuss anticipated problems regarding design and/or construction.

E. Estimated Engineering and Construction Costs: The engineering and construction estimates to be included in the preliminary engineering report should include the cost to prepare a construction grade set of plans and construction costs in 2009. Preparation of all easement documents and utility relocation costs shall be included in the design estimates, meanwhile, being aware of the following design considerations:

- Pipe system alignment and sizing.
- Inlet locations, capacity and sizing.
- Overflow system path, flow rate, and elevation. Include an evaluation of existing buildings with relation to overflow drainage. Overflow and open system drainage should, where possible, provide provisions for the 100-year design storm (or the maximum possible design storm up to the 100-year) and allow for 1 foot freeboard from Energy Grade Line (EGL) to structure low openings.
- Buildings finish floor elevations for comparison with flood elevations.
- Design flows (10 and 100 year) entering the site of the proposed improvements from all upstream tributary areas.
- Design flows (10 and 100 year) for all system components.
- Design flow leaving the site of the proposed improvements at each downstream outfall. Include in estimate the cost for outflow grading work including backfilling of abandoned channel alignment.
- Drainage area calculations.
- Gutter capacity/spread if applicable.
- Inlet intercept/bypass ratio.

F. Current schedule of deliverable would be anticipated to be July 25, 2008.

The consultant should keep in mind while preparing the engineering and construction cost estimate that the cost for the actual design specs and plans set shall include the above but also should include:

- Provide a design schedule showing all pertinent dates in the design process including submittal of plans to the County for review at the following intervals: 50%, 75%, and 95% complete plans. Meetings will be included at each phase for the consultant to attend, receive comments, and incorporate comments.
- Construction estimates shall be provided at each stage.
- Schedule and participate in a utility meeting with the County and all necessary utility companies. Provide 50% plans to all parties and incorporate all comments.
- Attend a Pre-bid meeting to answer any questions pertinent to the project and prepare an addendum if necessary.

All designs should meet Corps of Engineers Requirements: Document any known Corps of Engineers requirements, if any, and what will be necessary to satisfy those requirements (e.g. Jurisdictional Determination, Nationwide or Individual permit). Include a narrative section that summarizes the requirements along with appropriate maps of all "waters of the U.S." and jurisdictional wetlands. In addition, FEMA/DWR Requirements: The Stormwater Management Study must document what, if any, FEMA/DNR requirements will have to be met as part of the project. Also, consult with appropriate MoDot officials regarding any necessary permits to day-light onto their right-of-way.

CERTIFIED COPY OF ORDER

STATE OF MISSOURI }
County of Boone } ea.

June Session of the April Adjourned

Term. 20 08

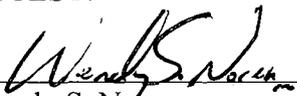
In the County Commission of said county, on the 19th day of June 20 08

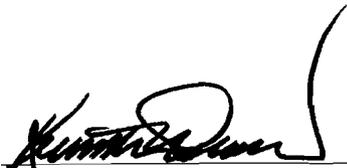
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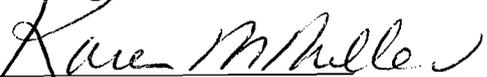
Now on this day the County Commission of the County of Boone does hereby approve the modification to the agreement for consultant services with Olsson Associates for Service Delivery Study to include expenses not to exceed \$1,000. It is further ordered the Presiding Commissioner is hereby authorized to sign said agreement.

Done this 19th day of June, 2008.

ATTEST:


Wendy S. Noren
Clerk of the County Commission


Kenneth M. Pearson
Presiding Commissioner


Karen M. Miller
District I Commissioner


Skip Elkin
District II Commissioner

APPROVAL OF PROPOSAL FOR CONSULTANT SERVICES

Effective the 19th day of June, 2008, Boone County, Missouri, a political subdivision of the state of Missouri through its County Commission (herein "Owner") hereby approves and authorizes professional services by the Consultant referred to below for the services specified below.

Consultant Name: OLSSON ASSOCIATES

Project/Work Description: SERVICE DELIVERY STUDY

Proposal Description: See attached Scope of Services and Fee Schedule dated April 29, 2008 and revised June 10, 2008 issued by Olsson Associates.

Modifications to Proposal: Fees shall not exceed \$24,470.00 with expenses not to exceed \$1000.00 without prior written approval of Owner.

This form agreement and any attachments to it shall be considered the approved proposal; signature by all parties below constitutes a contract for services in accordance with the above described proposal and any approved modifications to the proposal, both of which shall be in accordance with the terms and conditions of the General Consultant Services Agreement signed by the Consultant and Owner for the current calendar year on file with the Boone County Public Works Department, which is hereby incorporated by reference. Performance of Consultant's services and compensation for services shall in accordance with the approved proposal and any approved modifications to it and shall be subject to and consistent with the General Consultant Services Agreement for the current calendar year. In the event of any conflict in interpretation between the proposal approved herein and the general Consultant Services Agreement, the terms and conditions of the general agreement shall control unless the proposal approved herein specifically identifies a term or condition of the general Consultant Services Agreement that shall not be applicable.

OLSSON ASSOCIATES

By [Signature]
Title manager, community msa

Dated: 6/27/08

BOONE COUNTY, MISSOURI

By [Signature]
Presiding Commissioner

Dated: 6/19/08

APPROVED AS TO FORM:

[Signature]
County Attorney

ATTEST:

[Signature]
County Clerk

APPROVED:

[Signature] 6/10/08
Director, Boone County Public Works

CERTIFICATION:

I certify that this contract is within the purpose of the appropriation to which it is to be charged and there is an unencumbered balance of such appropriation sufficient to pay the costs arising from this contract.

[Signature] 6/12/08
Auditor [Signature] Date



June 10, 2008

Mr. David Mink, PE
Director of Public Works
5551 Highway 63 South
Columbia, Mo. 65201

Dear Dave,

I am writing this letter per your suggestion as an amendment to Olsson Associates proposal submitted to you on April 29, 2008 to assess the capacity of the Boone County Public Works Department and to do a cost of service analysis for specific projects.

In the original proposal, which is attached, the cost for the work was \$24,470, exclusive of expenses. The contract approved by the County Commission was for \$24,470 *inclusive* of expenses.

While we would like to recover our costs, we also understand the County's desire to know what those costs are. To that end, we amend our proposal to be \$24,470 *with expenses not to exceed \$1,000.*

Thank you for your willingness to address this issue. Please let me know if you have any questions.

Sincerely,
Olsson Associates

A handwritten signature in cursive script, appearing to read 'Patty Gentrup'.

Patty Gentrup
Manager
Community Consulting



April 29, 2008

Mr. David Mink, PE
Director of Public Works
5551 Highway 63 South
Columbia, Mo. 65201

Dear Dave,

I appreciate the time you and Commissioner Pearson have devoted to discussing the objectives of Boone County in assessing the capacity of the public works department and the approach that might be taken in conducting such an analysis. Based upon those discussions, I have revised the proposal for your consideration.

The approach outlined in this document will allow us to first thorough review the organizational structure for the department, assess its capacity, and complete a comparison of example projects to evaluate the cost effectiveness of having County employees conduct the work or using outside contractors.

We are pleased to present this proposal for your consideration and look forward to the opportunity to discuss it in detail with you.

Sincerely,
Olsson Associates

A handwritten signature in cursive script, appearing to read 'Patty Gentrup', is written in dark ink.

Patty Gentrup
Manager
Community Consulting

PROJECT UNDERSTANDING

Fast growing Boone County is home to 142,000 residents and encompasses about 685 square miles. Its Department of Public Works and Facilities Maintenance is responsible for maintaining and improving a roadway network of more than 800 miles.

The public works department achieves its service delivery goals through the hard work and dedication of its employees. The employees are divided into several divisions, with the majority of them in the maintenance operations and design and construction divisions.

The maintenance operations division is responsible for the upkeep and repair of more than 800 miles of roads, 427 of which are gravel, as well as the associated right-of-way, bridge and other drainage structures. The Design and Construction division is responsible for initiating, monitoring, and completing capital improvement projects related to Boone County's transportation network. The projects include, but are not limited to, those authorized by the one-half cent sales tax.

