



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Meeting Agenda - Final-revised

Finance & Personnel Committee

Thursday, July 6, 2023

6:00 PM

Council Chambers
City Hall, First Floor

This meeting is open for in-person attendance and will also be available through video conferencing. The meeting can be viewed (no participation) by visiting the Legislative Information Center Meetings calendar (<https://cityoflacrosse.legistar.com/Calendar.aspx>) - find the scheduled meeting and click on the "In Progress" video link to the far right in the meeting list.

Public comment is limited to agenda items; statements shall be restricted to the subject matter. If you wish to speak on an agenda item, please register in advance:

- Register online at <https://www.cityoflacrosse.org/city-services/meeting-registration>
- Contact the City Clerk's Office no later than 4:00p on the day of the meeting, with the following information: name, municipality of residence, if you are representing an organization or a person other than yourself at the meeting, and if you are speaking in favor, opposition or neutral.
- Sign up in person no less than ten (10) minutes before the start of the meeting.

If attending virtual and you wish to speak, contact the City Clerk's Office and we will provide you with the information necessary to join the meeting. Call 608-789-7510 or email cityclerk@cityoflacrosse.org.

Public hearings shall be limited to 30 minutes when there are opposing viewpoints from the public. In the absence of opposing viewpoints, public hearings are limited to 15 minutes. Individual speakers shall speak no more than three (3) minutes unless waived by the Chair or a majority of the committee.

Members of the public who would like to provide written comments on any agenda may do so by emailing cityclerk@cityoflacrosse.org, using a drop box outside of City Hall or mailing to City Clerk, 400 La Crosse Street, La Crosse WI 54601.

Call To Order

Roll Call

Agenda Items:

NEW BUSINESS

[23-0462](#)

Resolution authorizing a partial vacation of Campbell Road between 24th Street and La Crosse Street.

Sponsors: Hameister

Public Hearing

[23-0466](#)

Resolution approving, and appropriating funds for, replacement of self-priming, submersible pumps at the Valley Brook Sanitary Lift Station.

Sponsors: Neumann

- [23-0577](#) Resolution approving funds from the American Rescue Plan Funds (ARPA) for the replacement of the roof and HVAC system on the Southside Neighborhood Center.
Sponsors: Woodard
- [23-0685](#) Resolution approving an Amendment to the Project Plan of Tax Incremental District No. 10, City of La Crosse, Wisconsin.
Sponsors: Reynolds
- [23-0686](#) Resolution approving an Amendment to the Project Plan and Boundaries of Tax Incremental District No. 17, City of La Crosse, Wisconsin.
Sponsors: Reynolds
- [23-0687](#) Resolution approving an Amendment to the Project Plan and Boundaries of Tax Incremental District No. 18, City of La Crosse, Wisconsin.
Sponsors: Reynolds
- [23-0688](#) Resolution Creating Tax Incremental District No. 21, Approving Its Project Plan and Establishing Its Boundaries, City of La Crosse, Wisconsin.
Sponsors: Reynolds
- [23-0690](#) Resolution approving an appropriation of the City's ARPA monies earmarked for childcare to go towards a second-year contract with The Parenting Place.
Sponsors: Reynolds
- [23-0691](#) Resolution authorizing the addition of two (2) positions within the Street Department.
Sponsors: Neumann
- [23-0759](#) Resolution approving the remodel of the bathrooms at the Pumphouse Regional Arts Center.
Sponsors: Reynolds
Short-circuited by Mayor Reynolds on 6/27/2023.
- [23-0760](#) Resolution authorizing the issuance of not to exceed \$12,050,000 aggregate principal amount of General Obligation Corporate Purpose Bonds, Series 2023-A, of the City of La Crosse, La Crosse County, Wisconsin, in such amount, providing details, prescribing the form of bond, awarding the bonds to the best bidder, levying taxes, and related matters.
Sponsors: Reynolds
Short-circuited by Mayor Reynolds on 6/27/2023.

[23-0761](#)

Resolution authorizing the issuance of not to exceed \$5,670,000 aggregate principal amount of General Obligation Promissory Notes, Series 2023-B, of the City of La Crosse, La Crosse County, Wisconsin, in such amount, providing details, prescribing the form of note, awarding the notes to the best bidder, levying taxes, and related matters.

Sponsors: Reynolds

Short-circuited by Mayor Reynolds on 6/27/2023.

[23-0001](#)

Collective Bargaining Update.

(Note: The Committee and/or Council may convene in closed session pursuant to Wis. Stat. 19.85(1)(e) to formulate & update negotiation strategies and parameters. Following such closed session, the Committees and/or Council may reconvene in open session.)

F&P Item Only, unless otherwise directed.

Adjournment

Notice is further given that members of other governmental bodies may be present at the above scheduled meeting to gather information about a subject over which they have decision-making responsibility.

NOTICE TO PERSONS WITH A DISABILITY

Requests from persons with a disability who need assistance to participate in this meeting should call the City Clerk's office at (608) 789-7510 or send an email to ADAcityclerk@cityoflacrosse.org, with as much advance notice as possible.

Finance & Personnel Members:

Doug Happel, Larry Sleznikow, Erin Goggin, Barb Janssen, Rebecca Schwarz, Mark Neumann



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Text File

File Number: 23-0462

Agenda Date: 7/6/2023

Version: 1

Status: New Business

In Control: Finance & Personnel Committee

File Type: Resolution

Agenda Number:

Resolution conditionally approving a partial vacation of Campbell Road between 24th Street and La Crosse Street.

RESOLUTION

WHEREAS, the public interest requires the vacation of certain streets and alleys within the corporate limits of the City of La Crosse; and

WHEREAS, such vacation should be done as expeditiously as possible.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council, City of La Crosse that it hereby declares that the public interest requires the partial vacation of the street as described on attached Exhibit "A," subject to the conditions herein. If the conditions herein do not occur within 150 number of days, then the partial vacation shall be null and void and shall not occur.

BE IT FURTHER RESOLVED that the portion of the street above-described be, and the same is hereby conditionally ordered vacated, subject, however, to any and all reservations for any and all public and private utilities. If the conditions herein do not occur within 150 number of days, then the partial vacation shall be null and void and shall not occur.

BE IT FURTHER RESOLVED that legal and survey documents shall not be recorded at La Crosse County until the following two (2) conditions are met. The conditions must occur within 150 number of days. If the conditions do not occur, the vacation shall be null and void and shall not occur.

- The developer shall facilitate and fund at its expense, the removal, adjustment, and installation of facilities within the above-described area, and adjacent to it, including but not limited to existing sidewalk, curb & gutter, and roadway pavement; storm water structures, pipes, and castings; new sidewalk; and replacement boulevard trees, subject to Standard Specifications and Procedures and Details of the City of La Crosse, and approval of the Engineering Department. The approval in the Engineering Department shall be in its sole and absolute discretion.

- The developer shall complete the Design Review process for the proposed development of the property at 2402 La Crosse Street, satisfying all comments and requirements to obtain building permits.

Adjacent Parcel:

Tax Parcel #	OwnerName	Property Address	Mailing Address	Mailing City State Zip
17-20073-10	BIG DUBBS LLC	2402 LA CROSSE ST LA CROSSE WI	704 COUNTRY CLUB LN	ONALASKA WI 54650

In the Matter of the partial vacation of
Campbell Road between 24th Street and
La Crosse Street.

LIS PENDENS

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NOTICE IS HERBY GIVEN that a resolution
has been introduced to the Common Council to be
acted upon by such Common Council, which said
action has been taken at the initiative of the Common
Council of the City of La Crosse, wherein the following
property, to-wit:

LEGAL DESCRIPTION ATTACHED
and shown on the map attached hereto as Exhibit "A"
showing the location thereof, is sought to be vacated.

Dated this ____ day of _____, 2023.

This space is reserved for recording data

Return to

City Clerk
400 La Crosse St
La Crosse WI 54601

Parcel Identification Number/Tax Key Number

CITY OF LA CROSSE

By: _____
Stephen F. Matty
City Attorney

Drafted by:

City Attorney's Office
400 La Crosse Street
La Crosse WI 54601
(608) 789-7511

Campbell Road Proposed Street Right of Way Vacation

A part of the NE ¼ of the SW ¼ of Section 33, Township 16 North, Range 7 West, City of La Crosse, La Crosse County, Wisconsin being more particularly described as follows:

A parcel of land adjacent to Lot 1, Block 1 of the Crowley Homes Addition in the City of La Crosse described as bounded by:

On the Southeast by a line running parallel and 10 feet Northwesterly of the Centerline of the 80' wide right of way known as Campbell Road;

On the West by the East line of a right of way 66 feet in width known as 24th Street;

On the North by a line described as beginning at the Northwest corner of said Lot 1; thence Easterly on a bearing running along the North line of said Lot 1 to the point of curvature of a 20 feet radius curve of Lot 1; thence continuing on said bearing on a prolonged line of said North line of Lot 1, Sixteen feet more or less to its intersection of a line running coincident with the Southerly edge of the City owned 6 feet wide concrete sidewalk that parallels La Crosse Street roadway said line is more or less at a 9 degree deflection angle from the North line of said Lot 1; thence along said line coincident with edge of sidewalk to its intersection with the centerline of the 80 feet wide right of way of Campbell Road.

Except for Lot 1, Block 1 of said Crowley Homes Addition.

Also further Excepting the areas between the tangent lines and the arc lines of a 20 feet radius fillet of the Southwest corner with the curve concave to the Northeast and a 20 feet radius fillet of the Northeast corner with the curve concave to the West of the above described bounded area.

See Attached Exhibit "A"

Drafted by: JMC

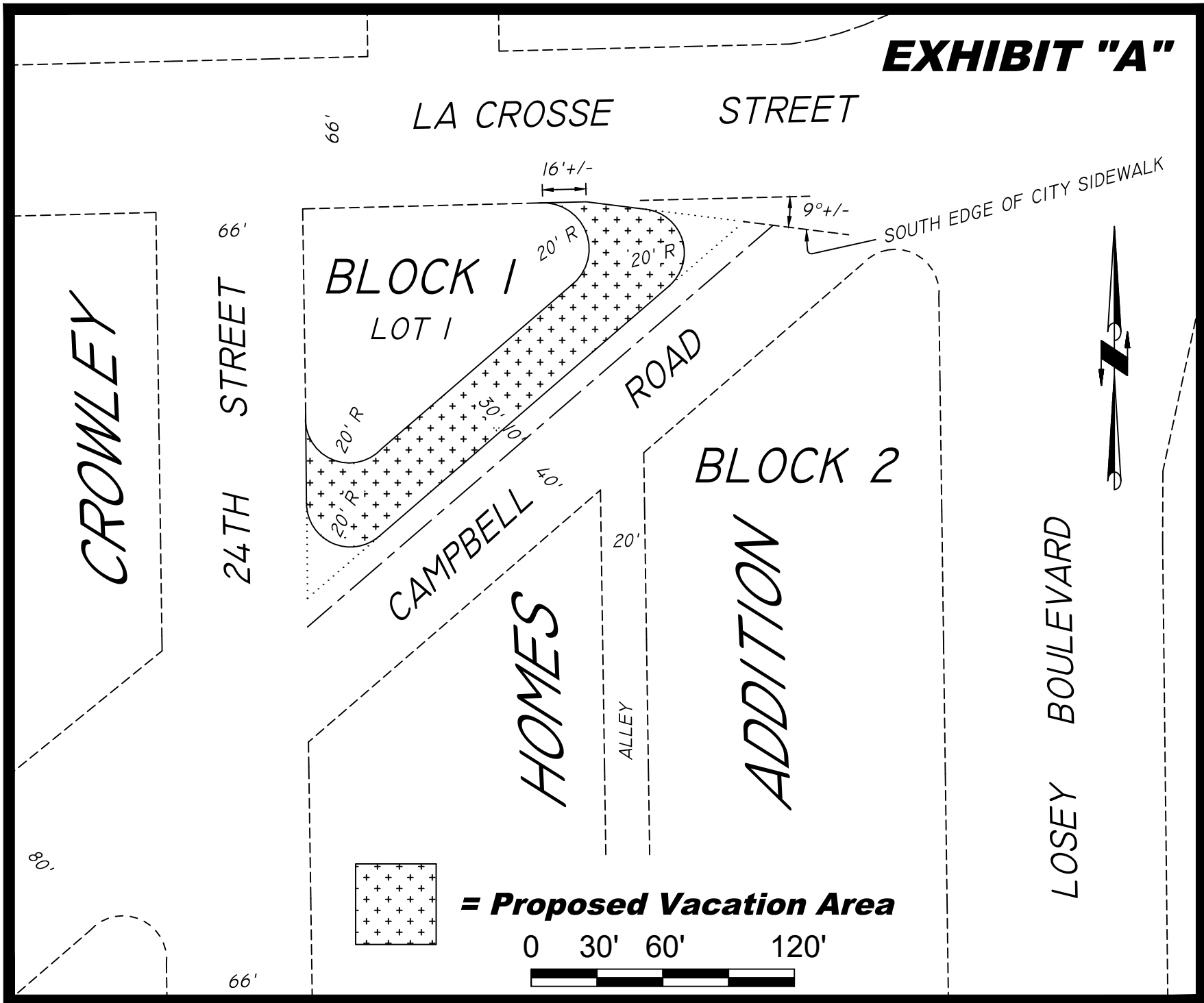
4/7/2023

Checked by: KJC

4/7/2023

S:_PROJECTS\2023 MISC\23-004 Campbell Road Vacation\Campbell Road Proposed Street Right of Way Vacation.docx

EXHIBIT "A"



NOTICE OF HEARING TO VACATE A PORTION OF STREET

YOU ARE HEREBY NOTIFIED that a Resolution is pending before the Common Council of the City of La Crosse, for the vacation of the following described portion of street, to-wit:

A part of the NE ¼ of the SW ¼ of Section 33, Township 16 North, Range 7 West, City of La Crosse, La Crosse County, Wisconsin being more particularly described as follows:

A parcel of land adjacent to Lot 1, Block 1 of the Crowley Homes Addition in the City of La Crosse described as bounded by: On the Southeast by a line running parallel and 10 feet Northwesterly of the Centerline of the 80' wide right of way known as Campbell Road; On the West by the East line of a right of way 66 feet in width known as 24th Street; On the North by a line described as beginning at the Northwest corner of said Lot 1; thence Easterly on a bearing running along the North line of said Lot 1 to the point of curvature of a 20 feet radius curve of Lot 1; thence continuing on said bearing on a prolonged line of said North line of Lot 1, Sixteen feet more or less to its intersection of a line running coincident with the Southerly edge of the City owned 6 feet wide concrete sidewalk that parallels La Crosse Street roadway said line is more or less at a 9 degree deflection angle from the North line of said Lot 1; thence along said line coincident with edge of sidewalk to its intersection with the centerline of the 80 feet wide right of way of Campbell Road. Except for Lot 1, Block 1 of said Crowley Homes Addition. Also further Excepting the areas between the tangent lines and the arc lines of a 20 feet radius fillet of the Southwest corner with the curve concave to the Northeast and a 20 feet radius fillet of the Northeast corner with the curve concave to the West of the above described bounded area.

YOU ARE FURTHER NOTIFIED THAT a hearing thereon will be held before the Finance and Personnel Committee of the Common Council on July 6, 2023 at 6:00 p.m. at the Council Chambers of City Hall, 400 La Crosse St. La Crosse St, at which time any and all may be heard for or against the vacation of said street.

Such matter will also be acted upon by the City Plan Commission at 4:00 p.m. on July 3, 2023, and by the Common Council on July 13, 2023 at 6:00 p.m., both meetings will be at Council Chambers, 400 La Crosse St. La Crosse St.

If you wish to attend any of the above meetings through video conferencing, please contact the City Clerk's Office at 608-789-7510 or email cityclerk@cityoflacrosse.org for more information.

The above referenced Resolution and relevant attachments may be examined in the Legislative Information Center which can be accessed from the City website at www.cityoflacrosse.org (search for file 23-0462).

Dated this 30th day of May, 2023.

Per Order of the Common Council
Nikki Elsen
City Clerk of the City of
La Crosse, Wisconsin

Published on: June 15, 22, 29, 2023

Mailed to abutting property owner (outside of City) & DOT: 5/30/2023



CITY CLERK'S OFFICE

400 La Crosse Street
La Crosse, Wisconsin 54601
(608) 789-7510
cityclerk@cityoflacrosse.org
www.cityoflacrosse.org

May 30, 2023

OFFICE OF THE SECRETARY
WISCONSIN DEPARTMENT OF TRANSPORTATION
PO BOX 7910
MADISON, WI 53707-7910

Re: Resolution conditionally approving a partial vacation of Campbell Road between 24th Street and La Crosse Street.

Enclosed herewith is a copy of the above resolution and notice of hearing when and where the resolution will be acted upon.

This notice is provided pursuant to Wis. Stat., sec. 66.1003(8), since the public way or alley that is the subject of the resolution is located within one-quarter mile of a state trunk highway or connecting highway.

Sincerely,

Nikki Elsen, WCMC
City Clerk

Enclosures



DocId:8432146
Tx:4127590

1807975
LACROSSE COUNTY
REGISTER OF DEEDS
ROBIN L. KADRMAS

RECORDED ON
05/24/2023 12:18 PM
PAGE COUNT: 5
EXEMPT #:
RECORDING FEE 30.00

In the Matter of the partial vacation of
Campbell Road between 24th Street and
La Crosse Street.
LIS PENDENS

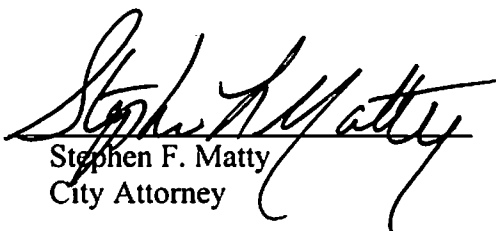
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has been introduced to the Common Council to be
acted upon by such Common Council, which said
action has been taken at the initiative of the Common
Council of the City of La Crosse, wherein the
following property, to-wit:

LEGAL DESCRIPTION ATTACHED
and shown on the map attached hereto as Exhibit "A"
showing the location thereof, is sought to be vacated.

Dated this 24th day of April, 2023.

LA CROSSE CITY OF

By: 
Stephen F. Matty
City Attorney

Drafted by:
City Attorney's Office
400 La Crosse Street
La Crosse WI 54601
(608) 789-7511

#110

This space is reserved for recording data

Return to
City Clerk
400 La Crosse St
La Crosse WI 54601

Parcel Identification Number/Tax Key Number

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Except for Lot 1, Block 1 of said Crowley Homes Addition.

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Drafted by: JMC

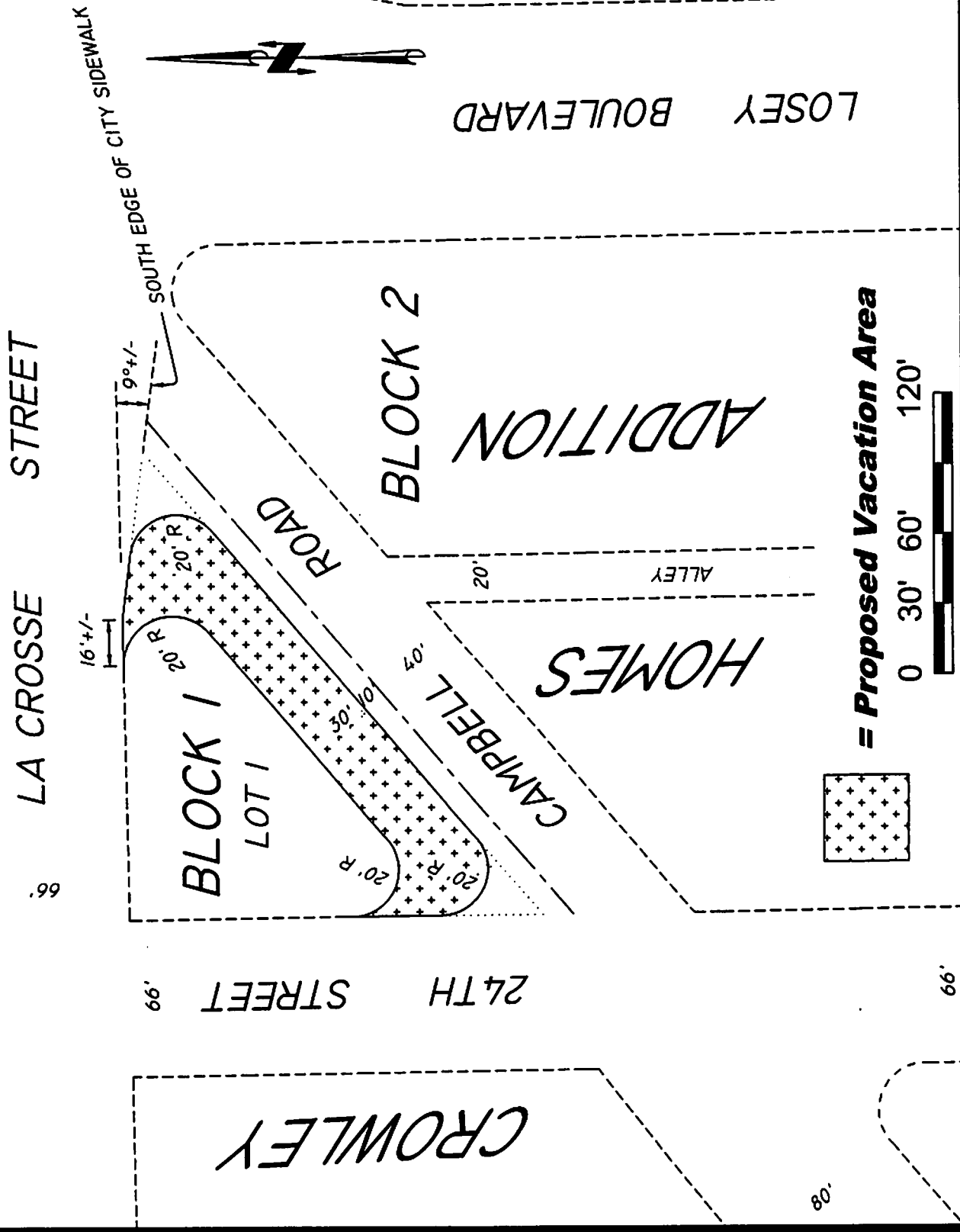
4/7/2023

Checked by: KJC

4/7/2023

S:_PROJECTS\2023 MISC\23-004 Campbell Road Vacation\Campbell Road Proposed Street Right of Way Vacation.docx

EXHIBIT "A"





CITY CLERK'S OFFICE

400 La Crosse Street
La Crosse, Wisconsin 54601
(608) 789-7510
cityclerk@cityoflacrosse.org
www.cityoflacrosse.org

June 23, 2023

OFFICE OF THE SECRETARY
WISCONSIN DEPARTMENT OF TRANSPORTATION
PO BOX 7910
MADISON, WI 53707-7910

Re: Resolution conditionally approving a partial vacation of Campbell Road between 24th Street and La Crosse Street.

Enclosed herewith is a **Revised** notice of hearing when and where the resolution will be acted upon. A copy of the resolution and original notice of hearing was mailed on May 30, 2023.

This notice is provided pursuant to Wis. Stat., sec. 66.1003(8), since the public way or alley that is the subject of the resolution is located within one-quarter mile of a state trunk highway or connecting highway.

Sincerely,

Nikki Elsen, WCMC
City Clerk

Enclosures

REVISED NOTICE OF HEARING TO VACATE A PORTION OF STREET

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YOU ARE FURTHER NOTIFIED THAT a hearing thereon will be held before the Finance and Personnel Committee of the Common Council on July 6, 2023 at 6:00 p.m. at the Council Chambers of City Hall, 400 La Crosse St. La Crosse St, at which time any and all may be heard for or against the vacation of said street.

Such matter will also be acted upon by the City Plan Commission at 4:00 p.m. on Monday, July 3, 2023 at 4:00 p.m. **Wednesday, July 5, 2023 at 5 p.m.**, and by the Common Council on July 13, 2023 at 6:00 p.m., both meetings will be in the Council Chambers at City Hall, 400 La Crosse St.

If you wish to attend any of the above meetings through video conferencing, please contact the City Clerk's Office at 608-789-7510 or email cityclerk@cityoflacrosse.org for more information.

The above referenced Resolution and relevant attachments may be examined in the Legislative Information Center which can be accessed from the City website at www.cityoflacrosse.org (search for file 23-0462).

Dated this 30th day of May, 2023.

Per Order of the Common Council
Nikki Elsen
City Clerk of the City of
La Crosse, Wisconsin

Published on: June 15, 22, 29, 2023

Mailed to abutting property owner (outside of City) & DOT: 5/30/2023

Revised notices mailed 6/23/2023



CITY OF LA CROSSE BOARD OF PUBLIC WORKS

400 LA CROSSE ST
LA CROSSE WI 54601-3396

MITCH REYNOLDS, President
REBECCA SCHWARZ, Council Member
JENASEA HAMEISTER, Council Member
MATTHEW GALLAGER, City Engineer
ANDREA TRANE, Director Planning & Development
NIKKI M. ELSEN, City Clerk - Secretary

June 26, 2023

Honorable Mayor and
Common Council Members

Re: 23-0462 Resolution authorizing a partial vacation of Campbell Road between 24th Street and La Crosse Street.

Ladies and Gentlemen:

The Board of Public Works considered the above matter at their meeting on June 26, 2023, and recommends the same be adopted.

Sincerely,

Mitch Reynolds
President

/nme

Agenda Item 23-0462 (Tim Acklin)

Resolution authorizing a partial vacation of Campbell Road between 24th Street and La Crosse Street.

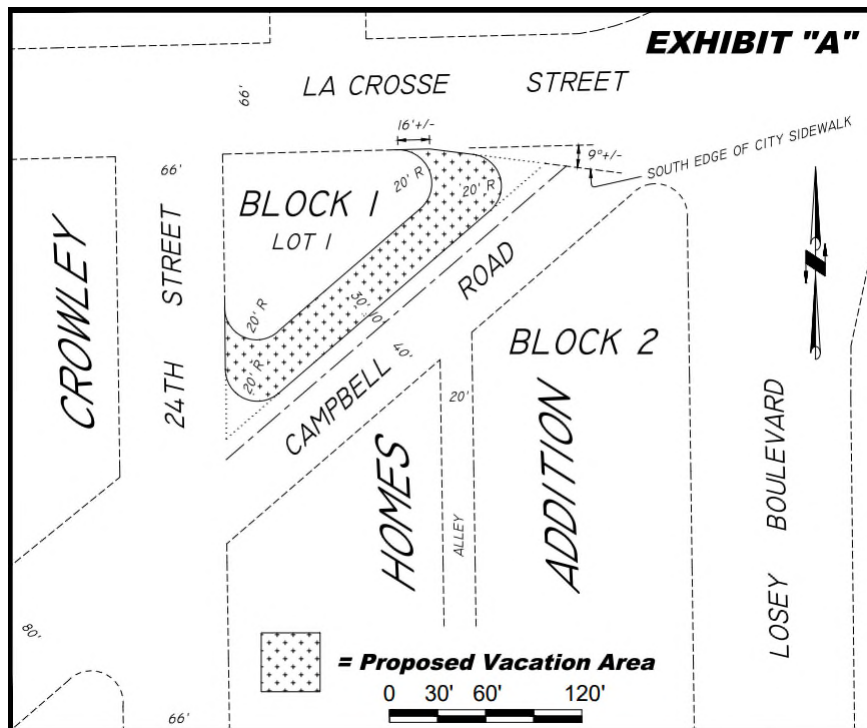
General Location

Council District 5, Grandview Emerson Neighborhood Association, north half of Campbell Rd located between 24th St N, La Crosse St, and Losey Blvd N as depicted on attached MAP 23-0462. Single-family residential homes are located to the west and south. A vacant commercial property is located immediately to the north.

Background Information

The request is to vacant the northern portion of Campbell Rd (Exhibit A) so that it can be combined with the adjacent, vacant commercial lot to the north. The request was made by the owners of the property

who would like to create a larger parcel to redevelop into a neighborhood scale mix-used development.



This section of Campbell Rd includes a raised median separating opposing traffic. The requested vacation extends to this median. The public sidewalk will be extended around the new parcel and located within a portion of this median. The remaining portion of Campbell Rd will be converted into a two-way street and maintain access to the north-south alley between Campbell Rd/Losey Blvd, Crowley Pl, and 24th St N. This vacation will eliminate the existing cul-de-sac turnaround.

Recommendation of Other Boards and Commissions

The Board of Public Works approved this item at their June 26, 2023 meeting.

Consistency with Adopted Comprehensive Plan

Alley vacation is not addressed in the existing comprehensive plan. Typically, any loss of the street network, including alleys, would be discouraged. Maintaining the City's street grid and reestablishing those connections is preferred. In this case, the connection of Campbell Rd to Losey Blvd/Hwy 16/La Crosse St was removed many years ago by the WisDOT. Any vision of reconnecting this street was

likely eliminated with the recent reconstruction of La Crosse Street where access was further reduced to this area.

The Future Lands Use Map depicts the parcel to the north as single-family housing, which would not make the redevelopment of this site into mix-use consistent with the current comprehensive plan. However, discussions with the neighborhood regarding land use for the update of the comprehensive plan are supportive of neighborhood commercial and smaller scale mix-use at this location.

Staff Recommendation

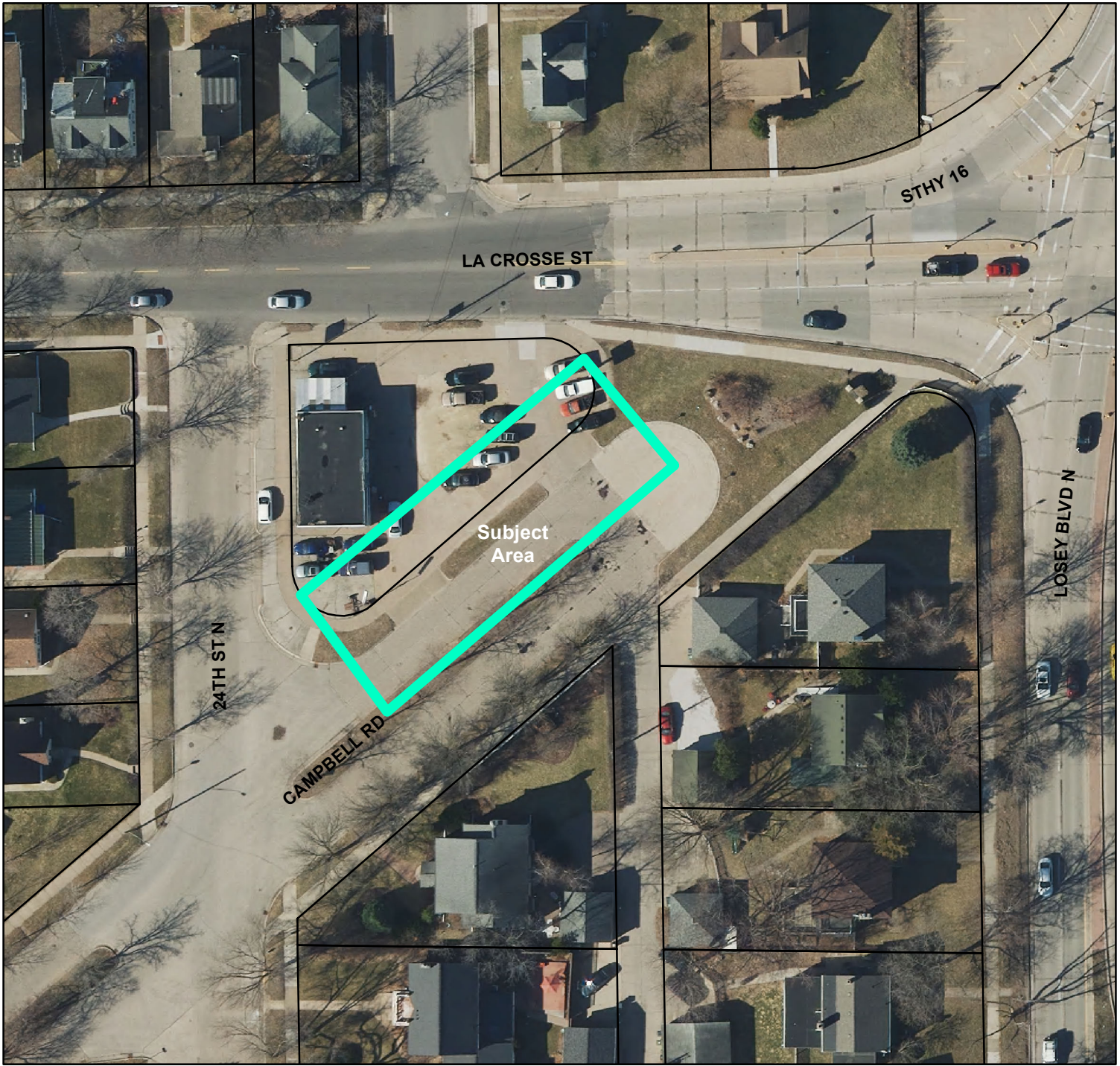
It seems clear that Campbell Rd is not going to be connected through to the larger intersection to the NE. Vacation of this ROW as submitted will maintain access to the alley for the residential properties to the south, provide a public sidewalk, and allow for additional land for redevelopment of a vacant parcel and additional tax base. The property owner has also been discussion this project with the neighborhood to get feedback on what they would like it to be.

Additionally, the Resolution states two conditions must be met prior to the vacation being recorded. These conditions are:

- 1) The developer is responsible for facilitating and funding the removal of all the existing infrastructure, such as curb and gutter/sidewalks, trees, pipes, etc., and installation of the new infrastructure.
- 2) The developer must complete the Design Review process for the property at 2402 La Crosse Street.

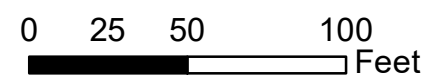
This item is recommended for approval with the conditions as stated in the attached Resolution.

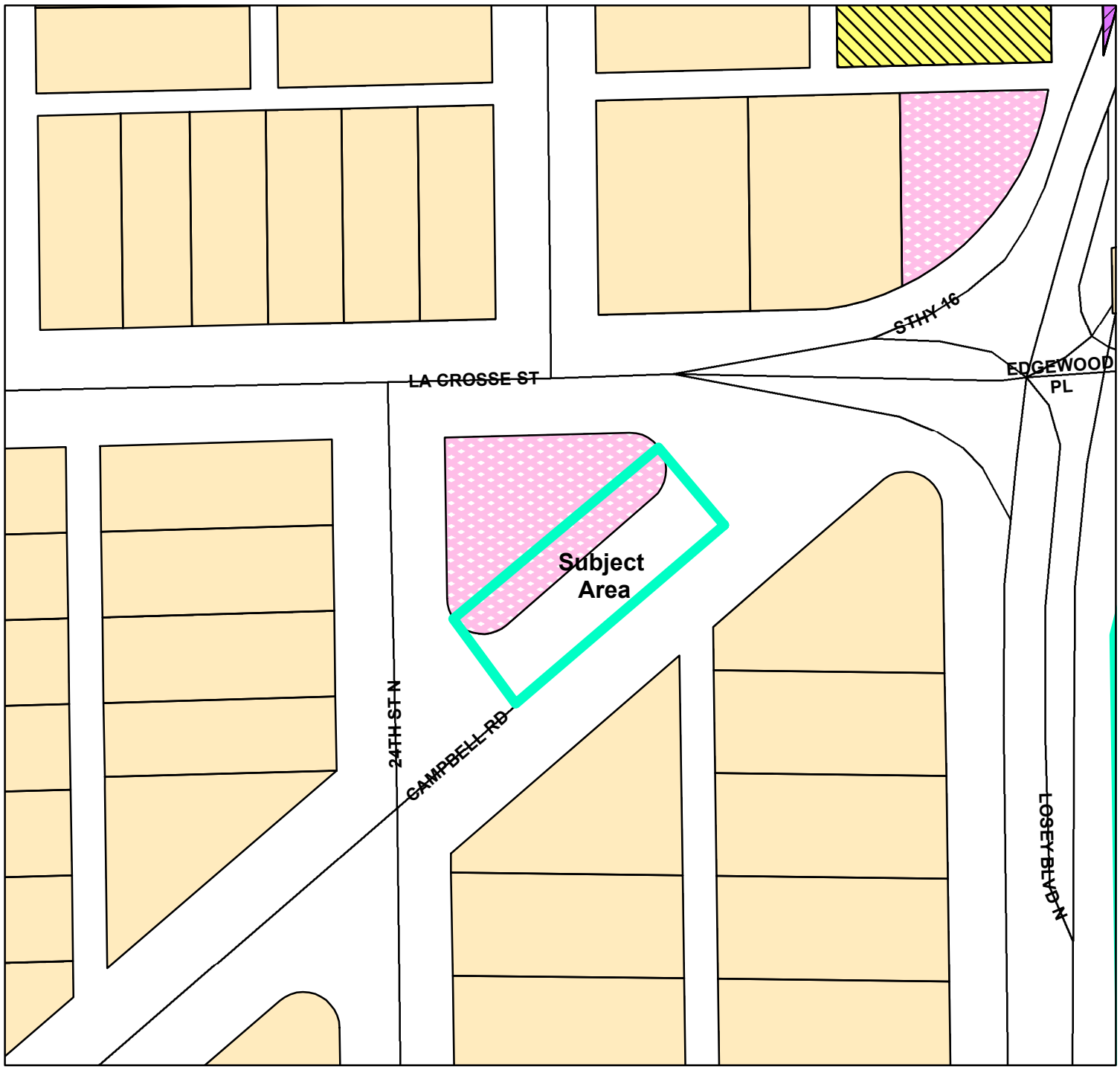
Routing F&P 7.6.2023



BASIC ZONING DISTRICTS

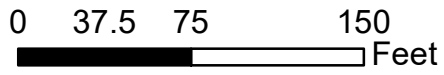
-  R1 - SINGLE FAMILY
-  R2 - RESIDENCE
-  WR - WASHBURN RES
-  R3 - SPECIAL RESIDENCE
-  R4 - LOW DENSITY MULTI
-  R5 - MULTIPLE DWELLING
-  R6 - SPECIAL MULTIPLE
-  PD- PLANNED DEVELOP
-  TND - TRAD NEIGH DEV.
-  C1 - LOCAL BUSINESS
-  C2 - COMMERCIAL
-  C3 - COMMUNITY BUSINESS
-  M1 - LIGHT INDUSTRIAL
-  M2 - HEAVY INDUSTRIAL
-  PS - PUBLIC & SEMI-PUBLIC
-  PL - PARKING LOT
-  UT - PUBLIC UTILITY
-  CON - CONSERVANCY
-  FW - FLOODWAY
-  A1 - AGRICULTURAL
-  EA - EXCLUSIVE AG
-  City Limits
-  SUBJECT PROPERTY





BASIC ZONING DISTRICTS

- R1 - SINGLE FAMILY
- R2 - RESIDENCE
- WR - WASHBURN RES
- R3 - SPECIAL RESIDENCE
- R4 - LOW DENSITY MULTI
- R5 - MULTIPLE DWELLING
- R6 - SPECIAL MULTIPLE
- PD - PLANNED DEVELOP
- TND - TRAD NEIGH DEV.
- C1 - LOCAL BUSINESS
- C2 - COMMERCIAL
- C3 - COMMUNITY BUSINESS
- M1 - LIGHT INDUSTRIAL
- M2 - HEAVY INDUSTRIAL
- PS - PUBLIC & SEMI-PUBLIC
- PL - PARKING LOT
- UT - PUBLIC UTILITY
- CON - CONSERVANCY
- FW - FLOODWAY
- A1 - AGRICULTURAL
- EA - EXCLUSIVE AG
- City Limits
- SUBJECT PROPERTY





City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Text File

File Number: 23-0466

Agenda Date: 7/3/2023

Version: 1

Status: New Business

In Control: Finance & Personnel Committee

File Type: Resolution

Agenda Number: 4

Resolution approving, and appropriating funds for, replacement of self-priming, submersible pumps at the Valley Brook Sanitary Lift Station.

RESOLUTION

WHEREAS, ongoing maintenance and observation of operations at the Valley Brook Lift Station require replacement of the existing pumps, with expedient installation of submersible pumps being in the best interest of the safety and reliability of the utility and its operations; and

WHEREAS, quotes have been obtained for suitable replacements, and allocation of capital funds are required to facilitate this unplanned and unbudgeted maintenance project that is not covered by operating funds; and

WHEREAS, Section 2-360(c) of the code of ordinances states *Unanticipated projects/equipment*. Any Capital Project and Capital Equipment item not previously listed in the adopted Capital Budget requiring immediate funding from the Capital Budget will require a two-thirds vote of the Common Council members present at the meeting.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of La Crosse that funding not to exceed \$70,000 is hereby appropriated from the Sanitary Sewer Cash Reserve Fund for said replacement pumps.

BE IT FURTHER RESOLVED that staff are hereby authorized to effectuate this resolution.



CITY OF LA CROSSE

**400 La Crosse Street
La Crosse, Wisconsin 54601
(608) 789-CITY
www.cityoflacrosse.org**

LEGISLATION STAFF REPORT FOR COUNCIL

File ID Caption

Staff/Department Responsible for Legislation

Requestor of Legislation

Location, if applicable

Summary/Purpose

Background

Fiscal Impact

Staff Recommendation



CITY OF LA CROSSE BOARD OF PUBLIC WORKS

400 LA CROSSE ST
LA CROSSE WI 54601-3396

MITCH REYNOLDS, President
REBECCA SCHWARZ, Council Member
JENASEA HAMEISTER, Council Member
MATTHEW GALLAGER, City Engineer
ANDREA TRANE, Director Planning & Development
NIKKI M. ELSEN, City Clerk - Secretary

June 26, 2023

Honorable Mayor and
Common Council Members

Re: 23-0466 Resolution approving, and appropriating funds for, replacement of self-priming, submersible pumps at the Valley Brook Sanitary Lift Station.

Ladies and Gentlemen:

The Board of Public Works considered the above matter at their meeting on June 26, 2023, and recommends the same be adopted.

Sincerely,

Mitch Reynolds
President

/nme



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Text File

File Number: 23-0577

Agenda Date: 7/6/2023

Version: 1

Status: New Business

In Control: Finance & Personnel Committee

File Type: Resolution

Resolution approving funds from the American Rescue Plan Funds (ARPA) for the replacement of the roof and HVAC system on the Southside Neighborhood Center.

RESOLUTION

WHEREAS the City of La Crosse has received and accepted an allocation from the U.S. Treasury for ARPA funds in the amount of \$21,748,073.00; and

WHEREAS the Parks Department would like the reallocation of \$150,000.00 from the Lost Revenue allocation of the American Rescue Plan Funds (ARPA) for the implementation and the replacement of the roof and HVAC system on the Southside Neighborhood Center; and

WHEREAS both the roof and the HVAC system have out lasted their life expectancy and as the current HVAC (air conditioning) system is not operational, the roof has gaps in the soffit that permit infestation. The current and future tenants will need these amenities to make the space functional, comfortable, and safe for their attendees; and

WHEREAS per the City Code of Ordinances Sec. 2-359. a) Project implementation. It shall be the responsibility of the Board of Public Works to ensure that all projects enumerated and funded in the adopted annual Capital Improvement Budget are designed, bid, purchased, and constructed. The adoption of the Capital Improvement Budget by the Common Council shall be authority for the expenditure by a department for the projects and purposes identified within the Capital Improvement Budget in the amounts assigned to the project and by the sources identified in the Capital Improvement Budget. Any changes to the projects; whether in scope, amount, or funding source; in the Council adopted Capital Improvement Budget will require action by resolution of the Common Council to effect such change.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of La Crosse that it hereby approves the allocation \$150,000.00 of the ARPA funds designated as "Lost Revenue", for the replacement of the Roof and HVAC system on the Southside Neighborhood Center.

BE IT FURTHER RESOLVED that City of La Crosse staff are hereby authorized to perform all duties to effectuate this resolution.



CITY OF LA CROSSE

400 La Crosse Street
La Crosse, Wisconsin 54601
(608) 789-CITY
www.cityoflacrosse.org

LEGISLATION STAFF REPORT FOR COUNCIL

File ID Caption

Staff/Department Responsible for Legislation

Requestor of Legislation

Location, if applicable

Summary/Purpose

Background

Fiscal Impact

Staff Recommendation



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Text File

File Number: 23-0685

Agenda Date: 7/6/2023

Version: 1

Status: New Business

In Control: Finance & Personnel Committee

File Type: Resolution

Amended Resolution approving an Amendment to the Project Plan of Tax Incremental District No. 10, City of La Crosse, Wisconsin.

Amended Resolution

WHEREAS, the City of La Crosse (the "City ") has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 10 (the "District") was created by the City on Jun 12, 2003; and

WHEREAS, the City now desires to amend the Project Plan of the District (the "Amendment") in accordance with the provisions of Wisconsin Statutes Section 66.1105 (the "Tax Increment Law"); and

WHEREAS, such Amendment will amend the categories, locations, or costs of project costs to be made as permitted under Wisconsin Statutes Section 66.1105(4)(h)1; and

WHEREAS, an amended Project Plan for the District has been prepared that includes:

- a. A statement listing of the kind, number and location of all proposed public works or improvements within the District, or to the extent provided in Wisconsin Statutes Sections 66.1105(2)(f)1.k. and 66.1105(2)(f)1.n., outside of the District;
- b. An economic feasibility study;
- c. A detailed list of estimated project costs;
- d. A description of the methods of financing all estimated project costs and the time when the related costs or monetary obligations are to be incurred;
- e. A map showing existing uses and conditions of real property in the District;
- f. A map showing proposed improvements and uses in the District;
- g. Proposed changes of zoning ordinances, master plan, map, building codes and City ordinances;
- h. A list of estimated non-project costs;
- i. A statement of the proposed plan for relocation of any persons to be displaced;
- j. A statement indicating how the amendment of the District promotes the orderly development of the City ;
- k. An opinion of the City Attorney or of an attorney retained by the City advising that the Project Plan is complete and complies with Wisconsin Statutes Section 66.1105(4)(f).; and

WHEREAS, prior to its publication, a copy of the notice of public hearing was sent to the chief executive officers of La Crosse County, the School District of La Crosse School District, and the Western Technical College District, and any other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on May 30, 2023 held a public hearing concerning the proposed amendment to the Project Plan of the District, providing interested parties a reasonable opportunity to express their views thereon; and

WHEREAS, after said public hearing, the Plan Commission adopted the Project Plan, and recommended to the Common Council that it amend the Project Plan.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of La Crosse that:

1. The boundaries of the District named "Tax Incremental District No. 10, City of La Crosse" remain unchanged.
2. That this Amendment is effective as of the date of adoption of this resolution.
3. The Common Council finds and declares that:
 - (a) The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District.
 - (b) The City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wisconsin Statutes Section 66.1105(5)(b).
 - (c) The project costs relate directly to promoting the elimination of blight of the area consistent with the purpose for which the District is created.
4. The amended Project Plan for "Tax Incremental District No. 10, City of La Crosse" (see Exhibit A), as amended, is approved, and the City further finds the Project Plan is feasible and in conformity with the master plan of the City .

Adopted this _____ day of _____, 2023.

Mayor

City Clerk

PROJECT PLAN

[DISTRIBUTED SEPARATELY]

May 11, 2023

PROJECT PLAN AMENDMENT [DRAFT]

City of La Crosse, Wisconsin

Tax Incremental District No. 10



Prepared by:

Ehlers

N19W24400 Riverwood Drive,

Suite 100

Waukesha, WI 53188

BUILDING COMMUNITIES. IT'S WHAT WE DO.

KEY DATES

Organizational Joint Review Board Meeting Held:	Scheduled for May 30
Public Hearing Held:	Scheduled for May 30
Approval by Plan Commission:	Scheduled for May 30
Adoption by Common Council:	Scheduled for July 13
Approval by the Joint Review Board:	TBD

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SECTION 1:

Executive Summary

DESCRIPTION OF DISTRICT

Tax Incremental District (“TID”) No. 10 (the “District”) is a blighted area district created on June 12, 2003. The District was created to:

- Provide a financing tool to assist with redevelopment of the Park Plaza and adjacent property on Barron Island.

The District was previously amended in 2005 to add projects and territory.

Purpose of Amendment

The purpose of this amendment, referred to hereinafter as the Plan, the Amendment, or the Plan Amendment, is to:

- Amend the categories, locations or amount of project costs to be made as permitted under Wis. Stat. § 66.1105(4)(h)1. (“Project”).

Estimated Total Project Cost Expenditures

The City anticipates making total expenditures of approximately \$1,250,000 (“Project Costs”) to undertake the projects listed in this Plan Amendment. Project Costs include an estimated \$400,000 for water system improvements, \$100,000 for lighting improvements, and \$850,000 for surface parking improvements, which may occur on City-owned property, including parks.

Incremental Valuation

The City does not anticipate any new development as a result of implement this Plan Amendment.

Expected Termination of District

Based on the Economic Feasibility Study located within Section 9 of this Plan, the City anticipates that the District will generate sufficient tax increment to pay all Project Costs within 26 (2028) of its allowable 27 years.

