

**LOAN AND SPECIAL ECONOMIC  
DEVELOPMENT AGREEMENT**

THIS AGREEMENT, dated the 7 day of March, 2016 by and between La Crosse's Finest LLC, its business location at 103 3rd Street N, La Crosse, WI 54601 hereinafter referred to as "Debtor," and the City of La Crosse, Wisconsin, a municipal corporation of the State of Wisconsin, having its principal office at City Hall, 400 La Crosse Street, La Crosse, Wisconsin 54601, hereinafter referred to as the "City."

WITNESSETH:

WHEREAS, the City has Community Development Block Grant (CDBG) funds available from the United States Department of Housing and Urban Development (HUD) for the development of a viable urban community and creation of jobs for persons of low and moderate income including special economic development activities pursuant to 24 CFR Part 570.203; and

WHEREAS, the Debtor desires to improve the economic environment in the community; and

WHEREAS, the Debtor wishes to borrow from the City the sum of up to Fifty-Four Thousand Dollars (\$54,000) for the purpose of purchasing property and equipment; and

WHEREAS, the City is willing to loan the total sum of up to Fifty-Four Thousand Dollars (\$54,000) to the Debtor for purchasing equipment, pursuant to the following terms and conditions; and

WHEREAS, the City has completed its environmental review and it is in compliance with environmental regulations;

WHEREAS, prior to advancing funds to the Debtor, the U.S. Department of Housing and Urban Development and the City of La Crosse desire certain assurances as more fully set forth herein;

NOW, THEREFORE, in consideration of the mutual representations and agreements contained herein, and for other good and valuable consideration, the receipt of sufficiency whereof is hereby acknowledged, it is agreed as follows:

**A. PROJECT REQUIREMENTS**

1. The Debtor shall purchase the property and equipment that will be used for economic development purposes that result in job creation as follows:

The Debtor agrees to create 2 full time jobs and 10 part-time jobs. 51% of these positions must be held by low-and-moderate income persons as defined by making no more than 80% of the County Median Income (CMI) for La Crosse County. These jobs shall be for the following positions:

- Line cooks (4)
- Dishwasher (1)
- Food expo (1)
- Servers (3)
- Bartender (1)
- Busser (1)
- Host (1)

Total: **12 jobs**

For each job created, the employee shall complete a self-certification form, attached as Exhibit "A". All forms shall be submitted not later than **by August 2016**. Additionally, Debtor shall submit two payroll summaries (before and after jobs being created) as additional evidence of the job creation.

The Debtor also agrees that should job creation exceed the above referenced requirement, at least 51% of total jobs created through the reporting periods shall be for persons of low- or moderate-income households, that each employee hired through the reporting periods shall complete the Income Eligibility Certificate.

2. Anti-Lobbying: The Debtor certifies that to the best of their knowledge and belief:

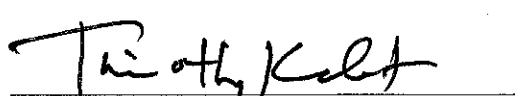
- a) No federal-appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of a federal contract, grant, loan, or cooperative agreement;
- b) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and It will require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

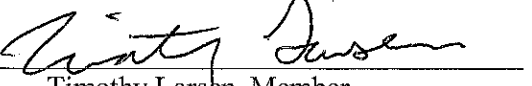
IN WITNESS WHEREOF, the City has caused this Agreement to be executed by Mayor Timothy Kabat and La Crosse's Finest LLC ATTEST:

La Crosse's Finest LLC

CITY OF LA CROSSE, WISCONSIN

DEBTOR:   
Matthew Boshcka, Member

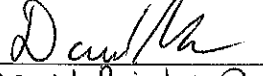
  
Mayor Timothy Kabat

DEBTOR:   
Timothy Larsen, Member

DEBTOR:   
Matthew Birnbaum, Member

STATE OF WISCONSIN )  
 ) ss.  
COUNTY OF )

Personally came before me, this 7<sup>th</sup> day of March, 2016, the above named representatives of La Crosse's Finest LLC known to be the persons who executed the foregoing instrument and acknowledge the same.

  
David Reinhart

Notary Public, \_\_\_\_\_ LA CROSSE COUNTY, Wisconsin

My commission expires 8/28/16