Together, the public works and facilities maintenance employees ensure that Boone County has a "safe, modern, well-maintained transportation system."

Boone County, like all units of government, is seeking methods to improve operational efficiencies and deliver the best value to their citizens. This project will identify methods to continue achieving the departmental mission in the most prudent and effective manner possible through review, evaluation and analysis of the following:

- What is the current structure of the department?
- What are departmental goals and are they being met?
- What are the skills and abilities of the existing staff?
- What is the department's equipment inventory?
- Are service delivery expectations currently being met?
- If employees are asked to do more complex projects typically outsourced, will that affect current service delivery?
- If more employees are hired, will there be work year round for them, given construction is typically seasonal?
- If more employees are hired, will the salary and benefits cost be more expensive than contracting out certain work?
- If equipment must be acquired/rented to complete jobs typically outsourced will the total cost more expensive than contracting out the jobs?

PROJECT TEAM

Olsson Associates will bring a variety of backgrounds and skill sets to bear during the course of the project. The project manager will be a former city administrator, who will coordinate the work of technical experts with experience in public works departments.

Project Manager – Patty Gentrup

Olsson's community consulting team leader, Patty Gentrup, will be Boone County's project manager. She brings nearly two decades of local government experience, including six years as the city administrator of Liberty, Mo.

Community Consultant – Robert Bromberg

Robert Bromberg, who worked for the Kansas City, Mo. public works department as the assistant to the director, will assist in information gathering and analysis.

Project Advisor – Dave Nolte, P.E.

Dave Nolte, who has served in the City of Olathe, Kansas public works department and now leads Olsson's transportation team, will act as project advisor and will assist in the cost of service analysis.

Project Advisor, Jeff Thorn, P.E.

Jeff Thorn leads Olsson's municipal infrastructure team and will provide technical expertise in identifying staff capacity and assessing past and current projects.

PROJECT APPROACH

As a means to determine whether Boone County Public Works and Facilities Maintenance employees should concentrate on their routine responsibilities, whether certain projects should be outsourced, or whether a combination of both should be utilized, Olsson proposes a four-phase approach:

1. Information Gathering
2. Organizational and Staffing Capacity Analysis
3. Sample Project Comparison
4. Final Report

Phase 1: Information Gathering

Task 1.1 Document Review

To begin our understanding of the Boone County Public Works Department, its staff, work load and ability to accomplish its goals, we will review written reports, policies and documents.

These might include, but not be limited to:

- Boone County mission, vision and values
- Public Works Department Annual Report
- Organizational Chart
- Position Descriptions
- Operating and capital budget

- Performance expectations
- Citizen satisfaction surveys
- Equipment inventories
- Other documents deemed necessary by Boone County officials

Phase 2: Organizational Capacity Analysis

Task 2.1 Individual Interviews

Review of the aforementioned documents will serve as a strong foundation regarding the department. However, no one knows better how an organization operates than employees themselves. As a means of obtaining grass roots perspectives and opinions regarding goals, expectations, work loads and work methods Olsson will interview 12-14 employees.

Task 2.2 Staffing/Workload Capacities

Employee information will be reviewed as a means of determining if there is an adequate mix of skill sets and capabilities to handle the work of the department. Examination of workload, including accomplishment of established goals and performance measures, will reveal if current staffing levels are sufficient to meet the service levels which are expected of the department. Excess capacity estimates covering available equipment, skills and staffing will be identified regarding what additional duties/projects, if any, the department can realistically take on, given current staffing expertise and levels.

Phase 3: Sample Project Comparison

Task 3.1 Identification of Sample Projects

Probably the best means of determining the types of projects which Boone County Public Works may outsource in the future is to review those which have been done by private contractors in the past five years. If this information is contained in the aforementioned documents, Olsson will compile a list during document review. If not, Olsson will secure the information from other sources. In processing the information Olsson will determine the five most common types of projects outsourced in the past five years.

Task 3.2 Project Comparison

Each of the five most common types of projects outsourced by the department in the past five years will be profiled. Assumptions will be made regarding the kind of equipment, skills, time and labor needed for each project. Using these assumptions, we will estimate costs to complete the work for each type of project using in-house staff, equipment, and supplies or outside contractors. These costs will be compared with the actual costs to complete them using outside contractors.

Task 3.3 Current Project Comparison (Optional)

While researching previous projects completed by a contractor and estimating the cost to accomplish the same work in house will provide a good basis of information, it might be prudent to identify an impending project for which the County will take bids. Current Boone County staff could then develop its own bid to provide current comparison. Care would be taken to ensure that all appropriate costs, personnel expertise, equipment and implementation would be included in the employees' bid.

Phase 4: Final Report

Task 4.1 Development of Final Report

Olsson will synthesize the information gathered and assessed in the first three phases of the project – this will serve as the foundation of the final report. That report will outline:

- The organizational structure and capabilities of the current staff.
- The capacity of the current staff to perform work
- A side-by-side review, comparing the use of contractors with the use of in-house Boone County staff to complete actual projects

Task 4.2 Commission Consideration

The final report will be presented to the County Commission for its consideration, and Olsson staff will be available to answer questions about the process and to discuss the recommendations.

FEE ESTIMATE

Olsson Associates estimates that we can accomplish these objectives in 243 hours for a total fee of \$24,470, exclusive of expenses and optional work outlined in Task 3.3.

CERTIFIED COPY OF ORDER

STATE OF MISSOURI }
 County of Boone } ea.

June Session of the April Adjourned

Term. 20 08

In the County Commission of said county, on the

19th day of June 20 08

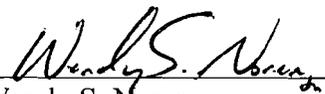
the following, among other proceedings, were had, viz:

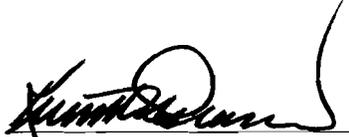
Now on this day the County Commission of the County of Boone does hereby approve the following budget revision and request for disposal by trade of a Snap-on Diagnostics Scanner:

Department	Account	Department Name	Account Name	Decrease	Increase
2040	92400	PW Maintenance Op	Rpl Auto Trucks	\$1,300.00	
2040	92300	PW Maintenance Op	Rpl Mach & Equip		\$1,300.00

Done this 19th day of June, 2008.

ATTEST:


 Wendy S. Noren
 Clerk of the County Commission


 Kenneth M. Pearson
 Presiding Commissioner


 Karen M. Miller
 District I Commissioner


 Skip Elkin
 District II Commissioner

BOONE COUNTY

REQUEST FOR DISPOSAL/TRANSFER OF COUNTY PROPERTY

DATE : 06/09/08

FIXED ASSET TAG NUMBER: NA

DESCRIPTION: Snap-on Diagnostics Scanner; Model MT2500

REQUESTED MEANS OF DISPOSAL: TRADE

OTHER INFORMATION: Serial # 151SAE-006253

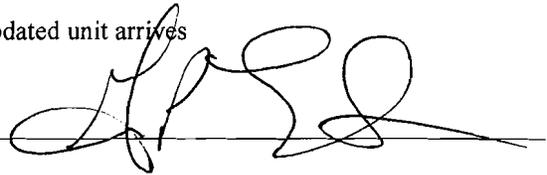
CONDITION OF ASSET: Good

REASON FOR DISPOSITION: Unit will no longer be supported for updates by Snap-on.

DESIRED DATE FOR ASSET REMOVAL TO STORAGE: When updated unit arrives

DEPARTMENT: 2040

SIGNATURE



AUDITOR

ORIGINAL PURCHASE DATE _____ ?
ORIGINAL COST _____
ORIGINAL FUNDING SOURCE _____

TRANSFER CONFIRMED _____

COUNTY COMMISSION / COUNTY CLERK

APPROVED DISPOSAL METHOD:

____ TRANSFER DEPARTMENT NAME _____ NUMBER _____

LOCATION WITHIN DEPARTMENT _____

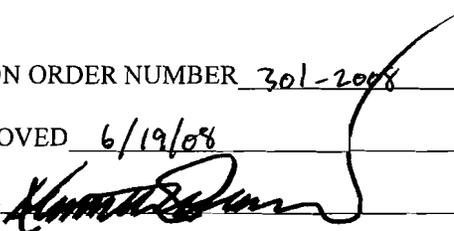
INDIVIDUAL _____

TRADE ____ AUCTION ____ SEALED BIDS

____ OTHER EXPLAIN _____

COMMISSION ORDER NUMBER 301-2008

DATE APPROVED 6/19/08

SIGNATURE 

CERTIFIED COPY OF ORDER



STATE OF MISSOURI }
County of Boone } ea.