Summary of Findings

As required by Wis. Stat. § 66.1105, and as documented in this Plan and the exhibits contained and referenced herein, the following findings are made:

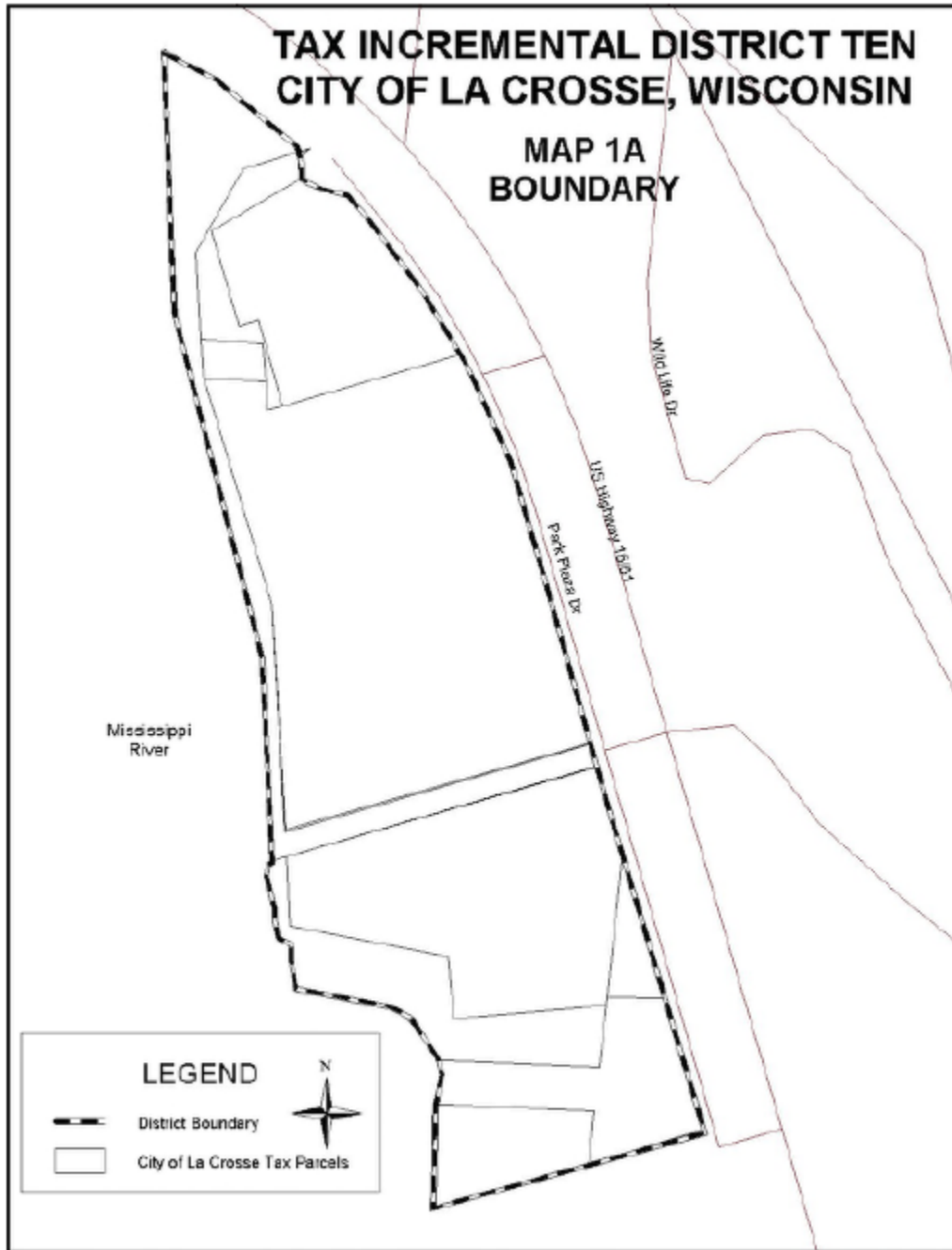
1. That “but for” the creation of this District, the development projected to occur as detailed in this Plan: 1) would not occur; or 2) would not occur in the manner, at the values, or within the timeframe desired by the City. In reaching this determination, the City has considered:

The substantial investment needed to provide the public infrastructure necessary to allow for (re)development within the District. Absent the use of tax incremental financing, the City is unable to fully fund this program of infrastructure improvements.

2. **The economic benefits of the District, as measured by increased employment, business and personal income, and property value, are sufficient to compensate for the cost of the improvements.**
3. **The benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions.** As required by Wis. Stat. § 66.1105(4)(i)4., a calculation of the share of projected tax increments estimated to be paid by the owners of property in the overlying taxing jurisdictions has been prepared and can be found in this Plan. However, because the Project would not occur without the use of tax incremental financing, these tax increments would not be paid but for creation of the District. Accordingly, the City finds that the benefits expected to be realized as set forth in this Plan outweigh the value of the tax increments to be invested in the Project.
4. The boundaries of the District are not being amended.
5. The Project Costs relate directly to the elimination of blight in the District, consistent with the purpose for which the District is created.
6. Improvements to be made in the District are likely to significantly enhance the value of substantially all of the other real property in the District.
7. The Plan for the District is feasible and is in conformity with the Master Plan of the City.
8. The City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wis. Stat. § 66.1105(5)(b).

SECTION 2: Map of Current District Boundary

A map identifying the current boundaries of the District is found below. The District's boundaries are not being amended.



SECTION 3:

Map Showing Existing Uses and Conditions

The District's boundaries are not being amended. The "Map Showing Existing Uses and Conditions" included within the District's amended Project Plan dated March 10, 2005 remains unchanged and is incorporated by reference as part of this Plan Amendment.

SECTION 4: Equalized Value Test

No territory will be added to the District. Demonstration of compliance with the equalized value test is not required for this Plan Amendment.

SECTION 5:

Statement Listing the Kind, Number and Location of All Proposed Public Works or Improvements Within the District

Project Costs are any expenditure made, estimated to be made, or monetary obligations incurred or estimated to be incurred as outlined in this Plan. Project Costs will be diminished by any income, special assessments or other revenues, including user fees or charges, other than tax increments, received or reasonably expected to be received in connection with the implementation of the Plan. If Project Costs incurred benefit territory outside the District, a proportionate share of the cost is not a Project Cost. Costs identified in this Plan are preliminary estimates made prior to design considerations and are subject to change after planning, design and construction is completed.

With all Project Costs, the costs of engineering, design, survey, inspection, materials, construction, restoring property to its original condition, apparatus necessary for public works, legal and other consultant fees, testing, environmental studies, permits, updating ordinances and plans, judgments or claims for damages and other expenses are included as Project Costs. The map found in Section 7 of this Plan along with the Detailed List of Project Costs found in Section 8 provide additional information as to the kind, number and location of potential Project Costs.

The “Statement of Kind, Number and Location of Proposed Public Works and Other Projects” set forth in the original District Project Plan approved on June 12, 2003 and its subsequent amendment approved on March 10, 2005 is amended to add the following Project Costs that the City has made, expects to make, or may need to make, in conjunction with the implementation of the District’s Plan or this Plan Amendment.

Property, Right-of-Way and Easement Acquisition

Property Acquisition for Development

To promote and facilitate development the City may acquire property within the District. The cost of property acquired, and any costs associated with the transaction, are eligible Project Costs. Following acquisition, other Project Costs within the categories detailed in this Section may be incurred to make the property suitable for development. Any revenue received by the City from the sale of property acquired pursuant to the execution of this Plan will be used to reduce the total project costs of the District. If total Project Costs incurred by the City to acquire property and make it suitable for development exceed the revenues or other consideration received from the sale or lease of that property, the net amount shall be considered “real property assembly costs” as defined in Wis. Stat. § 66.1105(2)(f)1.c., and subject to recovery as an eligible Project Cost.

Property Acquisition for Conservancy

To promote the objectives of this Plan, the City may acquire property within the District that it will designate for conservancy. These conservancy objectives include: preserving historic resources or sensitive natural features; protection of scenic and historic views; maintaining habitat for wildlife; maintaining adequate open space; reduction of erosion and sedimentation by preserving existing vegetation; and providing adequate areas for management of stormwater. The cost of property acquired for conservancy, and any costs associated with the transaction, are eligible Project Costs.

Acquisition of Rights-of-Way

The City may need to acquire property to allow for installation of streets, driveways, sidewalks, utilities, stormwater management practices and other public infrastructure. Costs incurred by the City to identify, negotiate and acquire rights-of-way are eligible Project Costs.

Acquisition of Easements

The City may need to acquire temporary or permanent easements to allow for installation and maintenance of streets, driveways, sidewalks, utilities, stormwater management practices and other public infrastructure. Costs incurred by the City to identify, negotiate and acquire easement rights are eligible Project Costs.

Relocation Costs

If relocation expenses are incurred in conjunction with the acquisition of property, those expenses are eligible Project Costs. These costs may include but are not limited to: preparation of a relocation plan; allocations of staff time; legal fees; publication of notices; obtaining appraisals; and payment of relocation benefits as required by Wis. Stat. Chapter 32 and Wis. Admin. Code ADM 92.

Site Preparation Activities

Environmental Audits and Remediation

If it becomes necessary to evaluate any land or improvement within the District, any cost incurred by the City related to environmental audits, testing, and remediation are eligible Project Costs.

Demolition

To make sites suitable for development, the City may incur costs related to demolition and removal of structures or other land improvements, to include abandonment of wells or other existing utility services.

Site Grading

Land within the District may require grading to make it suitable for development, to provide access, and to control stormwater runoff. The City may need to remove and dispose of excess material, or bring in fill material to provide for proper site elevations. Expenses incurred by the City for site grading are eligible Project Costs.

Utilities

Sanitary Sewer System Improvements

To allow development to occur, the City may need to construct, alter, rebuild or expand sanitary sewer infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: collection mains; manholes and cleanouts; service laterals; force mains; interceptor sewers; pumping stations; lift stations; wastewater treatment facilities; and all related appurtenances. To the extent sanitary sewer projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City

construct, alter, rebuild or expand sanitary sewer infrastructure located outside of the District. That portion of the costs of sanitary sewer system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

Water System Improvements

To allow development to occur, the City may need to construct, alter, rebuild or expand water system infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: distribution mains; manholes and valves; hydrants; service laterals; pumping stations; wells; water treatment facilities; storage tanks and reservoirs; and all related appurtenances. To the extent water system projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand water system infrastructure located outside of the District. That portion of the costs of water system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

Stormwater Management System Improvements

Development within the District will cause stormwater runoff. To manage this stormwater runoff, the City may need to construct, alter, rebuild or expand stormwater management infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: stormwater collection mains; inlets, manholes and valves; service laterals; ditches; culvert pipes; box culverts; bridges; stabilization of stream and river banks; and infiltration, filtration and detention Best Management Practices (BMP's). To the extent stormwater management system projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand stormwater management infrastructure located outside of the District. That portion of the costs of stormwater management system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

Electric Service

To create sites suitable for development, the City may incur costs to provide, relocate or upgrade electric services. Relocation may require abandonment and removal of existing poles or towers, installation of new poles or towers, or burying of overhead electric lines. Costs incurred by the City to undertake this work are eligible Project Costs.

Gas Service

To create sites suitable for development, the City may incur costs to provide, relocate or upgrade gas mains and services. Costs incurred by the City to undertake this work are eligible Project Costs.

Communications Infrastructure

To create sites suitable for development, the City may incur costs to provide, relocate or upgrade infrastructure required for voice and data communications, including, but not limited to: telephone lines, cable lines and fiber optic cable. Costs incurred by the City to undertake this work are eligible Project Costs.

Streets and Streetscape

Street Improvements

To allow development to occur, the City may need to construct or reconstruct streets, highways, alleys, access drives and parking areas. Eligible Project Costs include, but are not limited to: excavation; removal or placement of fill; construction of road base; asphalt or concrete paving or repaving; installation of curb and gutter; installation of sidewalks and bicycle lanes; installation of culverts, box culverts and bridges; rail crossings and signals; utility relocation, to include burying overhead utility lines; street lighting; installation of traffic control signage and traffic signals; pavement marking; right-of-way restoration; installation of retaining walls; and installation of fences, berms, and landscaping.

Streetscaping and Landscaping

To attract development consistent with the objectives of this Plan, the City may install amenities to enhance development sites, rights-of-way and other public spaces. These amenities include but are not limited to: landscaping; lighting of streets, sidewalks, parking areas and public areas; installation of planters, benches, clocks, tree rings, trash receptacles and similar items; and installation of brick or other decorative walks, terraces and street crossings. These and any other similar amenities installed by the City are eligible Project Costs.

Community Development

Cash Grants (Development Incentives)

The City may enter into agreements with property owners, lessees, or developers of land located within the District for sharing costs to encourage the desired kind of improvements and assure tax base is generated sufficient to recover Project Costs. No cash grants will be provided until the City executes a developer agreement with the recipient of the cash grant. Any payments of cash grants made by the City are eligible Project Costs.

Contribution to Redevelopment Authority (RDA)

As provided for in Wis. Stat. § 66.1105(2)(f)1.h and Wis. Stat. § 66.1333(13), the City may provide funds to its RDA to be used for administration, planning operations, and capital costs, including but not limited to real property acquisition, related to the purposes for which it was established in furtherance of any redevelopment or urban renewal project. Funds provided to the RDA for this purpose are eligible Project Costs.

Revolving Loan/Grant Program (Development Incentives)

To encourage private development consistent with the objectives of this Plan, the City, through its RDA, may provide loans or grants to eligible property owners in the District. Eligible improvements will be those that are likely to improve the value of the property, enhance the visual appearance of the property and surrounding area, correct safety deficiencies, or as otherwise specified by the RDA in the program manual. Any funds returned to the RDA from the repayment of loans made are not considered revenues to the District and will not be used to offset District Project Costs. Instead, these funds may be placed into a revolving fund and will continue to be used for the program purposes stated above. Any funds provided to the RDA for purposes of implementing this program are considered eligible Project Costs.

Miscellaneous

Projects Outside the Tax Increment District

Pursuant to Wis. Stat. § 66.1105(2)(f)1.n, the City may undertake projects within territory located within one-half mile of the boundary of the District provided that: 1) the project area is located within the City's corporate boundaries; and 2) the projects are approved by the Joint Review Board. The cost of projects completed outside the District pursuant to this section are eligible project costs, and may include any project cost that would otherwise be eligible if

undertaken within the District. The City intends to make the following project cost expenditures outside the District:

Water System Improvements	\$400,000
Lighting Improvements	\$100,000
Surface Parking Improvements	<u>\$750,000</u>
Total	\$1,250,000

Professional Service and Organizational Costs

The costs of professional services rendered, and other costs incurred, in relation to the creation, administration and termination of the District, and the undertaking of the projects contained within this Plan, are eligible Project Costs. Professional services include but are not limited to: architectural; environmental; planning; engineering; legal; audit; financial; and the costs of informing the public with respect to the creation of the District and the implementation of the Plan.

Administrative Costs

The City may charge to the District as eligible Project Costs reasonable allocations of administrative costs, including, but not limited to, employee salaries. Costs allocated will bear a direct connection to the time spent by City employees relating to the implementation of the Plan.

Financing Costs

Interest expense, debt issuance expenses, redemption premiums, and any other fees and costs incurred in conjunction with obtaining financing for projects undertaken under this Plan are eligible Project Costs.

SECTION 6:
Map Showing Proposed Improvements and Uses

Land uses throughout the District remain unchanged as a result of this Plan Amendment. The location of proposed improvements are displayed in the map on the following page. These costs are outside of, but within ½ mile of the District’s boundaries.



SECTION 7:

Detailed List of Estimated Project Costs

The following list identifies the Project Costs that the City has made, expects to make, or may need to make in conjunction with the implementation of the District’s Plan or this Plan Amendment. All projects identified and related costs reflect the best estimates available as of the date of preparation of this Plan Amendment. All costs are preliminary estimates and may increase or decrease. Certain Project Costs listed may become unnecessary, and other Project Costs not currently identified may need to be made. (Section 6 details the general categories of eligible Project Costs). Changes in Project Cost totals or the types of Project Costs to be incurred will not require that this Plan be amended. This Plan is not meant to be a budget nor an appropriation of funds for specific Project Costs, but a framework within which to manage Project Costs.

Water System Improvements	\$400,000
Lighting Improvements	\$100,000
Surface Parking Improvements	<u>\$750,000</u>
Total	\$1,250,000

SECTION 8: Economic Feasibility Study, Description of the Methods of Financing Estimated Project Costs and the Time When Related Costs or Monetary Obligations are to be Incurred

This Section includes an updated forecast of the valuation increases expected within the District, the associated tax increment collections, a summary of how remaining Project Costs would be financed, and a projected cash flow demonstrating that the District remains economically feasible.

Key Assumptions

No additional development is anticipated as a result of this Plan Amendment. Assuming the City’s current equalized TID Interim tax rate of \$23.38 per thousand of equalized value, and no economic appreciation or depreciation, the District would generate \$3,211,496 in incremental tax revenue over the 27-year term of the District as shown in Table 1.

Table 1 – Tax Increment Projection Worksheet

Tax Increment District No. 10 (Park Plaza / Barron Field)							
Tax Increment Projection Worksheet							
Type of District	Blighted Area			Actual Base Value	2,540,100		
Actual Creation Date	6/12/2003			Pre-Amendment Base Value (Actual)	N/A		
Valuation Date	Jan. 1, 2003			Property Appreciation Factor	0.00%		
Maximum Life (In Years)	27			Current Tax Rate (Per \$1,000 EV)	23.38		
Expenditure Period (In Years)	22			Tax Rate Adjustment Factor (Next 2 Years)	0.00%		
Revenue Periods/Final Rev Year	27 2031			Tax Rate Adjustment Factor (Following 2 Years)	0.00%		
End of Expenditure Period	6/12/2025			Tax Rate Adjustment Factor (Thereafter)	0.00%		
Latest Termination Date	6/12/2030			Discount Rate 1 for NPV Calculation	N/A		
Eligible for Extension/No. of Years	Yes 4			Discount Rate 2 for NPV Calculation	N/A		
Eligible Recipient District	Yes						
Construction Year	Value Added	Valuation Year	Inflation Increment	Valuation Increment	Revenue Year	Tax Rate	Tax Increment
1 2020	0	2021	0	12,889,700	2022	23.38	301,342
2 2021	0	2022	0	13,831,100	2023	23.38	323,350
3 2022	0	2023	0	13,831,100	2024	23.38	323,350
4 2023	0	2024	0	13,831,100	2025	23.38	323,350
5 2024	0	2025	0	13,831,100	2026	23.38	323,350
6 2025	0	2026	0	13,831,100	2027	23.38	323,350
7 2026	0	2027	0	13,831,100	2028	23.38	323,350
8 2027	0	2028	0	13,831,100	2029	23.38	323,350
9 2028	0	2029	0	13,831,100	2030	23.38	323,350
10 2029	0	2030	0	13,831,100	2031	23.38	323,350
						Future Value of Increment	3,211,496

Financing and Implementation

The City anticipates funding the costs set forth in this Plan Amendment with a combination of available cash resources of the District, and an advance from another City fund that will be repaid with surplus tax increment.

Based on the Project Cost expenditures as included within the cash flow exhibit (Table 2), the District is projected to accumulate sufficient funds by the year 2028 to pay off all Project cost liabilities and obligations. The projected closure is based on the various assumptions noted in this Plan and will vary dependent on actual Project Costs incurred and the actual amount of tax increments collected.

Table 2 - Cash Flow

											<u>As of Dec. 31, 2021:</u>		
Tax Increment District No. 10 (Park Plaza / Barron Field)											Cash and Investments:		\$0 (A)
Cash Flow Pro Forma											Future Debt Service Requirements:		\$2,901 (B)
											Advances from Other Funds (General Fund):		\$202,364 (C)
Year	Revenues				Expenditures					Balances			Year
	Tax Increments	Exempt Computer Aids	Other Revenue	Total Revenues (D)	Debt Service Transfers	Allocation to County	Other Exp.	Admin	Total Expenses (E)	Annual (F) (D - E)	Cumulative (G)	Future Deb Service (H)	
2022	301,342	0		301,342	2,901	45.00%		10,000	131,879	169,463	371,827	0	2022
2023	323,350	0		323,350		118,978		10,000	128,978	194,372	566,199	0	2023
2024	323,350	0		323,350		118,978	1,250,000	10,000	1,378,978	(1,055,628)	(489,428)	0	2024
2025	323,350	0		323,350		118,978		10,000	128,978	194,372	(295,056)	0	2025
2026	323,350	0		323,350		118,978		10,000	128,978	194,372	(100,683)	0	2026
2027	323,350	0		323,350		118,978		10,000	128,978	194,372	93,689	0	2027
2028	323,350	0		323,350		113,121		10,000	123,121	200,229	293,918	0	2028
2029	323,350	0		323,350				10,000	10,000	313,350	607,269	0	2029
2030	323,350	0		323,350				10,000	10,000	313,350	920,619	0	2030
2031	323,350	0		323,350				10,000	10,000	313,350	1,233,970	0	2031
Total	3,211,496	0	0	3,211,496	2,901	826,989	1,250,000	100,000	2,159,890				

NOTES:

- Cumulative Balance includes existing Cash and Investments plus annual excess cash flow
- Debt Service Transfers reduce Future Debt Service Requirements
- City shall transfer an allocable share of revenues to La Crosse County as development partner, which percentage is (re)calculated annually based on actual expenditures

Final Balance (G - C): 1,031,606

SECTION 9:

Annexed Property

A tax incremental district cannot include annexed territory unless at least three years have elapsed since the annexation, or certain other requirements are met. No territory is being added to the District as part of this Plan Amendment.

SECTION 10:

Estimate of Property to be Devoted to Retail Business

Pursuant to Wis. Stat. § 66.1105(5)(b), the City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period.

SECTION 11:

Proposed Changes of Zoning Ordinances, Master Plan, Map, Building Codes and City Ordinances

Zoning Ordinances

The proposed Plan Amendment is in general conformance with the City's current zoning ordinances. Individual properties may require rezoning at the time of development.

Master (Comprehensive) Plan and Map

The proposed Plan Amendment is in general conformance with the City's Comprehensive Plan identifying the area as appropriate for redevelopment.

Building Codes and Ordinances

Development within the District will be required to conform to State Building Codes and will be subject to the City's permitting and inspection procedures. The proposed Plan Amendment conforms to all relevant State and local ordinances, plans, and codes. No changes to the existing regulations are proposed or needed.

SECTION 12:

Statement of the Proposed Method for the Relocation of any Persons to be Displaced

Should the continued implementation of this Plan require relocation of individuals or business operations, relocations will be handled in compliance with Wis. Stat. Chapter 32 and Wis. Admin. Code ADM 92.

SECTION 13:

How Amendment of the Tax Incremental District Promotes the Orderly Development of the City

This Plan Amendment promotes the orderly (re)development of the City by eliminating blighted area, providing necessary public infrastructure improvements, and providing appropriate financial incentives for private development projects. Through use of tax increment financing, the City can attract new investment that results in increased tax base. Development will occur in an orderly fashion in accordance with approved plans so that the Projects will be compatible with adjacent land uses. Development of new uses in the District will add to the tax base and will generate positive secondary impacts in the community such as increased employment opportunities and housing opportunities.

SECTION 14:

List of Estimated Non-Project Costs

Non-project costs are public works projects which only partly benefit the District. Costs incurred that do not benefit the District may not be paid with tax increments. Examples of non-project costs are:

- A public improvement made within the District that also benefits property outside the District. That portion of the total Project Costs allocable to properties outside of the District would be a non-project cost.
- A public improvement made outside the District that only partially benefits property within the District. That portion of the total Project Costs allocable to properties outside of the District would be a non-project cost.
- Projects undertaken within the District as part of the implementation of this Project Plan, the costs of which are paid fully or in part by impact fees, grants, special assessments, or revenues other than tax increments.

No improvements to be made within the District will benefit property outside the District. Furthermore, there will be no improvements made outside the District that will only partially benefit the District.



LEGAL DEPARTMENT

City of La Crosse, Sixth Floor City Hall
400 La Crosse Street, La Crosse, WI 54601
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Stephen F. Matty
City Attorney

Krista A. Gallagher
Deputy City Attorney

Ellen R. Atterbury
Assistant City Attorney

May 23, 2023

Mayor Mitch Reynolds
City of La Crosse
400 La Crosse St
La Crosse, Wisconsin 54601

RE: Project Plan Amendment for Tax Incremental District No. 10

Dear Mayor:

Wisconsin Statute 66.1105(4)(f) requires that a project plan for a tax incremental financing district include an opinion provided by the City Attorney advising as to whether the plan is complete and complies with Wisconsin Statute 66.1105.

As City Attorney for the City of La Crosse, I have been asked to review the above-referenced project plan amendment for compliance with the applicable statutory requirements. Based upon my review, in my opinion, the amended Project Plan for the City of La Crosse Tax Incremental District No. 10 is complete and complies with the provisions of Wisconsin Statute 66.1105.

Sincerely,


Stephen F. Matty
City Attorney

SFM:blb

SECTION 16: Calculation of the Share of Projected Tax Increments Estimated to be Paid by the Owners of Property in the Overlying Taxing Jurisdictions

The following projection is provided to meet the requirements of Wis. Stat. § 66.1105(4)(i)4.

Estimated portion of taxes that owners of taxable property in each taxing jurisdiction overlaying district would pay by jurisdiction.							
Statement of Taxes Data Year:		2022		Percentage			
County	12,239,970					11.24%	
Special District	0					0.00%	
Municipality	51,359,729					47.16%	
School District	40,141,396					36.86%	
Technical College	5,156,687					4.74%	
Total	108,897,782						
Revenue Year	County	Special District	Municipality	School District	Technical College	Total	Revenue Year
2023	36,344	0	152,503	119,192	15,312	323,350	2023
2024	36,708	0	154,028	120,384	15,465	326,584	2024
2025	37,075	0	155,568	121,588	15,620	329,850	2025
2026	37,445	0	157,124	122,804	15,776	333,148	2026
2027	37,820	0	158,695	124,032	15,933	336,480	2027
2028	38,198	0	160,282	125,272	16,093	339,845	2028
2029	38,580	0	161,885	126,525	16,254	343,243	2029
2030	38,966	0	163,503	127,790	16,416	346,675	2030
2031	39,356	0	165,138	129,068	16,580	350,142	2031
	340,491	0	1,428,724	1,116,653	143,449	3,029,317	

Notes:
The projection shown above is provided to meet the requirements of Wisconsin Statute 66.1105(4)(i)4.

Resolution approving an Amendment to the Project Plan of Tax Incremental District No. 10, City of La Crosse, Wisconsin.

Resolution

WHEREAS, the City of La Crosse (the "City ") has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 10 (the "District") was created by the City on Jun 12, 2003; and

WHEREAS, the City now desires to amend the Project Plan of the District (the "Amendment") in accordance with the provisions of Wisconsin Statutes Section 66.1105 (the "Tax Increment Law"); and

WHEREAS, such Amendment will amend the categories, locations, or costs of project costs to be made as permitted under Wisconsin Statutes Section 66.1105(4)(h)1; and

WHEREAS, an amended Project Plan for the District has been prepared that includes:

- a. A statement listing of the kind, number and location of all proposed public works or improvements within the District, or to the extent provided in Wisconsin Statutes Sections 66.1105(2)(f)1.k. and 66.1105(2)(f)1.n., outside of the District;
- b. An economic feasibility study;
- c. A detailed list of estimated project costs;
- d. A description of the methods of financing all estimated project costs and the time when the related costs or monetary obligations are to be incurred;
- e. A map showing existing uses and conditions of real property in the District;
- f. A map showing proposed improvements and uses in the District;
- g. Proposed changes of zoning ordinances, master plan, map, building codes and City ordinances;
- h. A list of estimated non-project costs;
- i. A statement of the proposed plan for relocation of any persons to be displaced;
- j. A statement indicating how the amendment of the District promotes the orderly development of the City ;
- k. An opinion of the City Attorney or of an attorney retained by the City advising that the Project Plan is complete and complies with Wisconsin Statutes Section 66.1105(4)(f).; and

WHEREAS, prior to its publication, a copy of the notice of public hearing was sent to the chief executive officers of La Crosse County, the School District of La Crosse School District, and the Western Technical College District, and any other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on May 30, 2023 held a public hearing concerning the proposed amendment to the Project Plan of the District, providing interested parties a reasonable opportunity to express their views thereon; and

WHEREAS, after said public hearing, the Plan Commission adopted the Project Plan, and recommended to the Common Council that it amend the Project Plan.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of La Crosse that:

1. The boundaries of the District named "Tax Incremental District No. 10, City of La Crosse" remain unchanged.
2. That this Amendment is effective as of the date of adoption of this resolution.
3. The Common Council finds and declares that:
 - (a) The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District.
 - (b) The City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wisconsin Statutes Section 66.1105(5)(b).
 - (c) The project costs relate directly to promoting the elimination of blight of the area consistent with the purpose for which the District is created.
4. The Project Plan for "Tax Incremental District No. 10, City of La Crosse" (see Exhibit A), as amended, is approved, and the City further finds the Project Plan is feasible and in conformity with the master plan of the City .

Adopted this _____ day of _____, 2023.

Mayor

City Clerk

PROJECT PLAN

[DISTRIBUTED SEPARATELY]

May 11, 2023

PROJECT PLAN AMENDMENT [DRAFT]

City of La Crosse, Wisconsin

Tax Incremental District No. 10



Prepared by:

Ehlers

N19W24400 Riverwood Drive,

Suite 100

Waukesha, WI 53188

BUILDING COMMUNITIES. IT'S WHAT WE DO.

KEY DATES

Organizational Joint Review Board Meeting Held:	Scheduled for May 30
Public Hearing Held:	Scheduled for May 30
Approval by Plan Commission:	Scheduled for May 30
Adoption by Common Council:	Scheduled for July 13
Approval by the Joint Review Board:	TBD

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SECTION 1: Executive Summary

DESCRIPTION OF DISTRICT

Tax Incremental District (“TID”) No. 10 (the “District”) is a blighted area district created on June 12, 2003. The District was created to:

- Provide a financing tool to assist with redevelopment of the Park Plaza property on Barron Island.

The District was previously amended in 2005 to add projects and territory.

Purpose of Amendment

The purpose of this amendment, referred to hereinafter as the Plan, the Amendment, or the Plan Amendment, is to:

- Amend the categories, locations or amount of project costs to be made as permitted under Wis. Stat. § 66.1105(4)(h)1. (“Project”).

Estimated Total Project Cost Expenditures

The City anticipates making total expenditures of approximately \$1,250,000 (“Project Costs”) to undertake the projects listed in this Plan Amendment. Project Costs include an estimated \$400,000 for water system improvements and \$850,000 for surface parking improvements, which may occur on City-owned property, including parks.

Incremental Valuation

The City does not anticipate any new development as a result of implement this Plan Amendment.

Expected Termination of District

Based on the Economic Feasibility Study located within Section 9 of this Plan, the City anticipates that the District will generate sufficient tax increment to pay all Project Costs within 26 (2028) of its allowable 27 years.

Summary of Findings

As required by Wis. Stat. § 66.1105, and as documented in this Plan and the exhibits contained and referenced herein, the following findings are made:

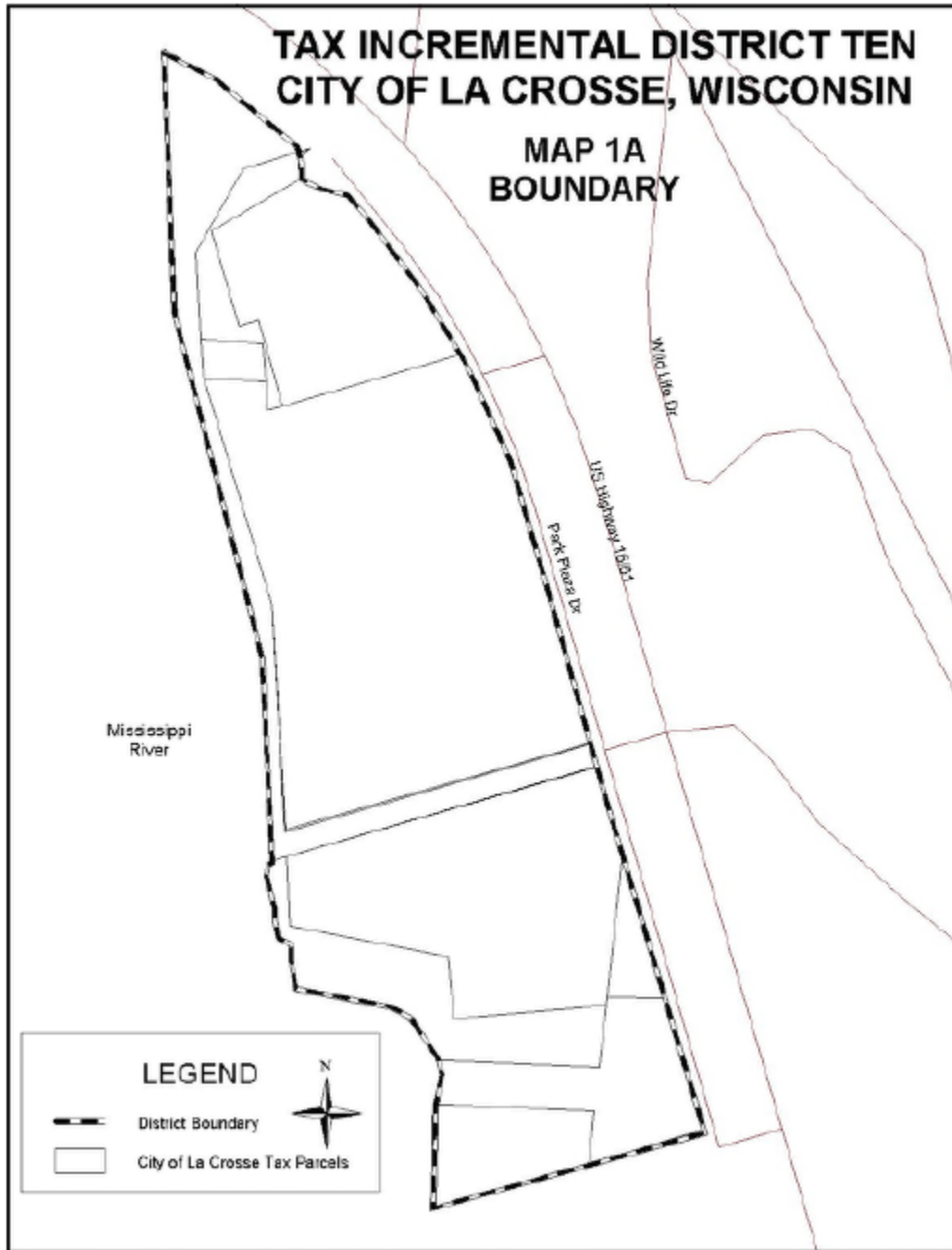
1. That “but for” the creation of this District, the development projected to occur as detailed in this Plan: 1) would not occur; or 2) would not occur in the manner, at the values, or within the timeframe desired by the City. In reaching this determination, the City has considered:

The substantial investment needed to provide the public infrastructure necessary to allow for (re)development within the District. Absent the use of tax incremental financing, the City is unable to fully fund this program of infrastructure improvements.

2. **The economic benefits of the District, as measured by increased employment, business and personal income, and property value, are sufficient to compensate for the cost of the improvements.**
3. **The benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions.** As required by Wis. Stat. § 66.1105(4)(i)4., a calculation of the share of projected tax increments estimated to be paid by the owners of property in the overlying taxing jurisdictions has been prepared and can be found in this Plan. However, because the Project would not occur without the use of tax incremental financing, these tax increments would not be paid but for creation of the District. Accordingly, the City finds that the benefits expected to be realized as set forth in this Plan outweigh the value of the tax increments to be invested in the Project.
4. The boundaries of the District are not being amended.
5. The Project Costs relate directly to the elimination of blight in the District, consistent with the purpose for which the District is created.
6. Improvements to be made in the District are likely to significantly enhance the value of substantially all of the other real property in the District.
7. The Plan for the District is feasible and is in conformity with the Master Plan of the City.
8. The City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wis. Stat. § 66.1105(5)(b).

SECTION 2: Map of Current District Boundary

A map identifying the current boundaries of the District is found below. The District's boundaries are not being amended.



SECTION 3:

Map Showing Existing Uses and Conditions

The District's boundaries are not being amended. The "Map Showing Existing Uses and Conditions" included within the District's amended Project Plan dated March 10, 2005 remains unchanged and is incorporated by reference as part of this Plan Amendment.

SECTION 4: Equalized Value Test

No territory will be added to the District. Demonstration of compliance with the equalized value test is not required for this Plan Amendment.

SECTION 5:

Statement Listing the Kind, Number and Location of All Proposed Public Works or Improvements Within the District

Project Costs are any expenditure made, estimated to be made, or monetary obligations incurred or estimated to be incurred as outlined in this Plan. Project Costs will be diminished by any income, special assessments or other revenues, including user fees or charges, other than tax increments, received or reasonably expected to be received in connection with the implementation of the Plan. If Project Costs incurred benefit territory outside the District, a proportionate share of the cost is not a Project Cost. Costs identified in this Plan are preliminary estimates made prior to design considerations and are subject to change after planning, design and construction is completed.

With all Project Costs, the costs of engineering, design, survey, inspection, materials, construction, restoring property to its original condition, apparatus necessary for public works, legal and other consultant fees, testing, environmental studies, permits, updating ordinances and plans, judgments or claims for damages and other expenses are included as Project Costs. The map found in Section 7 of this Plan along with the Detailed List of Project Costs found in Section 8 provide additional information as to the kind, number and location of potential Project Costs.

The “Statement of Kind, Number and Location of Proposed Public Works and Other Projects” set forth in the original District Project Plan approved on June 12, 2003 and its subsequent amendment approved on March 10, 2005 is amended to add the following Project Costs that the City has made, expects to make, or may need to make, in conjunction with the implementation of the District’s Plan or this Plan Amendment.

Property, Right-of-Way and Easement Acquisition

Property Acquisition for Development

To promote and facilitate development the City may acquire property within the District. The cost of property acquired, and any costs associated with the transaction, are eligible Project Costs. Following acquisition, other Project Costs within the categories detailed in this Section may be incurred to make the property suitable for development. Any revenue received by the City from the sale of property acquired pursuant to the execution of this Plan will be used to reduce the total project costs of the District. If total Project Costs incurred by the City to acquire property and make it suitable for development exceed the revenues or other consideration received from the sale or lease of that property, the net amount shall be considered “real property assembly costs” as defined in Wis. Stat. § 66.1105(2)(f)1.c., and subject to recovery as an eligible Project Cost.

Property Acquisition for Conservancy

To promote the objectives of this Plan, the City may acquire property within the District that it will designate for conservancy. These conservancy objectives include: preserving historic resources or sensitive natural features; protection of scenic and historic views; maintaining habitat for wildlife; maintaining adequate open space; reduction of erosion and sedimentation by preserving existing vegetation; and providing adequate areas for management of stormwater. The cost of property acquired for conservancy, and any costs associated with the transaction, are eligible Project Costs.

Acquisition of Rights-of-Way

The City may need to acquire property to allow for installation of streets, driveways, sidewalks, utilities, stormwater management practices and other public infrastructure. Costs incurred by the City to identify, negotiate and acquire rights-of-way are eligible Project Costs.

Acquisition of Easements

The City may need to acquire temporary or permanent easements to allow for installation and maintenance of streets, driveways, sidewalks, utilities, stormwater management practices and other public infrastructure. Costs incurred by the City to identify, negotiate and acquire easement rights are eligible Project Costs.

Relocation Costs

If relocation expenses are incurred in conjunction with the acquisition of property, those expenses are eligible Project Costs. These costs may include but are not limited to: preparation of a relocation plan; allocations of staff time; legal fees; publication of notices; obtaining appraisals; and payment of relocation benefits as required by Wis. Stat. Chapter 32 and Wis. Admin. Code ADM 92.

Site Preparation Activities

Environmental Audits and Remediation

If it becomes necessary to evaluate any land or improvement within the District, any cost incurred by the City related to environmental audits, testing, and remediation are eligible Project Costs.

Demolition

To make sites suitable for development, the City may incur costs related to demolition and removal of structures or other land improvements, to include abandonment of wells or other existing utility services.

Site Grading

Land within the District may require grading to make it suitable for development, to provide access, and to control stormwater runoff. The City may need to remove and dispose of excess material, or bring in fill material to provide for proper site elevations. Expenses incurred by the City for site grading are eligible Project Costs.

Utilities

Sanitary Sewer System Improvements

To allow development to occur, the City may need to construct, alter, rebuild or expand sanitary sewer infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: collection mains; manholes and cleanouts; service laterals; force mains; interceptor sewers; pumping stations; lift stations; wastewater treatment facilities; and all related appurtenances. To the extent sanitary sewer projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City

construct, alter, rebuild or expand sanitary sewer infrastructure located outside of the District. That portion of the costs of sanitary sewer system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

Water System Improvements

To allow development to occur, the City may need to construct, alter, rebuild or expand water system infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: distribution mains; manholes and valves; hydrants; service laterals; pumping stations; wells; water treatment facilities; storage tanks and reservoirs; and all related appurtenances. To the extent water system projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand water system infrastructure located outside of the District. That portion of the costs of water system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

Stormwater Management System Improvements

Development within the District will cause stormwater runoff. To manage this stormwater runoff, the City may need to construct, alter, rebuild or expand stormwater management infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: stormwater collection mains; inlets, manholes and valves; service laterals; ditches; culvert pipes; box culverts; bridges; stabilization of stream and river banks; and infiltration, filtration and detention Best Management Practices (BMP's). To the extent stormwater management system projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand stormwater management infrastructure located outside of the District. That portion of the costs of stormwater management system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

Electric Service

To create sites suitable for development, the City may incur costs to provide, relocate or upgrade electric services. Relocation may require abandonment and removal of existing poles or towers, installation of new poles or towers, or burying of overhead electric lines. Costs incurred by the City to undertake this work are eligible Project Costs.

Gas Service

To create sites suitable for development, the City may incur costs to provide, relocate or upgrade gas mains and services. Costs incurred by the City to undertake this work are eligible Project Costs.

Communications Infrastructure

To create sites suitable for development, the City may incur costs to provide, relocate or upgrade infrastructure required for voice and data communications, including, but not limited to: telephone lines, cable lines and fiber optic cable. Costs incurred by the City to undertake this work are eligible Project Costs.

Streets and Streetscape

Street Improvements

To allow development to occur, the City may need to construct or reconstruct streets, highways, alleys, access drives and parking areas. Eligible Project Costs include, but are not limited to: excavation; removal or placement of fill; construction of road base; asphalt or concrete paving or repaving; installation of curb and gutter; installation of sidewalks and bicycle lanes; installation of culverts, box culverts and bridges; rail crossings and signals; utility relocation, to include burying overhead utility lines; street lighting; installation of traffic control signage and traffic signals; pavement marking; right-of-way restoration; installation of retaining walls; and installation of fences, berms, and landscaping.

Streetscaping and Landscaping

To attract development consistent with the objectives of this Plan, the City may install amenities to enhance development sites, rights-of-way and other public spaces. These amenities include but are not limited to: landscaping; lighting of streets, sidewalks, parking areas and public areas; installation of planters, benches, clocks, tree rings, trash receptacles and similar items; and installation of brick or other decorative walks, terraces and street crossings. These and any other similar amenities installed by the City are eligible Project Costs.

Community Development

Cash Grants (Development Incentives)

The City may enter into agreements with property owners, lessees, or developers of land located within the District for sharing costs to encourage the desired kind of improvements and assure tax base is generated sufficient to recover Project Costs. No cash grants will be provided until the City executes a developer agreement with the recipient of the cash grant. Any payments of cash grants made by the City are eligible Project Costs.

Contribution to Redevelopment Authority (RDA)

As provided for in Wis. Stat. § 66.1105(2)(f)1.h and Wis. Stat. § 66.1333(13), the City may provide funds to its RDA to be used for administration, planning operations, and capital costs, including but not limited to real property acquisition, related to the purposes for which it was established in furtherance of any redevelopment or urban renewal project. Funds provided to the RDA for this purpose are eligible Project Costs.

Revolving Loan/Grant Program (Development Incentives)

To encourage private development consistent with the objectives of this Plan, the City, through its RDA, may provide loans or grants to eligible property owners in the District. Eligible improvements will be those that are likely to improve the value of the property, enhance the visual appearance of the property and surrounding area, correct safety deficiencies, or as otherwise specified by the RDA in the program manual. Any funds returned to the RDA from the repayment of loans made are not considered revenues to the District and will not be used to offset District Project Costs. Instead, these funds may be placed into a revolving fund and will continue to be used for the program purposes stated above. Any funds provided to the RDA for purposes of implementing this program are considered eligible Project Costs.

Miscellaneous

Projects Outside the Tax Increment District

Pursuant to Wis. Stat. § 66.1105(2)(f)1.n, the City may undertake projects within territory located within one-half mile of the boundary of the District provided that: 1) the project area is located within the City's corporate boundaries; and 2) the projects are approved by the Joint Review Board. The cost of projects completed outside the District pursuant to this section are eligible project costs, and may include any project cost that would otherwise be eligible if undertaken within the District. The City intends to make the following project cost expenditures outside the District:

Water System Improvements	\$400,000
Surface Parking Improvements	<u>\$850,000</u>
Total	\$1,250,000

Professional Service and Organizational Costs

The costs of professional services rendered, and other costs incurred, in relation to the creation, administration and termination of the District, and the undertaking of the projects contained within this Plan, are eligible Project Costs. Professional services include but are not limited to: architectural; environmental; planning; engineering; legal; audit; financial; and the costs of informing the public with respect to the creation of the District and the implementation of the Plan.

Administrative Costs

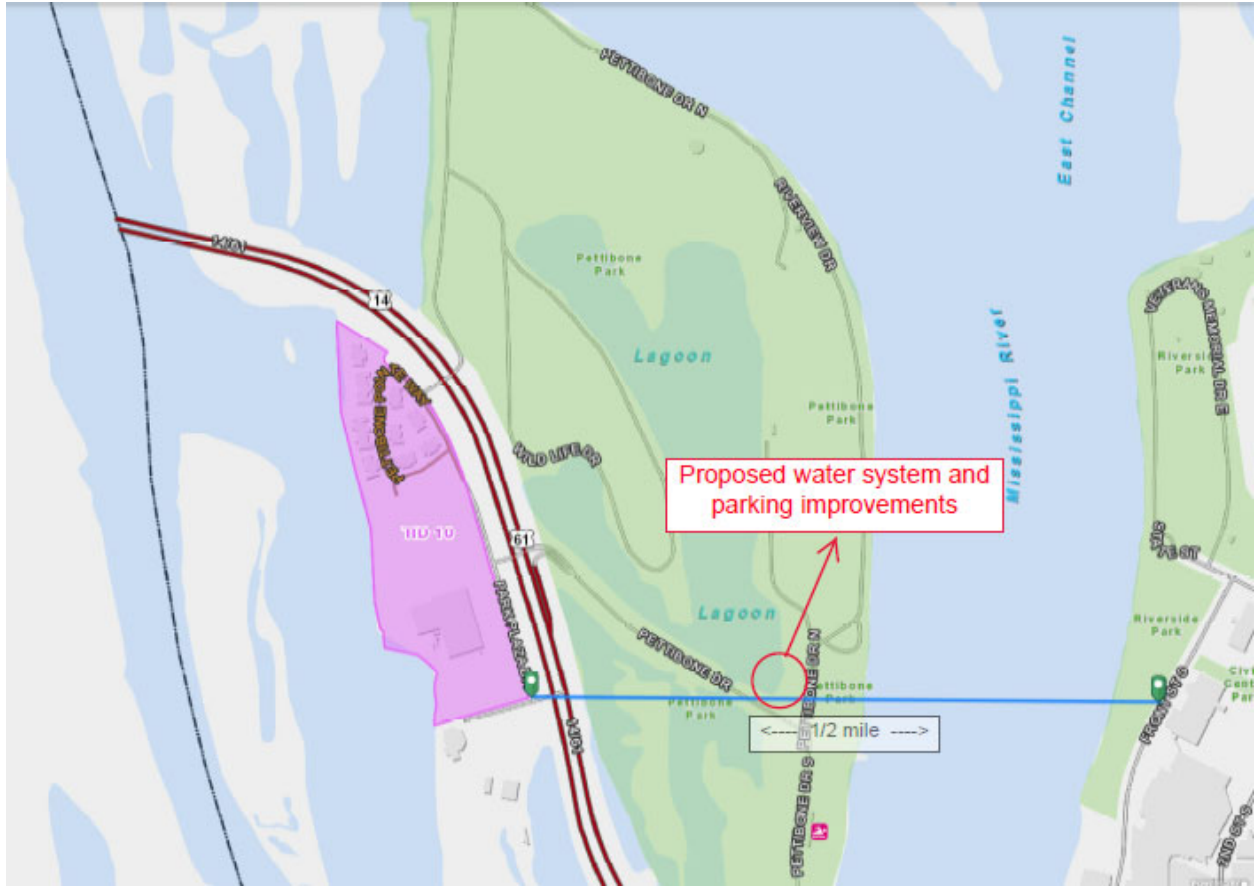
The City may charge to the District as eligible Project Costs reasonable allocations of administrative costs, including, but not limited to, employee salaries. Costs allocated will bear a direct connection to the time spent by City employees relating to the implementation of the Plan.

