

## LOAN AND SPECIAL ECONOMIC DEVELOPMENT AGREEMENT

THIS AGREEMENT, dated the 12th day of April, 2018 by and between Russell Holdings, LLC, its business location at 23190 Kale Road Sparta, WI 54656 hereinafter referred to as "Debtor," and the City of La Crosse, Wisconsin, a municipal corporation of the State of Wisconsin, having its principal office at City Hall, 400 La Crosse Street, La Crosse, Wisconsin 54601, hereinafter referred to as the "City."

WITNESSETH:

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

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

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

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

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

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

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

### A. PROJECT REQUIREMENTS

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

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

- Water Technician (1)
- Fire Technician or Water Technician (1)

For each job created, the employee shall complete a self-certification form, attached as Exhibit "A". All forms shall be submitted not later than **by December 31, 2018**. Additionally, Debtor shall submit two payroll summaries (before and after jobs being created) as additional evidence of the job creation.

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

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

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

IN WITNESS WHEREOF, the City has caused this Agreement to be executed by Mayor Timothy Kabat and Russell Holdings, LLC ATTEST:

Russell Holdings, LLC

CITY OF LA CROSSE, WISCONSIN

DEBTOR: *Victoria J. Russell*  
 Victoria J. Russell, Owner

*Timothy Kabat*  
 Mayor Timothy Kabat

STATE OF WISCONSIN )  
 ) ss.  
 COUNTY OF )

Personally came before me, this 12th day of April, 2018, the above named representative of Russell Holdings LLC known to be the person who executed the foregoing instrument and acknowledge the same.

*Barbara J. Glomstad*  
 Signature  
Barbara J Glomstad  
 Print Name

Notary Public, State of Wisconsin

My commission expires 8-15-20

# Exhibit A

## INCOME CERTIFICATION

When federal financial assistance is provided for special economic development activities, jobs for low and/or moderate income families must be created and demographic information must be collected. The following chart provides the range of annual gross household income limits which define very low, low and moderate income households.

**Please compare your annual gross household income before being hired by the project business with the figures on the chart and complete the form.**

**Number of Residents** \_\_\_\_\_ (As of 4/01/2018)  
**Income Limits** \_\_\_\_\_

	Extremely Low (30% of CMI)	Very Low (50% of CMI)	Low (80% of CMI)	Non-LMI (> than 80% CMI)
1	\$0 to \$15,200	\$15,201 to \$25,350	\$25,351 to \$40,550	Greater than \$40,550
2	\$0 to \$17,400	\$17,401 to \$29,000	\$29,001 to \$46,350	Greater than \$46,350
3	\$0 to \$20,780	\$20,781 to \$32,600	\$32,601 to \$52,150	Greater than \$52,150
4	\$0 to \$25,100	\$25,101 to \$36,200	\$36,201 to \$57,900	Greater than \$57,900
5	\$0 to \$29,420	\$29,421 to \$39,100	\$39,101 to \$62,550	Greater than \$62,550
6	\$0 to \$33,740	\$33,741 to \$42,000	\$42,001 to \$67,200	Greater than \$67,200
7	\$0 to \$38,060	\$38,061 to \$44,900	\$44,901 to \$71,800	Greater than \$71,800
8	\$0 to \$42,380	\$42,381 to \$47,800	\$47,801 to \$76,450	Greater than \$76,450

As of \_\_\_\_\_, there are \_\_\_\_\_ members in my household and  
 Today's Date (Number)

the annual gross household income is at the corresponding income limit range above (**circle one**).

Please check here \_\_\_\_\_ if your household has a female head of household.

### Report your ethnicity (non-Hispanic or Hispanic) and race (1 of 10).

Demographic Information										
Race →	White	Black/ African American	Asian	American Indian	Native Hawaiian/ Other Pacific Islander	Am. Ind. & White	Asian & White	Black/ African Am. & White	American In. & Black/ African American	Other Multi- Racial
Ethnicity ↓										
Non-Hispanic										
Hispanic										

\_\_\_\_\_  
Name of Employee (please print)

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Employee Job Title

\_\_\_\_\_  
Name of Employer

Circle: Full-time Part-time

\_\_\_\_\_  
**HIRE DATE**

\_\_\_\_\_  
Social Security Number