June Session of the April Adjourned

Term. 20 08

In the County Commission of said county, on the 19th day of June 20 08

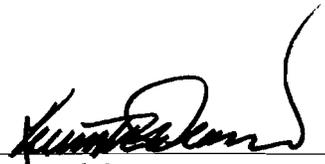
the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby accept and acknowledge the Judgment and Order Granting Petition for the Formation of a Transportation Development District for the Rock Bridge Center Transportation Development District pursuant to Section 238.216(6) of the Missouri Transportation Development District Act.

Done this 19th day of June, 2008.

ATTEST:


Wendy S. Noren
Clerk of the County Commission


Kenneth M. Pearson
Presiding Commissioner


Karen M. Miller
District I Commissioner


Skip Elkin
District II Commissioner

VAN MATRE, HARRISON, VOLKERT, AND HOLLIS, P.C.

A PROFESSIONAL CORPORATION

ATTORNEYS AND COUNSELORS AT LAW

1103 EAST BROADWAY

POST OFFICE BOX 1017

COLUMBIA, MISSOURI 65201

CRAIG A. VAN MATRE
THOMAS M. HARRISON
MATTHEW S. VOLKERT*
ROBERT N. HOLLIS

(573) 874-7777
TELECOPIER (573) 875-0017
E-MAIL erick@vanmatre.com

CARLA K. WILLIAMS
GARRETT S. TAYLOR
KATHLEEN D. PITZER**
ERICK S. CREACH
BRYAN C. BACON*

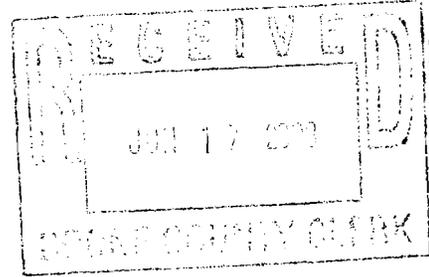
EVERETT S. VAN MATRE
(1922-1998)

* ADMITTED IN MISSOURI AND ILLINOIS

** ADMITTED IN MISSOURI, ILLINOIS, AND WASHINGTON, D. C.

June 17, 2008

Wendy Noren
Clerk Boone County Commission
Boone County Government Bldg.
801 E. Walnut Street
Columbia, Missouri 65201
Via Hand Delivered



Re: Rock Bridge Center Transportation Development District ("District") /
Official election results relating to imposition of TDD Tax

Dear Wendy:

Pursuant to section 238.216 of the Missouri Transportation Development District Act, Sections 238.200 to 238.275 of the Revised Statutes of Missouri, as amended (the "Act"), and a Judgment and Order granting a Petition for the formation of a Transportation Development District entered by the Honorable Gary Oxenhandler, Circuit Judge, on April 29, 2008, (the "Order"), the Board of Directors of the Rock Bridge Center Transportation Development District caused an election to be held among the owners of all real property located within the boundaries of the District regarding the creation of the proposed district, the development of the Transportation Projects (as defined in the Petition submitted to the court) and the imposition of a district-wide sales tax. I have enclosed a copy of the Order for your records.

I also enclose a certified copy of the Unanimous Petition of Property Owner, which was filed and entered upon the records of the Boone County Circuit Court on June 13, 2008. Pursuant to Section 238.216(6) of the Act, we ask that you file this certified copy of the results and cause it to be spread upon the records of Boone County.

VAN MATRE, HARRISON, VOLKERT, AND HOLLIS, P.C.

Wendy Noren

June 17, 2008

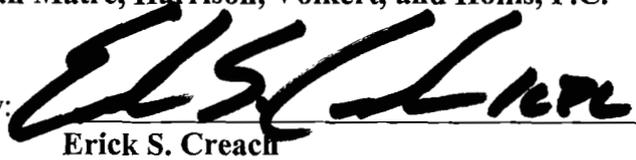
Page 2

Thank you for your attention to this matter. If you have any questions, please let me know.

Sincerely,

Van Matre, Harrison, Volkert, and Hollis, P.C.

By:

A handwritten signature in black ink, appearing to read "Erick S. Creach", written over a horizontal line.

Erick S. Creach

ESC/cpc

**IN THE CIRCUIT COURT OF THE COUNTY OF BOONE
STATE OF MISSOURI**

FILED
BOONE COUNTY
JUN 13 2008
CHRISTY BLAKEMORE
CLERK CIRCUIT COURT, COLUMBIA, MO

**IN RE THE ROCK BRIDGE CENTER)
TRANSPORTATION)
DEVELOPMENT DISTRICT,)
)
TKG ROCK BRIDGE CENTER, L.L.C.)
A MISSOURI LIMITED LIABILITY)
COMPANY)**

Petitioners,)

Case No.: 08BA-CV01736

v.)

**MISSOURI HIGHWAYS AND)
TRANSPORTATION COMMISSION,)**

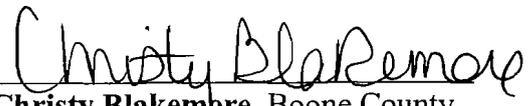
AND)

**THE CITY OF COLUMBIA,)
MISSOURI)**

Respondents.)

CERTIFICATE OF CIRCUIT CLERK

I, Christy Blakemore, Boone County Circuit Clerk, pursuant to Section 238.216.1(3) RSMo., certify that I have verified the authenticity of the signature on the Petition of Property Owner which was filed with my office on June 11, 2008, pursuant to the Judgment and Order of the Circuit Court of Boone County, Missouri, of April 29, 2008. I further certify that I have verified this signature in reliance upon the notarial certificate authenticating the signature of E. Stanley Kroenke on that Petition, in reliance upon copies of certifications relative to Petitioner, TKG Rock Bridge Center, L.L.C., which have been furnished to my office by Erick S. Creach, Van Matre, Harrison, Volkert, and Hollis, P.C., Attorneys at Law, and which also are attached to this Certificate. Finally, and in accordance with Section 238.216.6 RSMo., I certify that the foregoing have been entered upon the records of the Circuit Court of Boone County, Missouri, in connection with the above-captioned case.


**Christy Blakemore, Boone County
Circuit Clerk**

SEAL

IN THE CIRCUIT COURT OF THE COUNTY OF BOONE
STATE OF MISSOURI

COPY

IN RE THE ROCK BRIDGE CENTER)
TRANSPORTATION)
DEVELOPMENT DISTRICT,)
)
TKG ROCK BRIDGE CENTER, L.L.C.)
A MISSOURI LIMITED LIABILITY)
COMPANY)

Petitioners,)

v.)

MISSOURI HIGHWAYS AND)
TRANSPORTATION COMMISSION,)

AND)

THE CITY OF COLUMBIA,)
MISSOURI)

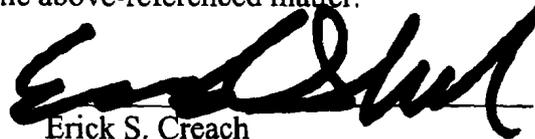
Respondents.)

Case No.: 08BA-CV01736

FILED
BOONE COUNTY
JUN 13 2008
CHRISTY BLAKEMORE
CLERK CIRCUIT COURT, COLUMBIA, MO

MEMORANDUM

COMES NOW Petitioners, The Rock Bridge Center Transportation Development District and TKG Rock Bridge Center, L.L.C., by and through their attorney, and pursuant to the Order of this Court entered April 29, 2008, and the resolution of the Board of Directors of the Rock Bridge Center Transportation Development District dated May 30, 2008, files the attached Official Results of the election called in connection with the above-referenced matter.



Erick S. Creach
VAN MATRE, HARRISON, VOLKERT, and
HOLLIS, P.C.
1103 East Broadway
P. O. Box 1017
Columbia, Missouri 65205
(573) 874-7777
Missouri Bar Number 57783
Attorney for Petitioners

CERTIFICATE OF SERVICE

I hereby certify that a true, correct, and complete copy of the above and foregoing was served via facsimile on the _____ day of June, 2008, to:

Bryce Gamblin, MoDOT
Fred Boeckmann, City Counselor



A handwritten signature in black ink, appearing to read "Erick S. Creach", written over a horizontal line.

Erick S. Creach, #57783

PETITION OF PROPERTY OWNER

The undersigned entity constitutes the only owner of Real Property within the area described on Exhibit 1 hereto, and hereby approves of the formation of a transportation development district within said area to be known as the "Rock Bridge Center Transportation Development District" (the "District") for the purposes of developing the following Transportation Projects:

- 1 Construction of a new access point to the Rock Bridge Shopping Center on the east side of Providence Road (Missouri State Highway 163) approximately midway between the south boundary of the District and the north boundary of the District pursuant to the terms and conditions of a separate "Highway Entrance Agreement" between the Missouri Highways and Transportation Commission, the Petitioner, and the District, including the payment of the costs of all improvements and matters reasonably comprehended by said agreement, as said agreement is finally agreed to (the "Access Agreement");
- 2 Construction of an additional driving lane along the east side of Providence Road (Missouri State Highway 163) from the north right-of-way line of Nifong Boulevard to the south right-of-way line of the intersection of Highway 163 and Green Meadows Road;
- 3 Construction of a separate access point ("right-in/right-out") to Buttonwood Drive approximately one hundred (100) yards north of the District's northwest corner so as to provide a means of access to and from Buttonwood Drive onto Missouri Highway 163 pursuant to the terms and conditions of the above-referenced "Access Agreement;"
- 4 Construction of a sidewalk along the west portion of the Rock Bridge Shopping Center running from a point along the north right-of-way line of Nifong Boulevard to the break in access adjacent to Buttonwood Drive;
- 5 Widening and improving driveway entrances off of Nifong Boulevard into the Rock Bridge Shopping Center and widening and improving said points of access along Nifong Boulevard;
- 6 Construction of driveway entrance improvements into Rock Bridge Shopping Center off of Buttonwood Drive along the east boundary of District including appurtenant pavement, drainage improvements, sidewalk modifications, and surface water drainage structures;
- 7 Construction of a driveway connecting the Rock Bridge Shopping Center parking lot to the Mizzou Credit Union driveway along and parallel to the east right-of-way line of Missouri State Highway 163 for vehicles traveling from Buttonwood Drive to and

from the Rock Bridge Shopping Center, construction of any appurtenant structures, and to acquire any easements reasonably required for such driveway;

- 8 Construction of surface water drainage collection facilities for surface water drainage from streets, roads, sidewalks, and parking lots surrounding and within District;
- 9 Reimbursement to Petitioner and third parties for traffic studies and traffic impact studies required in order to complete the documentation necessary for the above Access Agreement;
- 10 Reimbursement to Petitioner for costs expended in anticipation of or in connection with the design of the above-described improvements prior to the formation of the District;
- 11 Construction of surface water drainage structures made reasonably necessary by the improvements described above, including all environmental protection measures required in order to avoid environmental damage as a result of surface water drainage from roads, roadway ditches, drives, transportation improvements, and other related structures and improvements, including mitigation costs, retaining walls, channel preservation devices, abutments, pipes, and related structures;
- 12 Payments to Missouri Highways and Transportation Commission required in order to acquire rights, permits, or necessary easements for the construction of the above-referenced improvements and Projects;
- 13 Upgrading and improving traffic surveillance control equipment, computerized signal systems and motorists information systems to provide an integrated traffic control system which signal inter-connect to provide for better traffic progression along Providence Road;
- 14 Payments for the acquisition of necessary rights-of-way easements, aesthetic improvements, signage, traffic signals, and specialty lighting reasonably required in order to construct and implement the projects described above;
- 15 Construction of additional traffic related improvements, including sidewalks, pedways, traffic signals, traffic islands, median improvements, and turn lanes adjacent to and within the District;
- 16 Acquisition of rights of way and construction of curb cuts and other access points around the perimeter of the District and adjacent to Buttonwood Drive, Nifong Boulevard, and Providence Road;

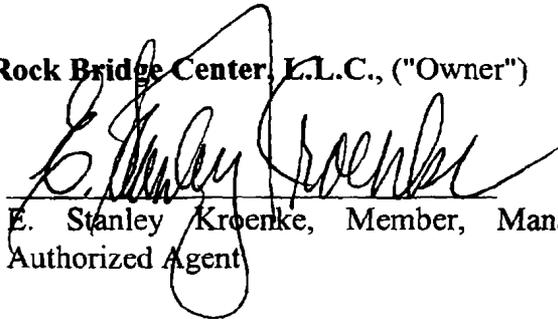
- 17 Payment of and reimbursement for necessary civil engineering fees, professional fees, permit costs, and costs of obtaining federal and state licenses and permits reasonably required for the construction of the above-described projects; and
- 18 Payment of and reimbursement for all other professional fees, licenses, and costs reasonably related to and authorized by the Board of Directors of the District to be paid in connection with the construction of the foregoing improvements, as well as the establishment and operation of the District, and as permitted by the Act.

The undersigned further approves of (hereby votes and responds in the affirmative to) the following proposition:

"Shall the Rock Bridge Center Transportation Development District impose a transportation development district-wide sales tax at the rate of one-half percent (½%) for such period of time as may be required to retire any bonds, notes, or other obligations that are issued to finance the above-described Transportation Projects, which shall not be greater than 50 years from the date on which such tax is first imposed for the purpose of funding said Transportation Projects?"

TKG Rock Bridge Center, L.L.C., ("Owner")

By:



E. Stanley Kroenke, Member, Manager and Authorized Agent

State of Missouri)
)ss.
 County of Boone)

On this 9th day of June, 2008, before me personally appeared E. Stanley Kroenke, who upon his oath and upon being duly sworn, did state, affirm, and acknowledge that he is a member and manager of TKG Rock Bridge Center, L.L.C., a Missouri limited liability company, that he executed this document on behalf of said limited liability company, as the free act and deed of said limited liability company, and pursuant to the authority vested in him to execute this document by the members of said limited liability company, that the foregoing document is binding in all respects upon said limited liability company, and that said limited liability company is duly empowered by its operating agreement to enter into this document.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my seal at my office
in Columbia, Missouri, the day and year first above written.



Sarah J. Gastler, Notary Public
Commissioned in _____ County, MO

My commission expires _____.

**EXHIBIT 1
TO THE FORM OF PETITION**

Legal Description of Tract

A tract of land located in the southwest quarter of Section 25 T48N R13W, in Columbia, Boone County, Missouri, being Lots 1 A and 1 B of the administrative subdivision of Oak Forest Subdivision Block II, recorded in plat book 15 page 58, and Lots 1C-1, 1C-2, 1C-3 and 1C-4 of the administrative subdivision replat of Oak Forest Subdivision Block II, recorded in plat book 17 page 43, except that part dedicated for right-of-way for State Route "AC" (Nifong Boulevard).

IN THE CIRCUIT COURT OF THE COUNTY OF BOONE, STATE OF MISSOURI

IN RE:)	
The formation of the Rock Bridge Center)	
Transportation Development District)	
)	
TKG ROCK BRIDGE CENTER, L.L.C.)	
a Missouri limited liability company)	
)	
Petitioner)	
)	
vs.)	Case No. 08BA-CV01736
)	
MISSOURI HIGHWAYS AND TRANSPORTATION)	
COMMISSION,)	
)	
and)	
)	
THE CITY OF COLUMBIA, MISSOURI,)	
)	
Respondents.)	

**JUDGMENT, ORDER, AND DECREE
GRANTING PETITION FOR THE FORMATION OF A
TRANSPORTATION DEVELOPMENT DISTRICT**

The Circuit Court of Boone County, Missouri, hereby enters this as its Judgment, Order, and Decree pursuant to the Missouri Transportation Development District Act, Sections 238.200 to 238.280 of the Revised Statutes of Missouri, as amended (the "Act"), granting the Petitioners' Petition for the formation of a Transportation Development District known as the **Rock Bridge Center Transportation Development District** (the "District"). Based on the record before the Court and the evidence adduced by Petitioner on April 28, 2008, the Court hereby makes the following determinations and findings of fact, i.e., the Court finds and determines that:

1. Petitioner (hereinafter referred to as the "Owner") constitutes the only owner of the real property within the District.

2. Respondent Missouri Highways and Transportation Commission (the "Commission") is the constitutional authority responsible for constructing and maintaining the Missouri highway system and is a necessary party under Section 238.207.4(2) of the Act, and Respondent City of Columbia, Missouri (the "City"), a constitutional charter city in which the proposed District will be located, is the "local transportation authority" within the meaning of Section 238.202.1(4) of the Act, and is a necessary party under Section 238.207.4(2) of the Act.

3. The record reflects that no objections to the Petition, timely or otherwise, have been filed.

4. The proposed District is composed of contiguous land and consists of land on which there are no residential structures, and there are no persons eligible to be registered voters residing within the proposed District. A legal description of the property to be included in the proposed District is attached as "Exhibit A" and shown on the map attached as "Exhibit B." The Court finds and determines that the District will not be an undue burden on the Owner of the property within the District and is not unjust or unreasonable.

5. The purpose of the District is to carry out and complete certain projects relating to transportation as set forth on "Exhibit C" hereto (collectively referred to as the "Transportation Projects").

6. The Petition is not legally defective and the Respondents have been duly served with process in this action and have filed their respective answers to the Petition.

7. The proposed District is neither illegal nor unconstitutional.

8. The District is established as a political subdivision pursuant to and in accordance with the Act for the sole purpose of funding the Transportation Projects and the payment of the Costs (as defined in the Petitioner's Petition) primarily through the imposition of a TDD Sales Tax (as hereinafter defined), and possibly through the imposition and levy of real estate taxes and special assessments.

9. A portion of the proposed Transportation Projects is intended to be merged into the state highways and transportation system under the Commission's jurisdiction (the "State Portion of the Transportation Projects") and the other portions of the Transportation Projects are not intended to be so merged (the "Local Portion of the Transportation Projects") for which approval authority

vests with the City subject to all necessary permitting requirements of the Commission for connections of the Local Portion of the Transportation Projects to the state highways and transportation system. The Commission has no direct interest in the Local Portion of the Transportation Projects.

10. The Transportation Projects will be funded from the proceeds of Transportation Development District bonds, notes, or other obligations (the "TDD Obligations") which will be secured by revenues resulting from the imposition by the District of a Transportation Development District Sales Tax (the "TDD Sales Tax") not to exceed one percent (1%). Furthermore:

a. TDD Obligations will not be issued in a principal amount greater than the amount required to fund the cost of the Transportation Projects, plus the cost of issuing the TDD Obligations and establishing reasonable reserves for the repayment thereof.

b. Under the Act, the District may impose a TDD Sales Tax upon approval of the qualified voters of the proposed District in increments of one-eighth of one percent up to a maximum of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the District imposing such tax.

c. The board of directors of the District shall seek voter approval for the imposition of a TDD Sales Tax in a maximum amount which will not exceed one percent (1%) of all retail sales made in the District that are subject to taxation under Section 238.235.1(1) RSMo., to provide revenues sufficient to pay Transportation Project costs.

d. The TDD Sales Tax shall be imposed for such period of time as may be required to retire the TDD Obligations. In no event, however, shall the TDD Sales Tax extend beyond the period reasonably necessary to retire the TDD Obligations. The District shall not increase the TDD Sales Tax beyond one percent (1%); nor may it impose any other tax, assessment, toll or charge whatsoever without the prior written consent of the Owner of all the real property located within the District.

e. All proceeds of the TDD Sales Tax collected on all transactions subject to a sales tax imposed in the District pursuant to Section 238.235 of the Act will be deposited into a special fund created for such purpose and applied solely to the payment of: (i) costs of the Transportation Projects (including all costs incurred pursuant to Sections 238.240,

238.245, and 238.247 of the Act); (ii) the costs of filing and defending the Petition as authorized by Section 238.217 of the Act; (iii) payment of the principal of, premium (if any), and interest on the TDD Obligations; and (iv) the District's reasonable and actual cost of administering, collecting, enforcing, and operating the District as provided in the Act, including (but not limited to) costs incurred pursuant to Sections 238.222, 238.252, 238.255, and 238.272 of the Act.

f. Except for costs of enforcing the collection of the TDD Sales Tax, the District shall not incur more than One Hundred Fifty Thousand Dollars (\$150,000.00) in costs pursuant to subparagraph 11, e, (iv) above, in either the first two (2) full fiscal years after the date of entry of this Judgment and Order authorizing the formation of the District, or more than Fifty Thousand Dollars (\$50,000.00) in such costs (or such lesser amount as may be agreed to pursuant to written agreement between the District and the City) in any fiscal year thereafter without the prior written consent of the City's Finance Director and City Manager (but without further action by the City Council of the City); provided that: (1) such consent shall not be unreasonably withheld if the District demonstrates that the expenditures serve a legitimate District purpose; (2) such expenses shall be deemed approved if the Finance Director and the City Manager do not specifically disapprove of such expenses in writing within thirty (30) calendar days following the delivery of information by the District evidencing that the expenditures serve a legitimate District purposes; and (3) the District shall not be obligated to reimburse the City for costs the City incurs pursuant to any such request.

11. The District may (but need not) levy one or more special assessments for project improvements which specifically benefit properties within the District pursuant to Section 238.230 RSMo., but only upon obtaining the approval of a majority of the qualified voters voting on the question in the District. Furthermore:

a. The Board of Directors of the District shall seek voter approval for the imposition of a special assessment in the manner required by Section 238.230 of the Act prior to the imposition of any such special assessment.

b. Any special assessments collected pursuant to Section 238.230, after deducting the expenses of such collection as authorized by the Act, shall be used to retire the TDD Obligations described above in paragraph 10.

c. If such special assessment(s) are not approved by a majority of the qualified voters voting on the question, then no such special assessment shall be levied or collected by the District.

12. The District may (but need not) levy real estate property taxes for project improvements pursuant to Section 238.232 RSMo., but only upon obtaining the approval of four-sevenths (4/7ths) of the qualified voters voting on the question in the District. Furthermore:

a. The Board of Directors of the District shall seek voter approval for the imposition of real estate property taxes in the manner required by Section 238.232 of the Act prior to the imposition of any real estate property taxes.

b. Any real estate property taxes collected pursuant to Section 238.232, after deducting the expenses of such collection as authorized by the Act, shall be used to retire the TDD Obligations described above in paragraph 10.

c. If such real estate property taxes are not approved by four-sevenths (4/7ths) of the qualified voters voting on the question, then no real estate property taxes shall be levied or collected by the District.

13. The District will not incur any liabilities or debt or issue any obligations other than the TDD Obligations that are issued to finance or refinance the Transportation Projects. The District will maintain its existence until all TDD Obligations have been paid in full, at which time the District, through its board of directors, will take and diligently pursue to conclusion all such actions as shall be necessary under Section 238.275 of the Act to abolish the District.

14. The District is properly, duly, and lawfully organized.

15. The proposed funding methods and mechanisms are neither illegal nor unconstitutional and are hereby certified for qualified voter approval pursuant to Section 238.210.2, 238.230, and 238.232 of the Act.

Based on the above findings of fact and conclusions of law, it is the JUDGMENT, ORDER, AND DECREE of this Court that:

- A. The District is hereby organized;
- B. The board of directors of the District shall be composed of five (5) members. The terms of office of the initial members of the board of directors of the District shall be staggered, the two members receiving the highest number of votes will have an initial three-year term, the two members receiving the next highest number of votes will have an initial two-year term, and the member receiving the fewest number of votes will have an initial one-year term. After the initial terms, all members of the board of directors of the District shall be elected for three-year terms. The Commission may appoint one or more advisors to the board of directors of the District as provided in Section 238.220.4 of the Act. The City may appoint at least one but not more than three advisors to the board of directors of the District as provided in Section 238.220.5 of the Act;
- C. The District shall keep accurate records of revenues received and costs incurred, and such records shall be open to inspection by the City at all reasonable times;
- D. The District shall arrange for and undertake the construction of the Transportation Projects and exercise all powers granted it under the Act;
- E. Before construction or funding of the State Portion of the Transportation Projects, the District shall submit the State Portion of the Transportation Projects, together with the proposed plans and specifications, to the Commission for its approval. Upon submission of the State Portion of the Transportation Projects, if the Commission finds that the State Portion of the Transportation Projects will improve or is a necessary or desirable extension of the state highways and transportation system, the Commission may approve the State Portion of the Transportation Projects, subject to the District making any revisions in the plans and specifications required by the Commission, and the District and the Commission may enter into a mutually satisfactory agreement regarding development and future maintenance of the State Portion of the Transportation Projects if the Commission determines same to be necessary;
- F. The City shall be designated as the "local transportation authority" within the meaning of the Act for the Local Portion of the Transportation Projects, subject to all necessary permitting requirements of the Commission for connections of the Local Portion of the Transportation Projects to the state highways and transportation system, and subject to the District and the City developing



the Local Portion of the Transportation Projects in a manner compatible with the future development of the state highway system;

G. Upon their completion, all portions of the Transportation Projects which are not within the control and jurisdiction of the Commission shall be and remain under the control and jurisdiction of the City; and

H. The District shall not exercise its power of condemnation or eminent domain except in accordance with the procedures described on Exhibit E, which is incorporated in and as a part of this Decree.

THEREFORE, it is further the JUDGMENT, ORDER, AND DECREE of this Court that:

(1) pursuant to Section 238.220.2(1), a meeting of the owner of record of the property within the District is hereby called at 10:30 a.m. on May 1, 2008, in the Mezzanine Conference Room, City Offices, 701 East Broadway, Columbia, Missouri, to elect a chairman and secretary of the meeting to conduct the election of the initial directors of the District;

(2) following adoption by the board of directors of the District of a resolution imposing a sales tax and submitting a proposal relating thereto to the qualified voters of the District, and if so approved by said voters, the funding method for the Transportation Projects shall be certified as approved if the Owner shall submit to the Boone County Circuit Clerk a unanimous petition (substantially in the form set forth as "Exhibit D" hereto) approving the imposition of a sales tax not to exceed one percent (1%) by the District for a period no longer than that period of time reasonably required to retire the TDD Obligations, each Owner receiving one vote per acre owned;

(3) the Boone County Circuit Clerk shall verify the authenticity of all signatures on the unanimous petition by certifying that all signatures have been duly notarized;

(4) the results of the election shall be entered upon the records of this Circuit Court and a certified copy shall be filed with the City Clerk's office to be reflected in the records of the City of Columbia;

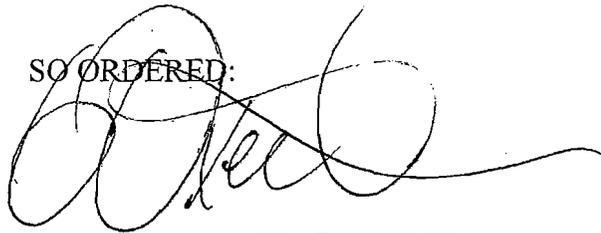
(5) following the adoption by the Board of Directors of the District of a resolution requesting approval by the qualified voters within the District of a resolution imposing one or more special assessments pursuant to the requirements of Section 238.230 of the Act and submitting such proposal relating thereto to the qualified voters of the District, the imposition, levying, and collection

of special assessments for the Transportation Projects shall be certified as approved if the owner of the real property within the District shall submit to the Boone County Circuit Clerk a unanimous petition in the manner required by Section 238.230 of the Act and the Boone County Circuit Clerk shall verify the authenticity of signatures and enter the results of the election upon the records of the Circuit Court for the above-described sales tax election;

(6) following the adoption by the Board of Directors of the District of a resolution requesting approval by the qualified voters within the District of a resolution imposing a property tax pursuant to the requirements of Section 238.232 of the Act and submitting such proposal relating thereto to the qualified voters of the District, the District shall be authorized to levy, impose, and collect a property tax if and upon the submission by the property owners of real property within the District to the Boone County Circuit Clerk of a unanimous petition in the manner required by Section 238.232 of the Act, which approves of said tax, and the Boone County Circuit Clerk shall verify the authenticity of all signatures and enter the results of such election upon the records of the Circuit Court in the manner specified for the above-described sales tax election; and

(7) the costs of filing and defending the petition and all publication and incidental costs incurred in obtaining this Court's certification of the Petition for voter approval shall be paid by Petitioners (subject to reimbursement by the District as permitted by the Act).

SO ORDERED:



Honorable Gary Oxenhandler, Judge
Division II, Circuit Court of Boone County, MO

Dated: _____

4/24/18
G. Oxenhandler

EXHIBIT A
TO
JUDGMENT, ORDER, AND DECREE
GRANTING PETITION FOR THE FORMATION OF
THE ROCK BRIDGE CENTER TRANSPORTATION DEVELOPMENT DISTRICT
TKG ROCK BRIDGE CENTER, L.L.C., PETITIONER, AND
MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION,
AND THE CITY OF COLUMBIA, RESPONDENTS

Legal Description of Tract

A tract of land located in the southwest quarter of Section 25 T48N R13W, in Columbia, Boone County, Missouri, being Lots 1 A and 1 B of the administrative subdivision of Oak Forest Subdivision Block II, recorded in plat book 15 page 58, and Lots 1C-1, 1C-2, 1C-3 and 1C-4 of the administrative subdivision replat of Oak Forest Subdivision Block II, recorded in plat book 17 page 43, except that part dedicated for right-of-way for State Route "AC" (Nifong Boulevard).

**EXHIBIT B
TO
JUDGMENT, ORDER, AND DECREE
GRANTING PETITION FOR THE FORMATION OF
THE ROCK BRIDGE CENTER TRANSPORTATION DEVELOPMENT DISTRICT
TKG ROCK BRIDGE CENTER, L.L.C., PETITIONER, AND
MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION,
AND THE CITY OF COLUMBIA, RESPONDENTS**

Map





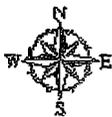
Boone County Internet Tax Parcel Map

Prepared by the Boone County Assessor Office

573-886-4262



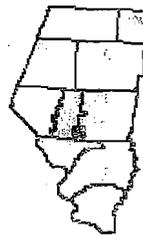
Property of Boone County, MO



Aerial Photo Source:
Boone County, Ortho-rectified
Digital Imagery, March 2002.

Map generated:
3/26/2008 1:19:44 PM

Overview Map



Legend

- Roads
- Streams
- Political Townships
- Parcel Boundaries
- City Limits

Handwritten initials

ATTENTION!!

DISCLAIMER; READ CAREFULLY: These maps were prepared for the inventory of real property based on the utilization of deeds, plans, and/or supportive data. In addition, map files are frequently changed to reflect changes in boundaries, lot lines and other geographic features resulting from changes in ownership, development and other causes. The existence, dimension, and location of features, as well as other information, should not be relied upon for any purpose without actual field verification. The County of Boone makes no warranty of any kind concerning the completeness or accuracy of information contained on these maps and assumes no liability or responsibility for the use or reuse of these maps by persons not affiliated with Boone County. Use of these maps by any person not affiliated with Boone County constitutes agreement by the user to assume full liability and responsibility for the verification of the accuracy of information shown on these maps.

EXHIBIT C
TO
JUDGMENT, ORDER, AND DECREE
GRANTING PETITION FOR THE FORMATION OF
THE ROCK BRIDGE CENTER TRANSPORTATION DEVELOPMENT DISTRICT
TKG ROCK BRIDGE CENTER, L.L.C., PETITIONER, AND
MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION,
AND THE CITY OF COLUMBIA, RESPONDENTS

Transportation Projects to be Constructed by the District

- 1 Construction of a new access point to the Rock Bridge Shopping Center on the east side of Providence Road (Missouri State Highway 163) approximately midway between the south boundary of the District and the north boundary of the District pursuant to the terms and conditions of a separate "Highway Entrance Agreement" between the Missouri Highways and Transportation Commission, the Petitioner, and the District, including the payment of the costs of all improvements and matters reasonably comprehended by said agreement, as said agreement is finally agreed to (the "Access Agreement");
- 2 Construction of an additional driving lane along the east side of Providence Road (Missouri State Highway 163) from the north right-of-way line of Nifong Boulevard to the south right-of-way line of the intersection of Highway 163 and Green Meadows Road;
- 3 Construction of a separate access point ("right-in/right-out") to Buttonwood Drive approximately one hundred (100) yards north of the District's northwest corner so as to provide a means of access to and from Buttonwood Drive onto Missouri Highway 163 pursuant to the terms and conditions of the above-referenced "Access Agreement;"
- 4 Construction of a sidewalk along the west portion of the Rock Bridge Shopping Center running from a point along the north right-of-way line of Nifong Boulevard to the break in access adjacent to Buttonwood Drive;
- 5 Widening and improving driveway entrances off of Nifong Boulevard into the Rock Bridge Shopping Center and widening and improving said points of access along Nifong Boulevard;
- 6 Construction of driveway entrance improvements into Rock Bridge Shopping Center off of Buttonwood Drive along the east boundary of District including appurtenant pavement, drainage improvements, sidewalk modifications, and surface water drainage structures;

BU

EXHIBIT C (continued)

Transportation Projects to be Constructed by the District

- 7 Construction of a driveway connecting the Rock Bridge Shopping Center parking lot to the Mizzou Credit Union driveway along and parallel to the east right-of-way line of Missouri State Highway 163 for vehicles traveling from Buttonwood Drive to and from the Rock Bridge Shopping Center, construction of any appurtenant structures, and to acquire any easements reasonably required for such driveway;
- 8 Construction of surface water drainage collection facilities for surface water drainage from streets, roads, sidewalks, and parking lots surrounding and within District;
- 9 Reimbursement to Petitioner and third parties for traffic studies and traffic impact studies required in order to complete the documentation necessary for the above Access Agreement;
- 10 Reimbursement to Petitioner for costs expended in anticipation of or in connection with the design of the above-described improvements prior to the formation of the District;
- 11 Construction of surface water drainage structures made reasonably necessary by the improvements described above, including all environmental protection measures required in order to avoid environmental damage as a result of surface water drainage from roads, roadway ditches, drives, transportation improvements, and other related structures and improvements, including mitigation costs, retaining walls, channel preservation devices, abutments, pipes, and related structures;
- 12 Payments to Missouri Highways and Transportation Commission required in order to acquire rights, permits, or necessary easements for the construction of the above-referenced improvements and Projects;
- 13 Upgrading and improving traffic surveillance control equipment, computerized signal systems and motorists information systems to provide an integrated traffic control system which signal inter-connect to provide for better traffic progression along Providence Road;
- 14 Payments for the acquisition of necessary rights-of-way easements, aesthetic improvements, signage, traffic signals, and specialty lighting reasonably required in order to construct and implement the projects described above;
- 15 Construction of additional traffic related improvements, including sidewalks, pedways, traffic signals, traffic islands, median improvements, and turn lanes adjacent to and within the District;

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EXHIBIT C (continued)

Transportation Projects to be Constructed by the District

- 16 Acquisition of rights of way and construction of curb cuts and other access points around the perimeter of the District and adjacent to Buttonwood Drive, Nifong Boulevard, and Providence Road;
- 17 Payment of and reimbursement for necessary civil engineering fees, professional fees, permit costs, and costs of obtaining federal and state licenses and permits reasonably required for the construction of the above-described projects; and
- 18 Payment of and reimbursement for all other professional fees, licenses, and costs reasonably related to and authorized by the Board of Directors of the District to be paid in connection with the construction of the foregoing improvements, as well as the establishment and operation of the District, and as permitted by the Act.



EXHIBIT D
TO
JUDGMENT, ORDER, AND DECREE
GRANTING PETITION FOR THE FORMATION OF
THE ROCK BRIDGE CENTER TRANSPORTATION DEVELOPMENT DISTRICT
TKG ROCK BRIDGE CENTER, L.L.C., PETITIONER, AND
MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION,
AND THE CITY OF COLUMBIA, RESPONDENTS

Petition of Property Owner

The undersigned entity constitutes the only owner of Real Property within the area described on Exhibit 1 hereto, and hereby approves of the formation of a transportation development district within said area to be known as the "Rock Bridge Center Transportation Development District" (the "District") for the purposes of developing the following Transportation Projects:

- 1 Construction of a new access point to the Rock Bridge Shopping Center on the east side of Providence Road (Missouri State Highway 163) approximately midway between the south boundary of the District and the north boundary of the District pursuant to the terms and conditions of a separate "Highway Entrance Agreement" between the Missouri Highways and Transportation Commission, the Petitioner, and the District, including the payment of the costs of all improvements and matters reasonably comprehended by said agreement, as said agreement is finally agreed to (the "Access Agreement");
- 2 Construction of an additional driving lane along the east side of Providence Road (Missouri State Highway 163) from the north right-of-way line of Nifong Boulevard to the south right-of-way line of the intersection of Highway 163 and Green Meadows Road;
- 3 Construction of a separate access point ("right-in/right-out") to Buttonwood Drive approximately one hundred (100) yards north of the District's northwest corner so as to provide a means of access to and from Buttonwood Drive onto Missouri Highway 163 pursuant to the terms and conditions of the above-referenced "Access Agreement;"
- 4 Construction of a sidewalk along the west portion of the Rock Bridge Shopping Center running from a point along the north right-of-way line of Nifong Boulevard to the break in access adjacent to Buttonwood Drive;

EXHIBIT D (continued)

Petition of Property Owner

- 5 Widening and improving driveway entrances off of Nifong Boulevard into the Rock Bridge Shopping Center and widening and improving said points of access along Nifong Boulevard;
- 6 Construction of driveway entrance improvements into Rock Bridge Shopping Center off of Buttonwood Drive along the east boundary of District including appurtenant pavement, drainage improvements, sidewalk modifications, and surface water drainage structures;
- 7 Construction of a driveway connecting the Rock Bridge Shopping Center parking lot to the Mizzou Credit Union driveway along and parallel to the east right-of-way line of Missouri State Highway 163 for vehicles traveling from Buttonwood Drive to and from the Rock Bridge Shopping Center, construction of any appurtenant structures, and to acquire any easements reasonably required for such driveway;
- 8 Construction of surface water drainage collection facilities for surface water drainage from streets, roads, sidewalks, and parking lots surrounding and within District;
- 9 Reimbursement to Petitioner and third parties for traffic studies and traffic impact studies required in order to complete the documentation necessary for the above Access Agreement;
- 10 Reimbursement to Petitioner for costs expended in anticipation of or in connection with the design of the above-described improvements prior to the formation of the District;
- 11 Construction of surface water drainage structures made reasonably necessary by the improvements described above, including all environmental protection measures required in order to avoid environmental damage as a result of surface water drainage from roads, roadway ditches, drives, transportation improvements, and other related structures and improvements, including mitigation costs, retaining walls, channel preservation devices, abutments, pipes, and related structures;
- 12 Payments to Missouri Highways and Transportation Commission required in order to acquire rights, permits, or necessary easements for the construction of the above-referenced improvements and Projects;



EXHIBIT D (continued)

Petition of Property Owner

- 13 Upgrading and improving traffic surveillance control equipment, computerized signal systems and motorists information systems to provide an integrated traffic control system which signal inter-connect to provide for better traffic progression along Providence Road;
- 14 Payments for the acquisition of necessary rights-of-way easements, aesthetic improvements, signage, traffic signals, and specialty lighting reasonably required in order to construct and implement the projects described above;
- 15 Construction of additional traffic related improvements, including sidewalks, pedways, traffic signals, traffic islands, median improvements, and turn lanes adjacent to and within the District;
- 16 Acquisition of rights of way and construction of curb cuts and other access points around the perimeter of the District and adjacent to Buttonwood Drive, Nifong Boulevard, and Providence Road;
- 17 Payment of and reimbursement for necessary civil engineering fees, professional fees, permit costs, and costs of obtaining federal and state licenses and permits reasonably required for the construction of the above-described projects; and
- 18 Payment of and reimbursement for all other professional fees, licenses, and costs reasonably related to and authorized by the Board of Directors of the District to be paid in connection with the construction of the foregoing improvements, as well as the establishment and operation of the District, and as permitted by the Act.

The undersigned further approves of (hereby votes and responds in the affirmative to) the following proposition:



"Shall the Rock Bridge Center Transportation Development District impose a transportation development district-wide sales tax at the rate of _____ percent (____%) for such period of time as may be required to retire any bonds, notes, or other obligations that are issued to finance the above-described Transportation Projects, which shall not be greater than 50 years from the date on which such tax is first imposed for the purpose of funding said Transportation Projects?"

TKG Rock Bridge Center, L.L.C., ("Owner")

By: _____, Authorized Agent

State of Missouri)
 (ss.
County of Boone)

On this _____ day of _____, 2008, before me personally appeared _____, who upon his oath and upon being duly sworn, did state, affirm, and acknowledge that he is a member of TKG Rock Bridge Center, L.L.C., a Missouri limited liability company, that he executed this document on behalf of said limited liability company, as the free act and deed of said limited liability company, and pursuant to the authority vested in him to execute this document by the members of said limited liability company, that the foregoing document is binding in all respects upon said limited liability company, and that said limited liability company is duly empowered by its operating agreement to enter into this document.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my seal at my office in _____, Missouri, the day and year first above written.

_____, Notary Public
Commissioned in _____ County, MO

My commission expires _____.

EXHIBIT 1
TO THE FORM OF PETITION

Legal Description of Tract

A tract of land located in the southwest quarter of Section 25 T48N R13W, in Columbia, Boone County, Missouri, being Lots 1 A and 1 B of the administrative subdivision of Oak Forest Subdivision Block II, recorded in plat book 15 page 58, and Lots 1C-1, 1C-2, 1C-3 and 1C-4 of the administrative subdivision replat of Oak Forest Subdivision Block II, recorded in plat book 17 page 43, except that part dedicated for right-of-way for State Route "AC" (Nifong Boulevard).



**EXHIBIT E
TO
JUDGMENT, ORDER, AND DECREE
GRANTING PETITION FOR THE FORMATION OF
THE ROCK BRIDGE CENTER TRANSPORTATION DEVELOPMENT DISTRICT
TKG ROCK BRIDGE CENTER, L.L.C., PETITIONER, AND
MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION,
AND THE CITY OF COLUMBIA, RESPONDENTS**

Condemnation Procedures

Notwithstanding the authority granted by Section 238.247 RSMo. to the District, the District shall not exercise the power granted to it by Section 238.247 RSMo. unless the District first complies with each of the following conditions precedent thereto:

1. The District shall use reasonable and good faith efforts to negotiate with the property owner of a parcel to be acquired by the District. To aid in this negotiation, the District shall obtain two appraisals of said parcel from two disinterested and competent appraisers of land who are experienced in appraising real property in Boone County, Missouri. The District shall offer to said Property Owner a purchase price for said parcel an amount equal to no less than the average of the values established by said two appraisals. If the Property Owner and the District are unable to agree, the District may suggest mediation for the purpose of agreement as to a purchase price.

2. If, in spite of said reasonable and good faith efforts of the District to obtain the voluntary consent of the owner of any real property which is needed for the completion of the District's projects and following mediation with respect to same, such owner(s) refuses to voluntarily sell said real property to the District, then, if the Directors of the District determine that the condemnation of such real estate is necessary, the Directors shall not proceed to acquire such property through a condemnation proceeding unless the express authority to acquire such property is granted by the City of Columbia (acting by and through a majority vote of its City Council) and/or the Missouri Highways and Transportation Commission (by a majority vote of said commission), as appropriate, following a public hearing as to the need for such condemnation. Prior to obtaining the approval of either the City of Columbia or the Missouri Highways and Transportation Commission, a public hearing concerning the request by the District for authority to condemn such property shall be held by the City of Columbia or the Missouri Highways and Transportation Commission, as the case may be, and the owner of the property which is proposed to be condemned shall be given no less than ten (10) days notice in advance of the date of such hearing and given an opportunity to appear at such public hearing either in person or by counsel, and to present at such hearing reasons why such condemnation should not occur.

3. If the City of Columbia and/or the Missouri Highways and Transportation Commission, as appropriate, approves of such condemnation as requested by the District, then thereafter the District shall proceed in the manner and shall utilize the procedures specified in Chapter 523 of the Revised Statutes of Missouri and Missouri Supreme Court Rule 86.



CERTIFIED COPY OF ORDER

STATE OF MISSOURI }
 County of Boone } ea.

June Session of the April Adjourned

Term. 20 08

In the County Commission of said county, on the 19th day of June 20 08

the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby adopt the following proclamation honoring Richard Bock:

Whereas, Richard has been a long time advocate of public service; and,

Whereas, In 1976, after graduating from Southern Illinois University in Edwardsville with a civil engineering degree, Richard moved to Columbia to pursue his passion in engineering; and,

Whereas, in 1978, Richard started his career for the State Division of Design and Construction where he works as a project manager today; and,

Whereas, Beginning in 1982, Richard was appointed as a board member to the Boone County Regional Sewer District; and,

Whereas, Richard's more than twenty-five years service to the board has contributed to the growth of the Boone County Regional Sewer District from a few hundred to over six thousand users, endeavored to extend public health and protect the environment by administering responsible wastewater collection and treatment policy; and,

Whereas, Besides Richard's dedication to his family, sons Curtis and Nathan, Richard loves to attend concerts, enjoys ballroom dancing, photography and his car collection; and,

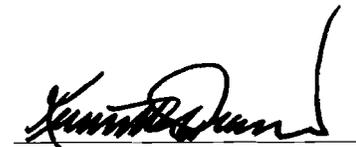
Therefore, in honor of Richard's dedicated service to the Boone County Regional Sewer District and its citizens therein, we hereby recognize this outstanding individual and extend our best wishes for his future endeavors.

IN TESTIMONY WHEREOF, this 20th day of May, 2008.

Done this 19th day of June, 2008.

ATTEST:


 Wendy S. Noren
 Clerk of the County Commission


 Kenneth M. Pearson
 Presiding Commissioner


 Karen M. Miller
 District I Commissioner


 Skip Elkin
 District II Commissioner

Proclamation Honoring
Richard Bock



Whereas, Richard has been a long time advocate of public service; and,

Whereas, In 1976, after graduating from Southern Illinois University in Edwardsville with a civil engineering degree, Richard moved to Columbia to pursue his passion in engineering; and,

Whereas, in 1978, Richard started his career for the State Division of Design and Construction where he works as a project manager today; and,

Whereas, Beginning in 1982, Richard was appointed as a board member to the Boone County Regional Sewer District; and,

Whereas, Richard's more than twenty-five years service to the board has contributed to the growth of the Boone County Regional Sewer District from a few hundred to over six thousand users, endeavored to extend public health and protect the environment by administering responsible wastewater collection and treatment policy; and,

Whereas, Besides Richard's dedication to his family, sons Curtis and Nathan, Richard loves to attend concerts, enjoys ballroom dancing, photography and his car collection; and,

Therefore, in honor of Richard's dedicated service to the Boone County Regional Sewer District and its citizens therein, we hereby recognize this outstanding individual and extend our best wishes for his future endeavors.

IN TESTIMONY WHEREOF, this 20th day of May, 2008.

 Kenneth M. Pearson, Presiding Commissioner

 Karen M. Miller, District I Commissioner

 Skip Elkin, District II Commissioner

ATTEST:

 Wendy S. Noren, County Clerk