Financing Costs

Interest expense, debt issuance expenses, redemption premiums, and any other fees and costs incurred in conjunction with obtaining financing for projects undertaken under this Plan are eligible Project Costs.

SECTION 6:
Map Showing Proposed Improvements and Uses

Land uses throughout the District remain unchanged as a result of this Plan Amendment. The location of proposed improvements are displayed in the map on the following page. These costs are outside of, but within ½ mile of the District’s boundaries.



SECTION 7:

Detailed List of Estimated Project Costs

The following list identifies the Project Costs that the City has made, expects to make, or may need to make in conjunction with the implementation of the District’s Plan or this Plan Amendment. All projects identified and related costs reflect the best estimates available as of the date of preparation of this Plan Amendment. All costs are preliminary estimates and may increase or decrease. Certain Project Costs listed may become unnecessary, and other Project Costs not currently identified may need to be made. (Section 6 details the general categories of eligible Project Costs). Changes in Project Cost totals or the types of Project Costs to be incurred will not require that this Plan be amended. This Plan is not meant to be a budget nor an appropriation of funds for specific Project Costs, but a framework within which to manage Project Costs.

Water System Improvements	\$400,000
Surface Parking Improvements	<u>\$850,000</u>
Total	\$1,250,000

SECTION 8: Economic Feasibility Study, Description of the Methods of Financing Estimated Project Costs and the Time When Related Costs or Monetary Obligations are to be Incurred

This Section includes an updated forecast of the valuation increases expected within the District, the associated tax increment collections, a summary of how remaining Project Costs would be financed, and a projected cash flow demonstrating that the District remains economically feasible.

Key Assumptions

No additional development is anticipated as a result of this Plan Amendment. Assuming the City’s current equalized TID Interim tax rate of \$23.38 per thousand of equalized value, and no economic appreciation or depreciation, the District would generate \$3,211,496 in incremental tax revenue over the 27-year term of the District as shown in Table 1.

Table 1 – Tax Increment Projection Worksheet

Tax Increment District No. 10 (Park Plaza / Barron Field)							
Tax Increment Projection Worksheet							
Type of District	Blighted Area			Actual Base Value	2,540,100		
Actual Creation Date	6/12/2003			Pre-Amendment Base Value (Actual)	N/A		
Valuation Date	Jan. 1, 2003			Property Appreciation Factor	0.00%		
Maximum Life (In Years)	27			Current Tax Rate (Per \$1,000 EV)	23.38		
Expenditure Period (In Years)	22			Tax Rate Adjustment Factor (Next 2 Years)	0.00%		
Revenue Periods/Final Rev Year	27 2031			Tax Rate Adjustment Factor (Following 2 Years)	0.00%		
End of Expenditure Period	6/12/2025			Tax Rate Adjustment Factor (Thereafter)	0.00%		
Latest Termination Date	6/12/2030			Discount Rate 1 for NPV Calculation	N/A		
Eligible for Extension/No. of Years	Yes 4			Discount Rate 2 for NPV Calculation	N/A		
Eligible Recipient District	Yes						
Construction Year	Value Added	Valuation Year	Inflation Increment	Valuation Increment	Revenue Year	Tax Rate	Tax Increment
1 2020	0	2021	0	12,889,700	2022	23.38	301,342
2 2021	0	2022	0	13,831,100	2023	23.38	323,350
3 2022	0	2023	0	13,831,100	2024	23.38	323,350
4 2023	0	2024	0	13,831,100	2025	23.38	323,350
5 2024	0	2025	0	13,831,100	2026	23.38	323,350
6 2025	0	2026	0	13,831,100	2027	23.38	323,350
7 2026	0	2027	0	13,831,100	2028	23.38	323,350
8 2027	0	2028	0	13,831,100	2029	23.38	323,350
9 2028	0	2029	0	13,831,100	2030	23.38	323,350
10 2029	0	2030	0	13,831,100	2031	23.38	323,350
						Future Value of Increment	3,211,496

Financing and Implementation

The City anticipates funding the costs set forth in this Plan Amendment with a combination of available cash resources of the District, and an advance from another City fund that will be repaid with surplus tax increment.

Based on the Project Cost expenditures as included within the cash flow exhibit (Table 2), the District is projected to accumulate sufficient funds by the year 2028 to pay off all Project cost liabilities and obligations. The projected closure is based on the various assumptions noted in this Plan and will vary dependent on actual Project Costs incurred and the actual amount of tax increments collected.

Table 2 - Cash Flow

										<u>As of Dec. 31, 2021:</u>			
Tax Increment District No. 10 (Park Plaza / Barron Field)										Cash and Investments:		\$0 (A)	
Cash Flow Pro Forma										Future Debt Service Requirements:		\$2,901 (B)	
										Advances from Other Funds (General Fund):		\$202,364 (C)	
Year	Revenues				Expenditures					Balances			Year
	Tax Increments	Exempt Computer Aids	Other Revenue	Total Revenues (D)	Debt Service Transfers	Allocation to County	Other Exp.	Admin	Total Expenses (E)	Annual (F) (D - E)	Cumulative (G)	Future Deb Service (H)	
2022	301,342	0		301,342	2,901	45.00%		10,000	131,879	169,463	371,827	0	2022
2023	323,350	0		323,350		118,978		10,000	128,978	194,372	566,199	0	2023
2024	323,350	0		323,350		118,978	1,250,000	10,000	1,378,978	(1,055,628)	(489,428)	0	2024
2025	323,350	0		323,350		118,978		10,000	128,978	194,372	(295,056)	0	2025
2026	323,350	0		323,350		118,978		10,000	128,978	194,372	(100,683)	0	2026
2027	323,350	0		323,350		118,978		10,000	128,978	194,372	93,689	0	2027
2028	323,350	0		323,350		113,121		10,000	123,121	200,229	293,918	0	2028
2029	323,350	0		323,350				10,000	10,000	313,350	607,269	0	2029
2030	323,350	0		323,350				10,000	10,000	313,350	920,619	0	2030
2031	323,350	0		323,350				10,000	10,000	313,350	1,233,970	0	2031
Total	3,211,496	0	0	3,211,496	2,901	826,989	1,250,000	100,000	2,159,890				

NOTES:

- Cumulative Balance includes existing Cash and Investments plus annual excess cash flow
- Debt Service Transfers reduce Future Debt Service Requirements
- City shall transfer an allocable share of revenues to La Crosse County as development partner, which percentage is (re)calculated annually based on actual expenditures

Final Balance (G - C): 1,031,606

SECTION 9:

Annexed Property

A tax incremental district cannot include annexed territory unless at least three years have elapsed since the annexation, or certain other requirements are met. No territory is being added to the District as part of this Plan Amendment.

SECTION 10:

Estimate of Property to be Devoted to Retail Business

Pursuant to Wis. Stat. § 66.1105(5)(b), the City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period.

SECTION 11:

Proposed Changes of Zoning Ordinances, Master Plan, Map, Building Codes and City Ordinances

Zoning Ordinances

The proposed Plan Amendment is in general conformance with the City's current zoning ordinances. Individual properties may require rezoning at the time of development.

Master (Comprehensive) Plan and Map

The proposed Plan Amendment is in general conformance with the City's Comprehensive Plan identifying the area as appropriate for redevelopment.

Building Codes and Ordinances

Development within the District will be required to conform to State Building Codes and will be subject to the City's permitting and inspection procedures. The proposed Plan Amendment conforms to all relevant State and local ordinances, plans, and codes. No changes to the existing regulations are proposed or needed.

SECTION 12:
Statement of the Proposed Method for the Relocation of any Persons to be Displaced

Should the continued implementation of this Plan require relocation of individuals or business operations, relocations will be handled in compliance with Wis. Stat. Chapter 32 and Wis. Admin. Code ADM 92.

SECTION 13:
How Amendment of the Tax Incremental District Promotes the Orderly Development of the City

This Plan Amendment promotes the orderly (re)development of the City by eliminating blighted area, providing necessary public infrastructure improvements, and providing appropriate financial incentives for private development projects. Through use of tax increment financing, the City can attract new investment that results in increased tax base. Development will occur in an orderly fashion in accordance with approved plans so that the Projects will be compatible with adjacent land uses. Development of new uses in the District will add to the tax base and will generate positive secondary impacts in the community such as increased employment opportunities and housing opportunities.

SECTION 14:

List of Estimated Non-Project Costs

Non-project costs are public works projects which only partly benefit the District. Costs incurred that do not benefit the District may not be paid with tax increments. Examples of non-project costs are:

- A public improvement made within the District that also benefits property outside the District. That portion of the total Project Costs allocable to properties outside of the District would be a non-project cost.
- A public improvement made outside the District that only partially benefits property within the District. That portion of the total Project Costs allocable to properties outside of the District would be a non-project cost.
- Projects undertaken within the District as part of the implementation of this Project Plan, the costs of which are paid fully or in part by impact fees, grants, special assessments, or revenues other than tax increments.

No improvements to be made within the District will benefit property outside the District. Furthermore, there will be no improvements made outside the District that will only partially benefit the District.



LEGAL DEPARTMENT

City of La Crosse, Sixth Floor City Hall
400 La Crosse Street, La Crosse, WI 54601
Ph: 608.789.7511 Fax: 608.789.7390
Email: attorney@cityoflacrosse.org

Stephen F. Matty
City Attorney

Krista A. Gallagher
Deputy City Attorney

Ellen R. Atterbury
Assistant City Attorney

May 23, 2023

Mayor Mitch Reynolds
City of La Crosse
400 La Crosse St
La Crosse, Wisconsin 54601

RE: Project Plan Amendment for Tax Incremental District No. 10

Dear Mayor:

Wisconsin Statute 66.1105(4)(f) requires that a project plan for a tax incremental financing district include an opinion provided by the City Attorney advising as to whether the plan is complete and complies with Wisconsin Statute 66.1105.

As City Attorney for the City of La Crosse, I have been asked to review the above-referenced project plan amendment for compliance with the applicable statutory requirements. Based upon my review, in my opinion, the amended Project Plan for the City of La Crosse Tax Incremental District No. 10 is complete and complies with the provisions of Wisconsin Statute 66.1105.

Sincerely,



Stephen F. Matty
City Attorney

SFM:blb

SECTION 16: Calculation of the Share of Projected Tax Increments Estimated to be Paid by the Owners of Property in the Overlying Taxing Jurisdictions

The following projection is provided to meet the requirements of Wis. Stat. § 66.1105(4)(i)4.

Estimated portion of taxes that owners of taxable property in each taxing jurisdiction overlaying district would pay by jurisdiction.							
Statement of Taxes Data Year:		2022		Percentage			
County	12,239,970					11.24%	
Special District	0					0.00%	
Municipality	51,359,729					47.16%	
School District	40,141,396					36.86%	
Technical College	5,156,687					4.74%	
Total	108,897,782						
Revenue Year	County	Special District	Municipality	School District	Technical College	Total	Revenue Year
2023	36,344	0	152,503	119,192	15,312	323,350	2023
2024	36,708	0	154,028	120,384	15,465	326,584	2024
2025	37,075	0	155,568	121,588	15,620	329,850	2025
2026	37,445	0	157,124	122,804	15,776	333,148	2026
2027	37,820	0	158,695	124,032	15,933	336,480	2027
2028	38,198	0	160,282	125,272	16,093	339,845	2028
2029	38,580	0	161,885	126,525	16,254	343,243	2029
2030	38,966	0	163,503	127,790	16,416	346,675	2030
2031	39,356	0	165,138	129,068	16,580	350,142	2031
	340,491	0	1,428,724	1,116,653	143,449	3,029,317	
Notes:							
The projection shown above is provided to meet the requirements of Wisconsin Statute 66.1105(4)(i)4.							



CITY OF LA CROSSE

**400 La Crosse Street
La Crosse, Wisconsin 54601
(608) 789-CITY
www.cityoflacrosse.org**

LEGISLATION STAFF REPORT FOR COUNCIL

File ID Caption

Staff/Department Responsible for Legislation

Requestor of Legislation

Location, if applicable

Summary/Purpose

Background

Fiscal Impact

Staff Recommendation



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Text File

File Number: 23-0686

Agenda Date: 7/6/2023

Version: 1

Status: New Business

In Control: Finance & Personnel Committee

File Type: Resolution

Resolution approving an Amendment to the Project Plan and Boundaries of Tax Incremental District No. 17, City of La Crosse, Wisconsin.

Resolution

WHEREAS, the City of La Crosse (the "City ") has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 17 (the "District") was created by the City on September 29, 2015 as a mixed-use district; and

WHEREAS, the City now desires to amend the Project Plan and boundaries of the District (the "Amendment") in accordance with the provisions of Wisconsin Statutes Section 66.1105 (the "Tax Increment Law"); and

WHEREAS, such Amendment will:

- a. Add territory to the District as permitted under Wisconsin Statutes Section 66.1105(4)(h)2.
- b. Amend the categories, locations or costs of project costs to be made as permitted under Wisconsin Statutes Section 66.1105(4)(h)1.

WHEREAS, an amended Project Plan for the District has been prepared that includes:

- a. A statement listing of the kind, number and location of all proposed public works or improvements within the District, or to the extent provided in Wisconsin Statutes Sections 66.1105(2)(f)1.k. and 66.1105(2)(f)1.n., outside of the District;
- b. An economic feasibility study;
- c. A detailed list of estimated project costs;
- d. A description of the methods of financing all estimated project costs and the time when the related costs or monetary obligations are to be incurred;
- e. A map showing existing uses and conditions of real property in the District;
- f. A map showing proposed improvements and uses in the District;
- g. Proposed changes of zoning ordinances, master plan, map, building codes and City ordinances;
- h. A list of estimated non-project costs;
- i. A statement of the proposed plan for relocation of any persons to be displaced;
- j. A statement indicating how the amendment of the District promotes the orderly development of the City ;
- k. An opinion of the City Attorney or of an attorney retained by the City advising that the Project Plan is complete and complies with Wisconsin Statutes Section 66.1105(4)(f).; and

WHEREAS, prior to its publication, a copy of the notice of public hearing was sent to the chief executive officers of La Crosse County, the School District of La Crosse School District, and the Western Technical College District, and any other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on May 30, 2023 held a public hearing concerning the proposed amendment to the Project Plan and boundaries of the District, providing interested parties a reasonable opportunity to express their views thereon; and

WHEREAS, after said public hearing, the Plan Commission designated the boundaries of the amended district, adopted the Project Plan, and recommended to the Common Council that it amend the Project Plan and boundaries for the District.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of La Crosse that:

1. The boundaries of the District named "Tax Incremental District No. 17, City of La Crosse", are hereby amended as identified in Exhibit A of this Resolution.
2. The territory being added shall become part of the District effective as of January 1, 2023.
4. The Common Council finds and declares that:
 - (a) Not less than 50% by area of the real property within the District, as amended, is suitable for mixed-use development as defined by Wisconsin Statutes Section 66.1105(2)(cm).
 - (b) Based upon the finding stated in 3.a. above, the District was declared to be, and remains, a mixed-use district based on the identification and classification of the property included within the District.
 - (c) The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District.
 - (c) The equalized value of the taxable property within the territory to be added to the District plus the value increment of all other existing tax incremental districts within the City , does not exceed 12% of the total equalized value of taxable property within the City .
 - (d) That there are no parcels to be added to the District that were annexed by the City within the preceding three-year period.
 - (e) The City estimates that less than 35% of the territory within the District will be (or was) devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wisconsin Statutes Section 66.1105(5)(b).
 - (f) The project costs relate directly to promoting mixed-use development in the District consistent with the purpose for which the District is created.
 - (g) Lands proposed for newly platted residential development comprise no more than 35% of the real property area within the District, as amended.
 - (h) Costs related to newly-platted residential development may be incurred based on the proposed development having a density of at least three (3) units per acre as defined in Wisconsin Statutes Section 66.1105(2)(f)3.a., or being located in a conservation subdivision as defined in Wisconsin Statutes Section 66.1027(1)(a)., or being in a traditional neighborhood development as defined in Wisconsin Statutes Section 66.1027(1)(c).

4. The Project Plan for "Tax Incremental District No. 17, City of La Crosse" (see Exhibit B), as amended, is approved, and the City further finds the Project Plan is feasible and in conformity with the master plan of the City .

BE IT FURTHER RESOLVED THAT the City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue, in such form as may be prescribed, for a "Determination of Tax Incremental Base", as of January 1, 2023, pursuant to the provisions of Wisconsin Statutes Section 66.1105(5)(b).

BE IT FURTHER RESOLVED THAT pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes that the City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under Wisconsin Statutes Section 70.45, those parcels of property which are within the District, specifying thereon the name of the said District, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes.

Adopted this _____ day of _____, 2023.

Mayor

City Clerk

**LEGAL BOUNDARY DESCRIPTION
OR
MAP OF
TAX INCREMENTAL DISTRICT NO. 17
CITY OF LA CROSSE**

[INCLUDED WITHIN PROJECT PLAN]

PROJECT PLAN

[DISTRIBUTED SEPARATELY]

May 11, 2023

PROJECT PLAN AMENDMENT

City of La Crosse, Wisconsin

Tax Incremental District No. 17



Prepared by:

Ehlers

N19W24400 Riverwood Drive,

Suite 100

Waukesha, WI 53188

BUILDING COMMUNITIES. IT'S WHAT WE DO.

KEY DATES

Organizational Joint Review Board Meeting Held:	Scheduled for May 30
Public Hearing Held:	Scheduled for May 30
Approval by Plan Commission:	Scheduled for May 30
Adoption by Common Council:	Scheduled for July 13
Approval by the Joint Review Board:	TBD

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SECTION 1:

Executive Summary

DESCRIPTION OF DISTRICT

Tax Incremental District (“TID”) No. 17 (“District”) Mixed Use District created on September 29, 2015. The District was created to:

- Provide for redevelopment and revitalization of the north side of the City’s downtown with a focus on providing structure parking for the economic benefit of this business district, as well as multi-family housing throughout the District’s boundaries.

The District was previously amended in the following manner:

- 2019 - amended the boundaries and eligible expenditures
- 2019 - allocation amendment to allow the sharing of increment with TID 12
- 2020 - allocation amendment to allow the sharing of increment with TID 18

Purpose of Amendment

The purpose of this amendment, referred to hereinafter as the Plan, the Amendment, or the Plan Amendment, is to:

- Add territory to the District as permitted under Wis. Stat. § 66.1105(4)(h)2. This is the second of four permitted territory amendments available to the District.
- Amend the categories, locations or costs of project costs to be made as permitted under Wis. Stat. § 66.1105(4)(h)1. (“Project”).

Estimated Total Project Cost Expenditures

The City anticipates making total expenditures of approximately \$4,000,000 (“Project Costs”) to undertake the projects listed in this Plan Amendment. Project Costs include an estimated \$2 million for property acquisition and development incentives, respectively.

Incremental Valuation

The City does not immediately anticipate incremental taxable value as a result of this Plan Amendment. There is currently sufficient excess tax increment revenue to provide for the additional expenditures contemplated as a part of this Plan. A table detailing cash flow assumptions is included in the Economic Feasibility Study located within this Plan.

Expected Termination of District

Based on the Economic Feasibility Study located within Section 9 of this Plan, the City anticipates that the District will generate sufficient tax increment to pay all Project Costs within 19 of its allowable 20 years.

Summary of Findings

As required by Wis. Stat. § 66.1105, and as documented in this Plan and the exhibits contained and referenced herein, the following findings are made:

1. That “but for” the creation of this District, the development projected to occur as detailed in this Plan: 1) would not occur; or 2) would not occur in the manner, at the values, or within the timeframe desired by the City. In reaching this determination, the City has considered:

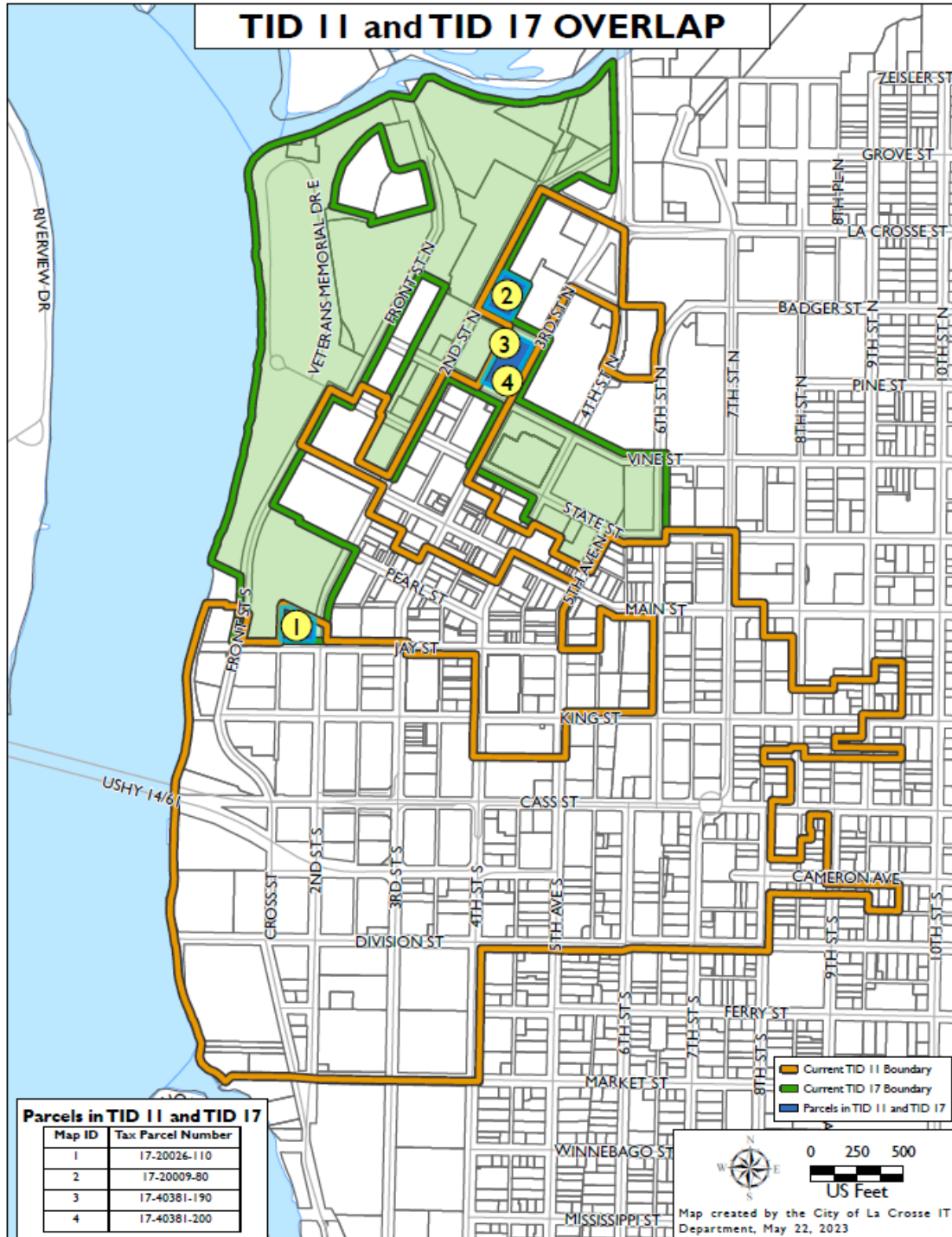
The substantial investment needed to redevelop existing sites, acquire and potentially assemble property, and provide the public infrastructure necessary to allow for development within the District. Absent the use of tax incremental financing, the City is unable to fully fund the necessary expenditures.

2. **The economic benefits of the District, as measured by increased employment, business and personal income, and property value, are sufficient to compensate for the cost of the improvements.**
3. **The benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions.** As required by Wis. Stat. § 66.1105(4)(i)4., a calculation of the share of projected tax increments estimated to be paid by the owners of property in the overlying taxing jurisdictions has been prepared and can be found in this Plan. However, because private (re)development would not occur without the use of tax incremental financing, these tax increments would not be paid but for creation of the District. Accordingly, the City finds that the benefits expected to be realized as set forth in this Plan outweigh the value of the tax increments to be invested in the Project.
4. Not less than 50% by area of the real property within the District, as amended, is suitable for mixed use development as defined by Wis. Stat. § 66.1105(2)(cm).
5. Based on the foregoing finding, the District remains designated as a mixed-use district.
6. The Project Costs relate directly to promoting mixed use development in the District, consistent with the purpose for which the District is created.

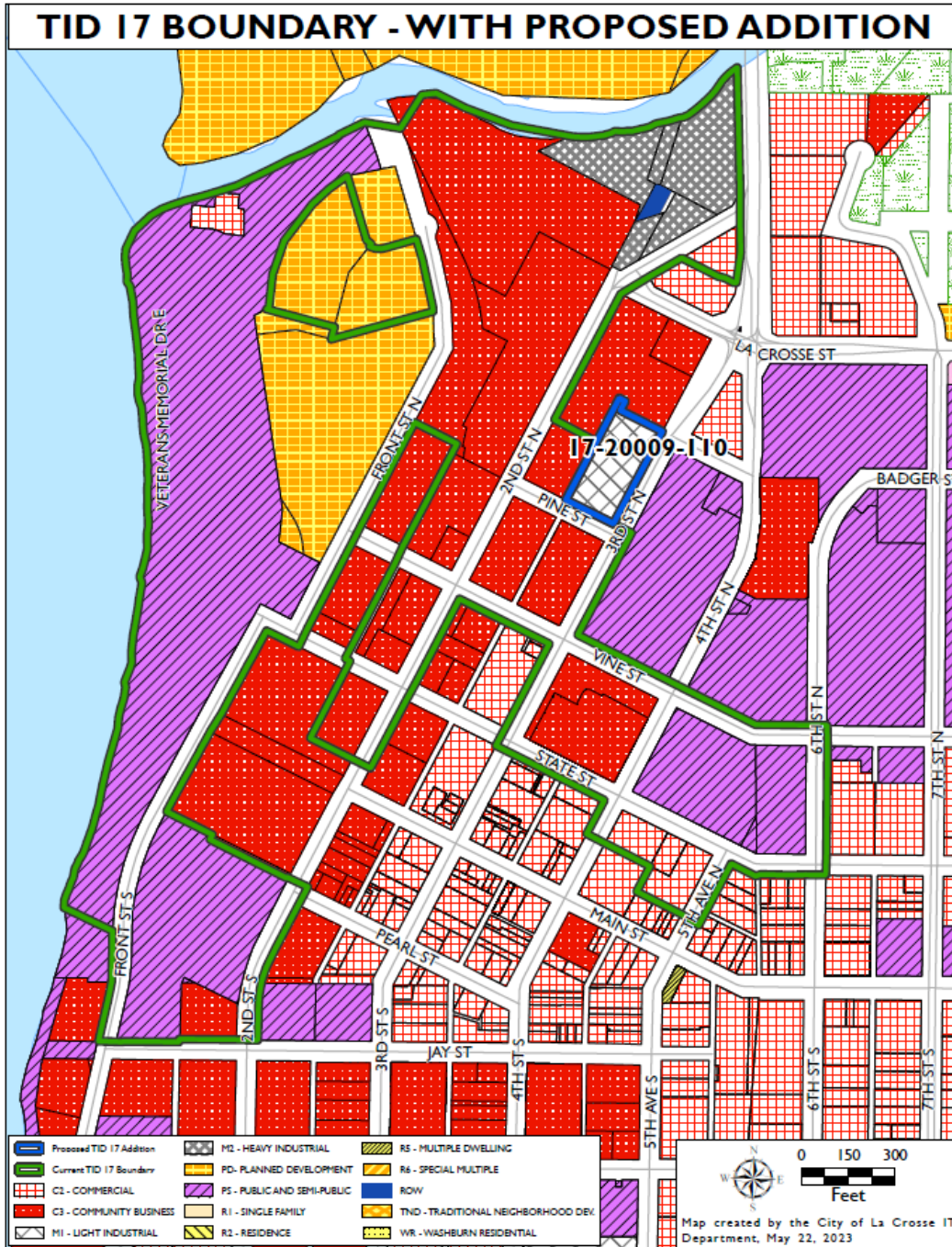
Lands proposed for newly-platted residential development comprise no more than 35% of the real property area within the amended District. Costs related to newly-platted residential development may be incurred based on the proposed development having a density of at least three (3) units per acre as defined in Wis. Stat. § 66.1105(2)(f)3.a., or being located in a conservation subdivision as defined in Wis. Stat. § 66.1027(1)(a)., or being in a traditional neighborhood development as defined in Wis. Stat. § 66.1027(1)(c).

7. Improvements to be made in the District are likely to significantly enhance the value of substantially all of the other real property in the District.
8. The equalized value of taxable property within the territory to be added to the District, plus the incremental value of all existing tax incremental districts within the City does not exceed 12% of the total equalized value of taxable property within the City.
9. The Plan for the District is feasible and is in conformity with the Master Plan of the City.
10. The City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wis. Stat. § 66.1105(5)(b).
11. That there are no parcels to be included within the District that were annexed by the City within the preceding three-year period.

SECTION 2: Preliminary Map of Original District Boundary and Territory to be Added



SECTION 3: Map Showing Existing Uses and Conditions Within the Territory to be Added



SECTION 4: Preliminary Identification of Parcels to be Added

City of La Crosse, Wisconsin																							
Tax Increment District # 17																							
Base Property Information																							
Property Information										Assessment Information				Equalized Value				District Classification					
Map Ref #	Parcel Number	Street Address	Owner	Total Acreage	Wetland Acreage	Annexed Post 1/1/04? ...Indicate date	Part of Existing TID? ...Indicate TID #	Land	Imp	PP	Total	Equalized Value Ratio	Land	Imp	PP	Total	Industrial (Zoned and Suitable)	Commercial/ Business	Existing Residential	Newly Platted Residential	Suitable for Mixed Use		
	17-20009-110	401 3RD ST N	CLIFFORD LECLEIR REVOCABLE TRUST	1.32			11	981,400	513,400		1,494,800	100.00%	981,400	513,400	0	1,494,800		1.315				1.32	
					0.00																	0.00	
								981,400	513,400	0	1,494,800		981,400	513,400	0		0	1.315	0	0		1.315	
																	0.00%	100.00%	0.00%	0.00%		100.00%	
																	Estimated Base Value Subject to 12% Test				0		

The above values are as of January 1, 2022. Actual base value certification of the territory will be based on January 1, 2023 assessed values.

SECTION 5: Equalized Value Test

The following calculations demonstrate that the City expects to be in compliance with Wis. Stat. § 66.1105(4)(gm)4.c., which requires that the equalized value of the taxable property proposed to be added to the District, plus the value increment of all existing tax incremental districts, does not exceed 12% of the total equalized value of taxable property within the City. The value of those parcels located within Tax Incremental District No. 11 that will be overlaid are not included as part of the base value of the territory addition as that value is reflected within the total of existing incremental value.

The equalized value of the increment of existing tax incremental districts within the City, plus the value of the territory proposed to be added to the District, totals \$538,794,400. This value is less than the maximum of \$615,753,456 in equalized value that is permitted for the City.

City of La Crosse, Wisconsin Tax Increment District # 17 Valuation Test Compliance Calculation	
District Creation Date	9/29/2015
	Valuation Data Currently Available 2022
Total EV (TID In)	5,131,278,800
12% Test	615,753,456
Increment of Existing TIDs	
Total Existing Increment	537,299,600
Projected Base of New or Amended District	0
Less Value of Any Underlying TID Parcels	0 ▲
Total Value Subject to 12% Test	537,299,600
Compliance	PASS

SECTION 6: Statement Listing the Kind, Number and Location of All Proposed Public Works or Improvements Within the District

Project Costs are any expenditure made, estimated to be made, or monetary obligations incurred or estimated to be incurred as outlined in this Plan. Project Costs will be diminished by any income, special assessments or other revenues, including user fees or charges, other than tax increments, received or reasonably expected to be received in connection with the implementation of the Plan. If Project Costs incurred benefit territory outside the District, a proportionate share of the cost is not a Project Cost. Costs identified in this Plan are preliminary estimates made prior to design considerations and are subject to change after planning, design and construction is completed.

With all Project Costs, the costs of engineering, design, survey, inspection, materials, construction, restoring property to its original condition, apparatus necessary for public works, legal and other consultant fees, testing, environmental studies, permits, updating ordinances and plans, judgments or claims for damages and other expenses are included as Project Costs. The map found in Section 7 of this Plan along with the Detailed List of Project Costs found in Section 8 provide additional information as to the kind, number and location of potential Project Costs.

The “Statement of Kind, Number and Location of Proposed Public Works and Other Projects” set forth in the original District Project Plan and its subsequent amendments is further amended to add the following Project Costs that the City has made, expects to make, or may need to make, in conjunction with the implementation of the District’s Plan or this Plan Amendment.

Property, Right-of-Way and Easement Acquisition

Property Acquisition for Development

To promote and facilitate development the City may acquire property within the District. The cost of property acquired, and any costs associated with the transaction, are eligible Project Costs. Following acquisition, other Project Costs within the categories detailed in this Section may be incurred to make the property suitable for development. Any revenue received by the City from the sale of property acquired pursuant to the execution of this Plan will be used to reduce the total project costs of the District. If total Project Costs incurred by the City to acquire property and make it suitable for development exceed the revenues or other consideration received from the sale or lease of that

property, the net amount shall be considered “real property assembly costs” as defined in Wis. Stat. § 66.1105(2)(f)1.c., and subject to recovery as an eligible Project Cost.

Property Acquisition for Conservancy

To promote the objectives of this Plan, the City may acquire property within the District that it will designate for conservancy. These conservancy objectives include: preserving historic resources or sensitive natural features; protection of scenic and historic views; maintaining habitat for wildlife; maintaining adequate open space; reduction of erosion and sedimentation by preserving existing vegetation; and providing adequate areas for management of stormwater. The cost of property acquired for conservancy, and any costs associated with the transaction, are eligible Project Costs.

Acquisition of Rights-of-Way

The City may need to acquire property to allow for installation of streets, driveways, sidewalks, utilities, stormwater management practices and other public infrastructure. Costs incurred by the City to identify, negotiate and acquire rights-of-way are eligible Project Costs.

Acquisition of Easements

The City may need to acquire temporary or permanent easements to allow for installation and maintenance of streets, driveways, sidewalks, utilities, stormwater management practices and other public infrastructure. Costs incurred by the City to identify, negotiate and acquire easement rights are eligible Project Costs.

Relocation Costs

If relocation expenses are incurred in conjunction with the acquisition of property, those expenses are eligible Project Costs. These costs may include but are not limited to: preparation of a relocation plan; allocations of staff time; legal fees; publication of notices; obtaining appraisals; and payment of relocation benefits as required by Wis. Stat. Chapter 32 and Wis. Admin. Code ADM 92.

Site Preparation Activities

Environmental Audits and Remediation

If it becomes necessary to evaluate any land or improvement within the District, any cost incurred by the City related to environmental audits, testing, and remediation are eligible Project Costs.

Demolition

To make sites suitable for development, the City may incur costs related to demolition and removal of structures or other land improvements, to include abandonment of wells or other existing utility services.

Site Grading

Land within the District may require grading to make it suitable for development, to provide access, and to control stormwater runoff. The City may need to remove and dispose of excess material, or bring in fill material to provide for proper site elevations. Expenses incurred by the City for site grading are eligible Project Costs.

Utilities

Sanitary Sewer System Improvements

To allow development to occur, the City may need to construct, alter, rebuild or expand sanitary sewer infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: collection mains; manholes and cleanouts; service laterals; force mains; interceptor sewers; pumping stations; lift stations; wastewater treatment facilities; and all related appurtenances. To the extent sanitary sewer projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand sanitary sewer infrastructure located outside of the District. That portion of the costs of sanitary sewer system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

Water System Improvements

To allow development to occur, the City may need to construct, alter, rebuild or expand water system infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: distribution mains; manholes and valves; hydrants; service laterals; pumping stations; wells; water treatment facilities; storage tanks and reservoirs; and all related appurtenances. To the extent water system projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the

implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand water system infrastructure located outside of the District. That portion of the costs of water system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

Stormwater Management System Improvements

Development within the District will cause stormwater runoff. To manage this stormwater runoff, the City may need to construct, alter, rebuild or expand stormwater management infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: stormwater collection mains; inlets, manholes and valves; service laterals; ditches; culvert pipes; box culverts; bridges; stabilization of stream and river banks; and infiltration, filtration and detention Best Management Practices (BMP's). To the extent stormwater management system projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand stormwater management infrastructure located outside of the District. That portion of the costs of stormwater management system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

Electric Service

To create sites suitable for development, the City may incur costs to provide, relocate or upgrade electric services. Relocation may require abandonment and removal of existing poles or towers, installation of new poles or towers, or burying of overhead electric lines. Costs incurred by the City to undertake this work are eligible Project Costs.

Gas Service

To create sites suitable for development, the City may incur costs to provide, relocate or upgrade gas mains and services. Costs incurred by the City to undertake this work are eligible Project Costs.

Communications Infrastructure

To create sites suitable for development, the City may incur costs to provide, relocate or upgrade infrastructure required for voice and data communications, including, but not limited to: telephone lines, cable lines and fiber optic cable. Costs incurred by the City to undertake this work are eligible Project Costs.

Streets and Streetscape

Street Improvements

To allow development to occur, the City may need to construct or reconstruct streets, highways, alleys, access drives and parking areas. Eligible Project Costs include, but are not limited to: excavation; removal or placement of fill; construction of road base; asphalt or concrete paving or repaving; installation of curb and gutter; installation of sidewalks and bicycle lanes; installation of culverts, box culverts and bridges; rail crossings and signals; utility relocation, to include burying overhead utility lines; street lighting; installation of traffic control signage and traffic signals; pavement marking; right-of-way restoration; installation of retaining walls; and installation of fences, berms, and landscaping.

Streetscaping and Landscaping

To attract development consistent with the objectives of this Plan, the City may install amenities to enhance development sites, rights-of-way and other public spaces. These amenities include but are not limited to: landscaping; lighting of streets, sidewalks, parking areas and public areas; installation of planters, benches, clocks, tree rings, trash receptacles and similar items; and installation of brick or other decorative walks, terraces and street crossings. These and any other similar amenities installed by the City are eligible Project Costs.

Community Development

Cash Grants (Development Incentives)

The City may enter into agreements with property owners, lessees, or developers of land located within the District for sharing costs to encourage the desired kind of improvements and assure tax base is generated sufficient to recover Project Costs. No cash grants will be provided until the City executes a developer agreement with the recipient of the cash grant. Any payments of cash grants made by the City are eligible Project Costs.

Contribution to Redevelopment Authority (RDA)

As provided for in Wis. Stat. § 66.1105(2)(f)1.h and Wis. Stat. § 66.1333(13), the City may provide funds to its RDA to be used for administration, planning

operations, and capital costs, including but not limited to real property acquisition, related to the purposes for which it was established in furtherance of any redevelopment or urban renewal project. Funds provided to the RDA for this purpose are eligible Project Costs.

Revolving Loan/Grant Program (Development Incentives)

To encourage private development consistent with the objectives of this Plan, the City, through its RDA, may provide loans or grants to eligible property owners in the District. Eligible improvements will be those that are likely to improve the value of the property, enhance the visual appearance of the property and surrounding area, correct safety deficiencies, or as otherwise specified by the RDA in the program manual. Any funds returned to the RDA from the repayment of loans made are not considered revenues to the District and will not be used to offset District Project Costs. Instead, these funds may be placed into a revolving fund and will continue to be used for the program purposes stated above. Any funds provided to the RDA for purposes of implementing this program are considered eligible Project Costs.

Miscellaneous

Professional Service and Organizational Costs

The costs of professional services rendered, and other costs incurred, in relation to the creation, administration and termination of the District, and the undertaking of the projects contained within this Plan, are eligible Project Costs. Professional services include but are not limited to: architectural; environmental; planning; engineering; legal; audit; financial; and the costs of informing the public with respect to the creation of the District and the implementation of the Plan.

Administrative Costs

The City may charge to the District as eligible Project Costs reasonable allocations of administrative costs, including, but not limited to, employee salaries. Costs allocated will bear a direct connection to the time spent by City employees relating to the implementation of the Plan.

Financing Costs

Interest expense, debt issuance expenses, redemption premiums, and any other fees and costs incurred in conjunction with obtaining financing for projects undertaken under this Plan are eligible Project Costs.

SECTION 7: Map Showing Proposed Improvements and Uses Within the Territory to be Added

All additional projects will occur only on the parcel being added to the District.

SECTION 8: Detailed List of Estimated Project Costs

The following list identifies the Project Costs that the City has made, expects to make, or may need to make in conjunction with the implementation of the District’s Plan or this Plan Amendment. All projects identified and related costs reflect the best estimates available as of the date of preparation of this Plan Amendment. All costs are preliminary estimates and may increase or decrease. Certain Project Costs listed may become unnecessary, and other Project Costs not currently identified may need to be made. (Section 6 details the general categories of eligible Project Costs). Changes in Project Cost totals or the types of Project Costs to be incurred will not require that this Plan be amended. This Plan is not meant to be a budget nor an appropriation of funds for specific Project Costs, but a framework within which to manage Project Costs.

City of La Crosse, Wisconsin			
Tax Increment District # 17			
Estimated Project List			
Project ID	Project Name/Type	Future Years	Total (Note 1)
1	Property Acquisition	2,000,000	2,000,000
2	Development Incentives	2,000,000	2,000,000
3			0
4			0
5			0
Total Projects		<u>4,000,000</u>	<u>4,000,000</u>
Notes:			
Note 1 Project costs are estimates and are subject to modification			

SECTION 9:
Economic Feasibility Study, Description of the Methods of Financing Estimated Project Costs and the Time When Related Costs or Monetary Obligations are to be Incurred

This Section includes an updated forecast of the valuation increases expected within the District, the associated tax increment collections, a summary of how remaining Project Costs would be financed, and a projected cash flow demonstrating that the District remains economically feasible.

Key Assumptions

The City does not immediately anticipate additional economic value as a result of this Plan Amendment, as the costs are primarily related to preserving tax base through viable redevelopment opportunities. Assuming the City’s current equalized TID Interim tax rate of \$23.38 per thousand of equalized value, and no economic appreciation or depreciation, the District would generate \$27,180,901 in incremental tax revenue over the District’s remaining, un-extended term as shown in **Table 1**.

Table 1 – Tax Increment Projection Worksheet

Tax Increment District No. 17 (Downtown North)									
Tax Increment Projection Worksheet									
Type of District	Mixed Use				Actual Base Value	11,744,600			
Actual Creation Date	9/29/2015				Pre-Amendment Base Value (Actual)	N/A			
Valuation Date	Jan. 1, 2015				Property Appreciation Factor	0.00%			
Maximum Life (In Years)	20				Current Tax Rate (Per \$1,000 EV)	\$23.88			
Expenditure Period (In Years)	15				Tax Rate Adjustment Factor (Next 2 Years)	0.00%			
Revenue Periods/Final Rev Year	20 2036				Tax Rate Adjustment Factor (Following 2 Years)	0.00%			
End of Expenditure Period	9/29/2030				Tax Rate Adjustment Factor (Thereafter)	0.00%			
Latest Termination Date	9/29/2035				Discount Rate 1 for NPV Calculation	N/A			
Eligible for Extension/No. of Years	Yes 3				Discount Rate 2 for NPV Calculation	N/A			
Eligible Recipient District	No								

	Construction Year	Value Added	Valuation Year	Inflation Increment	Valuation Increment	Revenue Year	Tax Rate	Tax Increment
1	2020	0	2021	0	90,320,600	2022	23.38	2,111,561
2	2021	0	2022	0	76,594,600	2023	23.38	1,790,667
3	2022	0	2023	0	76,594,600	2024	23.38	1,790,667
4	2023	0	2024	0	76,594,600	2025	23.38	1,790,667
5	2024	0	2025	0	76,594,600	2026	23.38	1,790,667
6	2025	0	2026	0	76,594,600	2027	23.38	1,790,667
7	2026	0	2027	0	76,594,600	2028	23.38	1,790,667
8	2027	0	2028	0	76,594,600	2029	23.38	1,790,667
9	2028	0	2029	0	76,594,600	2030	23.38	1,790,667
10	2029	0	2030	0	76,594,600	2031	23.38	1,790,667
11	2030	0	2031	0	76,594,600	2032	23.38	1,790,667
12	2031	0	2032	0	76,594,600	2033	23.38	1,790,667
13	2032	0	2033	0	76,594,600	2034	23.38	1,790,667
14	2033	0	2034	0	76,594,600	2035	23.38	1,790,667
15	2034	0	2035	0	76,594,600	2036	23.38	1,790,667
		0			0			Future Value of Increment
								27,180,901

Financing and Implementation

The City intends to utilize available tax increment of TID 17 to implement the Plan Amendment as the District’s financing plan.

Based on the Project Cost expenditures as included within the cash flow exhibit (Table 2), the District is projected to accumulate sufficient funds by the year 2034 to pay off all Project cost liabilities and obligations. The projected closure is based on the various assumptions noted in this Plan and will vary dependent on actual Project Costs incurred and the actual amount of tax increments collected.

Table 2 - Cash Flow

											<u>As of Dec. 31, 2021:</u>			
Tax Increment District No. 17 (Downtown North)											Cash and Investments:			\$986,080 (A)
Cash Flow Pro Forma											Future Debt Service Requirements:			\$12,098,328 (B)
											Advances from Other Funds (General Fund):			\$0 (C)
Year	Revenues				Expenditures						Balances			Year
	Tax Increments	Exempt Computer Aids	Other Revenue	Total Revenues (D)	Debt Service Transfers	DA Payments 333 Front	Capital Outlay	Other Expenses	Admin	Total Expenses (E)	Annual (F) (D - E)	Cumulative (G)	Future Debt Service	
2022	2,111,561	0	0	2,111,561	1,079,431	0	0	0	41,750	1,121,181	990,379	1,976,459	11,018,897	2022
2023	1,790,667	0	0	1,790,667	1,079,231	0	120,000	0	41,750	1,240,981	549,686	2,526,145	9,939,665	2023
2024	1,790,667	0	0	1,790,667	1,078,031	0	1,066,900	1,000,000	40,000	3,184,931	(1,394,264)	1,131,881	8,861,634	2024
2025	1,790,667	0	0	1,790,667	1,080,831	0	0	200,000	40,000	1,320,831	469,836	1,601,717	7,780,803	2025
2026	1,790,667	0	0	1,790,667	1,077,431	280,000	0	1,200,000	40,000	2,597,431	(806,764)	794,953	6,703,372	2026
2027	1,790,667	0	0	1,790,667	1,070,681	280,000	0	200,000	40,000	1,590,681	199,986	994,939	5,632,690	2027
2028	1,790,667	0	0	1,790,667	1,062,431	280,000	0	200,000	40,000	1,582,431	208,236	1,203,175	4,570,259	2028
2029	1,790,667	0	0	1,790,667	1,064,544	0	0	200,000	40,000	1,304,544	486,123	1,689,298	3,505,715	2029
2030	1,790,667	0	0	1,790,667	1,063,150	0	0	200,000	40,000	1,303,150	487,517	2,176,815	2,442,565	2030
2031	1,790,667	0	0	1,790,667	1,065,188	0	0	200,000	40,000	1,305,188	485,480	2,662,295	1,377,378	2031
2032	1,790,667	0	0	1,790,667	1,377,378	0	0	200,000	40,000	1,617,378	173,290	2,835,585	0	2032
2033	1,790,667	0	0	1,790,667	0	0	0	200,000	40,000	240,000	1,550,667	4,386,252	0	2033
2034	1,790,667	0	0	1,790,667	0	0	0	200,000	40,000	240,000	1,550,667	5,936,919	0	2034
2035	1,790,667	0	0	1,790,667	0	0	0	0	40,000	40,000	1,750,667	7,687,586	0	2035
2036	1,790,667	0	0	1,790,667	0	0	0	0	40,000	40,000	1,750,667	9,438,253	0	2036
Total	27,180,901	0	0	27,180,901	12,098,328	840,000	1,186,900	4,000,000	603,500	18,728,728				

NOTES:
Other Expenses are those included in this Plan Amendment

Final Balance (G - C): 9,438,253

SECTION 10:

Annexed Property

A tax incremental district cannot include annexed territory unless at least three years have elapsed since the annexation, or certain other requirements are met. None of the territory proposed to be added to the District was annexed during the past three years.

SECTION 11:

Estimate of Property to be Devoted to Retail Business

Pursuant to Wis. Stat. § 66.1105(5)(b), the City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period.

SECTION 12:

Proposed Changes of Zoning Ordinances, Master Plan, Map, Building Codes and City Ordinances

Zoning Ordinances

The proposed Plan Amendment is in general conformance with the City's current zoning ordinances. Individual properties may require rezoning at the time of development.

Master (Comprehensive) Plan and Map

The proposed Plan Amendment is in general conformance with the City's Comprehensive Plan identifying the area as appropriate for mixed-use development.

Building Codes and Ordinances

Development within the District will be required to conform to State Building Codes and will be subject to the City's permitting and inspection procedures.

The proposed Plan Amendment conforms to all relevant State and local ordinances, plans, and codes. No changes to the existing regulations are proposed or needed.

SECTION 13:

Statement of the Proposed Method for the Relocation of any Persons to be Displaced

Should the continued implementation of this Plan require relocation of individuals or business operations, relocations will be handled in compliance with Wis. Stat. Chapter 32 and Wis. Admin. Code ADM 92.

SECTION 14:

How Amendment of the Tax Incremental District Promotes the Orderly Development of the City

This Plan Amendment promotes the orderly development of the City by creating opportunities for mixed use development, providing necessary public infrastructure improvements, and providing appropriate financial incentives for private development projects. Through use of tax increment financing, the City can attract new investment that results in increased tax base. Development will occur in an orderly fashion in accordance with approved plans so that the Projects will be compatible with adjacent land uses. Development of new uses in the District will add to the tax base and will generate positive secondary impacts in the community such as increased employment and housing opportunities.

SECTION 15:

List of Estimated Non-Project Costs

Non-project costs are public works projects which only partly benefit the District. Costs incurred that do not benefit the District may not be paid with tax increments. Examples of non-project costs are:

- A public improvement made within the District that also benefits property outside the District. That portion of the total Project Costs allocable to properties outside of the District would be a non-project cost.
- A public improvement made outside the District that only partially benefits property within the District. That portion of the total Project Costs allocable to properties outside of the District would be a non-project cost.
- Projects undertaken within the District as part of the implementation of this Project Plan, the costs of which are paid fully or in part by impact fees, grants, special assessments, or revenues other than tax increments.

No improvements to be made within the District will benefit property outside the District. Furthermore, there will be no improvements made outside the District that will only partially benefit the District.



LEGAL DEPARTMENT

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May 23, 2023

Mayor Mitch Reynolds
City of La Crosse
400 La Crosse St
La Crosse, Wisconsin 54601

RE: Project Plan Amendment for Tax Incremental District No. 17

Dear Mayor:

Wisconsin Statute 66.1105(4)(f) requires that a project plan for a tax incremental financing district include an opinion provided by the City Attorney advising as to whether the plan is complete and complies with Wisconsin Statute 66.1105.

As City Attorney for the City of La Crosse, I have been asked to review the above-referenced project plan amendment for compliance with the applicable statutory requirements. Based upon my review, in my opinion, the amended Project Plan for the City of La Crosse Tax Incremental District No. 17 is complete and complies with the provisions of Wisconsin Statute 66.1105.

Sincerely,


Stephen F. Matty
City Attorney

SFM:blb

SECTION 17: Calculation of the Share of Projected Tax Increments Estimated to be Paid by the Owners of Property in the Overlying Taxing Jurisdictions

The following projection is provided to meet the requirements of Wis. Stat. § 66.1105(4)(i)4.

Estimated portion of taxes that owners of taxable property in each taxing jurisdiction overlaying district would pay by jurisdiction.							
Statement of Taxes Data Year:		2022				Percentage	
County		12,239,970					17.80%
Special District		0					0.00%
Municipality		51,359,729					74.70%
School District							0.00%
Technical College		5,156,687					7.50%
Total		68,756,386					

Revenue Year	County	Special District	Municipality	School District	Technical College	Total	Revenue Year
2023	318,773	0	1,337,595	0	134,299	1,790,667	2023
2024	321,961	0	1,350,971	0	135,642	1,808,574	2024
2025	325,181	0	1,364,480	0	136,998	1,826,660	2025
2026	328,433	0	1,378,125	0	138,368	1,844,926	2026
2027	331,717	0	1,391,906	0	139,752	1,863,375	2027
2028	335,034	0	1,405,826	0	141,150	1,882,009	2028
2029	338,384	0	1,419,884	0	142,561	1,900,829	2029
2030	341,768	0	1,434,083	0	143,987	1,919,838	2030
2031	345,186	0	1,448,423	0	145,427	1,939,036	2031
2032	348,638	0	1,462,908	0	146,881	1,958,426	2032
2033	352,124	0	1,477,537	0	148,350	1,978,011	2033
2034	355,645	0	1,492,312	0	149,833	1,997,791	2034
2035	359,202	0	1,507,235	0	151,331	2,017,769	2035
2036	362,794	0	1,522,308	0	152,845	2,037,946	2036
	<u>4,764,841</u>	<u>0</u>	<u>19,993,592</u>	<u>0</u>	<u>2,007,423</u>	<u>26,765,857</u>	

Notes:
The projection shown above is provided to meet the requirements of Wisconsin Statute 66.1105(4)(i)4.



CITY OF LA CROSSE

**400 La Crosse Street
La Crosse, Wisconsin 54601
(608) 789-CITY
www.cityoflacrosse.org**

LEGISLATION STAFF REPORT FOR COUNCIL

File ID Caption

Staff/Department Responsible for Legislation

Requestor of Legislation

Location, if applicable

Summary/Purpose

Background

Fiscal Impact

Staff Recommendation



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Text File

File Number: 23-0687

Agenda Date: 7/6/2023

Version: 1

Status: New Business

In Control: Finance & Personnel Committee

File Type: Resolution

Resolution approving an Amendment to the Project Plan and Boundaries of Tax Incremental District No. 18, City of La Crosse, Wisconsin.

RESOLUTION

WHEREAS, the City of La Crosse (the "City ") has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 18 (the "District") was created by the City on July 9, 2020; and

WHEREAS, the City now desires to amend the Project Plan of the District (the "Amendment") in accordance with the provisions of Wisconsin Statutes Section 66.1105 (the "Tax Increment Law"); and

WHEREAS, such Amendment will:

- a. Add territory from the District as permitted under Wisconsin Statutes Section 66.1105(4)(h)2.
- b. Amend the categories, locations, or costs of project costs to be made as permitted under Wisconsin Statutes Section 66.1105(4)(h)1.

WHEREAS, an amended Project Plan for the District has been prepared that includes:

- a. A statement listing of the kind, number and location of all proposed public works or improvements within the District, or to the extent provided in Wisconsin Statutes Sections 66.1105(2)(f)1.k. and 66.1105(2)(f)1.n., outside of the District;
- b. An economic feasibility study;
- c. A detailed list of estimated project costs;
- d. A description of the methods of financing all estimated project costs and the time when the related costs or monetary obligations are to be incurred;
- e. A map showing existing uses and conditions of real property in the District;
- f. A map showing proposed improvements and uses in the District;
- g. Proposed changes of zoning ordinances, master plan, map, building codes and City ordinances;
- h. A list of estimated non-project costs;
- i. A statement of the proposed plan for relocation of any persons to be displaced;
- j. A statement indicating how the amendment of the District promotes the orderly development of the City ;
- k. An opinion of the City Attorney or of an attorney retained by the City advising that the Project Plan is complete and complies with Wisconsin Statutes Section 66.1105(4)(f).; and

WHEREAS, prior to its publication, a copy of the notice of public hearing was sent to the chief executive officers of La Crosse County, the School District of La Crosse School District, and the Western Technical College District, and any other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, prior to its publication, a copy of the notice of public hearing was also sent to the to owners of all property in the proposed District; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on May 30, 2023 held a public hearing concerning the proposed amendment to the Project Plan and boundaries of the District, providing interested parties a reasonable opportunity to express their views thereon; and

WHEREAS, after said public hearing, the Plan Commission designated the boundaries of the amended district, adopted the Project Plan, and recommended to the Common Council that it amend the Project Plan and boundaries for the District.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of La Crosse that:

1. The boundaries of the District named "Tax Incremental District No. 18, City of La Crosse", are hereby amended as identified in Exhibit A of this Resolution.
2. The territory being added shall become part of the District effective as of January 1, 2023.
4. The Common Council finds and declares that:
 - (a) Not less than 50% by area of the real property within the District, as amended, is a blighted area within the meaning of Wisconsin Statutes Section 66.1105(2)(a)1.
 - (b) Based upon the finding stated in 3.a. above, the District was declared to be, and remains, a blighted area district based on the identification and classification of the property included within the District.
 - (c) The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District.
 - (e) The equalized value of the taxable property within the territory to be added to the District plus the value increment of all other existing tax incremental districts within the City, does not exceed 12% of the total equalized value of taxable property within the City.
 - (f) That there are no parcels to be added to the District that were annexed by the City within the preceding three-year period.
 - (g) The City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wisconsin Statutes Section 66.1105(5)(b).
 - (h) Project costs relate directly to promoting elimination of blight within the area consistent with the purpose for which the District was created.
4. The Project Plan for "Tax Incremental District No. 18, City of La Crosse" (see Exhibit B), as amended, is approved, and the City further finds the Project Plan is feasible and in conformity with the master plan of the City.

BE IT FURTHER RESOLVED THAT the City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue, in such form as may be prescribed, for a "Determination of Tax Incremental Base", as of January 1, 2023, pursuant to the provisions of Wisconsin Statutes Section 66.1105(5)(b).

BE IT FURTHER RESOLVED THAT pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes that the City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under Wisconsin Statutes Section 70.45, those parcels of property which are within the District, specifying thereon the name of the said District, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes.

Adopted this _____ day of _____, 2023.

Mayor

City Clerk

**LEGAL BOUNDARY DESCRIPTION
OR
MAP OF
TAX INCREMENTAL DISTRICT NO. 18
CITY OF LA CROSSE**

[INCLUDED WITHIN PROJECT PLAN]

PROJECT PLAN

[DISTRIBUTED SEPARATELY]

May 11, 2023

PROJECT PLAN AMENDMENT

City of La Crosse, Wisconsin

Tax Incremental District No. 18



Prepared by:

Ehlers

N19W24400 Riverwood Drive,

Suite 100

Waukesha, WI 53188

BUILDING COMMUNITIES. IT'S WHAT WE DO.

KEY DATES

Organizational Joint Review Board Meeting Held:	Scheduled for May 30
Public Hearing Held:	Scheduled for May 30
Approval by Plan Commission:	Scheduled for May 30
Adoption by Common Council:	Scheduled for July 13
Approval by the Joint Review Board:	TBD

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SECTION 1:

Executive Summary

DESCRIPTION OF DISTRICT

Tax Incremental District (“TID”) No. 18 (the “District”) is a Blighted Area District created on July 9, 2020. The District was created to:

- Provide a primary financing tool to redevelop the River Point District redevelopment area.

The project plan for the District was previously amended in 2022.

Purpose of Amendment

The purpose of this amendment, referred to hereafter as the Plan, the Amendment, or the Plan Amendment, is to:

- Add territory to the District as permitted under Wis. Stat. § 66.1105(4)(h)2. This is the first of four permitted territory amendments available to the District. The intent is to include property that is to be combined with parcels within the District’s boundaries as a result of re-platting the area. This will ensure only whole tax parcels are included in the District’s boundaries.

Estimated Total Project Cost Expenditures

The City is not seeking to amend the amount, type, or categories of projects contained in the District’s existing project plan, as amended.

Incremental Valuation

The additional property to be included within the District’s boundaries is largely comprised of City-owned property that will not be available for development purposes. The City is undergoing a re-platting of the entire area in and around the River Point District. This re-platting will result in only parts of whole tax parcels being included in the District’s boundaries, which will be non-compliance with statutory requirements. Therefore, the City is seeking to add territory primarily as a means of maintaining compliance with existing law. The City is not anticipating additional, incremental valuation as a result of this Plan Amendment.

Expected Termination of District

Based on the Economic Feasibility Study located within Section 9 of this Plan, the City anticipates that the District will generate sufficient tax increment to pay all Project Costs within its allowable 27 years.

Summary of Findings

As required by Wis. Stat. § 66.1105, and as documented in this Plan and the exhibits contained and referenced herein, the following findings are made:

1. That “but for” the creation of this District, the development projected to occur as detailed in this Plan: 1) would not occur; or 2) would not occur in the manner, at the values, or within the timeframe desired by the City. In reaching this determination, the City has considered:

The substantial investment needed to raise the area out of the floodplain, mitigate the impact of poor soils, provide the public infrastructure necessary, and establish a means to directly incentive development within the District. Absent the use of tax incremental financing, the City is unable to fully fund this program of necessary expenditures.

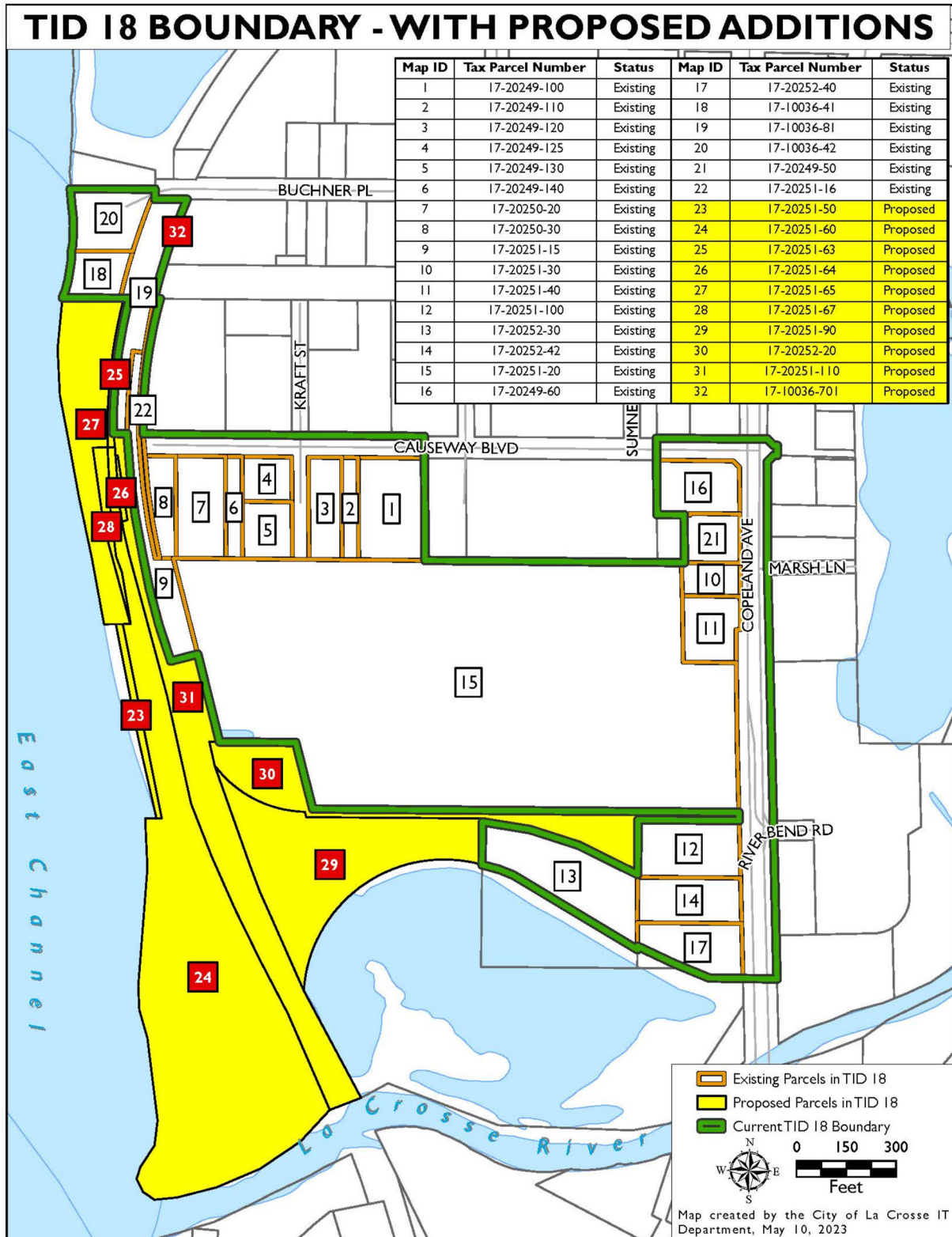
2. **The economic benefits of the District, as measured by increased employment, business and personal income, and property value, are sufficient to compensate for the cost of the improvements.**
3. **The benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions.** As required by Wis. Stat. § 66.1105(4)(i)4., a calculation of the share of projected tax increments estimated to be paid by the owners of property in the overlying taxing jurisdictions has been prepared and can be found in this Plan. However, because the Project would not occur without the use of tax incremental financing, these tax increments would not be paid but for creation of the District. Accordingly, the City finds that the benefits expected to be realized as set forth in this Plan outweigh the value of the tax increments to be invested in the Project.
4. Not less than 50% by area of the real property within the District, as amended, is a blighted area as defined by Wis. Stat. § 66.1105(2)(ae)1., or was a blighted area at the time the District was created.
5. Based on the foregoing finding, the District remains designated as a blighted area district.
6. The Project Costs relate directly to the elimination of blight in the District, consistent with the purpose for which the District is created.
7. Improvements to be made in the District are likely to significantly enhance the value of substantially all of the other real property in the District.
8. The equalized value of taxable property within the territory to be added to the District, plus the incremental value of all existing tax incremental districts

within the City does not exceed 12% of the total equalized value of taxable property within the City.

9. The Plan for the District is feasible and is in conformity with the Master Plan of the City.
10. The City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wis. Stat. § 66.1105(5)(b).
11. That there are no parcels to be included within the District that were annexed by the City within the preceding three-year period.

SECTION 2: Preliminary Map of Original District Boundary and Territory to be Added

To the extent District boundaries include wetlands identified on a map prepared under Wis. Stat. § 23.32, the wetlands are excluded from the District.



SECTION 3: Map Showing Existing Uses and Conditions Within the Territory to be Added

Map Being Prepared

SECTION 4: Preliminary Identification of Parcels to be Added

Property Information										Assessment Information				Equalized Value				District Classification					District Classification			
Map Ref #	Parcel Number	Street Address	Owner	Total Acreage	Wetland Acreage	Annexed Post 1/1/04? ...indicate date	Part of Existing TID? ...indicate TID #	Land	Imp	PP	Total	Equalized Value Ratio	Land	Imp	PP	Total	Industrial (Zoned and Suitable)	Commercial/Business	Existing Residential	Newly Platted Residential	Other	Suitable for Mixed Use	Blighted	Rehab/Conservation	Vacant	
17-20251-65	100 CAUSEWAY BLVD	REDEVELOPMENT AUTHORITY OF LA CROSSE	2.42		12		0	0	0	0	100.00%	0	0	0	0						2.42	0.00				
17-20251-63	CAUSEWAY BLVD	REDEVELOPMENT AUTHORITY OF LA CROSSE	0.17		12		0	0	0	0	100.00%	0	0	0	0						0.17	0.00				
17-20251-110		REDEVELOPMENT AUTHORITY OF LA CROSSE	3.79	X	12		0	0	0	0	100.00%	0	0	0	0						3.79	0.00				
17-20251-60	100 CAUSEWAY BLVD	REDEVELOPMENT AUTHORITY OF LA CROSSE	9.26	X	12		0	0	0	0	100.00%	0	0	0	0						9.261	0.00				
17-20251-67	CAUSEWAY BLVD	REDEVELOPMENT AUTHORITY OF LA CROSSE	0.27		12		0	0	0	0	100.00%	0	0	0	0						0.271	0.00				
17-20251-64	CAUSEWAY BLVD	REDEVELOPMENT AUTHORITY OF LA CROSSE	0.06		12		0	0	0	0	100.00%	0	0	0	0						0.06	0.00				
17-20251-50	35 COPELAND AVE	REDEVELOPMENT AUTHORITY OF LA CROSSE	0.315		12		0	0	0	0	100.00%	0	0	0	0						0.32	0.00				
17-20252-20	25 COPELAND AVE	REDEVELOPMENT AUTHORITY OF LA CROSSE	2.55		12		0	0	0	0	100.00%	0	0	0	0						2.55	0.00				
17-20251-90	29 COPELAND AVE	REDEVELOPMENT AUTHORITY OF LA CROSSE	3.78	X	12		0	0	0	0	100.00%	0	0	0	0						3.78	0.00				
17-10036-701	122 BUCHNER PL	MARTIN WAREHOUSING, LLC	1.45				251,300	1,053,600		1,304,900	100.00%	251,300	1,053,600		1,304,900		1.45				1.45			1.45	0.00	
Less Wetland Acreage				0.00																						
Total Acreage				24.07			251,300	1,053,600		1,304,900		251,300	1,053,600		1,304,900		0	1.45	0	0		1.45		1.45	0	0
The above values are as of January 1, 2022. Actual base value certification of the territory will be based on January 1, 2023 assessed values.											Estimated Base Value				1,304,900		0.00%	6.02%	0.00%	0.00%		6.02%	6.02%	0.00%	0.00%	

SECTION 5: Equalized Value Test

The following calculations demonstrate that the City expects to be in compliance with Wis. Stat. § 66.1105(4)(gm)4.c., which requires that the equalized value of the taxable property proposed to be added to the District, plus the value increment of all existing tax incremental districts, does not exceed 12% of the total equalized value of taxable property within the City.

The equalized value of the increment of existing tax incremental districts within the City, plus the value of the territory proposed to be added to the District, totals \$538,604,500. This value is less than the maximum of \$615,753,456 in equalized value that is permitted for the City.

City of La Crosse, Wisconsin	
Tax Increment District # 18	
Valuation Test Compliance Calculation	
District Creation Date	7/9/2020
	Valuation Data Currently Available 2022
Total EV (TID In)	5,131,278,800
12% Test	615,753,456
Increment of Existing TIDs	
Total Existing Increment	<u>537,299,600</u>
Projected Base of New or Amended District	1,304,900
Less Value of Any Underlying TID Parcels	0 ▲
Total Value Subject to 12% Test	<u><u>538,604,500</u></u>
Compliance	PASS

SECTION 6: Statement Listing the Kind, Number and Location of All Proposed Public Works or Improvements Within the District

Project Costs are any expenditure made, estimated to be made, or monetary obligations incurred or estimated to be incurred as outlined in this Plan. Project Costs will be diminished by any income, special assessments or other revenues, including user fees or charges, other than tax increments, received or reasonably expected to be received in connection with the implementation of the Plan. If Project Costs incurred benefit territory outside the District, a proportionate share of the cost is not a Project Cost. Costs identified in this Plan are preliminary estimates made prior to design considerations and are subject to change after planning, design and construction is completed.

With all Project Costs, the costs of engineering, design, survey, inspection, materials, construction, restoring property to its original condition, apparatus necessary for public works, legal and other consultant fees, testing, environmental studies, permits, updating ordinances and plans, judgments or claims for damages and other expenses are included as Project Costs.

The City is not seeking to amend the list, type, or categories of Project Costs as a part of this Plan Amendment. For ease of reference, a general description of eligible expenditures is set forth in the remainder of this section, although these descriptions should not be considered all-inclusive or controlling.

Property, Right-of-Way and Easement Acquisition

Property Acquisition for Development

To promote and facilitate development the City may acquire property within the District. The cost of property acquired, and any costs associated with the transaction, are eligible Project Costs. Following acquisition, other Project Costs within the categories detailed in this Section may be incurred to make the property suitable for development. Any revenue received by the City from the sale of property acquired pursuant to the execution of this Plan will be used to reduce the total project costs of the District. If total Project Costs incurred by the City to acquire property and make it suitable for development exceed the revenues or other consideration received from the sale or lease of that property, the net amount shall be considered “real property assembly costs” as defined in Wis. Stat. § 66.1105(2)(f)1.c., and subject to recovery as an eligible Project Cost.

Property Acquisition for Conservancy

To promote the objectives of this Plan, the City may acquire property within the District that it will designate for conservancy. These conservancy objectives include: preserving historic resources or sensitive natural features; protection of scenic and historic views; maintaining habitat for wildlife; maintaining adequate open space; reduction of erosion and sedimentation by preserving existing vegetation; and providing adequate areas for management of stormwater. The cost of property acquired for conservancy, and any costs associated with the transaction, are eligible Project Costs.

Acquisition of Rights-of-Way

The City may need to acquire property to allow for installation of streets, driveways, sidewalks, utilities, stormwater management practices and other public infrastructure. Costs incurred by the City to identify, negotiate and acquire rights-of-way are eligible Project Costs.

Acquisition of Easements

The City may need to acquire temporary or permanent easements to allow for installation and maintenance of streets, driveways, sidewalks, utilities, stormwater management practices and other public infrastructure. Costs incurred by the City to identify, negotiate and acquire easement rights are eligible Project Costs.

Relocation Costs

If relocation expenses are incurred in conjunction with the acquisition of property, those expenses are eligible Project Costs. These costs may include but are not limited to: preparation of a relocation plan; allocations of staff time; legal fees; publication of notices; obtaining appraisals; and payment of relocation benefits as required by Wis. Stat. Chapter 32 and Wis. Admin. Code ADM 92.

Site Preparation Activities

Environmental Audits and Remediation

If it becomes necessary to evaluate any land or improvement within the District, any cost incurred by the City related to environmental audits, testing, and remediation are eligible Project Costs.

Demolition

To make sites suitable for development, the City may incur costs related to demolition and removal of structures or other land improvements, to include abandonment of wells or other existing utility services.

Site Grading

Land within the District may require grading to make it suitable for development, to provide access, and to control stormwater runoff. The City may need to remove and dispose of excess material, or bring in fill material to provide for proper site elevations. Expenses incurred by the City for site grading are eligible Project Costs.

Utilities

Sanitary Sewer System Improvements

To allow development to occur, the City may need to construct, alter, rebuild or expand sanitary sewer infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: collection mains; manholes and cleanouts; service laterals; force mains; interceptor sewers; pumping stations; lift stations; wastewater treatment facilities; and all related appurtenances. To the extent sanitary sewer projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand sanitary sewer infrastructure located outside of the District. That portion of the costs of sanitary sewer system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

Water System Improvements

To allow development to occur, the City may need to construct, alter, rebuild or expand water system infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: distribution mains; manholes and valves; hydrants; service laterals; pumping stations; wells; water treatment facilities; storage tanks and reservoirs; and all related appurtenances. To the extent water system projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the

implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand water system infrastructure located outside of the District. That portion of the costs of water system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

Stormwater Management System Improvements

Development within the District will cause stormwater runoff. To manage this stormwater runoff, the City may need to construct, alter, rebuild or expand stormwater management infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: stormwater collection mains; inlets, manholes and valves; service laterals; ditches; culvert pipes; box culverts; bridges; stabilization of stream and river banks; and infiltration, filtration and detention Best Management Practices (BMP's). To the extent stormwater management system projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand stormwater management infrastructure located outside of the District. That portion of the costs of stormwater management system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

Electric Service

To create sites suitable for development, the City may incur costs to provide, relocate or upgrade electric services. Relocation may require abandonment and removal of existing poles or towers, installation of new poles or towers, or burying of overhead electric lines. Costs incurred by the City to undertake this work are eligible Project Costs.

Gas Service

To create sites suitable for development, the City may incur costs to provide, relocate or upgrade gas mains and services. Costs incurred by the City to undertake this work are eligible Project Costs.

Communications Infrastructure

To create sites suitable for development, the City may incur costs to provide, relocate or upgrade infrastructure required for voice and data communications, including, but not limited to: telephone lines, cable lines and fiber optic cable. Costs incurred by the City to undertake this work are eligible Project Costs.

Streets and Streetscape

Street Improvements

To allow development to occur, the City may need to construct or reconstruct streets, highways, alleys, access drives and parking areas. Eligible Project Costs include, but are not limited to: excavation; removal or placement of fill; construction of road base; asphalt or concrete paving or repaving; installation of curb and gutter; installation of sidewalks and bicycle lanes; installation of culverts, box culverts and bridges; rail crossings and signals; utility relocation, to include burying overhead utility lines; street lighting; installation of traffic control signage and traffic signals; pavement marking; right-of-way restoration; installation of retaining walls; and installation of fences, berms, and landscaping.

Streetscaping and Landscaping

To attract development consistent with the objectives of this Plan, the City may install amenities to enhance development sites, rights-of-way and other public spaces. These amenities include but are not limited to: landscaping; lighting of streets, sidewalks, parking areas and public areas; installation of planters, benches, clocks, tree rings, trash receptacles and similar items; and installation of brick or other decorative walks, terraces and street crossings. These and any other similar amenities installed by the City are eligible Project Costs.

Community Development

Cash Grants (Development Incentives)

The City may enter into agreements with property owners, lessees, or developers of land located within the District for sharing costs to encourage the desired kind of improvements and assure tax base is generated sufficient to recover Project Costs. No cash grants will be provided until the City executes a developer agreement with the recipient of the cash grant. Any payments of cash grants made by the City are eligible Project Costs.

Contribution to Redevelopment Authority (RDA)

As provided for in Wis. Stat. § 66.1105(2)(f)1.h and Wis. Stat. § 66.1333(13), the City may provide funds to its RDA to be used for administration, planning

operations, and capital costs, including but not limited to real property acquisition, related to the purposes for which it was established in furtherance of any redevelopment or urban renewal project. Funds provided to the RDA for this purpose are eligible Project Costs.

Revolving Loan/Grant Program (Development Incentives)

To encourage private development consistent with the objectives of this Plan, the City, through its RDA, may provide loans or grants to eligible property owners in the District. Eligible improvements will be those that are likely to improve the value of the property, enhance the visual appearance of the property and surrounding area, correct safety deficiencies, or as otherwise specified by the RDA in the program manual. Any funds returned to the RDA from the repayment of loans made are not considered revenues to the District and will not be used to offset District Project Costs. Instead, these funds may be placed into a revolving fund and will continue to be used for the program purposes stated above. Any funds provided to the RDA for purposes of implementing this program are considered eligible Project Costs.

Miscellaneous

Professional Service and Organizational Costs

The costs of professional services rendered, and other costs incurred, in relation to the creation, administration and termination of the District, and the undertaking of the projects contained within this Plan, are eligible Project Costs. Professional services include but are not limited to: architectural; environmental; planning; engineering; legal; audit; financial; and the costs of informing the public with respect to the creation of the District and the implementation of the Plan.

Administrative Costs

The City may charge to the District as eligible Project Costs reasonable allocations of administrative costs, including, but not limited to, employee salaries. Costs allocated will bear a direct connection to the time spent by City employees relating to the implementation of the Plan.

Financing Costs

Interest expense, debt issuance expenses, redemption premiums, and any other fees and costs incurred in conjunction with obtaining financing for projects undertaken under this Plan are eligible Project Costs.

SECTION 7: Map Showing Proposed Improvements and Uses Within the Territory to be Added

There are no additional improvements as a result of this Plan Amendment.

SECTION 8: Detailed List of Estimated Project Costs

This Plan Amendment incorporates by reference the adopted Project Plan for the District, as amended.

SECTION 9: Economic Feasibility Study, Description of the Methods of Financing Estimated Project Costs and the Time When Related Costs or Monetary Obligations are to be Incurred

This Section includes a current forecast of the District's tax increment collections, a summary of how remaining Project Costs would be financed, and a projected cash flow demonstrating that the District remains economically feasible. This Amendment is Primarily being undertaken to include property that is to be combined with parcels within the District's boundaries as a result of re-platting the area. This will ensure only whole tax parcels are included in the District's boundaries.

Key Assumptions

Assuming the City's current equalized TID Interim tax rate of \$23.38 per thousand of equalized value, no economic appreciation or depreciation, anticipated expenditures of the District, existing financing arrangements, and including transfers from eligible donor districts, the District would generate \$59,378,090 in incremental tax revenue over the 27-year term of the District as shown in **Table 1**.

Table 1 – Tax Increment Projection & Cash Flow Worksheet

City of La Crosse, WI																										
Tax Increment District No. 18																										
Cash Flow Projection																										
Year	REVENUES										EXPENDITURES											BALANCES		Year		
	Tax Increments	TID 11 Donor Revenues	TID 13 Donor Revenues	TID 14 Donor Revenues	TID 15 Donor Revenues	TID 16 Donor Revenues	TID 17 Donor Revenues	Land Sale Proceeds	Debt Proceeds	Total Revenues	Phase I Fill RDA Rev \$3,000,000 2021	Causeway / A RDA Rev \$3,890,000 2022	Phase III Streets B-G \$8,750,000 2023	Phase III Streets C, D, F \$1,750,000 2024	Develop. Incentives	Master Developer Pmts.	Valuation Success Fees	Property Acquisition	Capital Costs	Operating Costs	Engineering, etc.	Admin.	Total Expenditures		Annual	Cumulative
2020											1.89% Int. Only	2.75% Int. Only Estimated	3.50% Int. Only	3.50% Int. Only									0	0	(9,409)	2020
2021	0	0	2,000,000	0	0	0	0	3,000,000	5,000,000						0		1,000,000	3,000,000	100,000	868,200	20,000	3,988,200	1,011,800	1,002,391	2021	
2022	14,415	0	4,600,000	4,000,000	0	0	0	3,890,000	12,504,415	55,598								11,600,000	100,000	716,000	20,000	13,491,598	(987,182)	15,209	2022	
2023	0	0	600,000	1,000,000	0	0	0	8,750,000	10,350,000	56,700	103,409							9,750,000	100,000		20,000	10,030,109	319,891	335,100	2023	
2024	0	0	325,000	1,500,000	0	0	0	1,750,000	3,575,000	56,700	106,975	306,250			50,000			3,250,000	100,000		20,000	3,889,925	(314,925)	20,175	2024	
2025	0	0	175,000	1,000,000	0	0	0	0	1,175,000	56,700	106,975	306,250	61,250						100,000		20,000	651,175	523,825	544,000	2025	
2026	0	0	3,176,700	750,000	0	0	0	0	3,926,700	3,056,700	106,975	306,250	61,250						100,000		20,000	3,651,175	275,525	819,525	2026	
2027	0	0	3,996,975	750,000	0	0	0	0	4,746,975		3,996,975	306,250	61,250						100,000		20,000	4,484,475	262,500	1,082,025	2027	
2028	0	0	9,200,000	0	0	0	0	0	9,200,000			9,056,250	61,250						100,000		20,000	9,237,500	(37,500)	1,044,525	2028	
2029	0	0	2,000,000	0	0	0	0	0	2,000,000				1,811,250		100,000				100,000		20,000	2,031,250	(31,250)	1,013,275	2029	
2030	0	0	6,900,000	0	0	0	0	0	6,900,000										100,000		20,000	6,780,000	7,793,275		2030	
2031	0	0	0	0	0	0	0	0	0										100,000		20,000	120,000	(120,000)	7,673,275	2031	
2032	0	0	0	0	0	0	0	0	0										100,000		20,000	120,000	(120,000)	7,553,275	2032	
2033	0	0	0	0	0	0	0	0	0										100,000		20,000	120,000	(120,000)	7,433,275	2033	
2034	0	0	0	0	0	0	0	0	0										100,000		20,000	120,000	(120,000)	7,313,275	2034	
2035	0	0	0	0	0	0	0	0	0												20,000	20,000	(20,000)	7,293,275	2035	
2036	0	0	0	0	0	0	0	0	0												20,000	20,000	(20,000)	7,273,275	2036	
2037	0	0	0	0	0	0	0	0	0												20,000	20,000	(20,000)	7,253,275	2037	
2038	0	0	0	0	0	0	0	0	0												20,000	20,000	(20,000)	7,233,275	2038	
2039	0	0	0	0	0	0	0	0	0												20,000	20,000	(20,000)	7,213,275	2039	
2040	0	0	0	0	0	0	0	0	0												20,000	20,000	(20,000)	7,193,275	2040	
2041	0	0	0	0	0	0	0	0	0												20,000	20,000	(20,000)	7,173,275	2041	
2042	0	0	0	0	0	0	0	0	0												20,000	20,000	(20,000)	7,153,275	2042	
2043	0	0	0	0	0	0	0	0	0												20,000	20,000	(20,000)	7,133,275	2043	
2044	0	0	0	0	0	0	0	0	0												20,000	20,000	(20,000)	7,113,275	2044	
2045	0	0	0	0	0	0	0	0	0												20,000	20,000	(20,000)	7,093,275	2045	
2046	0	0	0	0	0	0	0	0	0												20,000	20,000	(20,000)	7,073,275	2046	
2047	0	0	0	0	0	0	0	0	0												20,000	20,000	(20,000)	7,053,275	2047	
2048	0	0	0	0	0	0	0	0	0												20,000	20,000	(20,000)	7,033,275	2048	
Total	14,415	0	32,973,675	9,000,000	0	0	0	17,390,000	59,378,090	3,282,398	4,421,309	10,281,250	2,056,250	0	150,000	0	1,000,000	27,600,000	1,400,000	1,584,200	560,000	52,335,407			Total	

Notes:
 * Donor TID revenues are estimated based on projected expenditure requirements. Revenue can be shared from any eligible donor TID.
 * Borrowed proceeds are not shown as revenues. Expenditures are shown net of costs funded from borrowed proceeds.
 * Eligible Donor TIDs: 11, 13, 14, 15, 16, 17

Financing and Implementation

The District's financing plan will not change as a result of this Amendment. The City, by and through its RDA, has established debt financing for capital improvement projects throughout the District. The City has also amended various other tax increment districts to allow for the sharing of positive tax increments with the District.

Based on the Project Cost expenditures as included within the cash flow exhibit (**Table 1**), the District is projected to accumulate sufficient funds to pay off all Project cost liabilities and obligations. The projected closure date cannot be presently forecasted with confidence and would be based on the various assumptions noted in this Plan and will vary dependent on actual Project Costs incurred and the actual amount of tax increments collected.

SECTION 10:

Annexed Property

A tax incremental district cannot include annexed territory unless at least three years have elapsed since the annexation, or certain other requirements are met. None of the territory proposed to be added to the District was annexed during the past three years.

SECTION 11:

Estimate of Property to be Devoted to Retail Business

Pursuant to Wis. Stat. § 66.1105(5)(b), the City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period.

SECTION 12:

Proposed Changes of Zoning Ordinances, Master Plan, Map, Building Codes and City Ordinances

Zoning Ordinances

The proposed Plan Amendment is in general conformance with the City's current zoning ordinances. Individual properties may require rezoning at the time of development.

Master (Comprehensive) Plan and Map

The proposed Plan Amendment is in general conformance with the City's Comprehensive Plan identifying the area as appropriate for mix-use development.

Building Codes and Ordinances

Development within the District will be required to conform to State Building Codes and will be subject to the City's permitting and inspection procedures. The proposed Plan Amendment conforms to all relevant State and local ordinances, plans, and codes. No changes to the existing regulations are proposed or needed.

SECTION 13:

Statement of the Proposed Method for the Relocation of any Persons to be Displaced

Should the continued implementation of this Plan require relocation of individuals or business operations, relocations will be handled in compliance with Wis. Stat. Chapter 32 and Wis. Admin. Code ADM 92.

SECTION 14:

How Amendment of the Tax Incremental District Promotes the Orderly Development of the City

This Plan Amendment promotes the orderly development of the City by creating opportunities for mixed use development, eliminating blighted areas, providing necessary public infrastructure improvements, as well as appropriate financial incentives for private development projects. Through use of tax increment financing, the City can attract new investment that results in increased tax base. Development will occur in an orderly fashion in accordance with approved plans so that the Projects will be compatible with adjacent land uses. Development of new uses in the District will add to the tax base and will generate positive secondary impacts in the community such as increased employment and housing opportunities.

SECTION 15:

List of Estimated Non-Project Costs

Non-project costs are public works projects which only partly benefit the District. Costs incurred that do not benefit the District may not be paid with tax increments. Examples of non-project costs are:

- A public improvement made within the District that also benefits property outside the District. That portion of the total Project Costs allocable to properties outside of the District would be a non-project cost.
- A public improvement made outside the District that only partially benefits property within the District. That portion of the total Project Costs allocable to properties outside of the District would be a non-project cost.
- Projects undertaken within the District as part of the implementation of this Project Plan, the costs of which are paid fully or in part by impact fees, grants, special assessments, or revenues other than tax increments.

No improvements to be made within the District will benefit property outside the District. Furthermore, there will be no improvements made outside the District that will only partially benefit the District.



LEGAL DEPARTMENT

City of La Crosse, Sixth Floor City Hall
400 La Crosse Street, La Crosse, WI 54601
Ph: 608.789.7511 Fax: 608.789.7390
Email: attorney@cityoflacrosse.org

Stephen F. Matty
City Attorney

Krista A. Gallager
Deputy City Attorney

Ellen R. Atterbury
Assistant City Attorney

May 23, 2023

Mayor Mitch Reynolds
City of La Crosse
400 La Crosse St
La Crosse, Wisconsin 54601

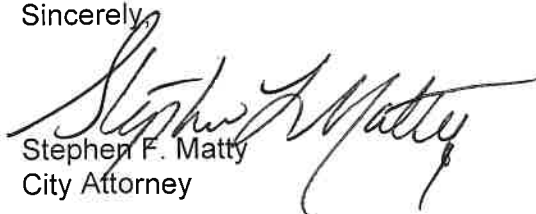
RE: Project Plan Amendment for Tax Incremental District No. 18

Dear Mayor:

Wisconsin Statute 66.1105(4)(f) requires that a project plan for a tax incremental financing district include an opinion provided by the City Attorney advising as to whether the plan is complete and complies with Wisconsin Statute 66.1105.

As City Attorney for the City of La Crosse, I have been asked to review the above-referenced project plan amendment for compliance with the applicable statutory requirements. Based upon my review, in my opinion, the amended Project Plan for the City of La Crosse Tax Incremental District No. 18 is complete and complies with the provisions of Wisconsin Statute 66.1105.

Sincerely,



Stephen F. Matty
City Attorney

SFM:blb

SECTION 17: Calculation of the Share of Projected Tax Increments Estimated to be Paid by the Owners of Property in the Overlying Taxing Jurisdictions

The following projection is provided to meet the requirements of Wis. Stat. § 66.1105(4)(i)4. The District is presently in decrement and collects no tax increment in 2023.

Estimated portion of taxes that owners of taxable property in each taxing jurisdiction overlaying district would pay by jurisdiction.							
Statement of Taxes Data Year:		2022		Percentage			
County		12,239,970				17.80%	
Special District		0				0.00%	
Municipality		51,359,729				74.70%	
School District						0.00%	
Technical College		5,156,687				7.50%	
Total		68,756,386					
Revenue Year	County	Special District	Municipality	School District	Technical College	Total	Revenue Year
2023	0	0	0	0	0	0	2023
2024	0	0	0	0	0	0	2024
2025	0	0	0	0	0	0	2025
2026	0	0	0	0	0	0	2026
2027	0	0	0	0	0	0	2027
2028	0	0	0	0	0	0	2028
2029	0	0	0	0	0	0	2029
2030	0	0	0	0	0	0	2030
2031	0	0	0	0	0	0	2031
2032	0	0	0	0	0	0	2032
2033	0	0	0	0	0	0	2033
2034	0	0	0	0	0	0	2034
2035	0	0	0	0	0	0	2035
2036	0	0	0	0	0	0	2036
2037	0	0	0	0	0	0	2037
2038	0	0	0	0	0	0	2038
2039	0	0	0	0	0	0	2039
2040	0	0	0	0	0	0	2040
2041	0	0	0	0	0	0	2041
2042	0	0	0	0	0	0	2042
2043	0	0	0	0	0	0	2043
2044	0	0	0	0	0	0	2044
2045	0	0	0	0	0	0	2045
2046	0	0	0	0	0	0	2046
2047	0	0	0	0	0	0	2047
2048	0	0	0	0	0	0	2048
		0	0	0	0	0	0

Notes:
The projection shown above is provided to meet the requirements of Wisconsin Statute 66.1105(4)(i)4.



CITY OF LA CROSSE

**400 La Crosse Street
La Crosse, Wisconsin 54601
(608) 789-CITY
www.cityoflacrosse.org**

LEGISLATION STAFF REPORT FOR COUNCIL

File ID Caption

Staff/Department Responsible for Legislation

Requestor of Legislation

Location, if applicable

Summary/Purpose

Background

Fiscal Impact

Staff Recommendation



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Text File

File Number: 23-0688

Agenda Date: 7/6/2023

Version: 1

Status: New Business

In Control: Finance & Personnel Committee

File Type: Resolution

Resolution Creating Tax Incremental District No. 21, Approving Its Project Plan and Establishing Its Boundaries, City of La Crosse, Wisconsin.

Resolution

WHEREAS, the City of La Crosse (the "City") has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 21 (the "District") is proposed to be created by the City as a district in need of rehabilitation or conservation work in accordance with the provisions of Wisconsin Statutes Section 66.1105 (the "Tax Increment Law"); and

WHEREAS, a Project Plan for the District has been prepared that includes:

- a. A statement listing of the kind, number and location of all proposed public works or improvements within the District, or to the extent provided in Wisconsin Statutes Sections 66.1105(2)(f)1.k. and 66.1105(2)(f)1.n., outside of the District;
 - b. An economic feasibility study;
 - c. A detailed list of estimated project costs;
 - d. A description of the methods of financing all estimated project costs and the time when the related costs or monetary obligations are to be incurred;
 - e. A map showing existing uses and conditions of real property in the District;
 - f. A map showing proposed improvements and uses in the District;
 - g. Proposed changes of zoning ordinances, master plan, map, building codes and City ordinances;
 - h. A list of estimated non-project costs;
 - i. A statement of the proposed plan for relocation of any persons to be displaced;
 - j. A statement indicating how the District promotes the orderly development of the City;
 - k. An opinion of the City Attorney or of an attorney retained by the City advising that the plan is complete and complies with Wisconsin Statutes Section 66.1105(4)(f).;
- and

WHEREAS, prior to its publication, a copy of the notice of public hearing was sent to the chief executive officers of La Crosse County, the School District of La Crosse School District, and the Western Technical College District, and any other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, prior to its publication, a copy of the notice of public hearing was also sent to the to owners of all property in the proposed District; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on May 30, 2023 held a public hearing concerning the project plan and boundaries and proposed creation of the District, providing interested parties a reasonable opportunity to express their views thereon; and

WHEREAS, after said public hearing, the Plan Commission designated the boundaries of the District, adopted the Project Plan, and recommended to the Common Council that it create such District and approve the Project Plan.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of La Crosse that:

1. The boundaries of the District that shall be named "Tax Incremental District No. 21, City of La Crosse", are hereby established as specified in Exhibit A of this Resolution.
2. The District is created effective as of January 1, 2023.
3. The Common Council finds and declares that:
 - (a) Not less than 50% by area of the real property within the District is in need of rehabilitation or conservation work within the meaning of Wisconsin Statutes Section 66.1337(2m)(b).
 - (b) Based upon the finding stated in 3.a. above, the District is declared to be a district in need of rehabilitation or conservation work within the District.
 - (c) The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District.
 - (d) The equalized value of the taxable property in the District plus the value increment of all other existing tax incremental districts within the City, does not exceed 12% of the total equalized value of taxable property within the City.
 - (e) That there are no parcels to be included within the District that were annexed by the City within the preceding three-year period.
 - (f) The City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wisconsin Statutes Section 66.1105(5)(b).
 - (g) The project costs relate directly to promoting the rehabilitation or conservation of the area consistent with the purpose for which the District is created.
4. The Project Plan for "Tax Incremental District No. 21, City of La Crosse" (see Exhibit B) is approved, and the City further finds the Plan is feasible and in conformity with the master plan of the City.

BE IT FURTHER RESOLVED THAT the City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue, in such form as may be prescribed, for a "Determination of Tax Incremental Base", as of January 1, 2023, pursuant to the provisions of Wisconsin Statutes Section 66.1105(5)(b).

BE IT FURTHER RESOLVED THAT pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes that the City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under Wisconsin Statutes Section 70.45, those parcels of property which are within the District, specifying thereon the name of the said District, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes.

Adopted this _____ day of _____, 2023.

Mayor

City Clerk

EXHIBIT A -

**LEGAL BOUNDARY DESCRIPTION
OR
MAP OF
TAX INCREMENTAL DISTRICT NO. 21
CITY OF LA CROSSE**

[INCLUDED WITHIN PROJECT PLAN]

EXHIBIT B -

PROJECT PLAN

[DISTRIBUTED SEPARATELY]

May 11, 20223

PROJECT PLAN

City of La Crosse, Wisconsin

Tax Incremental District No. 21



Prepared by:

Ehlers

N19W24400 Riverwood Drive,

Suite 100

Waukesha, WI 53188

BUILDING COMMUNITIES. IT'S WHAT WE DO.

KEY DATES

Organizational Joint Review Board Meeting Held:	Scheduled for May 30
Public Hearing Held:	Scheduled for May 30
Approval by Plan Commission:	Scheduled for May 30
Adoption by Common Council:	Scheduled for July 13
Approval by the Joint Review Board:	TBD

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SECTION 1: Executive Summary

DESCRIPTION OF DISTRICT

Tax Incremental District (“TID”) No. 21 (the “District”) is a proposed In Need of Rehabilitation or Conservation District comprising approximately 2.00 acres. The District will be created to assist with the potential rehabilitation of the Lincoln Middle School, which is presently owned and operated by the La Crosse School District. The school will be decommissioned by the School District following the end of the 2022/2023 school year. The City’s goal is to preserve tax increment financing as a tool for both the rehabilitation of the school for other purposes and/or redevelopment of the site as a whole. Additionally, the City seeks to protect the character of the surrounding residential neighborhood and its associated tax base.

AUTHORITY

The City is creating the District under the provisions of Wis. Stat. § 66.1105.

ESTIMATED TOTAL PROJECT COST EXPENDITURES

The City anticipates making total expenditures of approximately \$4,350,000 (“Project Costs”) to undertake the projects listed in this Project Plan (“Plan”).

INCREMENTAL VALUATION

The City projects that new land and improvements value of approximately \$11,000,000 will result from implementation of the Project Plan. Creation of this additional value will be made possible by the Project Costs made within the District. A table detailing assumptions as to the development timing and associated values is included in the Economic Feasibility Study located within this Plan.

EXPECTED TERMINATION OF DISTRICT

Based on the Economic Feasibility Study located within Section 9 of this Plan, the City anticipates that the District will generate sufficient tax increment to pay all Project Costs within 26 of its allowable 27 years.

SUMMARY OF FINDINGS

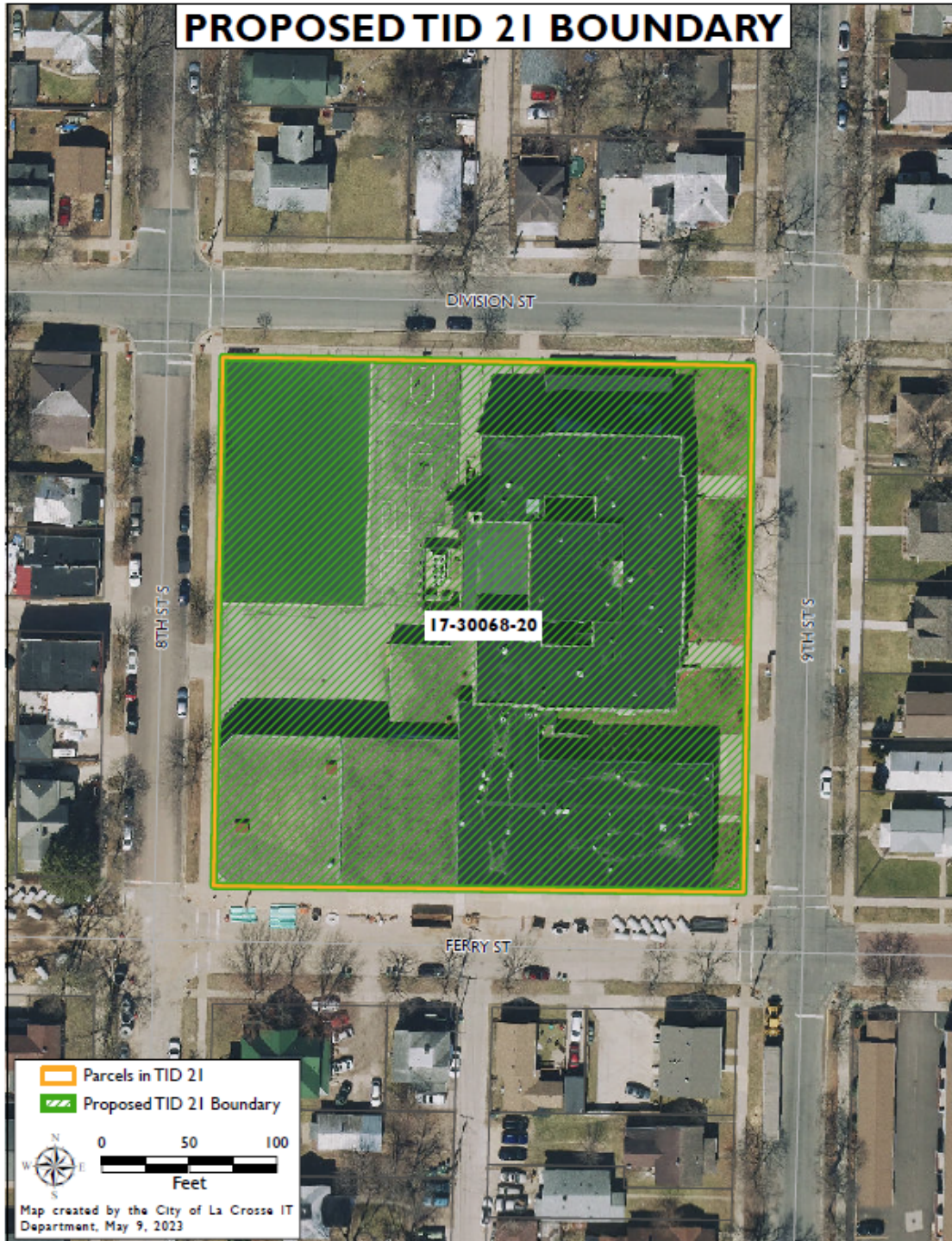
As required by Wis. Stat. § 66.1105, and as documented in this Plan and the exhibits contained and referenced herein, the following findings are made:

1. That “but for” the creation of this District, the development projected to occur as detailed in this Plan: 1) would not occur; or 2) would not occur in the manner, at the values, or within the timeframe desired by the City. In reaching this determination, the City has considered:

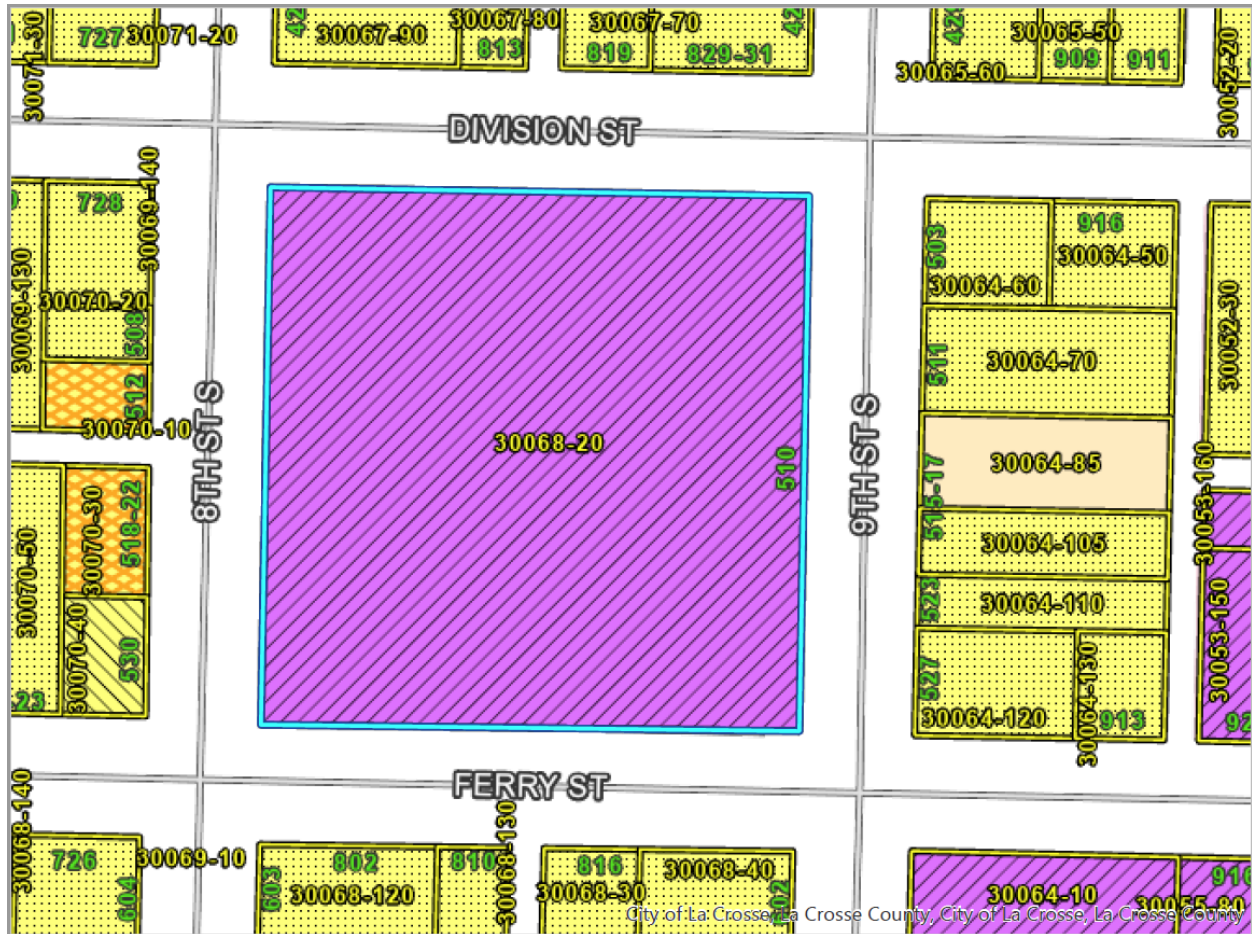
The substantial investment needed to rehabilitate the property and to allow for any additional development within the District. Absent the use of tax incremental financing, the City is unable to fully fund this program of infrastructure improvements.

2. The economic benefits of the District, as measured by increased employment, business and personal income, and property value, are sufficient to compensate for the cost of the improvements.
3. The benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions. As required by Wis. Stat. § 66.1105(4)(i)4., a calculation of the share of projected tax increments estimated to be paid by the owners of property in the overlying taxing jurisdictions has been prepared and can be found in this Plan. However, because the Project would not occur without the use of tax incremental financing, these tax increments would not be paid but for creation of the District. Accordingly, the City finds that the benefits expected to be realized as set forth in this Plan outweigh the value of the tax increments to be invested in the Project.
4. Not less than 50% by area of the real property within the District is in need of rehabilitation or conservation work as defined by Wis. Stat. § 66.1337(2m)(a).
5. Based on the foregoing finding, the District is designated as a district in need of rehabilitation or conservation.
6. The Project Costs relate directly to the rehabilitation or conservation of property and improvements in the District, consistent with the purpose for which the District is created.
7. Improvements to be made in the District are likely to significantly enhance the value of substantially all of the other real property in the District.
8. The equalized value of taxable property in the District, plus the incremental value of all existing tax incremental districts within the City does not exceed 12% of the total equalized value of taxable property within the City.
9. The City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wis. Stat. § 66.1105(5)(b).
10. That there are no parcels to be included within the District that were annexed by the City within the preceding three-year period.

SECTION 2: Preliminary Map of Proposed District Boundary



SECTION 3: Map Showing Existing Uses and Conditions



The property is presently entirely used as an Middle school. The parcel is zoned “Public and Semi Public,” and all surrounding property is zoned for residential use.

SECTION 4: Preliminary Parcel List and Analysis

City of La Crosse, Wisconsin																									
Tax Increment District # 21																									
Base Property Information																									
Property Information								Assessment Information				Equalized Value				District Classification									
Map Ref #	Parcel Number	Street Address	Owner	Total Acreage	Wetland Acreage	Annexed Post 1/1/04? ...indicate date	Part of Existing TID? ...indicate TID #	Land	Imp	PP	Total	Equalized Value Ratio	Land	Imp	PP	Total	Industrial (Zoned and Suitable)	Commercial/Business	Existing Residential	Newly Platted Residential	Other	Suitable for Mixed Use	Blighted	Rehab/Conservation	Vacant
17-30068-20		807 EAST AVE S	SCHOOL DISTRICT OF LA CROSSE	2.07	0.00	No	No	0	0		0	100.00%	0	0	0	0						2.07		2.07	
											0	100.00%	0	0	0	0						0.00			
											0	100.00%	0	0	0	0						0.00			
											0	100.00%	0	0	0	0						0.00			
Less Wetland Acreage				0.00																					
Total Acreage				2.07				0	0	0	0		0	0	0	0	0.00%	0.00%	0.00%	0.00%	0	0.00%	2.066	0.00%	
The above values are as of January 1, 2022. Actual base value certification of the territory will be based on January 1, 2023 assessed values.											Estimated Base Value				0										

SECTION 5: Equalized Value Test

The following calculations demonstrate that the City expects to be in compliance with Wis. Stat. § 66.1105(4)(gm)4.c., which requires that the equalized value of the taxable property in the proposed District, plus the value increment of all existing tax incremental districts, does not exceed 12% of the total equalized value of taxable property within the City.

The equalized value of the increment of existing tax incremental districts within the City, plus the base value of the proposed District, totals \$537,299,600. This value is less than the maximum \$615,753,456 in equalized value that is permitted for the City.

City of La Crosse, Wisconsin	
Tax Increment District # 21	
Valuation Test Compliance Calculation	
District Creation Date	7/13/2023
	Valuation Data Currently Available 2022
Total EV (TID In)	5,131,278,800
12% Test	615,753,456
Increment of Existing TIDs	
Total Existing Increment	<u>537,299,600</u>
Projected Base of New or Amended District	0
Less Value of Any Underlying TID Parcels	0 [▼]
Total Value Subject to 12% Test	<u><u>537,299,600</u></u>
Compliance	PASS

SECTION 6: Statement Listing the Kind, Number and Location of All Proposed Public Works or Improvements Within the District

Project Costs are any expenditure made, estimated to be made, or monetary obligations incurred or estimated to be incurred as outlined in this Plan. Project Costs will be diminished by any income, special assessments or other revenues, including user fees or charges, other than tax increments, received or reasonably expected to be received in connection with the implementation of the Plan. If Project Costs incurred benefit territory outside the District, a proportionate share of the cost is not a Project Cost. Costs identified in this Plan are preliminary estimates made prior to design considerations and are subject to change after planning, design and construction is completed.

With all Project Costs, the costs of engineering, design, survey, inspection, materials, construction, restoring property to its original condition, apparatus necessary for public works, legal and other consultant fees, testing, environmental studies, permits, updating City ordinances and plans, judgments or claims for damages and other expenses are included as Project Costs.

The following is a list of public works and other tax incremental financing eligible Project Costs that the City expects to make, or may need to make, in conjunction with the implementation of the District's Plan. The map found in Section 7 of this Plan along with the Detailed List of Project Costs found in Section 8 provide additional information as to the kind, number and location of potential Project Costs.

Property, Right-of-Way and Easement Acquisition

Property Acquisition for Development

To promote and facilitate development the City may acquire property within the District. The cost of property acquired, and any costs associated with the transaction, are eligible Project Costs. Following acquisition, other Project Costs within the categories detailed in this Section may be incurred to make the property suitable for development. Any revenue received by the City from the sale of property acquired pursuant to the execution of this Plan will be used to reduce the total project costs of the District. If total Project Costs incurred by the City to acquire property and make it suitable for development exceed the revenues or other consideration received from the sale or lease of that property, the net amount shall be considered "real property assembly costs" as

defined in Wis. Stat. § 66.1105(2)(f)1.c., and subject to recovery as an eligible Project Cost.

Property Acquisition for Conservancy

To promote the objectives of this Plan, the City may acquire property within the District that it will designate for conservancy. These conservancy objectives include: preserving historic resources or sensitive natural features; protection of scenic and historic views; maintaining habitat for wildlife; maintaining adequate open space; reduction of erosion and sedimentation by preserving existing vegetation; and providing adequate areas for management of stormwater. The cost of property acquired for conservancy, and any costs associated with the transaction, are eligible Project Costs.

Acquisition of Rights-of-Way

The City may need to acquire property to allow for installation of streets, driveways, sidewalks, utilities, stormwater management practices and other public infrastructure. Costs incurred by the City to identify, negotiate and acquire rights-of-way are eligible Project Costs.

Acquisition of Easements

The City may need to acquire temporary or permanent easements to allow for installation and maintenance of streets, driveways, sidewalks, utilities, stormwater management practices and other public infrastructure. Costs incurred by the City to identify, negotiate and acquire easement rights are eligible Project Costs.

Relocation Costs

If relocation expenses are incurred in conjunction with the acquisition of property, those expenses are eligible Project Costs. These costs may include, but are not limited to: preparation of a relocation plan; allocations of staff time; legal fees; publication of notices; obtaining appraisals; and payment of relocation benefits as required by Wis. Stat. Chapter 32 and Wis. Admin. Code ADM 92.

Site Preparation Activities

Environmental Audits and Remediation

If it becomes necessary to evaluate any land or improvement within the District, any cost incurred by the City related to environmental audits, testing, and remediation are eligible Project Costs.

Demolition

To make sites suitable for development, the City may incur costs related to demolition and removal of structures or other land improvements, to include abandonment of wells or other existing utility services.

Site Grading

Land within the District may require grading to make it suitable for development, to provide access, and to control stormwater runoff. The City may need to remove and dispose of excess material, or bring in fill material to provide for proper site elevations. Expenses incurred by the City for site grading are eligible Project Costs.

Utilities

Sanitary Sewer System Improvements

To allow development to occur, the City may need to construct, alter, rebuild or expand sanitary sewer infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: collection mains; manholes and cleanouts; service laterals; force mains; interceptor sewers; pumping stations; lift stations; wastewater treatment facilities; and all related appurtenances. To the extent sanitary sewer projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand sanitary sewer infrastructure located outside of the District. That portion of the costs of sanitary sewer system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

Water System Improvements

To allow development to occur, the City may need to construct, alter, rebuild or expand water system infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: distribution mains; manholes and valves; hydrants; service laterals; pumping stations; wells; water treatment facilities; storage tanks and reservoirs; and all related appurtenances. To the extent water system projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or

expand water system infrastructure located outside of the District. That portion of the costs of water system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

Stormwater Management System Improvements

Development within the District will cause stormwater runoff. To manage this stormwater runoff, the City may need to construct, alter, rebuild or expand stormwater management infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: stormwater collection mains; inlets, manholes and valves; service laterals; ditches; culvert pipes; box culverts; bridges; stabilization of stream and river banks; and infiltration, filtration and detention Best Management Practices (BMP's). To the extent stormwater management system projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand stormwater management infrastructure located outside of the District. That portion of the costs of stormwater management system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

Electric Service

To create sites suitable for development, the City may incur costs to provide, relocate or upgrade electric services. Relocation may require abandonment and removal of existing poles or towers, installation of new poles or towers, or burying of overhead electric lines. Costs incurred by the City to undertake this work are eligible Project Costs.

Gas Service

To create sites suitable for development, the City may incur costs to provide, relocate or upgrade gas mains and services. Costs incurred by the City to undertake this work are eligible Project Costs.

Communications Infrastructure

To create sites suitable for development, the City may incur costs to provide, relocate or upgrade infrastructure required for voice and data communications,

including, but not limited to: telephone lines, cable lines and fiber optic cable. Costs incurred by the City to undertake this work are eligible Project Costs.

Streets and Streetscape

Street Improvements

To allow development to occur, the City may need to construct or reconstruct streets, highways, alleys, access drives and parking areas. Eligible Project Costs include, but are not limited to: excavation; removal or placement of fill; construction of road base; asphalt or concrete paving or repaving; installation of curb and gutter; installation of sidewalks and bicycle lanes; installation of culverts, box culverts and bridges; rail crossings and signals; utility relocation, to include burying overhead utility lines; street lighting; installation of traffic control signage and traffic signals; pavement marking; right-of-way restoration; installation of retaining walls; and installation of fences, berms, and landscaping.

Streetscaping and Landscaping

To attract development consistent with the objectives of this Plan, the City may install amenities to enhance development sites, rights-of-way and other public spaces. These amenities include, but are not limited to: landscaping; lighting of streets, sidewalks, parking areas and public areas; installation of planters, benches, clocks, tree rings, trash receptacles and similar items; and installation of brick or other decorative walks, terraces and street crossings. These and any other similar amenities installed by the City are eligible Project Costs.

Community Development

Cash Grants (Development Incentives)

The City may enter into agreements with property owners, lessees, or developers of land located within the District for sharing costs to encourage the desired kind of improvements and assure tax base is generated sufficient to recover Project Costs. No cash grants will be provided until the City executes a developer agreement with the recipient of the cash grant. Any payments of cash grants made by the City are eligible Project Costs.

Contribution to Redevelopment Authority RDA

As provided for in Wis. Stat. § 66.1105(2)(f)1.h and Wis. Stat. § 66.1333(13), the City may provide funds to its RDA to be used for administration, planning operations, and capital costs, including but not limited to real property acquisition, related to the purposes for which it was established in furtherance of any redevelopment or urban renewal project. Funds provided to the RDA for this purpose are eligible Project Costs.

Revolving Loan/Grant Program (Development Incentives)

To encourage private development consistent with the objectives of this Plan, the City, through its RDA, may provide loans or grants to eligible property owners in the District. Eligible improvements will be those that are likely to improve the value of the property, enhance the visual appearance of the property and surrounding area, correct safety deficiencies, or as otherwise specified by the RDA in the program manual. Any funds returned to the RDA from the repayment of loans made are not considered revenues to the District, and will not be used to offset District Project Costs. Instead, these funds may be placed into a revolving fund and will continue to be used for the program purposes stated above. Any funds provided to the RDA for purposes of implementing this program are considered eligible Project Costs.

Miscellaneous

Projects Outside the Tax Increment District

Pursuant to Wis. Stat. § 66.1105(2)(f)1.n, the City may undertake projects within territory located within one-half mile of the boundary of the District provided that: 1) the project area is located within the City's corporate boundaries; and 2) the projects are approved by the Joint Review Board. The cost of projects completed outside the District pursuant to this section are eligible project costs, and may include any project cost that would otherwise be eligible if undertaken within the District. The City intends to make the following project cost expenditures outside the District:

All costs set out in Section 8 of this plan are eligible within ½ mile of the District's boundaries.

Professional Service and Organizational Costs

The costs of professional services rendered, and other costs incurred, in relation to the creation, administration and termination of the District, and the undertaking of the projects contained within this Plan, are eligible Project Costs. Professional services include but are not limited to: architectural; environmental; planning; engineering; legal; audit; financial; and the costs of informing the public with respect to the creation of the District and the implementation of the Plan.

Administrative Costs

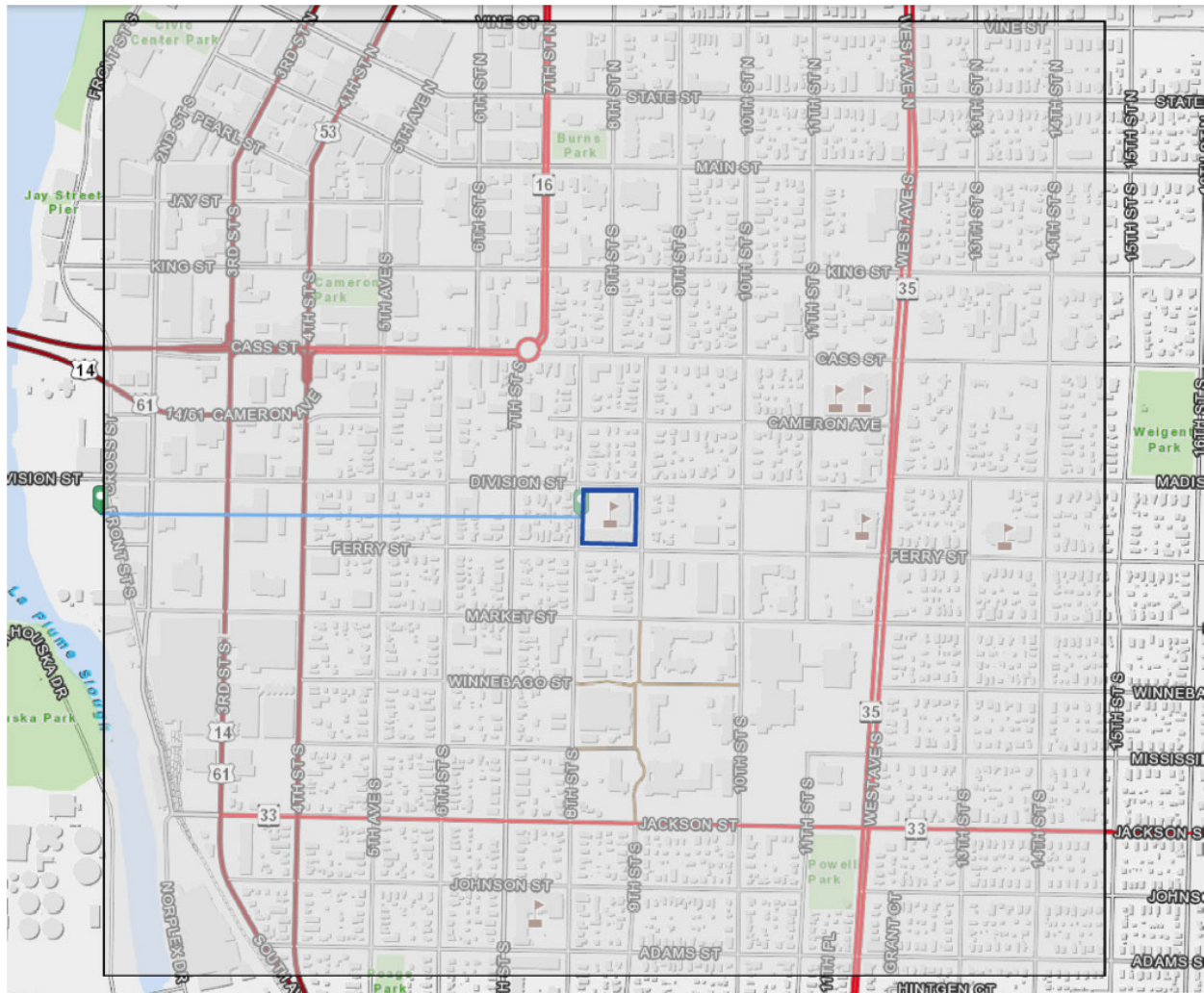
The City may charge to the District as eligible Project Costs reasonable allocations of administrative costs, including, but not limited to, employee salaries. Costs allocated will bear a direct connection to the time spent by City employees relating to the implementation of the Plan.

Financing Costs

Interest expense, debt issuance expenses, redemption premiums, and any other fees and costs incurred in conjunction with obtaining financing for projects undertaken under this Plan are eligible Project Costs.

SECTION 7: Map Showing Proposed Improvements and Uses

As a single parcel tax increment district, all projects will occur in a single location, unless within the ½ mile area, which would generally only include improvements within the surrounding right-of-way.



Boxed shaded area represents ½ mile project area

SECTION 8: Detailed List of Estimated Project Costs

The following list identifies the Project Costs that the City currently expects to incur in implementing the District’s Plan. All projects identified and related costs reflect the best estimates available as of the date of preparation of this Plan. All costs are preliminary estimates and may increase or decrease. Certain Project Costs listed may become unnecessary, and other Project Costs not currently identified may need to be made. (Section 6 details the general categories of eligible Project Costs). Changes in Project Cost totals or the types of Project Costs to be incurred will not require that this Plan be amended. This Plan is not meant to be a budget nor an appropriation of funds for specific Project Costs, but a framework within which to manage Project Costs.

City of La Crosse, Wisconsin					
Tax Increment District # 21					
Estimated Project List					
Project ID	Project Name/Type	Phase I 2024	Phase II 2025	Phase III Ongoing	Total (Note 1)
1	Property Acquisition	750,000			750,000
2	Demolition	400,000			400,000
3	Site Preparation Activities		400,000		400,000
4	Development Incentives			2,000,000	2,000,000
5	Utility Improvements		500,000		500,000
6	Administration			300,000	300,000
7					0
8					0
9					0
10					0
Total Projects		<u>1,150,000</u>	<u>900,000</u>	<u>2,300,000</u>	<u>4,350,000</u>

Notes:

- Note 1 Project costs are estimates and are subject to modification
- Note 2 Any dollars not allocated to demolition may be directed towards Development Incentives
- Note 3 All projects are eligible outside the boundaries, but within 1/2 mile of the District

SECTION 9: Economic Feasibility Study, Description of the Methods of Financing Estimated Project Costs and the Time When Related Costs or Monetary Obligations are to be Incurred

This Section includes a forecast of the valuation increases expected within the District, the associated tax increment collections, a summary of how Project Costs would be financed, and a projected cash flow demonstrating that the District is economically feasible.

Key Assumptions

Project Costs the City plans to make are expected to create \$11 million in incremental value by 2031. Estimated valuations and timing for construction of the Projects are included in **Table 1**. Assuming the City's current equalized TID Interim tax rate of \$23.38 per thousand of equalized value, and no economic appreciation or depreciation, the Projects would generate \$6,195,304 in incremental tax revenue over the 27-year term of the District as shown in **Table 2**.

Table 1 - Development Assumptions

City of La Crosse, Wisconsin
Tax Increment District # 21
Development Assumptions

Construction Year		Actual	School Site	Construction Year	
1	2023			2023	1
2	2024		6,000,000	2024	2
3	2025			2025	3
4	2026			2026	4
5	2027		3,000,000	2027	5
6	2028			2028	6
7	2029			2029	7
8	2030		2,000,000	2030	8
9	2031			2031	9
10	2032			2032	10
11	2033			2033	11
12	2034			2034	12
13	2035			2035	13
14	2036			2036	14
15	2037			2037	15
16	2038			2038	16
17	2039			2039	17
18	2040			2040	18
19	2041			2041	19
20	2042			2042	20
21	2043			2043	21
22	2044			2044	22
23	2045			2045	23
24	2046			2046	24
25	2047			2047	25
26	2048			2048	26
27	2049			2049	27
Totals		0	11,000,000		

Notes:

Values include the transition from public (non-taxable) to private (taxable) ownership of the property

Table 2 - Tax Increment Projection Worksheet

City of La Crosse, Wisconsin												
Tax Increment District # 21												
Tax Increment Projection Worksheet												
Type of District	Rehabilitation		Base Value	0								
District Creation Date	July 13, 2023		Appreciation Factor	0.00%		Apply to Base Value						
Valuation Date	Jan 1,	2023	Base Tax Rate	\$23.38								
Max Life (Years)	27		Rate Adjustment Factor									
Expenditure Period/Termination	22	7/13/2045	Tax Exempt Discount Rate	4.25%								
Revenue Periods/Final Year	27	2051	Taxable Discount Rate	5.75%								
Extension Eligibility/Years	Yes 3											
Eligible Recipient District	Yes											

Construction Year	Value Added	Valuation Year	Inflation Increment	Total Increment	Revenue Year	Tax Rate	Tax Increment	Tax Exempt NPV		
								Calculation	Taxable NPV Calculation	
1	2023	0	2024	0	2025	\$23.38	0	0	0	
2	2024	6,000,000	2025	0	6,000,000	2026	\$23.38	140,271	118,758	112,162
3	2025	0	2026	0	6,000,000	2027	\$23.38	140,271	232,675	218,226
4	2026	0	2027	0	6,000,000	2028	\$23.38	140,271	341,948	318,522
5	2027	3,000,000	2028	0	9,000,000	2029	\$23.38	210,407	499,175	460,787
6	2028	0	2029	0	9,000,000	2030	\$23.38	210,407	649,992	595,316
7	2029	0	2030	0	9,000,000	2031	\$23.38	210,407	794,660	722,530
8	2030	2,000,000	2031	0	11,000,000	2032	\$23.38	257,164	964,269	869,560
9	2031	0	2032	0	11,000,000	2033	\$23.38	257,164	1,126,964	1,008,595
10	2032	0	2033	0	11,000,000	2034	\$23.38	257,164	1,283,026	1,140,071
11	2033	0	2034	0	11,000,000	2035	\$23.38	257,164	1,432,725	1,264,398
12	2034	0	2035	0	11,000,000	2036	\$23.38	257,164	1,576,322	1,381,964
13	2035	0	2036	0	11,000,000	2037	\$23.38	257,164	1,714,065	1,493,138
14	2036	0	2037	0	11,000,000	2038	\$23.38	257,164	1,846,192	1,598,268
15	2037	0	2038	0	11,000,000	2039	\$23.38	257,164	1,972,933	1,697,681
16	2038	0	2039	0	11,000,000	2040	\$23.38	257,164	2,094,506	1,791,688
17	2039	0	2040	0	11,000,000	2041	\$23.38	257,164	2,211,124	1,880,584
18	2040	0	2041	0	11,000,000	2042	\$23.38	257,164	2,322,988	1,964,646
19	2041	0	2042	0	11,000,000	2043	\$23.38	257,164	2,430,291	2,044,138
20	2042	0	2043	0	11,000,000	2044	\$23.38	257,164	2,533,219	2,119,308
21	2043	0	2044	0	11,000,000	2045	\$23.38	257,164	2,743,810	2,316,337
22	2044	0	2045	0	11,000,000	2046	\$23.38	257,164	2,842,542	2,387,419
23	2045	0	2046	0	11,000,000	2047	\$23.38	257,164	2,937,249	2,454,637
24	2046	0	2047	0	11,000,000	2048	\$23.38	257,164	3,028,096	2,518,199
25	2047	0	2048	0	11,000,000	2049	\$23.38	257,164	3,115,239	2,578,305
26	2048	0	2049	0	11,000,000	2050	\$23.38	257,164	3,198,829	2,635,143
27	2049	0	2050	0	11,000,000	2051	\$23.38	257,164	3,279,011	2,688,891
Totals	11,000,000	0	0	0	Future Value of Increment	6,195,304				

Notes:
 Actual results will vary depending on development, inflation of overall tax rates.
 NPV calculations represent estimated amount of funds that could be borrowed (including project cost, capitalized interest and issuance costs).

Financing and Implementation

The City anticipates financing projects costs of the District through a combination of debt, advances from other funds to support any annual deficits, and use of annual tax increment. Anticipated debt financing is set forth in **Table 3**.

Table 3 - Financing Plan

City of La Crosse, Wisconsin Tax Increment District # 21 Estimated Financing Plan		
	G.O. Bond 2024	Totals
Projects		
Phase I	1,150,000	1,150,000
Phase II	900,000	900,000
Total Project Funds	2,050,000	2,050,000
Estimated Finance Related Expenses	100,000	
Total Financing Required	2,150,000	
Rounding	0	
Net Issue Size	2,150,000	2,150,000
Notes:		
The City reserves the right to issue debt for other eligible project costs		

Based on the Project Cost expenditures as included within the cash flow exhibit (Table 4), the District is projected to accumulate sufficient funds by the year 2049 to pay off all Project cost liabilities and obligations. The projected closure is based on the various assumptions noted in this Plan and will vary dependent on actual Project Costs incurred and the actual amount of tax increments collected.

Table 4 - Cash Flow

City of La Crosse, Wisconsin														
Tax Increment District # 21														
Cash Flow Projection														
Year	Projected Revenues				Expenditures					Balances			Year	
	Tax Increments	Interest Earnings/ (Cost)	Other Revenue	Total Revenues	G.O. Bond 2,150,000 Dated Date: 06/01/24			Dev. Incentives	Admin.	Total Expenditures	Annual	Cumulative		Principal Outstanding
2023				0						20,000	20,000	(20,000)	(20,000)	2023
2024				0						10,000	10,000	(10,000)	(30,000)	2024
2025	0			0	70,348	4.25%	91,375			10,000	171,723	(171,723)	(201,723)	2025
2026	140,271			140,271	73,337	4.25%	88,385	100,000		10,000	271,723	(131,452)	(333,174)	2026
2027	140,271			140,271	76,454	4.25%	85,268	100,000		10,000	271,723	(131,452)	(464,626)	2027
2028	140,271			140,271	79,704	4.25%	82,019	100,000		10,000	271,723	(131,452)	(596,078)	2028
2029	210,407			210,407	83,091	4.25%	78,632	100,000		10,000	271,723	(61,316)	(657,394)	2029
2030	210,407			210,407	86,622	4.25%	75,100	100,000		10,000	271,723	(61,316)	(718,710)	2030
2031	210,407			210,407	90,304	4.25%	71,419	100,000		10,000	271,723	(61,316)	(780,026)	2031
2032	257,164			257,164	94,142	4.25%	67,581	100,000		10,000	271,723	(14,559)	(794,585)	2032
2033	257,164			257,164	98,143	4.25%	63,580	100,000		10,000	271,723	(14,559)	(809,144)	2033
2034	257,164			257,164	102,314	4.25%	59,409	100,000		10,000	271,723	(14,559)	(823,703)	2034
2035	257,164			257,164	106,662	4.25%	55,061	100,000		10,000	271,723	(14,559)	(838,262)	2035
2036	257,164			257,164	111,195	4.25%	50,527	100,000		10,000	271,723	(14,559)	(852,821)	2036
2037	257,164			257,164	115,921	4.25%	45,802	100,000		10,000	271,723	(14,559)	(867,380)	2037
2038	257,164			257,164	120,848	4.25%	40,875	100,000		10,000	271,723	(14,559)	(881,940)	2038
2039	257,164			257,164	125,984	4.25%	35,739	100,000		10,000	271,723	(14,559)	(896,499)	2039
2040	257,164			257,164	131,338	4.25%	30,385	100,000		10,000	271,723	(14,559)	(911,058)	2040
2041	257,164			257,164	136,920	4.25%	24,803	100,000		10,000	271,723	(14,559)	(925,617)	2041
2042	257,164			257,164	142,739	4.25%	18,984	100,000		10,000	271,723	(14,559)	(940,176)	2042
2043	257,164			257,164	148,805	4.25%	12,917	100,000		10,000	271,723	(14,559)	(954,735)	2043
2044	257,164			257,164	155,130	4.25%	6,593	100,000		10,000	271,723	(14,559)	(969,294)	2044
2045	257,164			257,164				100,000		10,000	110,000	147,164	(822,131)	2045
2046	257,164			257,164						10,000	10,000	247,164	(574,967)	2046
2047	257,164			257,164						10,000	10,000	247,164	(327,804)	2047
2048	257,164			257,164						10,000	10,000	247,164	(80,640)	2048
2049	257,164			257,164						10,000	10,000	247,164	166,524	2049
2050	257,164			257,164						10,000	10,000	247,164	413,687	2050
2051	257,164			257,164						10,000	10,000	247,164	660,851	2051
Total	6,195,304	0	0	6,195,304	2,150,000		1,084,453	2,000,000	300,000	5,534,453				Total

Notes: Projected TID Closure

As a Rehab/Conservation District, the City could consider amending certain other tax increment districts to allocate surplus tax increments to TID 21 as an eligible recipient of shared increments

SECTION 10: Annexed Property

A tax incremental district cannot include annexed territory unless at least three years have elapsed since the annexation, or certain other requirements are met. None of the property within the proposed District boundary was annexed during the past three years.

SECTION 11: Estimate of Property to Be Devoted to Retail Business

Pursuant to Wis. Stat. § 66.1105(5)(b), the City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period.

SECTION 12: Proposed Changes of Zoning Ordinances, Master Plan, Map, Building Codes and City Ordinances

Zoning Ordinances

The proposed Plan is in general conformance with the City's current zoning ordinances. Individual properties may require rezoning at the time of development.

Master (Comprehensive) Plan and Map

The proposed Plan is in general conformance with the City's Comprehensive Plan identifying the area as appropriate for primarily residential and complimentary uses.

Building Codes and Ordinances

Development within the District will be required to conform to State Building Codes and will be subject to the City's permitting and inspection procedures. The proposed Plan conforms to all relevant State and local ordinances, plans, and codes. No changes to the existing regulations are proposed or needed.

SECTION 13:

Statement of the Proposed Method for the Relocation of any Persons to be Displaced

Should implementation of this Plan require relocation of individuals or business operations, relocations will be handled in compliance with Wis. Stat. Chapter 32 and Wis. Admin. Code ADM 92.

SECTION 14:

How Creation of the Tax Incremental District Promotes the Orderly Development of the City

Creation of the District and the implementation of the projects in its Plan will promote the orderly development of the City by rehabilitating and conserving property, mitigating the potential for blight as a result of vacant or dilapidated property, providing necessary public infrastructure improvements, and providing appropriate financial incentives for private development projects. Through use of tax increment financing, the City can attract new investment that results in increased tax base. Development will occur in an orderly fashion in accordance with approved plans so that the Projects will be compatible with adjacent land uses. Development of new uses in the District will add to the tax base and will generate positive secondary impacts in the community such as increased employment and housing opportunities.

SECTION 15:

List of Estimated Non-Project Costs

Non-project costs are public works projects which only partly benefit the District. Costs incurred that do not benefit the District may not be paid with tax increments. Examples of non-project costs are:

- A public improvement made within the District that also benefits property outside the District. That portion of the total Project Costs allocable to properties outside of the District would be a non-project cost.
- A public improvement made outside the District that only partially benefits property within the District. That portion of the total Project Costs allocable to properties outside of the District would be a non-project cost.
- Projects undertaken within the District as part of the implementation of this Project Plan, the costs of which are paid fully or in part by impact fees, grants, special assessments, or revenues other than tax increments.

No improvements to be made within the District will benefit property outside the District. Furthermore, there will be no improvements made outside the District that will only partially benefit the District.



LEGAL DEPARTMENT

City of La Crosse, Sixth Floor City Hall
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City Attorney

Krista A. Gallager
Deputy City Attorney

Ellen R. Atterbury
Assistant City Attorney

May 23, 2023

Mayor Mitch Reynolds
City of La Crosse
400 La Crosse St
La Crosse, Wisconsin 54601

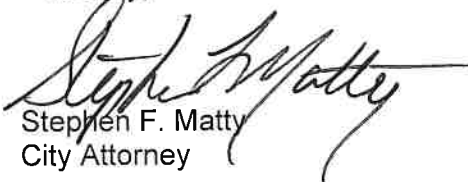
RE: Project Plan for Tax Incremental District No. 21

Dear Mayor:

Wisconsin Statute 66.1105(4)(f) requires that a project plan for a tax incremental financing district include an opinion provided by the City Attorney advising as to whether the plan is complete and complies with Wisconsin Statute 66.1105.

As City Attorney for the City of La Crosse, I have been asked to review the above-referenced project plan for compliance with the applicable statutory requirements. Based upon my review, in my opinion, the Project Plan for the City of La Crosse Tax Incremental District No. 21 is complete and complies with the provisions of Wisconsin Statute 66.1105.

Sincerely,


Stephen F. Matty
City Attorney

SFM:blb

SECTION 17: Calculation of the Share of Projected Tax Increments Estimated to be Paid by the Owners of Property in the Overlying Taxing Jurisdictions

The following projection is provided to meet the requirements of Wis. Stat. § 66.1105(4)(i)4.

Estimated portion of taxes that owners of taxable property in each taxing jurisdiction overlying district would pay by jurisdiction.							
Statement of Taxes Data Year:		2022				Percentage	
County		12,239,970					11.21%
Special District		0					0.00%
Municipality		51,359,729					47.05%
School District		40,410,875					37.02%
Technical College		5,156,687					4.72%
Total		109,167,261					

Revenue Year	County	Special District	Municipality	School District	Technical College	Total	Revenue Year
2025	0	0	0	0	0	0	2025
2026	15,727	0	65,993	51,925	6,626	140,271	2026
2027	15,727	0	65,993	51,925	6,626	140,271	2027
2028	15,727	0	65,993	51,925	6,626	140,271	2028
2029	23,591	0	98,990	77,887	9,939	210,407	2029
2030	23,591	0	98,990	77,887	9,939	210,407	2030
2031	23,591	0	98,990	77,887	9,939	210,407	2031
2032	28,833	0	120,987	95,195	12,148	257,164	2032
2033	28,833	0	120,987	95,195	12,148	257,164	2033
2034	28,833	0	120,987	95,195	12,148	257,164	2034
2035	28,833	0	120,987	95,195	12,148	257,164	2035
2036	28,833	0	120,987	95,195	12,148	257,164	2036
2037	28,833	0	120,987	95,195	12,148	257,164	2037
2038	28,833	0	120,987	95,195	12,148	257,164	2038
2039	28,833	0	120,987	95,195	12,148	257,164	2039
2040	28,833	0	120,987	95,195	12,148	257,164	2040
2041	28,833	0	120,987	95,195	12,148	257,164	2041
2042	28,833	0	120,987	95,195	12,148	257,164	2042
2043	28,833	0	120,987	95,195	12,148	257,164	2043
2044	28,833	0	120,987	95,195	12,148	257,164	2044
2045	28,833	0	120,987	95,195	12,148	257,164	2045
2046	28,833	0	120,987	95,195	12,148	257,164	2046
2047	28,833	0	120,987	95,195	12,148	257,164	2047
2048	28,833	0	120,987	95,195	12,148	257,164	2048
2049	28,833	0	120,987	95,195	12,148	257,164	2049
2050	28,833	0	120,987	95,195	12,148	257,164	2050
2051	28,833	0	120,987	95,195	12,148	257,164	2051
	<u>694,625</u>	<u>0</u>	<u>2,914,694</u>	<u>2,293,340</u>	<u>292,645</u>	<u>6,195,304</u>	

Notes:
The projection shown above is provided to meet the requirements of Wisconsin Statute 66.1105(4)(i)4.



CITY OF LA CROSSE

**400 La Crosse Street
La Crosse, Wisconsin 54601
(608) 789-CITY
www.cityoflacrosse.org**

LEGISLATION STAFF REPORT FOR COUNCIL

File ID Caption

Staff/Department Responsible for Legislation

Requestor of Legislation

Location, if applicable

Summary/Purpose

Background

Fiscal Impact

Staff Recommendation



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Text File

File Number: 23-0690

Agenda Date: 7/6/2023

Version: 1

Status: New Business

In Control: Finance & Personnel Committee

File Type: Resolution

Agenda Number:

Amended Resolution approving an appropriation of the City's ARPA monies earmarked for childcare to go towards a second-year contract with The Parenting Place.

AMENDED RESOLUTION

WHEREAS, the City was awarded American Rescue Plan Act (ARPA) funding from the U.S. Treasury; and

WHEREAS, the City Council passed a Resolution on January 13, 2022 appropriating some of these ARPA funds to promote healthy childhood environments through improvements in childcare, mitigation of health disparities, and improvement of living and recreation environments; and

WHEREAS, the City Council passed a Resolution on March 10, 2022 further specifying the funding amounts and uses for this initiative; and

WHEREAS, City staff has been continually engaged with multiple stakeholders and child care experts regarding the best usage of the City's ARPA monies allocated to address childcare, and in part due to the complexity of this issue and the ever-changing dynamics in play, the City recognized the need to have a dedicated entity to directly oversee the success of the City's childcare initiatives over the lifetime of the grant period for ARPA; and

WHEREAS, the City has identified The Parenting Place as the sole entity to oversee this project, and documented justification to meet the sole-source threshold, and part of that justification includes that there is "no other entity within La Crosse County that is doing this work: coordinating efforts of childcare, working directly with all providers, supporting parents and children, has complete familiarization and expertise of 'nuts & bolts' of childcare (licensing, financial resources and programs available, regulations, etc), and facilitates data collection and child care referrals"; and

WHEREAS, the City Council passed Resolution 22-0805 allocating \$350,000 of ARPA funds to The Parenting Place to facilitate the first year of a multi-year comprehensive initiative to improving the wholistic childcare industry for all in the City of La Crosse: parents, providers, childcare employees, community stakeholders, and children; and

WHEREAS, the first year of this initiative was successfully implemented.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of La Crosse to allocate \$400,000 of ARPA funds to The Parenting Place for the second year of facilitation of a multi-year comprehensive approach to improving the wholistic childcare industry for all in the City of La Crosse: parents, providers, childcare employees, community stakeholders, and children.

BE IT FURTHER RESOLVED that \$104,075 will come from the funds referred to as "increased capacity for efforts with childcare", ~~\$25,000 will come from funds referred to as "home improvements to in-home childcare operations"~~, and the remaining ~~\$295,925~~ \$270,925 will come from the funds referred to as "support and grow the childcare industry" allocated via Resolution 22-0259.

BE IT FURTHER RESOLVED that this work will be carried out in compliance with all items include in the attached contract.

BE IT FURTHER RESOLVED that the Mayor and Director of Planning, Development and Assessment are hereby authorized to take any and all steps necessary to effectuate this resolution.

Resolution approving an appropriation of the City's ARPA monies earmarked for childcare to go towards a second-year contract with The Parenting Place.

RESOLUTION

WHEREAS, the City was awarded American Rescue Plan Act (ARPA) funding from the U.S. Treasury; and

WHEREAS, the City Council passed a Resolution on January 13, 2022 appropriating some of these ARPA funds to promote healthy childhood environments through improvements in childcare, mitigation of health disparities, and improvement of living and recreation environments; and

WHEREAS, the City Council passed a Resolution on March 10, 2022 further specifying the funding amounts and uses for this initiative; and

WHEREAS, City staff has been continually engaged with multiple stakeholders and child care experts regarding the best usage of the City's ARPA monies allocated to address childcare, and in part due to the complexity of this issue and the ever-changing dynamics in play, the City recognized the need to have a dedicated entity to directly oversee the success of the City's childcare initiatives over the lifetime of the grant period for ARPA; and

WHEREAS, the City has identified The Parenting Place as the sole entity to oversee this project, and documented justification to meet the sole-source threshold, and part of that justification includes that there is "no other entity within La Crosse County that is doing this work: coordinating efforts of childcare, working directly with all providers, supporting parents and children, has complete familiarization and expertise of 'nuts & bolts' of childcare (licensing, financial resources and programs available, regulations, etc), and facilitates data collection and child care referrals"; and

WHEREAS, the City Council passed Resolution 22-0805 allocating \$350,000 of ARPA funds to The Parenting Place to facilitate the first year of a multi-year comprehensive initiative to improving the wholistic childcare industry for all in the City of La Crosse: parents, providers, childcare employees, community stakeholders, and children; and

WHEREAS, the first year of this initiative was successfully implemented.

NOW, THEREFORE , BE IT RESOLVED by the Common Council of the City of La Crosse to allocate \$400,000 of ARPA funds to The Parenting Place for the second year of facilitation of a multi-year comprehensive approach to improving the wholistic childcare industry for all in the City of La Crosse: parents, providers, childcare employees, community stakeholders, and children.

BE IT FURTHER RESOLVED that \$104,075 will come from the funds referred to as "increased capacity for efforts with childcare" and the remaining \$295,925 will come from the funds referred to as "support and grow the childcare industry" allocated via Resolution 22-0259.

BE IT FURTHER RESOLVED that this work will be carried out in compliance with all items include in the attached contract.

BE IT FURTHER RESOLVED that the Mayor and Director of Planning, Development and Assessment are hereby authorized to take any and all steps necessary to effectuate this resolution.

2023 ARPA GRANT PROGRAM AGREEMENT



Contract Number: ARPA-The Parenting Place-2023-26

THIS AGREEMENT, made and entered into this 18th day of July 2023, by and between the City of La Crosse, Wisconsin, a Wisconsin municipal corporation hereinafter referred to as "City" and The Parenting Place of La Crosse, its address at 1500 Green Bay St, WI 54601, a La Crosse corporation with its office at, La Crosse, Wisconsin, 54601 hereinafter referred to as "Subrecipient".

WHEREAS, the City was awarded American Rescue Plan Act (ARPA) funding from the U.S. Treasury; and

WHEREAS, the City Council passed a Resolution on January 13, 2022 appropriating some of these ARPA funds to promote healthy childhood environments through improvements in childcare, mitigation of health disparities, and improvement of living and recreation environments; and

WHEREAS, the City Council passed a Resolution on March 10, 2022 further specifying the funding amounts and uses for this initiative; and

WHEREAS, the City has documented justification for the Subrecipient to meet the sole-source threshold, and part of that justification includes that there is "no other entity within La Crosse County that is doing this work: coordinating efforts of childcare, working directly with all providers, supporting parents and children, has complete familiarization and expertise of "nuts & bolts" of childcare (licensing, financial resources and programs available, regulations, etc), and facilitates data collection and child care referrals"; and

WHEREAS, the Subrecipient has not received other funding for this need and there is no duplication of benefits from other sources; and

WHEREAS, as a result of that recommendation the City allocated \$350,000 of ARPA funds to the Subrecipient to facilitate the first year of a multi-year comprehensive initiative to improving the wholistic childcare industry for all in the City of La Crosse: parents, providers, childcare employees, community stakeholders, and children; and

WHEREAS, given the successful implementation of the first year of this initiative, the City will allocate an additional \$400,000 to the Subrecipient to facilitate the second year of work; and

WHEREAS, prior to advancing funds to the Subrecipient, the City of La Crosse desires certain assurances as more fully set forth herein.

NOW, THEREFORE, IT IS AGREED THAT:

1. **Scope of Work, Budget, Performance Goals, Timeline**
 - a. The City will grant to the Subrecipient a sum of \$400,000 from ARPA funds for the purpose of facilitating a multi-year comprehensive approach to improving the wholistic childcare industry for all in the City of La Crosse: parents, providers, childcare employees, community

2023 ARPA GRANT PROGRAM AGREEMENT



Contract Number: ARPA-The Parenting Place-2023-26

stakeholders, and children.

- b. Refer to Attachment A for the agreed upon Statement of Work, Budget, Performance Goals, and Timeline.
- c. This grant is made only for the purpose(s) outlined in Attachment A, must be used to support the Subrecipient's work in the City of La Crosse, and may not be expended for any other purpose without the City's prior written approval.

2. **Payment**

First half of payment shall be issued within 45 days after this agreement has been signed by both parties and fully executed. Second half of payment shall be issued within 45 days of receiving an impact report for the first 6 months and barring all other items in this Agreement are in compliance.

3. **Required Notification**

Subrecipient is required to provide the City with immediate written notification of: (1) any changes in its organization's tax-exempt status; (2) its inability to expend the grant for the purposes as awarded; or (3) any expenditure from this grant made for any purpose other than for which the grant was awarded.

Any portion of the grant not expended at the completion of the project and/or the end of the grant period must be returned immediately to the City. Subrecipient may seek prior written approval from the City to extend grant period and/or use remaining funds for a different need/purpose.

4. **Subrogation**

In consideration of the Subrecipient's funds from the City, the Subrecipient hereby assigns to the City all of its future rights to reimbursement and all payments received from any grant, subsidized loan, or insurance policies of any type or coverage or under any reimbursement or relief program related to or administered by the Federal government or other program to the extent of proceeds paid to Subrecipient under this Agreement and that are determined in the sole discretion of the City to be a duplication of benefits ("DOB"). This shall be defined as financial assistance, available to the Subrecipient, that can be used to pay for the costs described in Attachment A and are to be paid for by this grant (ARPA).

Upon receiving any proceeds from other relief programs, federal funds, or loan programs for this Use of Funds, that were not already disclosed to the City, the Subrecipient agrees to immediately notify the City. If some or all of the proceeds are determined to be a DOB, the portion that is a DOB shall be paid to the City forthwith.

5. **Records and Reports**

- a. **Follow-up Reporting** - Subrecipient will provide records in accordance with all American

2023 ARPA GRANT PROGRAM AGREEMENT



Contract Number: ARPA-The Parenting Place-2023-26

Rescue Plan Act requirements through quarterly reporting requirements. Additionally, Subrecipient is expected to have met the items stated in Section 1, “Scope of Work, Budget, Performance Goals, Timeline”, by the end of the agreement and will provide updates on Performance Goals and the project overall in its quarterly reporting.

Subrecipient will meet with City staff on a monthly basis and attend the City’s Economic and Community Development Commission meetings quarterly to provide updates on the work associated with this award. Programs developed in association with “Financial Support tools to facilitate workforce recruitment” and “Supports to Businesses” referenced in the Budget will be brought before the ECDC for review and approval prior to implementation. Subrecipient will also complete an annual impact report to describe progress in achieving the purpose of the grant. The annual impact report is due once all the funds have been expended, and/or no later than 1 year from receipt of award check(s). It is recommended to include at least one success story with the impact report.

Subrecipient also agrees to provide any other additional information requested by the City pertaining to this grant.

If performance goals have not been met or quarterly and/or annual reporting is not completed, Subrecipient will have to provide evidence of factors beyond their reasonable control. Staffing issues will not be considered beyond their reasonable control. In the event that Subrecipient encounters factors beyond its control that interfere with the Subrecipient’s ability to perform under the contract, the City and Subrecipient shall work together to attempt to solve the issues that have arisen.

In the event, in the City’s opinion, that Subrecipient fails to provide sufficient documentation to satisfy the deficiency(s) in reporting and/or meeting performance goals, then the City may apply financial consequences which may include but are not limited to withholding future payment until the deficiency is resolved and/or require a total or partial refund of any grant funds if, in the City’s sole discretion, such action is necessary: (1) because Subrecipient has not fully complied with the terms and conditions of the grant; (2) lack of performance with grant results; (3) to protect the purpose and objectives of the grant; or (4) to comply with the requirements of any law or regulation applicable to Subrecipient, the City or the grant.

- b. **Financial Reporting**— The Subrecipient shall:
- i. Maintain an effective system of internal fiscal control and accountability for all ARPA funds and property acquired or improved with ARPA funds, and make sure the same are used solely for authorized purposes.
 - ii. Ensure that all costs shall be supported by properly executed payrolls, time records, invoices, vouchers or other official documentation, as evidence of the nature and propriety of the charges. All accounting documents pertaining in whole or in part to this

2023 ARPA GRANT PROGRAM AGREEMENT



Contract Number: ARPA-The Parenting Place-2023-26

Agreement shall be clearly identified and readily accessible.

iii. Inform the City concerning any funds allocated to the Subrecipient, that the Subrecipient anticipates will not be expended according to this Agreement.

c. **Data-** The Subrecipient shall maintain data demonstrating eligibility for funding. Such information shall be made available to the City, or their designees for review upon request.

6. **Uniform Administrative Requirements**

The Subrecipient will, to the maximum possible extent, ensure compliance with regulations regarding:

a. Office of Management and Budget (OMB) Uniform Guidance, "Cost Principles, Audit and Administrative Requirements for Federal Awards" (2 CFR Part 200), which establishes principles for determining costs of grants, contracts, and other agreements with nonprofit organizations. These regulations are applicable for determining acceptable/allowable costs of work performed by nonprofit organizations. For example, to be allowed under an award, costs must meet general criteria such as:

- i. Be reasonable for the performance of the award,
- ii. Be accorded consistent treatment,
- iii. Be determined in accordance with generally accepted accounting principles, and
- iv. Be adequately documented.

b. Office of Management and Budget (OMB) Uniform Guidance which, in part, provide that financial management systems operated by recipients of federal assistance will provide for accurate, current, reliable, and complete disclosure of financial and accounting records relating to the use of federal dollars.

All records will identify the source and application of funds for activities, and accounting records are to be made available for audit(s) at the City's direction to determine the fiscal integrity of financial transactions and performances. All future procurement transactions for supplies, equipment, construction, and other services, regardless of whether negotiated or advertised, will be conducted in a manner so as to provide maximum open and free competition.

The Subrecipient will give the U.S. Department of Treasury, the Comptroller General, the City of La Crosse, or any authorized representatives access to the right to examine all records and documents related to the grant. Such records will be maintained for a period of at least five (5) years after receipt of federal funds.

7. **Additional Federal Requirements**

2023 ARPA GRANT PROGRAM AGREEMENT



Contract Number: ARPA-The Parenting Place-2023-26

The Subrecipient will ensure compliance with regulations regarding:

A. Civil Rights

1. General Compliance

Title VI and Title IX of the Civil Rights Act of 1964 (Public Law 88-352)(42 U.S.C. 2003d et seq.); and implementing regulations issued at 24 CFR Part 1; as amended by Executive Order 11375 and 12086, and implementing regulations at 41 CFR Chapter 60, which prohibits discrimination in any activity receiving federal financial assistance.

2. Nondiscrimination

Title VIII of the Civil Rights Act of 1968, (Public Law 90-284)(42 U.S.C. 3601 et seq.); as amended, which prohibits discrimination in housing on the grounds of race, color, religion, national origin, sex, disability, or familial status.

Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.) which prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.

Section 504 of the Rehabilitation Act of 1973, (Public Law 93-112) as amended, and implementing regulations when published for effect. Said regulation provides for nondiscrimination based on disability in federally-assisted programs and activities.

B. Employment Restrictions

1. Prohibited Activity

The Subrecipient is prohibited from using funds provided herein or personnel employed in the administration of the program for: political activities; inherently religious activities; lobbying; political patronage; and nepotism activities.

C. Conflict of Interest

The Subrecipient agrees to abide by the provisions of 24 CFR 84.42 and 570.611, which include, but are not limited to the following:

1. The Subrecipient shall maintain a written code or standards of conduct that shall govern the performance of its officers, employees or agents engaged in the award and administration of contracts supported by Federal funds.

2023 ARPA GRANT PROGRAM AGREEMENT



Contract Number: ARPA-The Parenting Place-2023-26

2. No employee, officer or agent of the Subrecipient shall participate in the selection, the award or the administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved.

3. No covered persons who exercise or have exercised any functions or responsibilities with respect to ARPA-assisted activities, or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest in any contract, or have a financial interest in any contract, subcontract, or agreement with respect to the ARPA-assisted activity, or with respect to the proceeds from the ARPA-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for a period of one (1) year thereafter. For purposes of this paragraph, a "covered person" includes any person who is an employee, agent, consultant, officer, or elected or appointed official of the City, the Subrecipient, or any designated public agency.

D. Anti-Lobbying. The Subrecipient certifies that to the best of its knowledge and belief:

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 any 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;

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".

8. **Publicity**

The Subrecipient shall ensure recognition of the role of the City of La Crosse and Federal American Rescue Plan Act funding in providing services through this Agreement. All activities, facilities and items utilized pursuant to this Agreement shall be prominently labeled as to the funding source.

The City may include information regarding this grant, including the amount and purpose of the grant and any other information or materials the Subrecipient provided about its organization,

2023 ARPA GRANT PROGRAM AGREEMENT



Contract Number: ARPA-The Parenting Place-2023-26

in its own publicity including, but not limited to: news releases, newsletters, annual reports and social media posts.

9. **Suspension and Termination**

The Subrecipient further agrees that this Agreement may be terminated or suspended in the event the Subrecipient fails to perform any of the conditions contained herein and that the City may take appropriate and corrective action in order to insure compliance with this Agreement, including withholding payments, re-allocating funds, an order to audit the Subrecipient’s books and records pertaining to its activities and the utilization of federal funds.

In the event of default or violation by the Subrecipient or the necessity of corrective action, the City will provide the Subrecipient, by written notice, a demand to cure default explaining the nature and extent of the default or violation. The Subrecipient will cure or remedy said violation or default within ten (10) days after receipt of said notice, unless a longer time is agreed upon by the parties, in writing. In case default or violation is not cured, and corrective action is not completed within ten (10) days or a longer time as may be agreed upon, this Agreement may be terminated, and the City may have whatever remedy is authorized pursuant to state, local, and federal laws, including return of any funds previously given to the Subrecipient.

10. **Independent Status**

Nothing contained herein, nor any act of the City, the Subrecipient, or any other party, will be deemed or construed by any party, or by any other third person, to create any relationship with third party Subrecipient, principal or agent, limited or general partnership, or joint venture, or of any association or relationship involving the City. The Subrecipient is at all times considered an independent agency and not an agency or branch of the City.

IN WITNESS WHEREOF, the parties hereto have affixed their hands and seals the day and year first above written.

CITY OF LA CROSSE, WISCONSIN

THE PARENTING PLACE

Mitch Reynolds, Mayor

Jodi Widuch, Executive Director

Nikki Elsen, Clerk

Amy Schanhofer, Board Chair



Contract Number: ARPA-The Parenting Place-2023-26

Attachment A: Statement of Work, Budget, Performance Goals, Timeline

Scope of Work

This project builds off of strategies developed in year one to retain the existing child care workforce and the corresponding number of child care slots in the City of La Crosse, and aims to increase capacity by staffing empty classrooms and expanding child care sites.

Year 2 strategies are designed to leverage the experience, programs, and connections of The Parenting Place to effectively coordinate child care capacity building efforts in the most efficient way possible. The Parenting Place facilitates several programs that support existing child care providers and that help prospective child care providers enter the field. These programs are the basis for a long-standing, trusted relationship with the child care community. In addition, The Parenting Place has a well-structured statewide communication network which allows the organization to be aware of legislative impacts, child care trends and related funding opportunities, positioning the agency as an informal coordinator of child care programs and relief efforts. The Child Care Development Coordinator position created by this funding has effectively managed efforts and resources to support child care recruitment, retention and expansion and has also made groundbreaking new relationships with businesses interested in supporting child care for their employees. Continuing this position is integral to the success of the program and viability of child care in La Crosse. Financial barriers still exist for business start-ups and individuals entering the field. City of La Crosse ARPA funding would also continue to allow financial barriers to be removed to support the retention and expansion of child care slots in the city.

The Child Care Development Coordinator would continue to assess child care needs and challenges, act as a connector and liaison in the community and identify and avoid duplication of efforts. Responsibilities include representing The Parenting Place and the City of La Crosse on local child care-focused committees, compiling existing child care data, designing inquiries for follow-up data needs, and facilitating identified recruitment, retention and expansion efforts. In addition, this role will continue work to further engage City of La Crosse employers in understanding the value of child care as a recruitment and retention tool, a driver of economic success, and also return on investment in early childhood.

Workforce Recruitment

Workforce continues to be the number one challenge in child care today. City of La Crosse ARPA funding would support efforts to attract and retain workers in the field and allow sites with under-utilized space to move back to full capacity. “Back to Capacity” grants would build off of the success in year one by exclusively targeting centers with empty classrooms due to staff shortages to provide financial incentives to attract new workers. Recruitment support would also include funding for new workers to complete required entry-level courses and professional development opportunities to ensure that the new workforce is well-positioned to face challenges often leading to burn-out. Professional development opportunities in the form of classes, learning cohorts, support groups and one-on-one coaching would be customized to meet the needs of City of La Crosse providers based on

2023 ARPA GRANT PROGRAM AGREEMENT



Contract Number: ARPA-The Parenting Place-2023-26

research by the Child Care Development Coordinator. Professional development topics would include serving children who exhibit challenging behaviors, expulsion reduction, and trauma informed care to address the evolving needs of the child care population identified through data collection efforts. Directors in busy child care centers struggle with the capacity to both manage a successful business and address the constant hiring and onboarding demands of the current work environment. Onboarding supports such as mentorship programs and shared universal onboarding curriculum would remove some of the burden on director workload and allow them to focus attention on more impactful business operations.

Business Start-up and Expansion

Financial incentives made possible by ARPA funding in year two would support start-up of new child care businesses and expansion of existing businesses. Grants to support new or expanding businesses would be administered by the Child Care Development Coordinator and harmonized with other start-up funding sources to maximize impact. An overall goal of these efforts would be to continue to ensure equitable access to quality child care among income groups and other demographics, as well as geographic locations within the City of La Crosse. Work would expand to address transportation barriers, increase regulated slots that will accept Wisconsin Shares subsidy and eliminate geographic gaps as well as other strategies identified by the Child Care Development Coordinator.

Revenue Models to Support Retention

The Child Care Development Coordinator would work closely with businesses to develop innovative, mutually beneficial programs to support child care and employee needs. This could include leveraging the success of the statewide Partner Up! program to develop a locally tailored business stipend program. This also could include creating an employee “off-boarding” program to encourage employees exiting the workforce due to child care expense to consider caring for other employee children. This program would support employers in providing financial assistance for employees starting a child care business and help design incentives for them to return once their children are in school.

Marketing Campaign

Finally, retention would be further supported by efforts to rebrand child care as a respected profession rather than the stigmatized field it has become due to low wages and lack of understanding of the importance of early childhood education. Marketing efforts would highlight the considerable educational qualifications, economic importance and lifelong impact that quality child care has on the success of individuals as well as portray the field as a dynamic and fulfilling career choice. Marketing efforts would also be directed to the larger community to highlight the impact of child care on everyone, not just parents.

The strategies outlined in this proposal represent innovative and unique pilot strategies that will be trialed to determine the long-term sustainability of individual efforts. Careful and thorough data collection will be conducted to support future funding support for these programs. Assessment and

2023 ARPA GRANT PROGRAM AGREEMENT



Contract Number: ARPA-The Parenting Place-2023-26

Careful analysis of the success of programs/initiatives launched would reveal what works, what doesn't, and what is worth the investment. Future years would include a goal to identify sustainable sources of funding and/or revenue model as a responsibility of the Child Care Development Coordinator position.

Budget

Staff Benefits & Compensation	\$76,319.00	Staff to implement program – year 1 of 4 years (includes wages and benefits for 1 FTE Coordinator position, limited data work and supervision/support)
Occupancy	\$7,200.00	Rent, communications, cleaning, depreciation
General Program Operations	\$7,500.00	\$625/month office supplies, copying/printing, postage, program supplies, dues/fees, risk insurance, audit
Mileage Reimbursement	\$1,456.00	Anticipated mileage reimbursement travel to providers, businesses, meetings
Professional Development	\$1,120.00	Training to increase skills and knowledge of staff
Administrative Compensation	\$10,480.00	Administrative and back office support
Total Implementation	\$104,075.00	
Financial Support to facilitate workforce recruitment	\$75,000.00	“Back to Capacity” Grants
	\$10,925.00	Professional Development Support
	\$15,000.00	Onboarding and mentorship programs
Start-up and Expansion Grants	\$60,000	Grants to support new businesses or expanding capacity of existing business
Supports to Businesses	\$100,000	Stipends to businesses to support employee child care cost
	\$15,000	Stipends to support employee “off-boarding” plan
Marketing Campaign	\$20,000	To promote child care as a profession and importance of child care
Total Year 2 Project Cost	\$400,000.00	

2023 ARPA GRANT PROGRAM AGREEMENT



Contract Number: ARPA-The Parenting Place-2023-26

Performance Goals

The overall goals for this work fall into four broad categories:

1. Financial support to facilitate **workforce recruitment**
2. **Start up and expansion** of child care businesses
3. **Pilot Revenue Models** to Support Child Care Business Retention
4. **Marketing campaign**

Year two deliverables are broadly defined as follows so that there is room to adjust to evolving needs identified by this project:

1. Workforce Recruitment

- Design and disseminate “Back to Capacity” grants to staff unutilized classrooms
- Support at least 2 centers in recruiting staff to re-open closed classrooms and utilize existing physical capacity
- Collect data regarding professional development need and offer programs to match demand
- Manage professional development stipends for entry-level training
- Research untapped demographics to increase child care pipeline and identify strategies for recruitment
- Develop streamlined onboarding support around required entry-level course work

2. Start-up and Expansion

- Facilitate data collection on child care need within the city
- Produce data reports to guide project planning and implementation
- Regularly attend local, state and national collaborations that impact or inform City of La Crosse child care
- Provide navigation services around support system and regulatory process for prospective family providers and new group centers
- Support at least 2 new family child care providers per year in achieving licensing or certification
- Support at least 1 new group center in achieving licensing per year
- Collect data on equitable distribution of child care availability (geographic, economic, etc.) and develop strategies to address disparities
- Research existing financial opportunities for child care start-up
- Develop a system of financial incentives to support new child care start-up sites while maximizing other supports

3. Pilot Revenue Models

- Develop a model stipend program for businesses to support employee child care cost
- Develop employee “Off-boarding” program to support businesses in cultivating child care options for other employees and retaining valuable staff members while raising children
- Support two businesses in encouraging exiting employees to open a child care business
- Engage with 10 city employers per year to present information on child care as a recruitment/retention tool and businesses as a consumer of child care.
- Research and use data collected to inform a sustainable revenue model (to be completed by the end of year 4)

4. Marketing Campaign

- Develop broad marketing materials and content aimed at prospective child care workers to promote the early care field as a career choice
- Develop broad marketing materials and content aimed at community to promote importance of child care

2023 ARPA GRANT PROGRAM AGREEMENT



Contract Number: ARPA-The Parenting Place-2023-26

- Facilitate data collection on reach and effectiveness of marketing efforts

Timeline:

July 15, 2023	Year two start date
By September 1, 2023	New round of start-up and expansion grants application period begins
By October 1, 2023	Marketing Campaign developed and rolled out
By December 31, 2023	Conduct year two baseline data collection Design and begin application period for “Back to Capacity” grants Develop employer stipend program Develop employee “off-boarding” program
January 1 – July 14, 2024	Market and support “Back to Capacity” grant application round Market and support employer stipend program Market and support “Off-boarding” program
By July 14, 2024	Support 2 new family child care providers in achieving regulation
By July 14, 2024	Begin supporting one new group center in achieving licensing
By July 14, 2024	Support 2 businesses in implementing an employee stipend program
By July 14, 2024	Support 2 businesses in implementing an “Off-boarding” program
Ongoing	Quarterly meetings, written narratives and data reports to City of La Crosse

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Attachment B. City of La Crosse Standard Contract Terms and Conditions

These are subject to modification at any time by the City of La Crosse and the final agreement with the City will include other provisions not in this agreement. Successful applicant will agree to abide by the City's Standard Contract Terms and Conditions.

1. **DEFINITIONS.** In this section "Contracting Party" shall mean any party that is entering into this Agreement with the City of La Crosse. "La Crosse" shall mean the City of La Crosse. These definitions shall apply only to this document titled "Standard Terms and Conditions (Service Contracts)" and shall not replace, modify or supersede any definitions used in other sections of this Agreement.

2. **STANDARD OF PERFORMANCE.** Contracting Party agrees that the performance of the services, pursuant to the terms and conditions of this Agreement, shall be in a manner at least equal to the degree of care and skill ordinarily exercised by members of the same professions currently practicing under similar circumstances providing like services

3. **FULLY QUALIFIED.** Contracting Party represents that all personnel engaged in the performance of the services set forth in this Agreement shall be fully qualified and, if applicable, shall be authorized or permitted under all applicable state and local laws and any other applicable laws or regulations to perform the services.

4. **SCOPE OF SERVICES.** Contracting Party is required to perform, do and carryout in a timely and professional manner the services set forth in this Agreement. The Contracting Party is required to furnish all services and labor necessary as indicated in this Agreement. The scope of services to be performed shall include, those services set forth in this Agreement. La Crosse may from time to time request the Contracting Party to perform additional services which are not set forth in this Agreement. In the event that such a request is made, the performance of such services shall be subject to the terms, conditions and contingencies set forth in this Agreement.

5. **CHANGE OF SCOPE.** The scope of service set forth in this Agreement is based on facts known at the time of the execution of this Agreement. The scope of service may not be fully definable during initial phases, and as the project progresses, facts discovered may indicate that the scope must be redefined. If mutually agreed to in advance in writing, Contracting Party shall make changes, furnish necessary materials, and perform the work that La Crosse may require, without nullifying this Agreement, at a reasonable addition to, or reduction from, the total cost of the project. Under no circumstances shall Contracting Party make any changes, either as additions or deductions, without the written consent of La Crosse, and La Crosse shall not pay any extra charges made by Contracting Party that have not been agreed upon in advance and documented in writing.

6. **COMPENSATION.** Contracting Party will be compensated by La Crosse for the services provided under this Agreement and subject to the terms, conditions and contingences set forth herein. Payments to Contracting Party for services rendered under this Agreement will be based on itemized invoices submitted on a monthly basis by the Contracting Party to La Crosse. These invoices, unless lump sum, must be itemized to identify labor costs and the Contracting Party's direct expenses, including subcontractor and supplier costs. In addition, such invoices shall show the hours worked by the Contracting Party's staff and the amount of work completed as a percentage of the work to be performed. If payment is by lump sum, then only the percent complete will be invoiced. The final payment of the balance due the Contracting Party for the completed service shall be made upon completion and acceptance of the services performed by the Contracting Party under this Agreement. Without prejudice to any other right or remedy it may have, La Crosse reserves the right to setoff at any time any amount owing to it by Contracting Party against any amount payable by La Crosse to Contracting Party.

7. **TAXES, SOCIAL SECURITY, INSURANCE AND GOVERNMENT REPORTING.** Personal income tax payments, social security contributions, insurance and all other governmental reporting and contributions required as a consequence of the Contracting Party receiving payment under this Agreement shall be the sole responsibility of the Contracting Party.

8. **TERMINATION FOR CAUSE.** If, through its own fault, intentional misconduct, or the fault or intentional misconduct of its subcontractors, agents or volunteers, the Contracting Party shall fail to fulfill in a timely and proper manner its obligations

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under this Agreement, or if the Contracting Party shall violate any of the covenants, agreements, or stipulations of this Agreement, both as determined by La Crosse in its sole discretion, La Crosse shall thereupon have the right to terminate this Agreement by giving written notice to the Contracting Party of such termination and specifying the effective date. In such event, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs, reports or other deliverables performed by the Contracting Party under this Agreement for which compensation has been made shall, at the option of La Crosse, become the property of La Crosse. Notwithstanding the foregoing, the Contracting Party shall not be relieved of liability to La Crosse for damages sustained by La Crosse by virtue of the Contracting Party's intentional misconduct or negligent performance of this Agreement, and La Crosse may withhold any payments to the Contracting Party for the purpose of setoff until such time as the exact amount of damages due to La Crosse from the Contracting Party is determined. Use of incomplete or unfinished work is at the sole risk of La Crosse.

9. **TERMINATION FOR CONVENIENCE.** Either Party may terminate this Agreement for convenience at any time and for any reason by giving sixty (60) days written notice to the other Party of such termination. If this Agreement is terminated by La Crosse pursuant to this provision, Contracting Party will be paid an amount which bears the same ratio to the total compensation as the services actually performed and accepted by La Crosse bear to the total services of the Contracting Party covered by this Agreement, less payments for such services as were previously made. The value of the services rendered and delivered by Contracting Party will be determined by La Crosse.

10. **SAFETY.** Unless specifically included as a service to be provided under this Agreement, La Crosse specifically disclaims any authority or responsibility for general job site safety, or the safety of other persons or property. Except as otherwise provided in this Agreement, Contracting Party disclaims any authority or responsibility for general job site safety, or the safety of third-parties or their property.

11. **DELAYS.** If performance of Contracting Party's obligations under this Agreement is delayed through no fault of Contracting Party, Contracting Party shall be entitled to a reasonable extension of time as proposed by Contracting Party and as accepted or amended by La Crosse. If performance of La Crosse's obligations is delayed through no fault of La Crosse, La Crosse shall be entitled to an extension of time equal to the delay.

12. **USE OF LA CROSSE PROPERTY.** Any property belonging to La Crosse being provided for use by Contracting Party shall be used in a responsible manner and only for the purposes provided in this Agreement. No changes, alterations or additions shall be made to the property unless otherwise authorized by this Agreement.

13. **INSURANCE.** Unless otherwise specified in this Agreement, Contracting Party shall, at its sole expense, maintain in effect at all times during the Agreement, insurance coverage with limits not less than those set forth below with insurers and under forms of policies set forth below.

a. **Worker's Compensation and Employers Liability Insurance.** Contracting Party shall cover or insure under the applicable labor laws relating to worker's compensation insurance, all of their employees in accordance with the laws of the State of Wisconsin. Contracting Party shall provide statutory coverage for work related injuries and employer's liability insurance with limits of at least for employer's liability of one hundred thousand dollars (\$100,000.00) per each accident, one hundred thousand dollars (\$100,000.00) per each employee and five hundred thousand dollars (\$500,000.00) total policy limit.

b. **Commercial General Liability and Automobile Liability Insurance.** Contracting Party shall provide and maintain the following commercial general liability and automobile liability insurance:

i. Coverage for commercial general liability and automobile liability insurance shall, at a minimum, be at least as broad as the following:

1. Insurance Services Office (ISO) Commercial General Liability Coverage (Occurrence Form CG 0001).

2. Insurance Services Office (ISO) Business Auto Coverage (Form CA 0001), covering Symbol 1 (any vehicle).

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ii. Contracting Party shall maintain limits no less than the following:

1. General Liability. Two million dollars (\$2,000,000.00) per occurrence (\$2,000,000.00 general aggregate if applicable) for bodily injury, personal injury and property damage.
2. Automobile Liability. Two million dollars (\$2,000,000.00) for bodily injury and property damage per occurrence covering all vehicles to be used in relationship to the Agreement.
3. Umbrella Liability. Five million dollars (\$5,000,000.00) following form excess of the primary General Liability, Automobile Liability and Employers Liability Coverage. Coverage is to duplicate the requirements as set forth herein.

c. Professional Liability Insurance. When Contracting Party renders professional services to La Crosse under the Agreement, Contracting Party shall provide and maintain two million dollars (\$2,000,000.00) of professional liability insurance. If such policy is a “claims made” policy, all renewals thereof during the life of the Agreement shall include “prior acts coverage” covering at all times all claims made with respect to Contracting Party’s work performed under the Agreement. This Professional Liability coverage must be kept in force for a period of six (6) years after the services have been accepted by the La Crosse.

d. Required Provisions. The general liability, umbrella liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

i. La Crosse, its elected and appointed officials, officers, employees or authorized representatives or volunteers are to be given additional insured status (via ISO endorsement CG 2010, CG 2033, or insurer’s equivalent for general liability coverage) as respects: liability arising out of activities performed by or on behalf of Contracting Party; products and completed operations of Contracting Party; premises occupied or used by Contracting Party; and vehicles owned, leased, hired or borrowed by Contracting Party. The coverage shall contain no special limitations on the scope of protection afforded to La Crosse, its elected and appointed officials, officers, employees or authorized representatives or volunteers. Except for the workers’ compensation policy, each insurance policy shall contain a waiver of subrogation endorsement in favor of La Crosse.

ii. For any claims related to this Agreement, Contracting Party’s insurance shall be primary insurance with respect to La Crosse, its elected and appointed officials, officers, employees or authorized representatives or volunteers. Any insurance, self-insurance, or other coverage maintained by La Crosse, its elected and appointed officers, officials, employees or authorized representatives or volunteers shall not contribute to the primary insurance.

iii. Any failure to comply with reporting or other provisions of the policies including breaches of warranties shall not affect coverage provided to La Crosse, its elected and appointed officers, employees or authorized representatives or volunteers.

iv. Contracting Party’s insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer’s liability.

v. Coverage shall not be canceled by the insurance carrier or the Contracting Party, except after sixty (60) days (ten (10) days for non-payment of premium) prior written notice by U.S. mail has been given to La Crosse.

vi. Such liability insurance shall indemnify La Crosse, its elected and appointed officials, officers, employees or authorized representatives or volunteers against loss from liability imposed by law upon, or assumed under contract by, Contracting Party for damages on account of such bodily injury, (including death), property damage personal injury, completed operations, and products liability.

vii. The general liability policy shall cover bodily injury and property damage liability, owned and non-owned equipment, blanket contractual liability, completed operations. The automobile liability policy shall cover all owned, non-owned, and hired vehicles.

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viii. All of the insurance shall be provided on policy forms and through companies satisfactory to La Crosse, and shall have a minimum AM Best's rating of A- VIII.

e. Deductibles and Self-Insured Retentions. Any deductible or self-insured retention must be declared to and approved by La Crosse.

f. Evidences of Insurance. Prior to execution of the Agreement, Contracting Party shall file with La Crosse a certificate of insurance (Accord Form 25-S or equivalent) signed by the insurer's representative evidencing the coverage required by this Agreement. Such evidence shall include an additional insured endorsement signed by the insurer's representative. Such evidence shall also include confirmation that coverage includes or has been modified to include all required provisions as detailed herein.

g. Sub-Contractor. In the event that Contracting Party employ other contractors (sub-contractors) as part of this Agreement, it shall be the Contracting Party's responsibility to require and confirm that each sub-contractor meets the minimum insurance requirements specified above.

h. Amendments. La Crosse may amend its requirements for insurance upon sixty (60) days written notice. Contracting Party shall procure updated insurance to comply with the new requirements of La Crosse if commercially available and at La Crosse's expense. Contracting Party may appeal any requirement to amend the insurance coverage to La Crosse's City Council who may, in its sole discretion, mutually agree to waive such changes.

14. INDEMNIFICATION. To the fullest extent allowable by law, Contracting Party hereby indemnifies and shall defend and hold harmless, at Contracting Party's expense, La Crosse, its elected and appointed officials, committee members, officers, employees, authorized representatives and volunteers ("La Crosse Indemnitees") from and against third party tort suits, actions, legal or administrative proceedings, claims, costs and expenses (including, without limitation, reasonable attorney and professional fees) to the extent caused by the negligent acts, errors or omissions of Contracting Party, its subcontractors or of anyone acting under its direction or control or on its behalf in the performance of this Agreement. Contracting Party's defense obligation shall not apply to professional liability claims. The aforesaid indemnity and hold harmless agreement shall not be applicable to any liability to the extent caused by La Crosse, its elected and appointed officials, officers, employees or authorized representatives, consultants, contractors or volunteers in the performance of this Agreement. Contracting Party's obligation to indemnify, defend and hold harmless shall not be restricted to insurance proceeds, if any, received by La Crosse, its elected and appointed officials, officers, employees, authorized representatives or volunteers. Nothing in this Agreement is intended or shall be construed to be a waiver or estoppel of La Crosse or its insurer (or otherwise affect or alter their ability) to rely upon the limitations, defenses and immunities contained within Wis. Stat. §§ 345.05 and 893.80, or other applicable law. To the extent that indemnification is available and enforceable against La Crosse, (a) La Crosse or its insurer shall not be liable in indemnity, contribution, or otherwise for an amount greater than the limits of liability of municipal claims established by applicable Wisconsin or federal law; and (b) La Crosse's obligations under this Agreement are further conditioned upon the following: (i) the indemnified party shall promptly notify La Crosse in writing of any such claims, demands, liabilities, damages, costs and expenses within ten (10) days of discovery; (ii) La Crosse shall have sole control of, and the indemnified party shall reasonably cooperate in all respects, in the defense of the claims, demands, liabilities, damages, costs and expenses and all related settlement negotiations; and (iii) the indemnified party shall not make any admission or disclosure or otherwise take any action prejudicial to La Crosse except as required by law. Neither party shall be liable for indirect, special, exemplary, consequential or incidental damages, including, without limitation, any damages for lost profits, revenue or business interruption. The parties represent that, as of the effective date, neither party has any notice or knowledge of any claims, demands, liabilities, damages, costs and expenses asserted or threatened by any third party with respect to the matters contemplated in this Agreement. This indemnity provision shall survive the termination or expiration of this Agreement.

15. NO PERSONAL LIABILITY. Under no circumstances shall any trustee, officer, official, commissioner, director, member, partner or employee of either party have any personal liability arising out of this Agreement, unless an employee of the Contracting Party shall commit a criminal, fraudulent, malicious, or dishonest act which is excluded from Contracting Party's insurance coverage.

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16. Intentionally omitted.

17. **INDEPENDENT CONTRACTORS.** The parties, their employees, agents, volunteers, and representative shall be deemed independent contractors of each other and shall in no way be deemed as a result of this Agreement to be employees of the other. The parties, their employees, agents, volunteers, and representatives are not entitled to any of the benefits that the other provides for its employees. The parties shall not be considered joint agents, joint ventures, or partners.

18. **GOVERNING LAW.** This Agreement and all questions and issues arising in connection herewith shall be governed by and construed in accordance with the laws of the State of Wisconsin. Venue for any action arising out of or in any way related to this Agreement shall be exclusively in La Crosse County, Wisconsin. Each party waives its right to challenge venue.

19. **JURY TRIAL WAIVER.** The parties hereby waive their respective rights to a jury trial on any claim or cause of action based upon or arising from or otherwise related to this Agreement. This waiver of right to trial by jury is given knowingly and voluntarily by the parties and is intended to encompass individually each instance and each issue as to which the right to a trial by jury would otherwise accrue. Each party is hereby authorized to file a copy of this section in any proceeding as conclusive evidence of this waiver by the other party.

20. **NOTIFICATION.** Parties shall:

(1) As soon as possible and in any event within a reasonable period of time after the occurrence of any event of default by either party, notify the other Party in writing of such default and set forth the details thereof and the action which is being taken or proposed to be taken by defaulting party to cure or mitigate the default.

(2) Promptly notify the other Party of the commencement of any litigation or administrative proceeding that would cause any representation contained in this Agreement to be untrue.

(3) If related to the performance of services and work under this Agreement, notify the other Party, and provide copies, immediately, upon receipt, of any notice, pleading, citation, indictment, complaint, order or decree from any federal, state or local government agency or regulatory body, asserting or alleging a circumstance or condition that requires or may require a financial contribution by a Party or any guarantor or an investigation, clean-up, removal, remedial action or other response by or on the part of a Party or any guarantor under any environmental laws, rules, regulations, ordinances or which seeks damages or civil, criminal or punitive penalties from or against a Party or any guarantor for an alleged violation of any environmental laws, rules, regulations or ordinances.

21. **SEVERABILITY.** The provisions of this Agreement are severable. If any provision or part of this Agreement or the application thereof to any person or circumstance shall be held by a court of competent jurisdiction to be invalid or unconstitutional for any reason, the remainder of this Agreement and the application of such provision or part thereof to other persons or circumstances shall not be affected thereby.

22. **ASSIGNMENT, SUBLET, AND TRANSFER.** A Party shall not assign, sublet, or transfer its interests or obligations under the provisions of this Agreement without the prior written consent of the other Party. This Agreement shall be binding on the heirs, successors, and permitted assigns of each party hereto. A Party shall provide not less than forty-five (45) days advance written notice of request to assign, sublet or transfer any services provided under this Agreement. The decision to allow an assignment by Contracting Party rests solely with La Crosse, in its discretion

23. **NO WAIVER.** The failure of any party to insist, in any one or more instance, upon performance of any of the terms, covenants, or conditions of this Agreement shall not be construed as a waiver, or relinquishment of the future performance of any such term, covenant, or condition by any other party hereto but the obligation of such other party with respect to such future performance shall continue in full force and effect.

24. **SUBCONTRACTING.** None of the services to be performed under this Agreement shall be subcontracted without the

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prior written approval of La Crosse. If any of the services are subcontracted, the performance of such services shall be specified by written contract and shall be subject to each provision of this Agreement. Contracting Party shall be as fully responsible to La Crosse for the acts and omissions of its subcontractors and of person either directly or indirectly employed by them, as it is for acts and omissions of persons directly employed by it.

25. **CONFLICTS OF INTEREST.** Contracting Party covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of its services hereunder. Contracting Party further covenants that in the performance of this Agreement no person having any conflicting interest shall be employed. Any interest on the part of Contracting Party or its employee must be disclosed to La Crosse

26. **NON-DISCRIMINATION.** Pursuant to law, it is unlawful and Contracting Party agrees not to willfully refuse to employ, to discharge, or to discriminate against any person otherwise qualified because of race, color, religion, sex, sexual orientation, age, disability, national origin or ancestry, lawful source of income, marital status, creed, or familial status; not to discriminate for the same reason in regard to tenure, terms, or conditions of employment, not to deny promotion or increase in compensation solely for these reasons; not to adopt or enforce any employment policy which discriminates between employees on account of race, color, religion, sex, creed, age, disability, national origin or ancestry, lawful source of income, marital status or familial status; not to seek such information as to any employee as a condition of employment; not to penalize any employee or discriminate in the selection of personnel for training, solely on the basis of race, color, religion, sex, sexual orientation, age, disability, national origin or ancestry, lawful source of income, marital status, creed or familial status. Contracting Party shall include or cause to be included in each subcontract covering any of the services to be performed under this Agreement a provision similar to the above paragraph, together with a clause requiring such insertion in further subcontracts that may in turn be made.

27. **POLITICAL ACTIVITIES.** Contracting Party employees shall not engage in any political activities within the City of La Crosse while in performance of any and all services and work under this Agreement. This does not apply to periods of time in which employee is not at work, or is billing other than La Crosse for his/ her time.

28. **GOVERNMENTAL APPROVALS.** Contracting Party acknowledges that various of the specific undertakings of La Crosse described in this Agreement may require approvals from the City of La Crosse Council, City of La Crosse bodies, and/or other public bodies, some of which may require public hearings and other legal proceedings as conditions precedent thereto. Contracting Party further acknowledges that this Agreement is subject to appropriation by the La Crosse Common Council. La Crosse's obligation to perform under this Agreement is conditioned upon obtaining all such approvals in the manner required by law. La Crosse cannot assure that all such approvals will be obtained, however, it agrees to use good faith efforts to obtain such approvals on a timely basis. . 2

9. **ENTIRE AND SUPERSEDING AGREEMENT.** This writing, all Exhibits hereto, and the other documents and agreements referenced herein, constitute the entire Agreement between the parties with respect to the subject matter hereof, and all prior agreements, correspondences, discussions and understandings of the parties (whether written or oral) are merged herein and made a part hereof. To the extent that any terms and conditions contained in this Agreement, all Exhibits hereto, and the other documents and agreement referenced herein conflict with these Standard Terms and Conditions, the Standard Terms and Conditions shall take precedence.

30. **AMENDMENT.** This Agreement shall be amended only by formal written supplementary amendment. No oral amendment of this Agreement shall be given any effect. All amendments to this Agreement shall be in writing executed by both parties.

31. **IMPLEMENTATION SCHEDULE AND TIME OF THE ESSENCE.** Any and all phases and schedules which are the subject of approvals, or as set forth herein, shall be governed by the principle that modification or deviation from such schedules shall occur only upon approval of La Crosse or reasons of Force Majeure. Any phase or schedule that is determined to be "time of the essence" shall be specifically identified as such within the scope of services. The Mayor, or in the Mayor's absence, the Council President, shall have the ability to postpone any deadline listed herein, up to a maximum of ninety (90) days. If such delays cause additional cost, Contracting Party shall be reimbursed.

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32. **TIME COMPUTATION.** Any period of time described in this Agreement by reference to a number of days includes Saturdays, Sundays, and any state or national holidays. Any period of time described in this Agreement by reference to a number of business days does not include Saturdays, Sundays or any state or national holidays. If the date or last date to perform any act or to give any notices is a Saturday, Sunday or state or national holiday, that act or notice may be timely performed or given on the next succeeding day which is not a Saturday, Sunday or state or national holiday.

33. **NOTICES.** Any notice, demand, certificate or other communication under this Agreement shall be given in writing and deemed effective: a) when personally delivered; b) three (3) days after deposit within the United States Postal Service, postage prepaid, certified, return receipt requested; or c) one (1) business day after deposit with a nationally recognized overnight courier service, addressed by name and to the party or person intended as follows: To the City: Attn. City Clerk Copy to: Attn. City Attorney City of La Crosse City of La Crosse 400 La Crosse Street 400 La Crosse Street La Crosse, WI 54601 La Crosse, WI 54601 Contracting Party shall identify in writing and provide to La Crosse the contact person and address for notices under this Agreement.

34. Intentionally omitted.

35. **ACCESS TO RECORDS.** Contracting Party, at its sole expense, shall maintain books, records, documents and other evidence pertinent to this Agreement in accordance with accepted applicable professional practices. La Crosse, or any of its duly authorized representatives, shall have access, at no cost to La Crosse, to such books, records, documents, papers or any records, including electronic, of Contracting Party which are pertinent to the hourly rates of pay and reimbursable costs under this Agreement, for the purpose of making audits, examinations, excerpts and transcriptions. Once deliverables are provided to La Crosse, additional copies will be provided for a fee.

36. **PUBLIC RECORDS LAW.** Contracting Party understands and acknowledges that La Crosse is subject to the Public Records Law of the State of Wisconsin. As such, Contracting Party agrees to retain all records as defined by Wisconsin Statute § 19.32(2) applicable to this Agreement for a period of not less than seven (7) years after the termination or expiration of this Agreement. Contracting Party agrees to assist La Crosse in complying with any public records request that La Crosse receives pertaining to this Agreement. If the requested record is not within that which is required to be produced by statute or other authority, then Contracting Party may object, and La Crosse will reject the request. Contracting Party shall seek to intervene in any subsequent public records lawsuit, writ of mandamus, or other action against La Crosse seeking to compel disclosure in order to dispute disclosure of the requested record. Contracting Party shall also cooperate and provide assistance to La Crosse, at no cost, in the defense of such lawsuit, writ or other action. If the request is upheld by a court of law, then Contracting Party will produce the records or indemnify and hold harmless La Crosse Indemnitees from any liability, including without limitation, attorney fees related to or in any way arising from Contracting Party's actions or omissions which contribute to La Crosse's inability to comply with the Public Records Law. In the event that Contracting Party decides not to retain its records for a period of seven (7) years, then it shall provide written notice to La Crosse whereupon La Crosse shall take custody of said records assuming such records are not already maintained by La Crosse. This provision shall survive the termination of this Agreement.

37. **CONSTRUCTION.** This Agreement shall be construed without regard to any presumption or rule requiring construction against the party causing such instrument to be drafted. This agreement shall be deemed to have been drafted by the parties of equal bargaining strength. The captions appearing at the first of each numbered section of this Agreement are inserted and included solely for convenience but shall never be considered or given any effect in construing this Agreement with the duties, obligations, or liabilities of the respective hereto or in ascertaining intent, if any questions of intent should arise. All terms and words used in this Agreement, whether singular or plural and regardless of the gender thereof, shall be deemed to include any other number and any other gender as the context may require.

38. **NO THIRD-PARTY BENEFICIARY.** Nothing contained in this Agreement, nor the performance of the parties hereunder, is intended to benefit, nor shall inure to the benefit of, any third party.

39. **COMPLIANCE WITH LAW.** The parties shall comply in all material respects with applicable federal, state and local laws, regulations and ordinances.

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40. **FORCE MAJEURE.** Neither Party shall be responsible for any resulting losses and it shall not be a default hereunder if the fulfillment of any of the terms of this Agreement is delayed or prevented by revolutions or other civil disorders, wars, acts of enemies, strikes, fires, floods, acts of God, adverse weather conditions, legally required environmental remedial actions, industrywide shortage of materials, or by any other cause not within the control of the party whose performance was interfered with, and which exercise of reasonable diligence, such party is unable to prevent, whether of the class of causes hereinabove enumerated or not, and the time for performance shall be extended by the period of delay occasioned by any such cause.

41. **GOOD STANDING.** Contracting Party affirms that it is a company duly formed and validly existing and in good standing under the laws of the State of Wisconsin and has the power and all necessary licenses, permits and franchises to own its assets and properties and to carry on its business. Contracting Party is duly licensed or qualified to do business and is in good standing in the State of Wisconsin and in all other jurisdictions in which failure to do so would have a material adverse effect on its business or financial condition.

42. **AUTHORITY.** The persons signing this Agreement warrant that they have the authority to sign as, or on behalf of, the party for whom they are signing.

43. **EXECUTION OF AGREEMENT.** Contracting Party shall sign and execute this Agreement on or before sixty (60) days of its approval by the La Crosse Common Council, and Contracting Party's failure to do so will render the approval of the Agreement by the La Crosse Common Council null and void unless otherwise authorized.

44. **COUNTERPARTS.** This Agreement may be executed in one or more counterparts, all of which shall be considered but one and the same agreements and shall become effective when one or more counterparts have been signed by each of the parties and delivered to the other party.

45. **SURVIVAL.** All express representations, indemnifications and limitations of liability included in this Agreement will survive its completion or termination.

46. **COMPLIANCE WITH LAW.** Contracting Party agrees to abide by applicable federal, state and local laws, regulations and ordinances, and all provisions of this Agreement.

47. **RELIANCE.** Contracting Party has the right to reasonably rely on information provided by or through La Crosse.

Revised: 06.21.19



Child Care Development Project

CITY OF LA CROSSE ARPA FUNDING

| Year 1 | July 15, 2022- July 14, 2023



Achievement of Performance Goals

1. CHILD CARE DEVELOPMENT COORDINATOR POSITION

The Child Care Development Coordinator position was filled as of August 29, 2022 with existing Parenting Place staff member, Michelle Sampson, whose position with another program was being eliminated. This position has led the coordination and facilitation of efforts within the City of La Crosse to assess and reduce the child care shortage. Activities are as follows.

CHILD CARE SURVEY

The Child Care Development Coordinator created and facilitated a child care survey to determine the current state of child care within the City of La Crosse with specific attention to child enrollment and staffing challenges. The resulting data report has been shared in the community and was used to determine grant and stipend amounts along with informing future work.

COMMUNITY COLLABORATIONS AND ADVOCACY EFFORTS

The Child Care Development Coordinator has joined various community collaboration meetings such as the W2 Steering Committee, state-wide Partner Up! meetings, and the Chamber of Commerce's Leadership La Crosse program. The Child Care Development Coordinator has also attended advocacy events and shared advocacy opportunities with local businesses and will co-present at an upcoming statewide conference for Human Resources professionals about the impact of child care on employee recruitment and retention.

NAVIGATION SERVICES FOR NEW CHILD CARE PROGRAMS

- Provided coaching and financial support to 1 group child care center to add 63 slots in the City of La Crosse (see "Start-Up Success Story" on page 4).
- Provided coaching and financial support to 1 family child care provider, adding 3 slots (which includes 3 children under the age of 2) in the City of La Crosse.

BUSINESS AND COMMUNITY ENGAGEMENT

LOCAL CHILD CARE CONVERSATIONS

The Child Care Development Coordinator has created and facilitated ongoing "Child Care Conversations" meetings with local businesses and community members to discuss innovative ways to support employees' needs while investing in child care. During these meetings, held in February and April so far, The Parenting Place has researched and shared different child care models that businesses in surrounding communities

have implemented. These meetings have consisted of individuals from a total of 10 business and community organizations.

INDIVIDUAL ENGAGEMENT MEETINGS

The Child Care Development Coordinator has engaged individually with local businesses and community members to discuss child care options and collaborate on child care needs in our community. During this time, The Child Care Development Coordinator has connected interested area businesses with others who are implementing various child care models and brainstormed innovative ways they could provide support. These meetings have consisted of individuals from 10 businesses and community organizations.

EMPLOYER CHILD CARE MODEL RESOURCE

The Child Care Development Coordinator is in the beginning stages of creating a resource for employers that lays out potential models that they can use to support their employees' child care needs. The Child Care Development Coordinator has used time during the "Child Care Conversations" meeting to learn the needs of local businesses and what information and supports they are looking for. The goal of this resource is for businesses to have the ability to look at a variety of models to determine the best option for their business.

2. RETENTION STRATEGIES

RECRUITMENT AND RETENTION STIPENDS

The Child Care Development Coordinator designed and dispersed 27 recruitment and retention stipends in March 2023 to regulated child care providers within the City of La Crosse for a total of \$167,000.00. This included 8 group child care centers, 12 family child care providers, and 7 school age programs.

- o Maintain current staff wages: \$35,062.00 (30%)
- o Staff benefits: \$2,700 (2%)
- o Staff retention bonuses: \$72,398 (64%)
- o Professional development costs for both new and existing staff: \$2,282 (2%)
- o Recruitment bonuses and wage increase for new hires: \$857 (1%)

*The above data is based on responses reported by May 31, 2023 (representing 68% of funding). Data will be updated when additional responses are received.

Recruitment and Retention Impact Quotes:

Family Child Care Provider: *“It seems like every dime I earn goes back into maintaining the property or improvements to the child care to keep my business competitive to other homes. When there is a few extra dollars I want to squirrel every extra dollar away for future emergencies. This stipend I chose to put into retirement investments. I have not been able to invest much into retirement being a child care provider. The cost of maintaining my home far exceeds social security benefits.”*

PROFESSIONAL DEVELOPMENT SUPPORT

The Child Care Development Coordinator helped to facilitate multiple professional development opportunities at The Parenting Place to support both potential child care providers and existing child care providers within The City of La Crosse. This includes the following trainings:

- 2 different required entry level trainings which included Introduction to the Child Care Profession and Skills and Strategies. Both were offered free of cost utilizing a Department of Children and Families funding source.
- Business practices for family child care providers (this training was created based off of the survey data collected) – coming June 2023
- Strengthening Families – which includes the mandated reporter training
- Pyramid Model (Supporting social and emotional competence in young children)

There were an additional 33 required health and safety trainings offered by The Parenting Place such as Abusive Head Trauma and CPR, along with trainings on curriculum, developmentally appropriate practice, health and nutrition, and many other topics.

CHILD CARE RECOGNITION STRATEGIES

The Child Care Development Coordinator, along with fellow staff at The Parenting Place, planned and hosted a free child care appreciation event. Over 130 child care providers attended and were recognized for their achievements during a night of fun at Maple Grove Venues. This event included speakers from both the local and state level that shared their appreciation for the important work child care providers do and engaged financial support from businesses in La Crosse and surrounding communities.

CHILD CARE PROVIDER UPDATES

The Child Care Development Coordinator provided quarterly updates to all existing child care providers within the City of La Crosse to share updates and request feedback. This included a scheduled evening event along with a newsletter that was sent to all regulated child care providers. The Child Care Development Coordinator

has also scheduled in-person meetings or phone calls with providers in The City of La Crosse to stay up-to-date on their needs.

3. START-UP AND EXPANSION STRATEGIES

The Child Care Development Coordinator designed and distributed 2 rounds of child care start-up and expansion grants. This included a \$28,000 award to support the opening of a child care center in the City of La Crosse (see “Start-up Success Story” below) and \$920.27 to support a new in-home family child care provider.

Retention Success Stories:

RED BALLOON CHILD CARE RE-OPENS CLOSED CLASSROOM

When the COVID-19 pandemic hit in the spring of 2020 Red Balloon was forced to close 2 of their classrooms and reduce the capacity of 4 other classrooms by 50% due to staffing challenges and increased costs due to the pandemic. For nearly three years, the center was not able to re-open those classrooms due to staffing shortages. Then the center utilized City of La Crosse ARPA funding to support staff recruitment efforts. Due to this funding, the center was recently able to hire 3 assistant teacher qualified applicants and quickly move them into a teacher qualified position because they offered both a wage increase and a bonus for the completion of the required courses to obtain teacher qualifications. In May 2023, the center was finally able to re-open one of the classrooms and begin to fill another one of the classrooms that was operating at reduced capacity resulting in an increase of at least 10 slots in the City of La Crosse.

Start-Up Success Story:

PRESCHOOL CHILD CARE

In October of 2022 The Parenting Place was notified that a local child care center (not located within the City of La Crosse) was going to be closing their doors by the end of 2022 due to a lease ending. The Child Care Development Coordinator (Michelle Sampson) instantly reached out to the center and was able to begin providing supports immediately. The Director (Lisa Goodwin) explained that she was actively looking for a new location, but that was easier said than done. After touring many locations Lisa found a location with potential that was located within The City of La



Crosse. Michelle suggested that The Parenting Place's Pre-licensing Consultant also tour the building to give feedback on the construction that would need to be done to meet licensing requirements. During the tour, the current tenants (VARC Inc.) were at the tour and asked a few questions about child care. After the visit VARC reached out to Lisa to begin the conversation about a partnership. During this time, Michelle was invited (by a current parent at the child care center) to attend a parent meeting about finding child care. At this meeting, parents shared their fears and potential solutions for interim child care. Michelle provided insight into some of the legalities of caring for children both in-home and group child care settings. Michelle was also able to share resources on finding regulated child care and how The City of La Crosse ARPA funding could support the child care center moving forward in a new location.

After some conversations between The Director (Lisa Goodwin) and VARC, a partnership was formed! VARC acquired the child care center which allowed for an extensive remodel of the building to keep all 63 child care slots with the potential for additional slots in the future. This change also brought new opportunities such as benefits for employees along with the plan of creating an inclusive child care setting by caring for children with disabilities. The center received a start-up grant from The City of La Crosse ARPA funding for \$28,000.00 to help with the remodel. Michelle and the Pre-Licensing Consultant worked hand-in-hand with the center from beginning construction through the achievement of their license to provide input on space, materials, and connect them with other resources in the community. On Monday, May 8th, 2023 the child care center earned their child care license in their new space and they opened their doors on Monday, May 15th, 2023, adding 63 new slots in the City of La Crosse.

Attachment A: Contract Year-to-date Budget Comparison

Attachment B: Letter from Megan Tully of VARC, Inc.

Attachment C: Letter from Katie Green, Preschool Child Care Parent

Attachment D: Letter from Lisa Goodwin, Preschool Child Care

Attachment A: Expenses through April 30, 2023

Expense	Budgeted	Actual through 4/30/2023	Notes
Staff Benefits & Compensation	\$ 72,954.00	\$53,739.32	Staff to implement program – year 1 of 4 years (includes wages and benefits for 1 FTE Coordinator position, limited data work and supervision/support)
Occupancy	\$ 2,047.00	\$5,784.43	Workspace and communication costs for staff (actual adjusted to include cleaning cost and depreciation)
Mileage Reimbursement	\$ 1,313.00	\$336.37	Mileage reimbursement for travel to providers, businesses, meetings
Professional Development	\$ 985.00	\$1014.51	Training to increase skills and knowledge of staff
Supplies	\$ 500.00	\$1007.65	Office supplies needed
Laptop	\$ 1,200.00	\$0	One time start-up cost for new staff
Total Project Staff Cost	\$ 78,999.00	\$61,882.28	Total Project Staff Costs
General Program Operations		\$5423.69	Added to capture copying/printing, postage, program supplies, dues/fees, risk insurance, audit
15% Administrative Costs	\$ 11,850.00	\$10,092.34	Administrative and back office support
Total Implementation	\$ 90,849.00	\$77,398.31	
Financial Support to child care businesses	\$ 183,000.00	\$167,000.00	Incentive to retain existing regulated child care providers thru bi-annual regulation maintenance awards
	\$ 37,500.00	\$0	Support expansion of existing regulated child care centers
	\$ 38,651.00	\$28,000.00	Start up support for new family child care and new child care center
Total Year 1 Project Cost	\$ 350,000.00	\$272,398.31	

Attachment B

May 1, 2023

Dear Michelle,

I am writing to provide you with an update on our recent progress and exciting news regarding opening our daycare center.

We are pleased to share that we are scheduled for our State license review on May 8th. The Parenting Place has been instrumental in supporting our readiness for this appointment by providing us with pre-licensing services, consultation, access to resources, collaboration opportunities and additional funding options through the ARPA grant. This partnership has been and will continue to be invaluable in helping us build a strong foundation for success and create meaningful impact in our community.

As you know, it is common for funding to be a crucial factor in opening a daycare. The ARPA grant has been a much needed financial support in start-up costs associated with the remodel of our center to meet daycare licensing requirements.

We are grateful for the support of The Parenting Place and look forward to our continued collaboration with them to achieve our shared vision. We believe that our partnership will help us to be a top-choice daycare provider for the La Crosse community.

We would like to express our sincere appreciation to The Parenting Place for their support and for sharing our commitment to quality daycare providers. We are excited about the opportunities this partnership will bring and look forward to keeping you updated on our progress.

Thank you for your continued support.

Best regards,

Megan Tully

Director of Strategy, VARC



www.varcinc.com

Corporate Office

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Phone (608) 637-3934
Fax (608) 637-8091

Sauk Division

220 Wengel Drive
Reedsburg, WI 53959
Phone (608) 524-3716
Fax (608) 524-9839

Richland Division

111 W Robb Road
Richland Center, WI 53581
Phone (608) 647-3850
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Juneau Division

1110 North Road
Mauston, WI 53948
Phone (608) 847-4675
Fax (608) 847-4683

La Crosse Division

3120 South Ave.
La Crosse, WI 54601
Phone (608) 782-7010
Fax (608) 782-7020

Monroe Division

402 S. Black River St.
Sparta, WI 54656
Phone (608) 855-5008

Attachment C- Letter from Katie Green, Parent Preschool Childcare Center

The Parenting Place is a critical resource in the La Crosse community. In October of this year, I got the news that our daycare center would be shutting down at the end of 2022 because they would no longer have a location. We have a 4, 2, and 1 year old who attend the Preschool Childcare Center, and this news was some of the most devastating news our family could receive. I was terrified, and my husband and I immediately started considering which one of us would have to quit our job and how we would afford our life if it came to that. My 4 year old has been thriving in the Pre-K program at Summit Environmental School, and we did not know how we would continue to provide transportation for him from daycare to 4K. 63 spots and 55 families were affected by this closure, and I was now tasked with finding daycare for three small children when there are waiting lists at most providers in the area.

Our daycare center provider and team desperately wanted to find a way to reopen and continue providing care for the children of the La Crosse area. The Parenting Place was instrumental in that process. The Parenting Place worked closely with our provider to help her find a new location and to support her and her staff with potential grant money to keep this center open and available for the families in La Crosse. We had a meeting with the staff, parents, the county, and the Parenting Place. The Parenting Place helped staff and families understand their options and support us through this tough time. They were also instrumental in helping our center to re-open in 2023. We are likely looking at less than a week of gap time between locations and service. They are an essential support for families, parents, providers, and employers in the La Crosse area.

Katie Green

Parent and Teacher at Central High School

Attachment D – Letter from Lisa Goodwin, Director of Preschool Child Care

I started as the Director of the Preschool Childcare Center in 2012, and the Parenting Place has played a large role in helping me get to where I am today. When PCC joined Youngstar I didn't realize what an impact the Parenting Place would have on the way that I ran the Center. Not only with the consulting and trainings, but also just knowing that they were always there to help support me with anything that I would need.

After being located at the French Island location for 11 years and finding out that we would not be able to renew our lease, it became a very stressful time for me. I needed to find a place that our families and staff could relocate to. The Parenting place immediately jumped in and even started helping me look for a new location. They were there even if it meant just listening and giving support. The families of the Center played a large part as well. They started a parent group and held a meeting at the Center to brainstorm on how to keep us all together, and Michelle Sampson from the Parenting Place was there to help in any way she could. The Parents ended up working with some of our teachers to do a Nanny share, so they had care for their children and the teachers had an income while waiting for the transition.

Eventually a parent of the Center sent me a link for the VARC building, so my husband and I went to look at the building. After meeting with Liz Filter (the CEO of VARC) and Megan Tully (Director of Strategies of VARC) we went home and discussed things and decided that we wanted to put an offer in on the building, so we set up a time to meet with them again. Things took a surprising turn as I was approached with the idea of teaming up with VARC. After hearing the positive things that VARC had to offer our Staff and families, we went home to discuss things. Eventually we decided that teaming up with VARC would benefit everyone. VARC purchased PCC and I stayed on as the Director and we were able to keep the current staff.

The Parenting Place was there for me every step of the way, Michelle Sampson and Jan Burns came through the building and helped with ideas before construction and were there to help me through the licensing process as well. We are now licensed and have many of our families and staff back together and ready for a bright future!



CITY OF LA CROSSE

**400 La Crosse Street
La Crosse, Wisconsin 54601
(608) 789-CITY
www.cityoflacrosse.org**

LEGISLATION STAFF REPORT FOR COUNCIL

File ID Caption

Staff/Department Responsible for Legislation

Requestor of Legislation

Location, if applicable

Summary/Purpose

Background

Fiscal Impact

Staff Recommendation



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Text File

File Number: 23-0691

Agenda Date: 7/6/2023

Version: 1

Status: New Business

In Control: Finance & Personnel Committee

File Type: Resolution

Agenda Number:

Resolution authorizing the addition of two (2) positions within the Street Department.

RESOLUTION

WHEREAS, it is the recommendation by staff that two (2) additional positions be added to aid the Street department in achieving formalized leadership for those performing sweeping duties and appropriate staffing for heavy equipment technicians; and

WHEREAS, all requests for classification of new positions are subject to review by the Director of Human Resources, and if justified, the Director of Human Resources must provide a recommendation to Common Council; and

WHEREAS, it is recommended two (2) additional full-time positions be added and approved as follows:

- Add one (1) non-exempt, full-time, 80 hours per pay period, position of Crew Leader – Sweeper at a Grade 8 with an hourly range of \$27.12 to \$35.58.
- Add one (1) non-exempt, full-time, 80 hours per pay period, position of Mechanic II at a Grade 8 with an hourly range of \$27.12 to \$35.58.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the fiscal impact of the changes in 2023 are approximately \$4,600.00 which will be absorbed in a number of ways including elimination of seasonal staff, vacancies in several positions in 2023 and promoting from within and not backfilling those positions.

BE IT FURTHER RESOLVED that the Director of Engineering and Public Works and the Director of Human Resources are hereby authorized and directed to take all necessary steps to implement this resolution.



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LEGISLATION STAFF REPORT FOR COUNCIL

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Staff/Department Responsible for Legislation

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Staff Recommendation



Employee Name			
Position Title	Crew Leader – Sweeper	Department	Streets
FLSA	Non-Exempt	Reports To	Superintendent – Streets
Pay Grade	8	Unit	Non-represented

Purpose of Position

The purpose of this position is to provide lead worker guidance to crews at work sites and to operate assigned equipment to clean streets, curbs, and gutters in designated areas; services and makes minor adjustments to motor sweepers in the field; and performs other related duties as assigned. The work for the Crew Leader – Sweeper is performed under the direction of the department supervisory personnel.

Essential Duties & Responsibilities

The following duties are normal for this position. The duties and responsibilities are not to be construed as exclusive or all-inclusive. Other duties may be required and/or assigned.

- Oversees the sweeper equipment training for employees & ensures that employees are adequately trained to independently operate sweeper equipment.
- Completes evaluation form for employees (transfers or new employees) during probationary period and may be required to record status of work completed.
- Directs and instructs work crews daily work and responsibilities, including the night shift sweepers.
- Responsible for the coordination and execution of all City sweeping duties and complaints.
- Responsible for oil changes and minor maintenance of the sweeping equipment including, but not limited to, tire changes and main broom replacement.
- Responsible for the cleanliness of all medians, bridge decks, and guard rails (including weed eating and weed spraying).
- Maintain inventory of gutter and main broom supply.
- Assist the Heavy Mechanic with winter teardown.
- Participates in work safety training.
- May respond to emergencies during non-work hours.

Additional Duties & Responsibilities

While the following tasks are necessary for the work of the department, they are not an essential part of the purpose of this position and may also be performed by other department staff.

- May be assigned other duties as needed.

Minimum Training & Experience Requirements

- High school diploma or equivalent, three to five years of equipment operating experience, or any combination of education and experience that provide equivalent knowledge, skills and abilities.
- Valid Class A commercial driver's license with air brake and tanker endorsement required or ability to successfully obtain within 30 days on the job, in the position.

Physical & Mental Requirements

Language Ability and Interpersonal Communication

- Ability to assemble, copy, record and transcribe data and information, following a prescribed plan. Ability to compare, count, differentiate, measure and/or sort data and information.
- Ability to persuade, convince, and/or train others, including the ability to act in a lead worker capacity. Ability to advise and interpret how to apply policies, procedures, and standards to specific situations.
- Ability to utilize a wide variety of descriptive data and information such as regulations, blueprints, correspondence, and general operating manuals.
- Ability to communicate orally and in writing with supervisory and co-workers.

Mathematical Ability

- Ability to add and subtract, multiply, and divide, and calculate percentages, fractions, and decimals.

Judgement and Situational Reasoning Ability

- Ability to use functional reasoning in performing influence functions such as supervising, managing, leading, teaching, directing, and controlling.
- Ability to exercise the judgment, decisiveness and creativity required in situations involving the evaluation of information against sensory and/or judgmental criteria, as opposed to criteria which are clearly measurable.

Physical Ability

- Ability to operate equipment and machinery requiring monitoring multiple conditions and making multiple, complex and rapid adjustments, such as graders, rollers, snow removal equipment, backhoe, loaders, dozers, dump trucks, truck-mounted bucket, pumps, mechanic's hand tools, shoves, rakes, saws, etc. Ability to assist in maintenance of equipment and machinery.
- Ability to coordinate eyes, hands, feet, and limbs in performing highly skilled movements such as heavy equipment operation.
- Ability to exert moderate to heavy physically demanding work, typically involving some combination of climbing and balancing, stooping, kneeling, crouching, crawling, lifting, carrying, pushing, and pulling.
- Ability to recognize and identify degrees of similarities or differences between characteristics of colors, shapes, sounds, tastes, odors and textures associated with job-related objects, materials and tasks.

Environmental Adaptability

- Ability to work under frequently occasionally unsafe and often uncomfortable conditions where exposure to environmental factors such as temperature variations, odors, toxic agents, noise, vibrations, wetness, machinery, electrical currents, traffic hazards and/or dust may cause or causing discomfort and where there is a risk of injury.

The City of La Crosse is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.



Name			
Position Title	Mechanic II	Department	Streets
FLSA	Non-exempt	Reports To	Maintenance Service Garage Supervisor
Pay Grade	8	Unit	Non-Represented
FTE	1.0 FTE		

Purpose of Position

The purpose of positions in this classification is to maintain and repair city vehicle and motorized equipment.

Incumbents perform routine to complex skilled maintenance and repairs to gasoline, hybrid, alternative fuel and diesel vehicles and powered equipment including motor graders, loaders, tandem axle trucks, disposal trucks, rollers, sweepers, backhoes, snow blowers, pavers, crash rescue and fire equipment, airport maintenance equipment, and select power equipment. Incumbents inspect vehicles and equipment, diagnose and repair operating problems. The work is performed under the limited supervision of a repair shop supervisor.

Essential Duties & Responsibilities

The following duties are normal for this position. The duties and responsibilities are not to be construed as exclusive or all-inclusive. Other duties may be required and/or assigned.

- Inspects vehicles and motorized equipment such as cars, trucks, loaders, tractors, rollers, snowplows, blowers, graders, motorcycles, mowers, pavers, crash rescue and fire equipment, airport maintenance equipment, etc., for operating problems and wear. Analyzes operator complaints to determine problems. Tests vehicles and equipment with test drives, engine analyzers and other methods.
- Adjusts, lubricates, repairs, and replaces parts and components such as belts, ignition, transmissions, suspension components, brakes, wheels, exhaust, emission controls, electronic controls, hydraulics, heaters, compressors and other vehicle/equipment parts and systems.
- Performs preventive maintenance. Tunes engines. Replaces wiper blades, lights and fuses. Changes engine oil and transmission and hydraulic fluids.
- Rebuilds vehicle and equipment systems and components. Overhauls engines and transmissions.
- May perform vehicle bodywork and vehicle/equipment painting.
- Fabricates parts from metal. Performs welding as needed.
- Installs specialized equipment such as police squad car emergency lights, antennae, radios, screens, safety equipment, salt spreaders, etc.
- May respond to emergencies during non-working hours.
- Maintains regular and predictable on-site attendance.

Additional Duties & Responsibilities

While the following tasks are necessary for the work of the department, they are not an essential part of the purpose of this position and may also be performed by other department staff.

- Cleans shop area and tools.
- Washes equipment and vehicles.
- Maintains equipment/vehicle repair and maintenance records.
- Plows snow as needed; salts as needed.

Minimum Training & Experience Requirements

- High school diploma or equivalent, technical diploma for Diesel and Heavy Equipment Technician or related 2 years diesel mechanic experience, or any combination of education and experience that provides equivalent knowledge, skills and abilities.
- A valid commercial driver's license required or ability to successfully obtain commercial driver's license within 30 days on the job in the position.
- IMACA air conditioning certification strongly desired upon hire or ability to obtain within 3 months of hire.

Physical & Mental Requirements

Language Ability and Interpersonal Communication

- Ability to classify, compute and tabulate data and information, following a prescribed plan requiring the exercise of some judgment. Ability to compare, count, differentiate, measure and sort information. Ability to assemble, copy, record and transcribe data and information.
- Ability to explain, demonstrate and clarify to others within well-established policies, procedures, and standards. Ability to follow specific instructions and respond to simple requests from others.
- Ability to utilize a variety of advisory data and information such as maintenance records, work requests, maintenance reports, equipment operating/repair manuals, parts manuals, electrical diagrams, hydraulic system schematics, procedures, and guidelines.
- Ability to communicate effectively with city vehicle and equipment operators, parts vendor representatives, vehicle/equipment manufacturer representatives and other mechanics.

Mathematical Ability

- Ability to add and subtract, multiply, and divide, and calculate percentages, fractions, and decimals.

Judgement and Situational Reasoning Ability

- Ability to use functional reasoning and apply rational judgment in performing diversified work activities.
- Ability to exercise the judgment, decisiveness and creativity required in situations involving the evaluation of information against sensory and/or judgmental criteria, as opposed to criteria which are clearly measurable.

Physical Ability

- Ability to operate equipment and machinery requiring monitoring multiple conditions and making multiple, complex and rapid adjustments, such as all city vehicles and heavy equipment, mechanic's and shop bench tools, welder, cutting torch, engine analyzers, air conditioning coolant recovery equipment and electrical circuit testers. Ability to repair complex equipment and machinery.
- Ability to coordinate eyes, hands, feet, and limbs in performing skilled movements such as assembling complex machinery.
- Ability to exert heavy physical effort in moderate to heavy work, typically involving some combination of climbing and balancing, stooping, kneeling, crouching, crawling, lifting, carrying, pushing, and pulling.
- Ability to recognize and identify degrees of similarities or differences between characteristics of colors, shapes, sounds, odors, and textures associated with job-related objects, materials and tasks.

Environmental Adaptability

- Ability to work under often unsafe and uncomfortable conditions where exposure to environmental factors such as temperature variations, odors, toxic agents, noise, vibrations, machinery, electrical currents, traffic hazards and/or dust can cause discomfort and where there is a risk of injury.

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City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Text File

File Number: 23-0759

Agenda Date: 7/6/2023

Version: 1

Status: New Business

In Control: Finance & Personnel Committee

File Type: Resolution

Resolution approving the remodel of the bathrooms at the Pumphouse Regional Arts Center.

RESOLUTION

WHEREAS, the Pumphouse Regional Arts Center has become a significant event center for the arts in downtown La Crosse; and

WHEREAS, the Pumphouse Regional Arts Center has insufficient restroom capacity; and

WHEREAS, the remodel/addition of the restrooms at the Pumphouse regional Arts Center will help create a better experience, increase capacity, and improve accessibility.

WHEREAS, Section 2-360(c) of the Code of Ordinances states Unanticipated projects/equipment. Any Capital Project and Capital Equipment item not previously listed in the adopted Capital Budget requiring immediate funding from the Capital Budget will require a two-thirds vote of the Common Council members present at the meeting.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of La Crosse, the Pumphouse Regional Arts Center move forward with the remodeling of the bathrooms in the amount not to exceed \$333,000.00 funded by a Tourism Capital Grant and the Pumphouse Regional Arts Center.

BE IT FURTHER RESOLVED that City staff are hereby authorized to effectuate this Resolution.



CITY OF LA CROSSE

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LEGISLATION STAFF REPORT FOR COUNCIL

File ID Caption

Staff/Department Responsible for Legislation

Requestor of Legislation

Location, if applicable

Summary/Purpose

Background

Fiscal Impact

Staff Recommendation



OFFICE OF THE MAYOR
LA CROSSE

23-0759

June 27, 2023

I hereby approve the submitting of the attached Legislation "Resolution approving the remodel of the bathrooms at the Pumphouse Regional Arts Center" to the Finance and Personnel Committee, to be considered by the members thereof at their next committee meeting. This approval is given due to the time element necessitating consideration of the attached Legislation at the earliest possible date.

Mayor Mitch Reynolds



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Text File

File Number: 23-0760

Agenda Date: 7/6/2023

Version: 1

Status: New Business

In Control: Finance & Personnel Committee

File Type: Resolution

Agenda Number:

MINUTES of a regular, open, public session of the Common Council of the City of La Crosse, La Crosse County, Wisconsin, held in the City Hall Council Chamber, 400 La Crosse Street, La Crosse, Wisconsin, in said City, at 6:00 o'clock P.M., on the 13th day of July, 2023.

* * *

The meeting was called to order by the Mayor, and upon the roll being called, Mitch Reynolds, Mayor, and the following Council Members were physically present at said location:

The following Council Members were absent and did not participate in the meeting in any manner or to any extent whatsoever: _____

The City Clerk announced that proposals had been received by the City for the purchase of the City's \$ _____ aggregate principal amount of General Obligation Corporate Purpose Bonds, Series 2023-A, pursuant to sealed bids, and that, for the purposes set forth therein, the Common Council would consider the adoption of a resolution providing details of said bonds, prescribing the form of bonds, awarding the bonds to the best bidder, levying taxes, and related matters.

Thereupon the following resolutions were introduced by Mayor Mitch Reynolds:

RESOLUTION 23-0760

RESOLUTION authorizing the issuance of not to exceed \$12,050,000 aggregate principal amount of General Obligation Corporate Purpose Bonds, Series 2023-A, of the City of La Crosse, La Crosse County, Wisconsin, in such amount, providing details, prescribing the form of bond, awarding the bonds to the best bidder, levying taxes, and related matters.

WHEREAS, cities are authorized by the provisions of Chapter 67, *Wisconsin Statutes*, as supplemented and amended (the “*Statute*”), to issue bonds for any public purpose; and

WHEREAS, the term “*public purpose*” is defined in the Statute as “the performance of any power or duty of the issuing municipality;” and

WHEREAS, the City of La Crosse, La Crosse County, Wisconsin (the “*City*”) now wishes to undertake the finance (i) street improvements, street improvement funding and street lighting, (ii) the purchase of fire engines and other equipment of the fire department, (iii) the construction of engine houses, and for pumps, water mains, reservoirs and all other reasonable facilities for fire protection apparatus or equipment for fire protection, (iv) river improvements, (v) the acquisition, construction and improvement of parks and public grounds, and (vi) the construction of police facilities (collectively, the “*Projects*”); and

WHEREAS, the City has by initial resolutions duly adopted by the Common Council of the City (the “*Council*”) on June 8, 2023 (the “*Initial Resolutions*”) authorized to be issued not to exceed \$12,050,000 general obligation bonds of the City for the public purposes of paying the costs of the Projects:

\$4,190,000 public purpose of providing for street improvements, street improvement funding and street lighting (the “*Street Projects*”);

\$720,000 for the public purpose of financing fire engines and other equipment of the fire department (the “*Fire Protection Equipment Projects*”);

\$4,500,000 for the public purpose of financing the construction of engine houses, and for pumps, water mains, reservoirs and all other reasonable facilities for fire protection apparatus or equipment for fire protection (the “*Fire Protection Construction Projects*”);

\$510,000 for the public purpose of financing river improvements (the “*River Improvement Projects*”);

\$1,360,000 for the public purpose of financing the acquisition, construction and improvement of parks and public grounds (the “*Park Projects*”);

\$770,000 for the public purpose of financing the construction of police facilities (the “*Police Projects*”);

and

WHEREAS, official notice of the adoption of the Initial Resolutions was published on June 15, 2023 in the *La Crosse Tribune*; and

WHEREAS, no petition was filed with the City Clerk of the City requesting that the Initial Resolutions be submitted to the electors of the City within a period of 30 days following the adoption of the Initial Resolutions and, as such, the City is therefore authorized to issue its general obligation bonds for the purposes set forth in the Initial Resolutions; and

WHEREAS, none of the bonds authorized by the Initial Resolutions have been issued as of the date hereof; and

WHEREAS, it is considered necessary and desirable by the Council that the City borrow \$ _____ to pay the costs of the Projects (consisting of \$ _____ for the Street Projects, \$ _____ for the Fire Protection Equipment Projects, \$ _____ for the Fire Protection Construction Projects, \$ _____ for the River Improvement Projects, \$ _____ for the Park Projects, and \$ _____ for the Police Projects) and that the City issue its General Obligation Corporate Purpose Bonds, Series 2023-A (the “*Bonds*”) to evidence the indebtedness thereby incurred; and

WHEREAS, notice of the sale of the Bonds was published on _____, 2023, in *The Bond Buyer*; and

WHEREAS, pursuant to the advertisement aforesaid, sealed bids were received for the purchase of the Bonds in the aggregate principal amount of \$ _____ until 10:00 A.M., C.T. on July 13, 2023, and are as follows:

NAME OF BIDDER	TRUE INTEREST RATE (%)
----------------	------------------------

; and

WHEREAS, the bid of _____ (the “Purchaser”), at a price of \$ _____ plus accrued interest to the date of delivery (the “Purchase Price”), if any, was the best bid submitted, which bid is as attached hereto as *Exhibit A*; and

NOW, THEREFORE, Be It Resolved by the Common Council of the City of La Crosse, La Crosse County, Wisconsin, as follows:

Section 1. Incorporation of Preambles. The Council hereby find that all of the recitals contained in the preambles to this Resolution are full, true and correct and do incorporate them into this Resolution by this reference.

Section 2. Authorization. The issuance of \$ _____ aggregate principal amount of general obligation bonds authorized in the Initial Resolutions is hereby authorized for the purpose of providing funds in an amount sufficient to finance the public purposes of completing the Projects as set out in the preambles to this Resolution.

The Bonds shall be designated “General Obligation Corporate Purpose Bonds, Series 2023-A”, shall be dated the date of delivery thereof, as originally issued, and shall also bear the date of their authentication by U.S. Bank Trust Company, National Association, as bond registrar and paying agent (the “Registrar”). The Bonds shall be in fully registered form, shall be in denominations of \$5,000 each and integral multiples thereof (but no single Bond shall represent installments of principal maturing on more than one date), shall be appropriately lettered and numbered, shall mature as to principal serially on March 1 of each of the years and in the principal amounts, and shall bear interest at the rates per annum, as follows:

YEAR	PRINCIPAL AMOUNT	INTEREST RATE
2024		
2025		
2026		
2027		
2028		
2029		
2030		
2031		
2032		
2033		
2034		
2035		
2036		
2037		
2038		

Section 3. Interest; Payment Provisions. The Bonds shall bear interest from their date or from the most recent interest payment date to which interest has been paid or duly provided for, at the interest rates set out above, such interest (computed upon the basis of a 360-day year consisting of twelve 30-day months) being payable on March 1 and September 1 of each year, commencing on March 1, 2024. Interest on each Bond shall be paid by check or draft of the Registrar to the person or entity in whose name such Bond is registered at the close of business on the fifteenth day of the calendar month next preceding the applicable interest payment date or by wire transfer to any securities depository referred to in Section 5 of this Resolution. The principal of each Bond shall be payable in lawful money of the United States of America only upon presentation and surrender of the Bonds at the designated office of the Registrar.

Section 4. Execution; Authentication. The Bonds shall be executed on behalf of the City with the manual or facsimile signature of the Mayor of the City and with the manual or facsimile signature of the City Clerk of the City and sealed with the official seal of the City or a printed facsimile of such seal. In case any officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. The Bonds may be prepared in printed or typewritten form.

All Bonds shall have thereon a certificate of authentication substantially in the form hereinafter set forth duly executed by the Registrar as authenticating agent of the City and showing the date of authentication of the Bonds. No Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this Resolution unless and until such certificate of authentication shall have been duly executed by the Registrar by manual signature, and such certificate of authentication upon any such Bond shall be conclusive evidence that such Bond has been authenticated and delivered under this Resolution. The certificate of authentication on any Bond shall be deemed to have been executed by the Registrar if signed by the Registrar.

Section 5. Registration of Bonds; Persons Treated as Owners. (a) The City shall cause books of the City kept by the Registrar to evidence the registration and transfer of the Bonds (the “Bond Register”) to be kept at the designated office of the Registrar, which is hereby constituted and appointed the registrar of the City with respect to the Bonds herein authorized. The City is authorized to prepare, and the Registrar shall keep custody of, multiple Bond blanks executed by the City for use in the transfer and exchange of Bonds.

Upon surrender for transfer of any Bond at the principal corporate trust office of the Registrar, duly endorsed by, or accompanied by a written instrument or instruments of transfer in form satisfactory to the Registrar and duly executed by, the registered owner or his or her attorney duly authorized in writing, the City shall execute and the Registrar shall authenticate, date and deliver in the name of the transferee or transferees a new fully registered Bond or Bonds of the same maturity of authorized denominations, for a like aggregate principal amount. Any fully registered Bond or Bonds may be exchanged at said office of the Registrar for a like aggregate principal amount of Bond or Bonds of the same maturity of other authorized denominations. The execution by the City of any fully registered Bond shall constitute full and due authorization of such Bond and the Registrar shall thereby be authorized to authenticate, date and deliver such Bond, *provided, however,* the principal amount of outstanding Bonds of each maturity

authenticated by the Registrar shall not exceed the authorized principal amount of Bonds for such maturity less previous retirements.

The Registrar may, but shall not be required to, transfer or exchange any Bond during the period of fifteen (15) days next preceding any interest payment date on such Bond, nor to transfer or exchange any Bond after notice calling such Bond for redemption prior to maturity has been given nor during the period of fifteen (15) days next preceding giving a notice of redemption of any Bonds.

The person or persons in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of the principal of, premium (if any) or interest on any Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

No service charge shall be made for any transfer or exchange of Bonds, but the City or the Registrar may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Bonds, except in the case of the issuance of a Bond or Bonds for the unredeemed portion of a Bond surrendered for redemption.

(b) *Global Book-Entry System.* The Bonds shall be initially issued in the form of a separate single fully registered Bond for each of the maturities of the Bonds determined as described in Section 2 hereof. Unless otherwise requested by any Purchaser, upon initial issuance, the ownership of each such Bond shall be registered in the Bond Register in the name of Cede & Co., or any successor thereto (“Cede”), as nominee of The Depository Trust Company, New York, New York, and its successors and assigns (“DTC”). All of the outstanding Bonds shall be registered in the Bond Register in the name of Cede, as nominee of DTC, except as hereinafter provided. The Mayor, the City Clerk, the Treasurer, the Director of Finance and any other business official of the City and the Registrar are each authorized to execute and deliver, on behalf of the City, such letters to or agreements with DTC as shall be necessary to effectuate such book-entry system (any such letter or agreement being referred to herein as the “Representation Letter”), which Representation Letter may provide for the payment of principal of or interest on the Bonds by wire transfer.

With respect to Bonds registered in the Bond Register in the name of Cede, as nominee of DTC, the City and the Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which DTC holds Bonds from time to time as securities depository (each such broker-dealer, bank or other financial institution being referred to herein as a “DTC Participant”) or to any person on behalf of whom such a DTC Participant holds an interest in the Bonds. Without limiting the immediately preceding sentence, the City and the Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than a registered owner of a Bond as shown in the Bond Register, of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any DTC Participant or any other person, other than a registered owner of a Bond as shown in the Bond Register, of any amount with respect to the principal of or interest on

the Bonds. The City and the Registrar may treat and consider the person in whose name each Bond is registered in the Bond Register as the holder and absolute owner of such Bond for the purpose of payment of principal and interest with respect to such Bond, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Registrar shall pay all principal of and interest on the Bonds only to or upon the order of the respective registered owners of the Bonds, as shown in the Bond Register, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to payment of the principal of and interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner of a Bond as shown in the Bond Register, shall receive a Bond evidencing the obligation of the City to make payments of principal and interest with respect to any Bond. Upon delivery by DTC to the Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede, and subject to the provisions in Section 3 hereof with respect to the payment of interest to the registered owners of Bonds at the close of business on the 15th day of the month next preceding the applicable interest payment date, the name "Cede" in this resolution shall refer to such new nominee of DTC.

In the event that (i) the City determines that DTC is incapable of discharging its responsibilities described herein and in the Representation Letter, (ii) the agreement among the City, the Registrar and DTC evidenced by the Representation Letter shall be terminated for any reason or (iii) the City determines that it is in the best interests of the beneficial owners of the Bonds that they be able to obtain certificated Bonds, the City shall notify DTC and DTC Participants of the availability through DTC of certificated Bonds and the Bonds shall no longer be restricted to being registered in the Bond Register in the name of Cede, as nominee of DTC. At that time, the City may determine that the Bonds shall be registered in the name of and deposited with such other depository operating a universal book-entry system, as may be acceptable to the City, or such depository's agent or designee, and if the City does not select such alternate universal book-entry system, then the Bonds may be registered in whatever name or names registered owners of Bonds transferring or exchanging Bonds shall designate, in accordance with the provisions of Section 5(a) hereof.

Notwithstanding any other provisions of this resolution to the contrary, so long as any Bond is registered in the name of Cede, as nominee of DTC, all payments with respect to principal of and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, in the name provided in the Representation Letter.

Section 6. Prior Redemption. The Bonds maturing on and after March 1, 20__, shall be subject to redemption prior to maturity at the option of the City, as a whole or in part in such order as the City may determine (less than all of the Bonds of a single maturity to be selected by the Registrar as hereinafter provided), on March 1, 20__, and on any date thereafter, at a redemption price of 100% of the principal amount thereof being redeemed plus accrued interest to the date fixed for redemption.

The Bonds shall be redeemed only in the principal amount of \$5,000 each and integral multiples thereof. The City shall, at least forty-five (45) days prior to the date fixed for redemption

(unless a shorter notice shall be satisfactory to the Bond Registrar) notify the Bond Registrar of such date fixed for redemption, of the principal amount of the Bonds to be redeemed prior to maturity and of the order of the Bonds to be redeemed prior to maturity. For purposes of any redemption of less than all of the outstanding Bonds of a single maturity, the particular Bonds or portions of Bonds to be redeemed prior to maturity shall be selected not more than sixty (60) days prior to the date fixed for redemption by the Bond Registrar from the outstanding Bonds by such method as the Bond Registrar shall deem fair and appropriate, and which may provide for the selection of Bonds or portions of Bonds for redemption in principal amounts of \$5,000 and integral multiples thereof.

The Bond Registrar shall promptly notify the City in writing of the Bonds or portions of Bonds selected for redemption prior to maturity and, in the case of any Bond selected for partial redemption prior to maturity, the principal amount thereof to be redeemed prior to maturity.

Section 7. Redemption Procedure. Unless waived by any registered owner of Bonds (or portions thereof) to be redeemed, notice of the call for any such redemption prior to maturity shall be given by the Registrar on behalf of the City by mailing the redemption notice by first class mail, postage prepaid, not less than thirty (30) days and not more than sixty (60) days prior to the date fixed for redemption to the registered owner of the Bond or Bonds to be so redeemed at the address shown on the Bond Register or at such other address as is furnished in writing by such registered owner to the Registrar. Failure to give such notice by mailing to any owner of any Bond, or any defect therein, shall not affect the validity of any proceedings for the redemption of any other Bonds.

All notices of redemption shall state:

- (1) the date fixed for redemption,
- (2) the redemption price,
- (3) if less than all outstanding Bonds are to be redeemed, the identification, including CUSIP numbers (and, in the case of any partial redemption, the respective principal amounts) of the Bonds to be redeemed,
- (4) that on the date fixed for redemption the redemption price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date, and
- (5) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the designated office of the Registrar.

Unless moneys sufficient to pay the redemption price of the Bonds to be redeemed at the option of the City shall have been received by the Registrar prior to the giving of such notice of redemption, such notice may, at the option of the City, state that said redemption shall be conditional upon the receipt of such moneys by the Registrar on or prior to the date fixed for redemption. If such moneys are not received, such notice shall be of no force and effect, the City

shall not redeem such Bonds, and the Registrar shall give notice, in the same manner in which the notice of redemption shall have been given, that such moneys were not so received and that such Bonds will not be redeemed. Otherwise, prior to any redemption date, the City shall deposit with the Registrar an amount of money sufficient to pay the redemption price of all the Bonds or portions of Bonds which are to be redeemed on that date.

Subject to the provisions for a conditional redemption described above, notice of redemption having been given as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the City shall default in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds shall be paid by the Registrar at the redemption price. Installments of interest due on or prior to the redemption date shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the registered holder a new Bond or Bonds of the same maturity in the amount of the unpaid principal.

If any Bond or portion of Bond called for redemption shall not be so paid upon surrender thereof for redemption, the principal shall, until paid, bear interest from the redemption date at the rate borne by the Bond or portion of Bond so called for redemption. All Bonds which have been redeemed shall be cancelled and destroyed by the Registrar and shall not be reissued.

Section 8. Form of Bonds. The Bonds, the certificate of authentication to be endorsed thereon and the form of assignment to be endorsed thereon are all to be in substantially the following forms with necessary and appropriate variations, omissions and insertions as permitted or required by this Resolution:

No. R- _____

\$ _____

UNITED STATES OF AMERICA

STATE OF WISCONSIN

COUNTY OF LA CROSSE

CITY OF LA CROSSE

GENERAL OBLIGATION CORPORATE PURPOSE BOND, SERIES 2023-A

RATE OF INTEREST	MATURITY DATE	DATED DATE	CUSIP NUMBER
_____ %	March 1, _____	_____, 2023	_____

Registered Owner: CEDE & Co.

Principal Amount:

KNOW ALL MEN BY THESE PRESENTS: That the City of La Crosse in the County of La Crosse and the State of Wisconsin (the “City”), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner hereinabove identified, or registered assigns as hereinafter provided, on the Maturity Date hereinabove identified the Principal Amount hereinabove identified and to pay interest (computed on the basis of a 360-day year consisting of twelve 30-day months) on such Principal Amount from the Dated Date hereinabove identified or from the most recent interest payment date to which interest has been paid at the Rate of Interest per annum hereinabove identified on March 1 and September 1 of each year, commencing on March 1, 2024, until said Principal Amount is paid, except as the provisions hereinafter set forth with respect to redemption prior to maturity may be and become applicable to this Bond.

The principal of this Bond is payable in lawful money of the United States of America only upon presentation and surrender of this Bond at the designated office of U.S. Bank Trust Company, National Association, as registrar and paying agent, or any successor registrar and paying agent (the “Registrar”). Payment of each installment of interest hereon shall be made to the Registered Owner hereof who shall appear on the registration books of the City maintained by the Registrar at the close of business on the fifteenth day of the calendar month next preceding the applicable interest payment date, and shall be paid by check or draft of the Registrar mailed to such Registered Owner at his address as it appears on such registration books or at such other address as may be furnished in writing by such Registered Owner to the Registrar, or may be paid by wire transfer to any securities depository as provided in the Resolution hereinafter referred to.

This Bond is one of an authorized issue of General Obligation Corporate Purpose Bonds, Series 2023-A, aggregating the principal amount of \$ _____ (the “Bonds”) issued for the following public purposes:

\$ _____ public purpose of providing for street improvements, street improvement funding and street lighting;

\$ _____ for the public purpose of financing fire engines and other equipment of the fire department;

\$ _____ for the public purpose of financing the construction of engine houses, and for pumps, water mains, reservoirs and all other reasonable facilities for fire protection apparatus or equipment for fire protection;

\$ _____ for the public purpose of financing river improvements;

\$ _____ for the public purpose of financing the acquisition, construction and improvement of parks and public grounds; and

\$ _____ for the public purpose of financing the construction of police facilities;

pursuant to and in all respects in compliance with Chapter 67, *Wisconsin Statutes*, as supplemented and amended, and a resolution adopted by the City Council of the City on July 13, 2023 (the “Resolution”).

The Bonds of the issue of which this Bond is one maturing on and after March 1, 20__, are subject to redemption prior to maturity at the option of the City, as a whole or in part in such order as the City may determine in integral multiples of \$5,000, less than all Bonds of a single maturity to be selected by the Registrar, as provided in the Resolution, in such manner as it shall deem fair and appropriate, on March 1, 20__, and on any date thereafter, at a redemption price of 100% of the principal amount thereof being redeemed plus accrued interest to the date fixed for redemption.

Notice of any intended redemption shall be sent by registered or certified mail, postage prepaid, or be given by facsimile transmission, electronic transmission or overnight express delivery service not less than thirty (30) days and not more than sixty (60) days prior to the date fixed for redemption to the registered owner of each Bond to be redeemed (in whole or in part) at the address shown on the registration books of the City maintained by the Registrar or at such other address as is furnished in writing by such registered owner to the Registrar. Such notice of redemption may be conditional as provided in the Resolution. When so called for redemption, this Bond, or the portion hereof being so called for redemption, will cease to bear interest on the specified redemption date, provided funds for redemption are on deposit at the place of payment on that date, and shall not be deemed to be outstanding.

This Bond is transferable by the Registered Owner hereof in person or by his attorney duly authorized in writing at the designated office of the Registrar, but only in the manner, subject to the limitations and upon payment of the charges provided in the Resolution, and upon surrender and cancellation of this Bond. Upon such transfer, a new Bond or Bonds of the same maturity and interest rate of authorized denomination or denominations and for a like aggregate principal amount, will be issued to the transferee in exchange for this Bond.

The Bonds are issuable in fully registered form in denominations of \$5,000 each and integral multiples thereof. This Bond may be exchanged at the designated office of the Registrar for a like aggregate principal amount of Bonds of the same maturity and interest rate of other authorized denominations, upon the terms set forth in the Resolution.

The City and the Registrar may deem and treat the registered owner hereof as the absolute owner hereof for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes, and neither the City nor the Registrar shall be affected by any notice to the contrary.

It is hereby certified, recited and declared that all acts, conditions and things required to be done, exist, happen and be performed precedent to and in the issuance of this Bond have been done, have existed, have happened and have been performed in due time, form and manner as required by the Constitution and the laws of the State of Wisconsin; that this Bond, together with all other indebtedness of the City, does not exceed any limitation prescribed by law; and that the City has levied a direct annual irrepealable tax sufficient to pay the interest hereon when it falls due and also to pay and discharge the principal hereof at maturity.

The full faith, credit and resources of the City are hereby pledged for the payment of the principal of and interest on this Bond and the issue of which it is a part as the same respectively become due and for the levy and collection of sufficient taxes for that purpose.

This Bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been signed by the Registrar.

IN WITNESS WHEREOF the City of La Crosse, La Crosse County, Wisconsin, by its City Council, has caused this Bond to be executed with the duly authorized manual or facsimile signature of its Mayor and with the duly authorized manual or facsimile signature of its City Clerk, and its official seal or a facsimile thereof to be impressed or reproduced hereon, as of the Dated Date hereinabove identified.

City Clerk

Mayor

[SEAL]

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the within mentioned Resolution, and is one of the General Obligation Corporate Purpose Bonds, Series 2023-A, of the City of La Crosse, La Crosse County, Wisconsin.

Date of Authentication: _____, 2023

_____,
as Bond Registrar

By _____
Authorized Signatory

(FORM OF ASSIGNMENT)

ASSIGNMENT

The following abbreviations, when used in the inscription on the face of the within Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM	—	as tenants in common	UNIF GIFT/TRANS MIN ACT- _____ Custodian _____
TEN ENT	—	as tenants by the entirety	(Cust) _____ (Minor) under Uniform Gifts/Transfers to Minors Act
JT TEN	—	as joint tenants with right of survivorship and not as tenants in common	_____ (State)

Additional abbreviations may also be used though not listed above.

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

the within Bond and does hereby irrevocably constitute and appoint _____, or its successor as Registrar, to transfer the said Bond on the books kept for the registration thereof with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name of the registered owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

Signature guaranteed: _____

NOTICE: Signature(s) must be guaranteed by an “eligible guarantor institution” meeting the requirements of the Registrar, which requirements include membership or participation in STAMP or such other “signature guaranty program” as may be determined by the Registrar in addition to or in substitution for STAMP, all in accordance with the Securities Exchange Act of 1934, as amended.

Section 9. Sale of Bonds. The sale of the Bonds to the Purchaser for the Purchase Price is hereby confirmed, the same being the best bid submitted. The City Treasurer of the City is hereby authorized to deliver the Bonds to said purchasers upon payment of the purchase price. Upon the sale of the Bonds, the Mayor, City Clerk, City Treasurer, Finance Director and any other officer of the City, as shall be appropriate, shall be and are hereby authorized and directed to approve or execute, or both, such documents of sale of the Bonds as may be necessary, including, without limitation, the contract for the sale of the Bonds between the City and the Purchaser (the “*Purchase Contract*”), which may be evidenced by an executed bid form, term sheet or other document requested by a Purchaser.

The use by the Purchaser of any Preliminary Official Statement and any final Official Statement relating to the Bonds (the “*Official Statement*”) is hereby ratified, approved and authorized; the execution and delivery of the Official Statement is hereby authorized; and the officers of the Board are hereby authorized to take any action as may be required on the part of the City to consummate the transactions contemplated by the Purchase Contract, this Resolution, said Preliminary Official Statement, the Official Statement and the Bonds.

Section 10. Tax Levy. In order to provide for the collection of a direct annual tax sufficient to pay the interest on the Bonds and to pay and discharge the principal thereof at maturity, there is hereby levied upon all the taxable property in the City a direct annual tax in amounts sufficient for that purpose (except for the portion thereof to be paid from funds deposited into the Debt Service Fund (as hereinafter defined) at the time of the issuance of the Bonds, as described below), and there is hereby levied upon all taxable property in the City the following direct annual tax in each of the years and amounts, to-wit:

YEAR	AMOUNT
2023	
2024	
2025	
2026	
2027	
2028	
2029	
2030	
2031	
2032	
2033	
2034	
2035	
2036	

In each of said years from 2023 to 20__ inclusive, the direct annual tax above levied shall be extended upon the tax rolls of the City in the same manner and time as taxes for general City purposes, and when collected the proceeds of said taxes shall be deposited into the account of the

Debt Service Fund established in favor of the Bonds, to be used solely for paying the principal of and interest on the Bonds as long as any of the Bonds remain outstanding.

The City has funds on hand and available in the amount of \$ _____ in the Debt Service Fund in respect of premium, which is sufficient to pay the interest on the Bonds coming due on [March 1, 2024 and a portion of the interest on September 1, 2024], which funds are hereby appropriated to the payment of such interest.

Section 11. Sufficiency. Interest or principal maturing at any time during the life of the Bonds when there shall be insufficient funds on hand from the above tax levy to pay the same shall be paid promptly when due from the general fund of the City, and said fund shall be reimbursed in a like amount out of the proceeds of taxes hereby levied when the same shall have been collected.

Section 12. Establishment of Debt Service Fund. There is hereby established in the City Treasury a fund separate and distinct from all other funds of the City to be designated the “General Obligation Corporate Purpose Bonds, Series 2023-A Debt Service Fund” (the “*Debt Service Fund*”), which fund shall be used solely for the purpose of paying the principal of, premium, if any, and interest on the Bonds. There shall be deposited in such fund all premium and accrued interest, if any, paid on the Bonds at the time the Bonds are delivered to the purchaser thereof; all money raised by taxation pursuant to Section 10 hereof; and such other sums as may be necessary to pay the interest on the Bonds when the same shall become due and to retire the Bonds at their respective maturity dates.

Section 13. Use of Proceeds; No Arbitrage; Bonds to Remain in Fully Registered Form. Proceeds of the Bonds in the amount of \$ _____ will be deposited into the Debt Service Fund and be used to pay the first interest coming due on the Bonds. The balance of the principal proceeds of the Bonds shall be deposited in a special fund (the “*Construction Fund*”), and used solely for the purpose for which the Bonds are hereby authorized. The principal proceeds from the sale of the Bonds shall be used only to pay the costs aforesaid and the Council hereby covenants and agrees that said principal proceeds shall be devoted to and used with due diligence for such purposes.

Section 14. List of Bondholders. The Registrar shall maintain a list of the names and addresses of the holders of all Bonds and upon any transfer shall add the name and address of the new Bondholder and eliminate the name and address of the transferor Bondholder.

Section 15. Non-Arbitrage and Tax-Exemption. The City hereby covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Internal Revenue Code of 1986, as amended (the “*Code*”), or would otherwise cause the interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The City acknowledges that, in the event of an examination by the Internal Revenue Service (the “*IRS*”) of the exemption from federal income taxation for interest paid on the Bonds, under present rules, the City may be

treated as a “taxpayer” in such examination and agrees that it will respond in a commercially reasonable manner to any inquiries from the IRS in connection with such an examination.

The City also agrees and covenants with the purchasers and holders of the Bonds from time to time Outstanding that, to the extent possible under Illinois law, it will comply with whatever federal tax law is adopted in the future which applies to the Bonds and affects the tax-exempt status of the Bonds.

The City Council hereby authorizes the officials of the City responsible for issuing the Bonds, the same being the Mayor, City Clerk and Treasurer, to make such further covenants and certifications regarding the specific use of the proceeds of the Bonds as approved by the City Council and as may be necessary to assure that the use thereof will not cause the Bonds to be arbitrage bonds and to assure that the interest on the Bonds will be exempt from federal income taxation. In connection therewith, the City and the City Council further agree: (a) through their officers, to make such further specific covenants, representations as shall be truthful, and assurances as may be necessary or advisable; (b) to consult with counsel approving the Bonds and to comply with such advice as may be given; (c) to pay to the United States, as necessary, such sums of money representing required rebates of excess arbitrage profits relating to the Bonds; (d) to file such forms, statements, and supporting documents as may be required and in a timely manner; and (e) if deemed necessary or advisable by their officers, to employ and pay fiscal agents, financial advisors, attorneys, and other persons to assist the City in such compliance.

Section 16. Duties of Registrar. If requested by the Registrar, the Mayor and City Clerk are authorized to execute the Registrar’s standard form of agreement between the City and the Registrar with respect to the obligations and duties of the Bond Registrar hereunder which may include the following.

- (a) to act as bond registrar, authenticating agent, paying agent and transfer agent as provided herein;
- (b) to maintain a list of Bondholders as set forth herein and to furnish such list to the City upon request, but otherwise to keep such list confidential;
- (c) to give notice of redemption of the Bonds as provided herein;
- (d) to cancel and/or destroy Bonds which have been paid at maturity or submitted for exchange or transfer;
- (e) to furnish the City at least annually a certificate with respect to Bonds cancelled and/or destroyed; and
- (f) to furnish the City at least annually an audit confirmation of Bonds paid, Bonds Outstanding and payments made with respect to interest on the Bonds.

Section 17. Continuing Disclosure Undertaking. The Mayor, the City Clerk and the City Treasurer/Director of Finance of the City, or any of them, are hereby authorized to execute and

deliver on behalf of the City a continuing disclosure undertaking with respect to the Bonds (the “*Continuing Disclosure Undertaking*”). When the Continuing Disclosure Undertaking shall be executed and delivered on behalf of the City as contemplated herein, it shall be binding on the City, and all officers, employees and agents of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the terms and provisions of the Continuing Disclosure Undertaking. Notwithstanding any other provision of this Resolution to the contrary, the sole remedy for the failure to comply with the Continuing Disclosure Undertaking shall be the ability of the beneficial owners of the Bonds to seek mandamus or specific performance.

Section 18. Record-Keeping Policy and Post-Issuance Compliance Matters. On October 14, 2021, the Council adopted a record-keeping policy (the “*Policy*”) in order to maintain sufficient records to demonstrate compliance with its covenants and expectations to ensure the appropriate federal tax status for the debt obligations of the City, the interest on which is excludable from “gross income” for federal income tax purposes or which enable the City or the holder to receive federal tax benefits, including, but not limited to, qualified tax credit bonds and other specified tax credit bonds. The Council and the City hereby reaffirm the Policy.

Section 19. Municipal Bond Insurance. In the event the payment of principal and interest on the Bonds is insured pursuant to a municipal bond insurance policy (the “*Municipal Bond Insurance Policy*”) issued by a bond insurer (the “*Bond Insurer*”), and as long as such Municipal Bond Insurance Policy shall be in full force and effect, the City and the Bond Registrar agree to comply with such usual and reasonable provisions regarding presentment and payment of the Bonds, subrogation of the rights of the Bondholders to the Bond Insurer upon payment of the Bonds by the Bond Insurer, amendment hereof, or other terms, as approved by the Mayor on advice of counsel, his or her approval to constitute full and complete acceptance by the City of such terms and provisions under authority of this Section.

Section 20. Other Documents. The Mayor, the City Clerk and the City Treasurer of the City and all other officers of the City are hereby authorized to execute all documents and certificates (including without limitation any certificate or agreement executed to comply with Rule 15c2-12 of the Securities and Exchange Commission) and to take all actions as may be necessary in connection with the authorization, issuance, sale and delivery of the Bonds and the performance of the obligations of the City hereunder and to carry out and comply with the terms of this Resolution, including without limitation, the Official Statement. This Resolution and all such documents shall be in substantially the same form contemplated by this Resolution, with such changes as shall be approved by the officers executing this Resolution and said documents, the execution thereof to constitute conclusive proof of such approval.

Section 21. Severability. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining sections, paragraphs and provisions of this Resolution.

Section 22. Conflicting Proceedings Superseded. All ordinances, resolutions or orders, or parts thereof, heretofore enacted, adopted or entered, in conflict with the provisions of this

Resolution, shall be and in the same are hereby superseded to the extent of such conflict, and this Resolution shall be in effect from and after its passage.

Adopted: July 13, 2023

Approved: July 13, 2023

Recorded: July 13, 2023

Attest:

Mayor

City Clerk

EXHIBIT A
WINNING BID

Council Member _____ moved and Council Member _____ seconded the motion that said resolution as presented and read by title be adopted.

After a full discussion thereof, the Mayor directed that the roll be called for a vote upon the motion to adopt said resolution.

Upon the roll being called, the following Council Members voted AYE: _____

and the following Council Members voted NAY: _____

Whereupon the Mayor declared the motion carried and said resolution adopted, approved and signed the same in open meeting and directed the City Clerk to record the same in full in the records of the City of La Crosse, La Crosse County, Wisconsin, which was done.

Other business not pertinent to the adoption of said resolution was duly transacted at said meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

City Clerk

STATE OF WISCONSIN)
) SS
COUNTY OF LA CROSSE)

CERTIFICATION OF MINUTES AND RESOLUTION

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of La Crosse, La Crosse County, Wisconsin (the “City”), and as such official I further certify that I am the keeper of the records and files of the Common Council of the City (the “Common Council”).

I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the meeting of the Common Council held on the 13th day of July, 2023 (the “Meeting”), insofar as same relates to the adoption of a resolution entitled:

RESOLUTION authorizing the issuance of not to exceed \$12,050,000 aggregate principal amount of General Obligation Corporate Purpose Bonds, Series 2023-A, of the City of La Crosse, La Crosse County, Wisconsin, in such amount, providing details, prescribing the form of bond, awarding the bonds to the best bidder, levying taxes, and related matters.

a true, correct and complete copy of which said resolution as adopted at the Meeting appears in the foregoing transcript of the minutes of the Meeting.

I further certify that a true and correct statement of every step or proceeding had or taken to date in connection with the authorization of said bonds has been recorded by me in a separate record book, pursuant to the provisions of Section 67.05(12), *Wisconsin Statutes*, as supplemented and amended.

I do further certify that the resolution was adopted at the Meeting, which was an open, lawful public meeting of the Common Council, that the deliberations of the Common Council on the adoption of said resolution were conducted openly, that the vote on the adoption of said resolution was taken openly, and that the Meeting was called, noticed, held and conducted in the manner established by the Common Council and required by the *Wisconsin Statutes*, including, but not limited to, compliance with Sections 19.81 to 19.98, inclusive, of the *Wisconsin Statutes*, as supplemented and amended, notifying the public of the Meeting by distribution an agenda to the media not less than twenty-four (24) hours prior to the Meeting, which agenda is available to the public at the City Hall, located within the City, and that a true, correct and complete copy of the agenda as so provided with respect to the Meeting is attached hereto as *Exhibit A*.

WITNESS my official signature and the official seal of said City this 13th day of July, 2023.

[SEAL]

City Clerk



OFFICE OF THE MAYOR
LA CROSSE

23-0760

June 27, 2023

I hereby approve the submitting of the attached Legislation “Resolution authorizing the issuance of not to exceed \$12,050,000 aggregate principal amount of General Obligation Corporate Purpose Bonds, Series 2023-A, of the City of La Crosse, La Crosse County, Wisconsin, in such amount, providing details, prescribing the form of bond, awarding the bonds to the best bidder, levying taxes, and related matters” to the Finance and Personnel Committee, to be considered by the members thereof at their next committee meeting. This approval is given due to the time element necessitating consideration of the attached Legislation at the earliest possible date.

Mayor Mitch Reynolds



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Text File

File Number: 23-0761

Agenda Date: 7/6/2023

Version: 1

Status: New Business

In Control: Finance & Personnel Committee

File Type: Resolution

Agenda Number:

MINUTES of a regular, open, public session of the Common Council of the City of La Crosse, La Crosse County, Wisconsin, held in the City Hall Council Chamber, 400 La Crosse Street, La Crosse, Wisconsin, in said City, at 6:00 o'clock P.M., on the 13th day of July, 2023.

* * *

The meeting was called to order by the Mayor, and upon the roll being called, Mitch Reynolds, Mayor, and the following Council Members were physically present at said location:

The following Council Members were absent and did not participate in the meeting in any manner or to any extent whatsoever: _____

The City Clerk announced that proposals had been received by the City for the purchase of the City's \$ _____ aggregate principal amount of General Obligation Promissory Notes, Series 2023-B, pursuant to sealed bids, and that, for the purposes set forth therein, the Common Council would consider the adoption of a resolution providing details of said notes, prescribing the form of notes, awarding the notes to the best bidder, levying taxes, and related matters.

Thereupon the following resolutions were introduced by Mayor Mitch Reynolds:

RESOLUTION 23-0761

RESOLUTION authorizing the issuance of not to exceed \$5,670,000 aggregate principal amount of General Obligation Promissory Notes, Series 2023-B, of the City of La Crosse, La Crosse County, Wisconsin, in such amount, providing details, prescribing the form of note, awarding the notes to the best bidder, levying taxes, and related matters.

WHEREAS, cities are authorized, pursuant to the provisions of Section 67.12(12), *Wisconsin Statutes*, as supplemented and amended (the “*Statute*”), to issue promissory notes for projects undertaken for public purposes; and

WHEREAS, the term “*public purpose*” is defined in the Statute as “the performance of any power or duty of the issuing municipality;” and

WHEREAS, the City of La Crosse, La Crosse County, Wisconsin (the “*City*”) now wishes to fund various public purposes in and for the City (the “*Projects*”), and

WHEREAS, it is considered necessary and desirable by the Common Council of the City (the “*Council*”) that the City borrow \$ _____ to pay the costs of the Projects and that the City issue its General Obligation Promissory Notes, Series 2023-B (the “*Notes*”) to evidence the indebtedness thereby incurred; and

WHEREAS, notice of the sale of the Notes was published on _____, 2023, in *The Bond Buyer*; and

WHEREAS, pursuant to the advertisement aforesaid, sealed bids were received for the purchase of the Notes in the aggregate principal amount of \$ _____ until 10:00 A.M., C.S.T. on July 13, 2023, and are as follows:

NAME OF BIDDER

TRUE INTEREST RATE (%)

; and

WHEREAS, the bid of _____ (the “*Purchaser*”), at a price of \$ _____ plus accrued interest to the date of delivery, if any (the “*Purchase Price*”) was the best bid submitted, which bid is attached hereto as *Exhibit A*; and

NOW, THEREFORE, Be It Resolved by the Common Council of the City of La Crosse, La Crosse County, Wisconsin, as follows:

Section 1. Incorporation of Preambles. The Council hereby find that all of the recitals contained in the preambles to this Resolution are full, true and correct and do incorporate them into this Resolution by this reference.

Section 2. Authorization. The issuance of \$_____ aggregate principal amount of promissory notes is hereby authorized for the purpose of providing funds in an amount sufficient to finance the costs of the public purposes of completing the Projects, as set out in the preambles to this Resolution.

The Notes shall be designated “General Obligation Promissory Notes, Series 2023-B,” shall be dated the date of delivery thereof, as originally issued, and shall also bear the date of their authentication by U.S. Bank Trust Company, National Association, as registrar and paying agent (the “Registrar”). The Notes shall be in fully registered form, shall be in denominations of \$5,000 each and integral multiples thereof (but no single Note shall represent installments of principal maturing on more than one date), shall be lettered “R” and numbered consecutively starting with the number one, shall mature as to principal serially on March 1 of each of the years and in the principal amounts, and shall bear interest at the rates per annum, as follows:

YEAR	PRINCIPAL AMOUNT	INTEREST RATE
2024		
2025		
2026		
2027		
2028		
2029		
2030		
2031		
2032		
2033		

Section 3. Interest; Payment Provisions. The Notes shall bear interest from their date or from the most recent interest payment date to which interest has been paid or duly provided for, at the interest rates set out above, such interest (computed upon the basis of a 360-day year consisting of twelve 30-day months) being payable on March 1 and September 1 of each year, commencing on March 1, 2024. Interest on each Note shall be paid by check or draft of the Registrar to the person or entity in whose name such Note is registered at the close of business on the fifteenth day of the calendar month next preceding the applicable interest payment date or by wire transfer to any securities depository referred to in Section 5 of this Resolution. The principal of each Note shall be payable in lawful money of the United States of America only upon presentation and surrender of the Notes at the designated office of the Registrar.

Section 4. Execution; Authentication. The Notes shall be executed on behalf of the City with the manual or facsimile signature of the Mayor of the City and with the manual or facsimile signature of the City Clerk of the City, and sealed with the official seal of the City or a printed facsimile of such seal. In case any officer whose signature shall appear on any Note shall cease to be such officer before the delivery of such Note, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. The Notes may be prepared in printed or typewritten form.

All Notes shall have thereon a certificate of authentication substantially in the form hereinafter set forth duly executed by the Registrar as authenticating agent of the City and showing the date of authentication of the Notes. No Note shall be valid or obligatory for any purpose or be entitled to any security or benefit under this Resolution unless and until such certificate of authentication shall have been duly executed by the Registrar by manual signature, and such certificate of authentication upon any such Note shall be conclusive evidence that such Note has been authenticated and delivered under this Resolution. The certificate of authentication on any Note shall be deemed to have been executed by the Registrar if signed by the Registrar.

Section 5. Registration of Notes; Persons Treated as Owners. (a) The City shall cause books the books of the City kept by the Registrar to evidence the registration and transfer of the Notes (the "Note Register") to be kept at the designated office of the Registrar, which is hereby constituted and appointed the registrar of the City with respect to the Notes herein authorized. The City is authorized to prepare, and the Registrar shall keep custody of, multiple Note blanks executed by the City for use in the transfer and exchange of Notes.

Upon surrender for transfer of any Note or Notes at the designated office of the Registrar duly endorsed by, or accompanied by a written instrument or instruments of transfer in form satisfactory to the Registrar duly executed by, the registered owner thereof or his attorney duly authorized in writing, the City shall execute and the Registrar shall authenticate, date and deliver in the name of the transferee or transferees a new fully registered Note or Notes of the same maturity and interest rate of authorized denomination or denominations, for a like aggregate principal amount. Any fully registered Note or Notes may be exchanged at said office of the Registrar for a like aggregate principal amount of Note or Notes of the same maturity and interest rate of other authorized denomination or denominations. The execution by the City of any fully registered Note shall constitute full and due authorization of such Note, and the Registrar shall thereby be authorized to authenticate, date and deliver such Note; *provided, however*, that the principal amount of the outstanding Notes authenticated by the Registrar shall never exceed the authorized principal amount of the Notes, less previous retirements.

The Registrar may, but shall not be required to, transfer or exchange any Note during the period of fifteen (15) days next preceding any interest payment date on such Note, nor to transfer or exchange any Note after notice calling such Note for prepayment has been given nor during the period of fifteen (15) days next preceding giving a notice of prepayment of any Notes.

The person or persons in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of the principal of, premium (if any) or interest on any Note shall be made only to or upon the order of the registered owner

thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

No service charge shall be made for any transfer or exchange of Notes, but the City or the Registrar may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Notes, except in the case of the issuance of a Note or Notes for the unprepaid portion of a Note surrendered for prepayment.

(b) *Global Book-Entry System.* The Notes shall be initially issued in the form of a separate single fully registered Note for each of the maturities of the Notes determined as described in Section 2 hereof. Unless otherwise requested by any Purchaser, upon initial issuance, the ownership of each such Note shall be registered in the Note Register in the name of Cede & Co., or any successor thereto (“Cede”), as nominee of The Depository Trust Company, New York, New York, and its successors and assigns (“DTC”). All of the outstanding Notes shall be registered in the Note Register in the name of Cede, as nominee of DTC, except as hereinafter provided. The Mayor, the City Manager, the Treasurer, the Director of Finance and any other business official of the City and the Registrar are each authorized to execute and deliver, on behalf of the City, such letters to or agreements with DTC as shall be necessary to effectuate such book-entry system (any such letter or agreement being referred to herein as the “Representation Letter”), which Representation Letter may provide for the payment of principal of or interest on the Notes by wire transfer.

With respect to Notes registered in the Note Register in the name of Cede, as nominee of DTC, the City and the Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which DTC holds Notes from time to time as securities depository (each such broker-dealer, bank or other financial institution being referred to herein as a “DTC Participant”) or to any person on behalf of whom such a DTC Participant holds an interest in the Notes. Without limiting the immediately preceding sentence, the City and the Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede or any DTC Participant with respect to any ownership interest in the Notes, (ii) the delivery to any DTC Participant or any other person, other than a registered owner of a Note as shown in the Note Register, of any notice with respect to the Notes, including any notice of prepayment, or (iii) the payment to any DTC Participant or any other person, other than a registered owner of a Note as shown in the Note Register, of any amount with respect to the principal of or interest on the Notes. The City and the Registrar may treat and consider the person in whose name each Note is registered in the Note Register as the holder and absolute owner of such Note for the purpose of payment of principal and interest with respect to such Note, for the purpose of giving notices of prepayment and other matters with respect to such Note, for the purpose of registering transfers with respect to such Note, and for all other purposes whatsoever. The Registrar shall pay all principal of and interest on the Notes only to or upon the order of the respective registered owners of the Notes, as shown in the Note Register, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the City’s obligations with respect to payment of the principal of and interest on the Notes to the extent of the sum or sums so paid. No person other than a registered owner of a Note as shown in the Note Register, shall receive a Note evidencing the obligation of the City to make payments of principal and interest with respect to any Note. Upon delivery by DTC to the Registrar of written notice to

the effect that DTC has determined to substitute a new nominee in place of Cede, and subject to the provisions in Section 3 hereof with respect to the payment of interest to the registered owners of Notes at the close of business on the 15th day of the month next preceding the applicable interest payment date, the name “Cede” in this resolution shall refer to such new nominee of DTC.

In the event that (i) the City determines that DTC is incapable of discharging its responsibilities described herein and in the Representation Letter, (ii) the agreement among the City, the Registrar and DTC evidenced by the Representation Letter shall be terminated for any reason or (iii) the City determines that it is in the best interests of the beneficial owners of the Notes that they be able to obtain certificated Notes, the City shall notify DTC and DTC Participants of the availability through DTC of certificated Notes and the Notes shall no longer be restricted to being registered in the Note Register in the name of Cede, as nominee of DTC. At that time, the City may determine that the Notes shall be registered in the name of and deposited with such other depository operating a universal book-entry system, as may be acceptable to the City, or such depository’s agent or designee, and if the City does not select such alternate universal book-entry system, then the Notes may be registered in whatever name or names registered owners of Notes transferring or exchanging Notes shall designate, in accordance with the provisions of Section 5(a) hereof.

Notwithstanding any other provisions of this resolution to the contrary, so long as any Note is registered in the name of Cede, as nominee of DTC, all payments with respect to principal of and interest on such Note and all notices with respect to such Note shall be made and given, respectively, in the name provided in the Representation Letter.

Section 6. Prepayment. The Notes maturing on and after March 1, 20__, shall be subject to prepayment at the option of the City, as a whole or in part in such order as the City shall determine (less than all of the Notes of a single maturity to be selected by the Registrar, as hereinafter provided), on March 1, 20__, and on any date thereafter, at a prepayment price of 100% of the principal amount thereof being prepaid plus accrued interest to the date fixed for prepayment.

The Notes shall be prepaid only in the principal amount of \$5,000 each and integral multiples thereof. At least forty-five (45) days prior to the date fixed for prepayment (unless a shorter notice shall be satisfactory to the Registrar), the City shall notify the Registrar of such date fixed for prepayment and of the principal amount and order of the Notes to be prepaid on such date. For purposes of any prepayment of less than all of the outstanding Notes of a single maturity, the particular Notes or portions of Notes to be prepaid shall be selected by the Registrar from the outstanding Notes of such maturity then outstanding by such method as the Registrar shall deem fair and appropriate, and which may provide for the selection for prepayment of Notes or portions of Notes in principal amounts of \$5,000 and integral multiples thereof.

The Registrar shall promptly notify the City in writing of the Notes or portions of Notes selected for prepayment and, in the case of any Note selected for partial prepayment, the principal amount thereof to be prepaid.

Section 7. Prepayment Procedure. Unless waived by any registered owner of Notes (or portions thereof) to be prepaid, notice of the call for any such prepayment shall be given by the Registrar on behalf of the City by mailing the prepayment notice by registered or certified mail, postage prepaid, or given by facsimile transmission, electronic transmission or overnight express delivery service not less than thirty (30) days and not more than sixty (60) days prior to the date fixed for prepayment to the registered owner of the Note or Notes to be prepaid at the address shown on the Note Register or at such other address as is furnished in writing by such registered owner to the Registrar. Failure to give such notice by mailing or otherwise to any owner of any Note, or any defect therein, shall not affect the validity of any proceedings for the prepayment of any other Notes.

All notices of prepayment shall state:

- (1) the date fixed for prepayment,
- (2) the prepayment price,
- (3) if less than all outstanding Notes are to be prepaid, the identification, including CUSIP numbers (and, in the case of partial prepayment, the respective principal amounts) of the Notes to be prepaid,
- (4) that on the date fixed for prepayment the prepayment price will become due and payable upon each such Note or portion thereof called for prepayment, and that interest thereon shall cease to accrue from and after said date, and
- (5) the place where such Notes are to be surrendered for payment of the prepayment price, which place of payment shall be the designated office of the Registrar.

Unless moneys sufficient to pay the prepayment price of the Notes to be redeemed at the option of the City shall have been received by the Registrar prior to the giving of such notice of prepayment, such notice may, at the option of the City, state that said prepayment shall be conditional upon the receipt of such moneys by the Registrar on or prior to the date fixed for prepayment. If such moneys are not received, such notice shall be of no force and effect, the City shall not redeem such Notes, and the Registrar shall give notice, in the same manner in which the notice of prepayment shall have been given, that such moneys were not so received and that such Notes will not be redeemed. Otherwise, prior to any prepayment date, the City shall deposit with the Registrar an amount of money sufficient to pay the prepayment price of all the Notes or portions of Notes which are to be redeemed on that date.

Subject to the provisions for a conditional prepayment described above, notice of prepayment having been given as aforesaid, the Notes or portions of Notes so to be redeemed shall, on the prepayment date, become due and payable at the prepayment price therein specified, and from and after such date (unless the City shall default in the payment of the prepayment price) such Notes or portions of Notes shall cease to bear interest. Upon surrender of such Notes for prepayment in accordance with said notice, such Notes shall be paid by the Registrar at the prepayment price. Installments of interest due on or prior to the prepayment date shall be payable

as herein provided for payment of interest. Upon surrender for any partial prepayment of any Note, there shall be prepared for the registered holder a new Note or Notes of the same maturity in the amount of the unpaid principal.

If any Note or portion of Note called for prepayment shall not be so paid upon surrender thereof for prepayment, the principal shall, until paid, bear interest from the prepayment date at the rate borne by the Note or portion of Note so called for prepayment. All Notes which have been redeemed shall be cancelled and destroyed by the Registrar and shall not be reissued.

Section 8. Form of Notes. The Notes, the certificate of authentication to be endorsed thereon and the form of assignment to be endorsed thereon are all to be in substantially the following forms with necessary and appropriate variations, omissions and insertions as permitted or required by this Resolution:

No. R- _____

\$ _____

UNITED STATES OF AMERICA

STATE OF WISCONSIN

COUNTY OF LA CROSSE

CITY OF LA CROSSE

GENERAL OBLIGATION PROMISSORY NOTE, SERIES 2023-B

RATE OF INTEREST	MATURITY DATE	DATED DATE	CUSIP NUMBER
_____ %	March 1, _____	_____, 2023	_____

Registered Owner: CEDE & Co.

Principal Amount:

KNOW ALL MEN BY THESE PRESENTS: That the City of La Crosse in the County of La Crosse and the State of Wisconsin (the “City”), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner hereinabove identified, or registered assigns as hereinafter provided, on the Maturity Date hereinabove identified the Principal Amount hereinabove identified and to pay interest (computed on the basis of a 360-day year consisting of twelve 30-day months) on such Principal Amount from the Dated Date hereinabove identified or from the most recent interest payment date to which interest has been paid at the Rate of Interest per annum hereinabove identified on March 1 and September 1 of each year, commencing on March 1, 2024, until said Principal Amount is paid, except as the provisions hereinafter set forth with respect to prepayment may be and become applicable to this Note.

The principal of this Note is payable in lawful money of the United States of America only upon presentation and surrender of this Note at the designated office of the U.S. Bank Trust Company, National Association, as registrar and paying agent, or any successor registrar and paying agent (the “Registrar”). Payment of each installment of interest hereon shall be made to the Registered Owner hereof who shall appear on the registration books of the City maintained by the Registrar at the close of business on the fifteenth day of the calendar month next preceding the applicable interest payment date, and shall be paid by check or draft of the Registrar mailed to such Registered Owner at his address as it appears on such registration books or at such other address as may be furnished in writing by such Registered Owner to the Registrar, or may be paid by wire transfer to any securities depository as provided in the Resolution hereinafter referred to.

This Note is one of an authorized issue of General Obligation Promissory Notes, Series 2023-B, aggregating the principal amount of \$ _____ (the “Notes”) and issued

to finance the costs of the Projects (as defined in the hereinafter defined Resolution), in all respects in compliance with Chapter 67, *Wisconsin Statutes*, as supplemented and amended, and a resolution adopted by the Common Council of the City on July 13, 2023 (the “Resolution”).

This Note is transferable by the Registered Owner hereof in person or by his attorney duly authorized in writing at the designated office of the Registrar, but only in the manner, subject to the limitations and upon payment of the charges provided in the Resolution, and upon surrender and cancellation of this Note. Upon such transfer, a new Note or Notes of the same maturity and interest rate of authorized denomination or denominations and for a like aggregate principal amount, will be issued to the transferee in exchange for this Note.

The Notes are issuable in fully registered form in denominations of \$5,000 each and integral multiples thereof. This Note may be exchanged at the designated office of the Registrar for a like aggregate principal amount of Notes of the same maturity and interest rate of other authorized denominations, upon the terms set forth in the Resolution.

The City and the Registrar may deem and treat the registered owner hereof as the absolute owner hereof for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes, and neither the City nor the Registrar shall be affected by any notice to the contrary.

The Notes maturing on and after March 1, 20__, are subject to prepayment at the option of the City, as a whole or in part in such order as the City may determine in integral multiples of \$5,000, less than all Notes of a single maturity to be selected by the Registrar, as provided in the Resolution, in such manner as it shall deem fair and appropriate, on March 1, 20__, and on any date thereafter, at a prepayment price of 100% of the principal amount thereof being prepaid plus accrued interest to the date fixed for prepayment.

Notice of any intended prepayment shall be sent by registered or certified mail, postage prepaid, or be given by facsimile transmission, electronic transmission or overnight express delivery service not less than thirty (30) days and not more than sixty (60) days prior to the date fixed for prepayment to the registered owner of each Note to be prepaid (in whole or in part) at the address shown on the registration books of the City maintained by the Registrar or at such other address as is furnished in writing by such registered owner to the Registrar. Such notice of prepayment may be conditional as provided in the Resolution. When so called for prepayment, this Note, or the portion hereof being so called for prepayment, will cease to bear interest on the specified prepayment date, provided funds for prepayment are on deposit at the place of payment on that date, and shall not be deemed to be outstanding.

It is hereby certified, recited and declared that all acts, conditions and things required to be done, exist, happen and be performed precedent to and in the issuance of this Note have been done, have existed, have happened and have been performed in due time, form and manner as required by the Constitution and the laws of the State of Wisconsin; that this Note, together with all other indebtedness of the City, does not exceed any limitation prescribed by law; and that the City has levied a direct annual irrevocable tax sufficient to pay the interest hereon when it falls due and also to pay and discharge the principal hereof at maturity.

The full faith, credit and resources of the City are hereby pledged for the payment of the principal of and interest on this Note and the issue of which it is a part as the same respectively become due and for the levy and collection of sufficient taxes for that purpose.

This Note shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been signed by the Registrar.

IN WITNESS WHEREOF the City of La Crosse, La Crosse County, Wisconsin, by its City Council, has caused this Note to be executed with the duly authorized manual or facsimile signature of its Mayor and with the duly authorized manual or facsimile signature of its City Clerk, and its official seal or a facsimile thereof to be impressed or reproduced hereon, as of the Dated Date hereinabove identified.

City Clerk

Mayor

[SEAL]

CERTIFICATE OF AUTHENTICATION

This Note is one of the Notes described in the within mentioned Resolution, and is one of the General Obligation Promissory Notes, Series 2023-B, of the City of La Crosse, La Crosse County, Wisconsin.

Date of Authentication: _____, 2023

_____,
as Note Registrar

By _____
Authorized Signatory

The following abbreviations, when used in the inscription on the face of the within Note, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM-	as tenants in common	UNIF GIFT/TRANS MIN ACT- Custodian
		(Cust) (Minor)
TEN ENT-	as tenants by the entirety	under Uniform Gifts/Transfers to Minors
JT TEN-	as joint tenants with right of survivorship and not as tenants in common	Act _____ (State)

Additional abbreviations may also be used though not listed above.

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto

(Name and Address of Assignee)

the within Note, and does hereby irrevocably constitute and appoint _____, or its successor as Registrar, to transfer the said Note on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

Signature guaranteed: _____

NOTICE: Signature(s) must be guaranteed by an "eligible guarantor institution" meeting the requirements of the Registrar, which requirements include membership or participation in STAMP or such other "signature guaranty program" as may be determined by the Registrar in addition to or in substitution for STAMP, all in accordance with the Securities Exchange Act of 1934, as amended.

Section 9. Sale of Notes. The sale of the Notes to the Purchaser for the Purchase Price is hereby confirmed, the same being the best bid submitted. The City Treasurer of the City is hereby authorized to deliver the Notes to said purchasers upon payment of the purchase price. Upon the sale of the Notes, the Mayor, City Clerk, City Treasurer, Finance Director and any other officer of the City, as shall be appropriate, shall be and are hereby authorized and directed to approve or execute, or both, such documents of sale of the Notes as may be necessary, including, without limitation, the contract for the sale of the Notes between the City and the Purchaser (the “*Purchase Contract*”), which may be evidenced by an executed bid form, term sheet or other document requested by a Purchaser.

The use by the Purchaser of any Preliminary Official Statement and any final Official Statement relating to the Notes (the “*Official Statement*”) is hereby ratified, approved and authorized; the execution and delivery of the Official Statement is hereby authorized; and the officers of the Board are hereby authorized to take any action as may be required on the part of the City to consummate the transactions contemplated by the Purchase Contract, this Resolution, said Preliminary Official Statement, the Official Statement and the Notes.

Section 10. Tax Levy. In order to provide for the collection of a direct annual tax sufficient to pay the interest on the Notes and to pay and discharge the principal thereof at maturity, there is hereby levied upon all the taxable property in the City a direct annual tax in amounts sufficient for that purpose (except for the portion thereof to be paid from funds deposited into the Debt Service Fund (as hereinafter defined) at the time of the issuance of the Notes, as described below), and there is hereby levied upon all taxable property in the City the following direct annual tax in each of the years and amounts, to-wit:

YEAR	AMOUNT
2023	
2024	
2025	
2026	
2027	
2028	
2029	
2030	
2031	
2032	

In each of said years from 2023 to 20__ , inclusive, the direct annual tax above levied shall be extended upon the tax rolls of the City in the same manner and time as taxes for general City purposes, and when collected the proceeds of said taxes shall be deposited into the account of the Debt Service Fund established in favor of the Notes, to be used solely for paying the principal of and interest on the Notes as long as any of the Notes remain outstanding.

The City has funds on hand and available in the amount of \$53,963.81 in the Debt Service Fund in respect of premium, which is sufficient to pay the interest on the Notes coming due on

[March 1, 2024, and a portion of the interest coming due on September 1, 2024] which funds are hereby appropriated to the payment of such interest.

Section 11. Sufficiency. Interest or principal maturing at any time during the life of the Notes when there shall be insufficient funds on hand from the above tax levy to pay the same shall be paid promptly when due from the general fund of the City, and said fund shall be reimbursed in a like amount out of the proceeds of taxes hereby levied when the same shall have been collected.

Section 12. Establishment of Debt Service Fund. There has been ordered to be established in the City Treasury a fund separate and distinct from all other funds of the City to be designated the “*General Obligation Promissory Notes, Series 2023-B Debt Service Fund*” (the “*Debt Service Fund*”), which fund shall be used solely for the purpose of paying the principal of, premium, if any, and interest on the Notes. There shall be deposited in such fund all premium, if any, and accrued interest paid on the Notes at the time the Notes are delivered to the purchaser thereof; all money raised by taxation pursuant to Section 10 hereof; and such other sums as may be necessary to pay the interest on the Notes when the same shall become due and to retire the Notes at their respective maturity dates.

Section 13. Use of Proceeds; No Arbitrage; Notes to Remain in Fully Registered Form. Proceeds of the Notes in the amount of \$ _____ will be deposited into the Debt Service Fund and be used to pay the first interest coming due on the Notes. The balance of the principal proceeds of the Notes shall be deposited in a special fund (the “*Construction Fund*”), and used solely for the purpose for which the Notes are hereby authorized. The principal proceeds from the sale of the Notes shall be used only to pay the costs aforesaid and the Council hereby covenants and agrees that said principal proceeds shall be devoted to and used with due diligence for such purposes.

Section 14. List of Noteholders. The Registrar shall maintain a list of the names and addresses of the holders of all Notes and upon any transfer shall add the name and address of the new Noteholder and eliminate the name and address of the transferor Noteholder.

Section 15. Non-Arbitrage and Tax-Exemption. The City hereby covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Internal Revenue Code of 1986, as amended (the “*Code*”), or would otherwise cause the interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The City acknowledges that, in the event of an examination by the Internal Revenue Service (the “*IRS*”) of the exemption from federal income taxation for interest paid on the Notes, under present rules, the City may be treated as a “taxpayer” in such examination and agrees that it will respond in a commercially reasonable manner to any inquiries from the IRS in connection with such an examination.

The City also agrees and covenants with the purchasers and holders of the Notes from time to time Outstanding that, to the extent possible under Illinois law, it will comply with whatever

federal tax law is adopted in the future which applies to the Notes and affects the tax-exempt status of the Notes.

The City Council hereby authorizes the officials of the City responsible for issuing the Notes, the same being the Mayor, City Clerk and Treasurer, to make such further covenants and certifications regarding the specific use of the proceeds of the Notes as approved by the City Council and as may be necessary to assure that the use thereof will not cause the Notes to be arbitrage bonds and to assure that the interest on the Notes will be exempt from federal income taxation. In connection therewith, the City and the City Council further agree: (a) through their officers, to make such further specific covenants, representations as shall be truthful, and assurances as may be necessary or advisable; (b) to consult with counsel approving the Notes and to comply with such advice as may be given; (c) to pay to the United States, as necessary, such sums of money representing required rebates of excess arbitrage profits relating to the Notes; (d) to file such forms, statements, and supporting documents as may be required and in a timely manner; and (e) if deemed necessary or advisable by their officers, to employ and pay fiscal agents, financial advisors, attorneys, and other persons to assist the City in such compliance.

Section 16. Duties of Registrar. If requested by the Registrar, the Mayor and City Clerk are authorized to execute the Registrar's standard form of agreement between the City and the Registrar with respect to the obligations and duties of the Registrar hereunder which may include the following.

- (a) to act as note registrar, authenticating agent, paying agent and transfer agent as provided herein;
- (b) to maintain a list of Noteholders as set forth herein and to furnish such list to the City upon request, but otherwise to keep such list confidential;
- (c) to give notice of redemption of the Notes as provided herein;
- (d) to cancel and/or destroy Notes which have been paid at maturity or submitted for exchange or transfer;
- (e) to furnish the City at least annually a certificate with respect to Notes cancelled and/or destroyed; and
- (f) to furnish the City at least annually an audit confirmation of Notes paid, Notes Outstanding and payments made with respect to interest on the Notes.

Section 17. Continuing Disclosure Undertaking. The Mayor, the City Clerk and the City Treasurer/Director of Finance of the City, or any of them, are hereby authorized to execute and deliver on behalf of the City a continuing disclosure undertaking with respect to the Notes (the "Continuing Disclosure Undertaking"). When the Continuing Disclosure Undertaking shall be executed and delivered on behalf of the City as contemplated herein, it shall be binding on the City, and all officers, employees and agents of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to

carry out and comply with the terms and provisions of the Continuing Disclosure Undertaking. Notwithstanding any other provision of this Resolution to the contrary, the sole remedy for the failure to comply with the Continuing Disclosure Undertaking shall be the ability of the beneficial owners of the Notes to seek mandamus or specific performance.

Section 18. Record-Keeping Policy and Post-Issuance Compliance Matters. On October 14, 2021, the Council adopted a record-keeping policy (the “*Policy*”) in order to maintain sufficient records to demonstrate compliance with its covenants and expectations to ensure the appropriate federal tax status for the debt obligations of the City, the interest on which is excludable from “gross income” for federal income tax purposes or which enable the City or the holder to receive federal tax benefits, including, but not limited to, qualified tax credit bonds and other specified tax credit bonds. The Council and the City hereby reaffirm the Policy.

Section 19. Municipal Bond Insurance. In the event the payment of principal and interest on the Notes is insured pursuant to a municipal bond insurance policy (the “*Municipal Bond Insurance Policy*”) issued by a bond insurer (the “*Bond Insurer*”), and as long as such Municipal Bond Insurance Policy shall be in full force and effect, the City and the Registrar agree to comply with such usual and reasonable provisions regarding presentment and payment of the Notes, subrogation of the rights of the Noteholders to the Note Insurer upon payment of the Notes by the Note Insurer, amendment hereof, or other terms, as approved by the Mayor on advice of counsel, his or her approval to constitute full and complete acceptance by the City of such terms and provisions under authority of this Section.

Section 20. Other Documents. The Mayor, the City Clerk and the City Treasurer of the City and all other officers of the City are hereby authorized to execute all documents and certificates (including without limitation any certificate or agreement executed to comply with Rule 15c2-12 of the Securities and Exchange Commission) and to take all actions as may be necessary in connection with the authorization, issuance, sale and delivery of the Notes and the performance of the obligations of the City hereunder and to carry out and comply with the terms of this Resolution, including without limitation, the Official Statement. This Resolution and all such documents shall be in substantially the same form contemplated by this Resolution, with such changes as shall be approved by the officers executing this Resolution and said documents, the execution thereof to constitute conclusive proof of such approval.

Section 21. Severability. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining sections, paragraphs and provisions of this Resolution.

Section 22. Conflicting Proceedings Superseded. All ordinances, resolutions or orders, or parts thereof, heretofore enacted, adopted or entered, in conflict with the provisions of this Resolution, shall be and in the same are hereby superseded to the extent of such conflict, and this Resolution shall be in effect from and after its passage.

Adopted: July 13, 2023

Approved: July 13, 2023

Recorded: July 13, 2023

/s/

Mayor

Attest:

/s/

City Clerk

EXHIBIT A
WINNING BID

Council Member _____ moved and Council Member _____ seconded the motion that said resolution as presented and read by title be adopted.

After a full discussion thereof, the Mayor directed that the roll be called for a vote upon the motion to adopt said resolution.

Upon the roll being called, the following Council Members voted AYE: _____

and the following Council Members voted NAY: _____

Whereupon the Mayor declared the motion carried and said resolution adopted, approved and signed the same in open meeting and directed the City Clerk to record the same in full in the records of the City of La Crosse, La Crosse County, Wisconsin, which was done.

Other business not pertinent to the adoption of said resolution was duly transacted at said meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

City Clerk

STATE OF WISCONSIN)
) SS
COUNTY OF LA CROSSE)

CERTIFICATION OF MINUTES AND RESOLUTION

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of La Crosse, La Crosse County, Wisconsin (the “City”), and as such official I further certify that I am the keeper of the records and files of the Common Council of the City (the “Common Council”).

I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the meeting of the Common Council held on the 13th day of July, 2023 (the “Meeting”), insofar as same relates to the adoption of a resolution entitled:

RESOLUTION authorizing the issuance of not to exceed \$5,670,000 aggregate principal amount of General Obligation Promissory Notes, Series 2023-B, of the City of La Crosse, La Crosse County, Wisconsin, in such amount, providing details, prescribing the form of note, awarding the notes to the best bidder, levying taxes, and related matters.

a true, correct and complete copy of which said resolution as adopted at the Meeting appears in the foregoing transcript of the minutes of the Meeting.

I further certify that a true and correct statement of every step or proceeding had or taken to date in connection with the authorization of said notes has been recorded by me in a separate record book, pursuant to the provisions of Section 67.05(12), *Wisconsin Statutes*, as supplemented and amended.

I do further certify that the resolution was adopted at the Meeting, which was an open, lawful public meeting of the Common Council, that the deliberations of the Common Council on the adoption of said resolution were conducted openly, that the vote on the adoption of said resolution was taken openly, and that the Meeting was called, noticed, held and conducted in the manner established by the Common Council and required by the *Wisconsin Statutes*, including, but not limited to, compliance with Sections 19.81 to 19.98, inclusive, of the *Wisconsin Statutes*, as supplemented and amended, notifying the public of the Meeting by distribution an agenda to the media not less than twenty-four (24) hours prior to the Meeting, which agenda is available to the public at the City Hall, located within the City, and that a true, correct and complete copy of the agenda as so provided with respect to the Meeting is attached hereto as *Exhibit A*.

WITNESS my official signature and the official seal of said City this 13th day of July, 2023.

[SEAL]

City Clerk



OFFICE OF THE MAYOR
LA CROSSE

23-0761

June 27, 2023

I hereby approve the submitting of the attached Legislation “Resolution authorizing the issuance of not to exceed \$5,670,000 aggregate principal amount of General Obligation Promissory Notes, Series 2023-B, of the City of La Crosse, La Crosse County, Wisconsin, in such amount, providing details, prescribing the form of note, awarding the notes to the best bidder, levying taxes, and related matters” to the Finance and Personnel Committee, to be considered by the members thereof at their next committee meeting. This approval is given due to the time element necessitating consideration of the attached Legislation at the earliest possible date.

Mayor Mitch Reynolds



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Text File

File Number: 23-0001

Agenda Date: 7/6/2023

Version: 1

Status: New Business

In Control: Finance & Personnel Committee

File Type: Status Update

Agenda Number: