



# CITY OF CLEAR LAKE

15 North 6th Street • P.O. Box 185 • Clear Lake, IA 50428  
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Mayor  
NELSON P.  
CRABB

February 3, 2012

City  
Administrator  
SCOTT  
FLORY

HONORABLE MAYOR & CITY COUNCIL MEMBERS:

The next meeting of the Clear Lake City Council is scheduled for Monday, **February 6, 2012**, at 6:30 p.m., in the Council Chambers, at City Hall. Please refer to the enclosed agenda for the items discussed below.

COUNCIL  
MEMBERS

DANA  
BRANT  
*Ward 1*

TONY J.  
NELSON  
*Ward 2*

JIM  
BOEHNKE  
*Ward 3*

MIKE  
CALLANAN  
*At Large*

TERRY  
UNSWORTH  
*At Large*

**ITEM #6A CDBG Sanitary Sewer Collection System Project (Phase 2).** The Council previously set February 6<sup>th</sup> as the date for a public hearing on the proposed "Resolution of Necessity" for the "CDBG Sanitary Sewer Collection System Improvement Project – Phase 2, Street Paving Improvements". Following the hearing, the Council must then act on the proposed "Resolution of Necessity". The Council may either vote to: 1.) defer action to a later date, time, and place; 2.) adopt the Resolution of Necessity with amendments; or 3.) adopt the Resolution of Necessity without amendments.

The adoption of the Resolution of Necessity must receive an affirmative vote of not less than  $\frac{3}{4}$ 's of the entire City Council. If objections are filed, signed by property owners subject to 75% of the assessments, a unanimous vote of the Council would be necessary.

Following consideration of the resolution of Necessity, the Council may then consider the legal proceeding to set the date for a public hearing on the plans & specifications, as well as setting the date for a bid letting and consideration of an award of contract. It is proposed that the bid letting be held on March 7<sup>th</sup> and that consideration of an award of contract occur at the Council's March 12<sup>th</sup> meeting.

The Project has a substantial completion date of October 19<sup>th</sup> with a final completion date of November 16<sup>th</sup>. Substantial completion being defined as all paving work being completed and streets open to traffic.

**ITEM #6B. Cerro Gordo County Urban Renewal Plan.** The Council is being asked to consider an Agreement between the City of Clear Lake and Cerro Gordo County regarding the formation of an Urban Renewal Area. The proposed County Urban Renewal Area is within 2 miles of the corporate limits of both the cities of Clear Lake and Mason City. As such, the law requires that the County obtain approval of the urban renewal area by each community's City Council.



The proposed Urban Renewal Area is roughly 490 acres in size and is depicted on the map in your packet. The proposal would enable the County to provide certain property tax rebate incentives to Red Power Inc., which is proposing to construct a new dealership and service center west of its existing location.

**ITEM #6C. 2013 Municipal Budget proposal.** The proposed 2013 fiscal year budget preparation calendar calls for the City Council to discuss the proposed FY 13 budget proposal for the first time. On February 20<sup>th</sup>, the Council will once again discuss the budget proposal, adopt a "tentative budget", and set March 12<sup>th</sup> as the date for a public hearing on the proposed FY 13 budget. Following the public hearing on March 12<sup>th</sup>, the Finance Officer will certify the budget to the County Auditor.

Please feel free to contact me if you have questions about any of the agenda items.

Scott Flory  
City Administrator

Cc: Jennifer Larsen, City Clerk (with attachments)  
Joe Weigel, Public Works Director (with attachments)  
Linda Nelson, Finance Officer (with attachments)  
Greg Peterson, Chief of Police (with attachments)  
Charlie Biebesheimer, City Attorney (with attachments)

TENTATIVE AGENDA  
CLEAR LAKE CITY COUNCIL  
CITY HALL – 15 N. 6<sup>TH</sup> STREET  
MONDAY, FEBRUARY 6, 2012  
CITY HALL – COUNCIL CHAMBERS  
6:30 P.M.

1. Call To Order by Mayor Nelson P. Crabb.
2. Approval of Agenda.
3. Consent Agenda:
  - A. Minutes – January 16, 2012.
  - B. Approval of the bills & claims.
  - C. Licenses & Permits:
    - Liquor License: Class E Liquor License with Carryout Beer and Carryout Wine, Fareway Stores, (renewal).
    - Tree Trimmer's License: Jim's Tree Service, Ventura; Cutting Edge Tree Service, Mason City; Clapper Tree Service, Clear Lake, (renewals).
    - Excavator's License: Groves Contracting, Forest City; A Plus Skidloader, Boone, (renewals).
    - Amusement License: North Iowa Cultural Center & Museum dba Surf Ballroom; Fort Custer Maze, (renewals).
4. Citizen's opportunity to address the Council on items not on the agenda:
  - In conformance with the City Council's Rules of Procedure, no action can occur on items presented during the Citizens Forum.
  - Please walk to the lectern, state your name (spell last name), address, and subject of your discussion.
  - Speakers are limited to a maximum of five (5) minutes per person.
5. Unfinished Business:
6. New Business:
  - A. CDBG Sanitary Sewer Collection System Improvement Project – Street Paving (Phase 2):
    - Introduction by Scott Flory, City Administrator.
    - Review of proposed plans & specifications, Jason Petersburg, P.E., Veenstra & Kimm.
    - Public Hearing.

- **Motion to approve Resolution #12-07, “A Resolution with respect to the adoption of the Resolution of Necessity proposed for the Sanitary Sewer Collection System Improvement Project, Contract #2 – Street Paving Improvements.”**
- Discussion and consideration of **Motion** by City Council.
- **Motion to approve Resolution #12-08, “A Resolution directing preparation of detailed plans & specifications, form of contract, and notice to bidders on the sanitary sewer collection system improvement project, contract #2 – Street Paving Improvements”.**
- Discussion and consideration of **Motion** by City Council.
- **Motion to approve Resolution #12-09, “A Resolution ordering bids; approving plans, specifications, form of contract, and notice to bidders; fixing amount of bid security; ordering Clerk to publish notice; and fixing a date for receiving same; and for a public hearing on plans, specifications, form of contract, and estimate of costs”.**
- Discussion and consideration of **Motion** by City Council.

B. Cerro Gordo County Corridor Urban Renewal Plan:

- Introduction by Scott Flory, City Administrator.
- Review of request, Tom Drzycimski, CG County Administrative Officer.
- **Motion to authorize and approve an “Extraterritorial Urban Renewal Agreement” with Cerro Gordo County by City Council.**
- Discussion and consideration of **Motion** by City Council.

C. 2013 Clear Lake Municipal Budget proposal:

- Review of proposal, Scott Flory, City Administrator.
- Discussion by City Council.

D. 209 1<sup>st</sup> Avenue S. – Fredricksen on 1<sup>st</sup> Avenue S.:

- Introduction by Scott Flory, City Administrator
- Public Hearing.
- **Motion to approve Resolution #12-10, “A Resolution to approve a Development Agreement with Joshson LLC, including property tax rebate payments in an aggregate amount not to exceed \$25,000.”**
- Discussion and consideration of **Motion** by City Council.
- Request for City to pave the north-south and east-west alleys adjacent to the site.
- Discussion and consideration of **Motion** by City Council.

7. Chief of Police’s Report:

**8. Mayor's Report:**

- Mason City/Clear Lake Advocacy Trip to Washington DC

**9. Public Works Director's Report:**

**10. City Administrator's Report:**

**11. City Attorney's Report:**

**12. Closed Session: Pursuant to Iowa Code Chapter 20.17(3) to conduct a strategy meeting concerning collective bargaining.**

**13. Other Business:**

**14. Adjournment.**

**NEXT REGULAR MEETING – FEBRUARY 20, 2012**

Council Member \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION WITH RESPECT TO THE ADOPTION OF THE RESOLUTION OF NECESSITY PROPOSED FOR THE SANITARY SEWER COLLECTION SYSTEM IMPROVEMENT PROJECT CONTRACT 2 - STREET PAVING IMPROVEMENTS" and moved that it be adopted. Council Member \_\_\_\_\_ seconded the motion to adopt. The roll was called and the vote was,

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Mayor declared the following Resolution duly adopted:

RESOLUTION WITH RESPECT TO THE ADOPTION OF  
THE RESOLUTION OF NECESSITY PROPOSED FOR  
THE SANITARY SEWER COLLECTION SYSTEM  
IMPROVEMENT PROJECT CONTRACT 2 - STREET  
PAVING IMPROVEMENTS

WHEREAS, this Council has proposed a Resolution of Necessity for the Sanitary Sewer Collection System Improvement Project Contract 2 - Street Paving Improvements, has given notice of the public hearing thereon as required by law; and

WHEREAS, the public hearing has been held, all persons offering objections have been heard and consideration given to all objections and is pending before this Council; and

WHEREAS, this is the time and place set as provided for the taking of action on the proposed Resolution of Necessity;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLEAR LAKE, STATE OF IOWA:

Section 1. That the proposed Resolution of Necessity described above is hereby:

- Adopted, without amendment, and all objections filed or made having been duly considered are overruled.
- Adopted as amended by the Schedule of Amendments attached hereto as Exhibit A, and made a part hereof by reference. All objections filed or made having been duly considered are overruled.
- Deferred for later consideration to a Council meeting to be held on \_\_\_\_\_ day of \_\_\_\_\_, next, at \_\_\_\_\_ o'clock \_\_\_\_\_M, at this meeting place, with jurisdiction retained for further consideration and action at the adjourned meeting.
- Abandoned.

Section 2. That all written requests for agricultural deferment by property owners must be filed within ten (10) days following the date of adoption of this Resolution.

PASSED AND APPROVED this 6th day of February, 2012.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Council Member \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION DIRECTING PREPARATION OF DETAILED PLANS AND SPECIFICATIONS, FORM OF CONTRACT AND NOTICE TO BIDDERS ON THE SANITARY SEWER COLLECTION SYSTEM IMPROVEMENT PROJECT CONTRACT 2 - STREET PAVING IMPROVEMENTS" and moved that it be adopted. Council Member \_\_\_\_\_ seconded the motion to adopt. The roll was called and the vote was,

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Mayor declared the following Resolution duly adopted:

RESOLUTION DIRECTING PREPARATION OF  
DETAILED PLANS AND SPECIFICATIONS, FORM OF  
CONTRACT AND NOTICE TO BIDDERS ON THE  
SANITARY SEWER COLLECTION SYSTEM  
IMPROVEMENT PROJECT CONTRACT 2 - STREET  
PAVING IMPROVEMENTS

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLEAR  
LAKE, STATE OF IOWA:

That Veenstra & Kimm, Inc., Engineer, is hereby ordered and directed to prepare and file with the Clerk detailed plans and specifications for the construction of the Sanitary Sewer Collection System Improvement Project Contract 2 - Street Paving Improvements.

BE IT FURTHER RESOLVED that the Engineer is hereby ordered and directed to prepare and file with the Clerk a Notice to Bidders and form of contract for the construction of the Sanitary Sewer Collection System Improvement Project Contract 2 - Street Paving Improvements.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

PART 2

Council Member \_\_\_\_\_ introduced the following Resolution and moved its adoption. Council Member \_\_\_\_\_ seconded the motion to adopt. The roll was called and the vote was,

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon the Mayor declared the following Resolution duly adopted:

RESOLUTION ORDERING BIDS, APPROVING PLANS, SPECIFICATIONS AND FORM OF CONTRACT AND NOTICE TO BIDDERS, FIXING AMOUNT OF BID SECURITY, AND ORDERING CLERK TO PUBLISH NOTICE AND FIXING A DATE FOR RECEIVING SAME, AND FOR A PUBLIC HEARING ON PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COSTS

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLEAR LAKE, STATE OF IOWA:

That the Sanitary Sewer Collection System Improvement Project Contract 2 - Street Paving Improvements is hereby ordered to be advertised for bids for construction.

BE IT FURTHER RESOLVED that the detailed plans and specifications as prepared by Veenstra & Kimm, Inc., Engineer, for the project, for the construction of the Sanitary Sewer Collection System Improvement Project Contract 2 - Street Paving Improvements, and the form of contract and Notice to Bidders, as approved by the Attorney, be and the same are hereby approved, subject to hearing thereon, and are hereby ordered placed on file in the office of the Clerk for public inspection.

BE IT FURTHER RESOLVED, that the amount of the security to accompany each bid shall be in an amount which shall conform to the provisions of the notice to bidders hereby approved as a part of the specifications.

BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to publish notice to bidders once in the "Clear Lake Mirror Reporter", a legal newspaper, printed wholly in the English language, published at least once weekly and having general circulation in this City. Publication shall be not less than four clear days nor more than forty-five days prior to March 7, 2012, which latter date is hereby fixed as the date for receiving bids. The bids are to be filed prior to \_\_\_\_\_ o'clock \_\_\_\_\_.M., on such date.

Bids shall be received and opened at a public meeting as provided in the public notice and the results of the bids shall be considered at the meeting of this Council on March 12, 2012, at \_\_\_\_\_ o'clock \_\_\_\_\_.M.

BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to publish notice of hearing once in such newspaper, the publication to be not less than four clear days nor more than twenty days prior to the date hereinafter fixed as the date for a public hearing on the plans, specifications, form of contract and estimate of costs for the project, the hearing to be held at \_\_\_\_\_ o'clock \_\_\_\_\_.M. on February 20, 2012.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

NOTICE OF HEARING AND LETTING  
NOTICE TO BIDDERS

NOTICE OF PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST FOR THE CONSTRUCTION OF SANITARY SEWER COLLECTION SYSTEM IMPROVEMENT PROJECT; CONTRACT 2 - STREET PAVING IMPROVEMENTS FOR THE CITY OF CLEAR LAKE, IOWA, AND FOR THE TAKING OF BIDS THEREFOR

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Sealed proposals will be received by the City Clerk of the City of Clear Lake, Iowa, in the Council Chambers at City Hall, 15 North Sixth Street, Clear Lake, Iowa, until 11:00 o'clock A.M. on the 7th day of March, 2012, for the construction of the Sanitary Sewer Collection System Improvement Project; Contract 2 - Street Paving Improvements as described in the plans and specifications therefore, now on file in the office of the City Clerk.

Proposals will be opened and the amount of the bids announced by the City Clerk at the time and date specified above.

Also, at 6:30 P.M. on the 20th day of February 2012, the City Council of said City will, in said Council Chambers, hold a hearing and said Council proposes to adopt plans, specifications, form of contract and estimate of cost.

At said hearing, the City Council will consider the proposed plans, specifications, form of contract and estimate of cost for the project, the same now being on file in the office of the City Clerk, reference to which is made for a more detailed and complete description of the proposed improvements, and at said time and place the said Council will also receive and consider any objections to said plans, specifications and form of contract or to the estimated cost of said improvements made by any interested party.

Also, at 6:30 P.M. on the 12th day of March 2012 or at such time, date and place as then may be fixed, will act upon proposals and enter into a contract for the construction of said improvements.

The location of the work to be done and the kinds and sizes of materials proposed to be used are as follows:

SANITARY SEWER COLLECTION SYSTEM IMPROVEMENT PROJECT  
CONTRACT 2 - STREET PAVING IMPROVEMENTS

Project includes all labor, materials and equipment necessary to construct approximately 18,600 SY PCC Paving or HMA Paving with PCC Curb and Gutter, 2,800 SY PCC Driveway Pavement, 32,000 SF PCC Sidewalk, ancillary storm sewer and subdrain

improvements, street lighting improvements, and general surface restoration along with the miscellaneous associated work including cleanup.

The method of construction of all improvements shall be by contract in accordance with the plans and specifications and general stipulations for said improvements approved by the City Council.

All proposals and bids in connection therewith shall be submitted to the City Clerk of said City on or before the time herein set for receiving bids. All proposals shall be made on official bidding blanks furnished by the City, and any alterations in the official form of proposal will entitle the City Council, at its option, to reject the proposal involved from consideration. Each proposal shall be sealed and plainly identified.

Each proposal shall be accompanied by a bid security in a sealed envelope by either (1) a certified or cashier's check drawn on a solvent Iowa bank or a bank chartered under the laws of the United States, or a certified share draft drawn on a credit union in Iowa or chartered under the laws of the United States, in an amount equal to 5% of the bid, or (2) a bid bond executed by a corporation authorized to contract as a surety in the State of Iowa, in the penal sum of 5% of the bid. Contractor shall determine amount of bid bond based on the amount of the base bid and all alternate construction bid items.

The bid security should be made payable to THE CITY OF CLEAR LAKE, IOWA. The bid security must not contain any conditions either in the body or as an endorsement thereon. The bid security shall be forfeited to the City as liquidated damages in the event the successful bidder fails or refuses to enter into a contract within 10 days after the award of contract and post bond satisfactory to the City insuring the faithful fulfillment of the contract and the maintenance of said work, if required, pursuant to the provisions of this notice and other contract documents. Bidders shall use the bid bond form included in the specifications.

Pursuant to Chapter 73 of the Code of Iowa, out of state bidders are hereby advised of the Iowa Bidding Preference Law extending to Iowa firms any preference out of state competitors receive in their own states. Such preference may be (a) strict preference, (b) reciprocal preference, or combination preference and reciprocal. Application for such preference will be extended for any "public improvement" as defined in Chapter 73A.1 of the Code of Iowa.

By virtue of statutory authority, a preference will be given to products and provisions grown and coal produced within the State of Iowa, and to Iowa domestic labor, to the extent lawfully required under Iowa Statutes.

Bidders will be required to comply with the President's Executive Orders No. 11246 and 11375. The requirements for bidders and contractors under this order are explained in the CDBG Contract Provisions.

Any bidder or equipment supplier whose firm or affiliate is listed in the GSA publication "List of Parties Excluded from Federal Procurement and Nonprocurement Programs" will be prohibited from the bidding process. Anyone submitting a bid who is listed in this publication will be determined to be a nonresponsive bidder in accordance with 40 CFR Part 31.

A Contractor's Suspension/Debarment Certification will be contained in the specifications; however, this certification should not preclude any interested party from ascertaining whether the certifying person is actually on the "List of Parties Excluded from Federal Procurement and Nonprocurement Programs".

The City reserves the right to reject any or all bids, to waive informalities or technicalities in any bid and to enter into such contract as it shall deem for the best interest of the City.

The City reserves the right to defer acceptance of any proposal for a period not to exceed thirty (30) calendar days from the date of hearing.

The successful bidder will be required to furnish a bond in an amount equal to one hundred (100) percent of the contract price, said bond to be issued by a responsible surety approved by the City Council and listed in the U.S. Treasury Department's most current list (Circular 570, as amended) and authorized to transact business in the State of Iowa and shall guarantee the faithful performance of the contract and the terms and conditions therein contained and shall guarantee the prompt payment for all materials and labor to all persons, firms, subcontractors, and corporations furnishing materials for or performing labor in the prosecution of the work and protect and save harmless the City from claims and damages of any kind caused by the operations of the Contractor, and shall guarantee the work against faulty workmanship and materials for a period as required by the specifications after its completion and acceptance by the City Council.

It is anticipated Notice to Proceed will be issued by April 4, 2012. Contractor can start work any time after Notice to Proceed is issued. Work for all items shall be substantially completed no later than October 19, 2012. All work shall be finally completed and the project ready for final acceptance by November 16, 2012. Once Contractor begins work on the project, work shall progress in a continuous manner until all work is completed unless written approval to otherwise complete work is received from the Engineer.

Bidders shall be expected to comply with Chapters 91C and 103A of the Code of Iowa concerning the registration and bonding of construction contractors and the successful bidder shall be required to supply the City of Clear Lake with proof of said compliance.

Payment of the cost of said project will be made from any one or a combination of the following sources at the sole discretion of the City Council: (1) cash to be derived from Sewer, Water, and Storm Sewer Utility Revenue, (2) cash from such general funds of said

City as may be legally used for such purpose; (3) cash from proceeds of a Community Development Block Grant; (4) Road Use Tax Funds, and (5) Tax Increment Financing (TIF).

Payment will be made to the Contractor based on monthly estimates in amounts equal to ninety-five (95) percent of the contract value of the work completed. Monthly estimates will be made by the Engineer and payment will be made to the Contractor on or about ten (10) days thereafter. Payment may be made for materials stored off or on site providing adequate written documentation is provided. Final payment will not be made sooner than thirty (30) days following Final Acceptance of the Work by the City of Clear Lake.

At least ten (10) days before each progress payment falls due (but not more often than once a month), the Contractor will submit to the Engineer a partial payment estimate filled out and signed by the Contractor covering the work performed during the period covered by the partial payment estimate and supported by such data as the Engineer may reasonably require. If payment is requested on the basis of materials and equipment not incorporated in the work but delivered and suitably stored at or near the site, the partial payment estimate shall also be accompanied by such supporting data, satisfactory to the Owner, as will establish the Owner's title to the material and equipment and protect his interest therein, including applicable insurance. The Engineer will, within fifteen (15) days after receipt of each partial payment estimate, either indicate in writing his concurrence of payment and present the partial payment estimate to the Owner, or return the partial payment estimate to the Contractor indicating in writing his reasons for refusing to concur with the partial payment estimate. In the latter case, the Contractor may make the necessary corrections and resubmit the partial payment estimate. The Owner will, within thirty (30) days of presentation to City Council of a submitted partial payment estimate, pay the Contractor a progress payment on the basis of the approved partial payment estimate. The Owner shall retain five (5) percent of the amount of each payment until final completion and acceptance of all work covered by the contract documents.

The bidder's attention is called to the prompt payment to the subcontractors, under Chapter 573.12 of the Code of Iowa.

Liquidated damages in the amount of Five Hundred Dollars (\$500) per calendar day will be assessed for each calendar day that work on the total project, or portions of the contract where specific completion dates are specified, that remain uncompleted after the end of the contract period, with due allowance for extensions of the contract period due to conditions beyond the control of the contractor.

The Contractor will indemnify and save the Owner or the Owner's agents harmless from all claims growing out of the lawful demands of subcontractors, laborers, workmen, mechanics, materialmen, and furnishers of machinery and parts thereof, equipment, tools, and all supplies, incurred in the furtherance of the performance of the work. The Contractor shall furnish satisfactory evidence that all obligations of the nature designated above have been paid, discharged, or waived. If the Contractor fails to do so the Owner may, after having notified the Contractor, either pay unpaid bills or withhold from the Contractor's unpaid compensation a sum of money deemed reasonably sufficient to pay any and all such lawful claims until satisfactory evidence is furnished that all liabilities have been fully discharged whereupon payment to the Contractor shall be resumed, in accordance with the terms of the contract documents, but in no event shall the provisions of this sentence be construed to impose any obligations upon the Owner to either the Contractor, his Surety, or any third party. In paying any unpaid bills of the Contractor, any payment so made by the Owner shall be considered as a payment made under the contract documents by the Owner to the Contractor and the Owner shall not be liable to the Contractor for any such payments made in good faith.

Upon completion and acceptance of the work, the Engineer shall issue a certificate that the work has been accepted by him under the conditions of the contract documents. Final payment will be made not less than thirty-one (31) days after completion of the work and acceptance by the City subject to the conditions and in accordance with the provisions of Chapter 573 of the Code of Iowa.

The City will issue a sales tax exemption certificate applicable for all materials purchased for the project.

Plans and specifications governing the construction of the proposed improvements have been prepared by VEENSTRA & KIMM, INC. of Mason City, Iowa, said plans and specifications and the prior proceedings of the City Council referring to and defining said proposed improvements are hereby made a part of this notice and the proposed contract by reference, and the proposed contract shall be executed to comply therewith.

Copies of said plans and specifications and form of contract are now on file in the office of the City Clerk and may be examined at City Hall. The ENGINEER shall make available and distribute plans and specifications in accordance with Senate File 2389. Complete sets of the Bidding Documents may be obtained from ENGINEER at the ENGINEER'S office located at 2800 Fourth Street SW, Suite 9, Mason City, Iowa 50401 upon payment of plan deposit in the sum of Fifty Dollars (\$50) This payment is refundable upon return of the bidding documents within fourteen (14) days after award of the project in good reusable condition. If the contract documents are not returned in a timely manner and in good reusable condition, the deposit shall be forfeited to the OWNER. Plan deposit checks shall be made out to the City of Clear Lake.

Bidders who request bidding documents be mailed or shipped to them shall designate a mailing address and pay shipping / mailing costs in the amount of \$10 for standard USPS mail delivery or normal UPS ground delivery. Any special shipping / mailing requests will be at bidders cost. Checks for shipping / mailing shall be made out to Veenstra & Kimm, Inc.

This notice is given by order of the Council of the City of Clear Lake, Iowa.

**CITY OF CLEAR LAKE**

\_\_\_\_\_  
Nelson Crabb, Mayor

ATTEST:

\_\_\_\_\_  
Scott Flory, City Administrator



## PLANNING AND ZONING Cerro Gordo County Courthouse

220 N Washington Ave      Mason City, IA 50401-3254

(641) 421-3021

Tom Drzycimski, AICP, Administrative Officer

FAX (641) 421-3088

Michelle Rush, Administrative Assistant

February 2, 2012

TO:            Clear Lake City Council  
                  City Administrator Scott Flory  
                  Mason City City Council  
                  City Administrator Brent Trout

CC:            Cerro Gordo County Board of Supervisors  
                  Brent Willett and Ken Bales, NICEDC  
                  Tom Simmering, Simmering & Cory, Inc.

SUBJECT:    **Proposed City/County Agreement** – Cerro Gordo County Corridor Urban  
                  Renewal Area

Dear Honorable Mayors, Council Members, & City Administrators:

With the assistance of Simmering & Cory, Inc., Cerro Gordo County is in the process of developing its first urban renewal area in Lake Township, just west of the city limits of Mason City.

The impetus for developing this area is to provide tentatively agreed-to property tax rebates to Red Power, Inc. through the use of tax increment financing (TIF). Red Power is in the process of making a major investment in the community by constructing a new dealership and service building west of their current location.

As part of this process, agreements with Clear Lake and Mason City are necessary because the urban renewal area will be within two miles of both cities. A proposed agreement is provided for your consideration, labeled as “**Exhibit C.**”

The boundary of the proposed urban renewal area is shown in “**Exhibit B**” of the plan. This roughly 490 acre area includes existing development in Woollum’s First Subdivision (north of Iowa Hwy 122) and Benton’s Addition (south of Iowa Hwy 122). Willow Pointe Assisted Living and farmland owned by Cerro Gordo County is also included in the urban renewal area.

There are no proposals to develop the county-owned farmland at this time. The county, however, sees value in including it due to its future development potential.

I will be available at each of your council meetings, scheduled for February 6 and 7, to answer questions about the plan.

CITY/COUNTY AGREEMENT  
CERRO GORDO COUNTY AND CITY OF MASON CITY

WHEREAS, pursuant to Chapter 403 of the Code of Iowa, counties have certain urban renewal powers; and

WHEREAS, in accordance with paragraph 4 of Section 403.17 of the Code of Iowa, a county may exercise urban renewal powers with respect to property which is located within two miles of a city only if the county and city have entered into a joint agreement with respect to such exercise of powers; and

WHEREAS, some of the property within the proposed Cerro Gordo County Corridor Urban Renewal Area, the description of which is shown as Exhibit A in the Urban Renewal Plan, is within two miles of the city limits of the City of Mason City, Iowa (the "City"); and

WHEREAS, the Board of Supervisors of the County has requested that the City enter into an agreement in order to enable the County to exercise urban renewal powers within the proposed Cerro Gordo County Corridor Urban Renewal Area;

NOW THEREFORE, it is agreed by the County and the City as follows:

Section 1. The County may exercise urban renewal powers pursuant to Chapter 403 of the Code of Iowa with respect to property included within the proposed Cerro Gordo County Corridor Urban Renewal Area.

Section 2. This Agreement shall be deemed to meet the statutory requirements of paragraph 4 of Section 403.17 of the Code of Iowa and shall be effective following approval by the governing bodies and execution by the appropriate officials of the County and the City.

IN WITNESS WHEREOF, the County has caused this Agreement to be executed by the Chairperson of its Board of Supervisors and attested by its Deputy County Auditor, and the City has caused this Agreement to be executed by its Mayor and attested by its City Clerk, as of the dates shown opposite their respective signatures below.

CERRO GORDO COUNTY, IOWA

By \_\_\_\_\_  
Chairperson, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Deputy County Auditor

Date: \_\_\_\_\_

CITY OF MASON CITY, IOWA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Date: \_\_\_\_\_

CITY/COUNTY AGREEMENT  
CERRO GORDO COUNTY AND CITY OF CLEAR LAKE

WHEREAS, pursuant to Chapter 403 of the Code of Iowa, counties have certain urban renewal powers; and

WHEREAS, in accordance with paragraph 4 of Section 403.17 of the Code of Iowa, a county may exercise urban renewal powers with respect to property which is located within two miles of a city only if the county and city have entered into a joint agreement with respect to such exercise of powers; and

WHEREAS, some of the property within the proposed Cerro Gordo County Corridor Urban Renewal Area, the description of which is shown as Exhibit A in the Urban Renewal Plan, is within two miles of the city limits of the City of Clear Lake, Iowa (the "City"); and

WHEREAS, the Board of Supervisors of the County has requested that the City enter into an agreement in order to enable the County to exercise urban renewal powers within the proposed Cerro Gordo County Corridor Urban Renewal Area;

NOW THEREFORE, it is agreed by the County and the City as follows:

Section 1. The County may exercise urban renewal powers pursuant to Chapter 403 of the Code of Iowa with respect to property included within the proposed Cerro Gordo County Corridor Urban Renewal Area.

Section 2. This Agreement shall be deemed to meet the statutory requirements of paragraph 4 of Section 403.17 of the Code of Iowa and shall be effective following approval by the governing bodies and execution by the appropriate officials of the County and the City.

IN WITNESS WHEREOF, the County has caused this Agreement to be executed by the Chairperson of its Board of Supervisors and attested by its Deputy County Auditor, and the City has caused this Agreement to be executed by its Mayor and attested by its City Clerk, as of the dates shown opposite their respective signatures below.

CERRO GORDO COUNTY, IOWA

By \_\_\_\_\_  
Chairperson, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Deputy County Auditor

Date: \_\_\_\_\_

CITY OF CLEAR LAKE, IOWA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Date: \_\_\_\_\_

**URBAN RENEWAL PLAN**

**CERRO GORDO COUNTY CORRIDOR  
URBAN RENEWAL AREA**

**CERRO GORDO COUNTY, IOWA**

**March, 2012**

**SIMMERING-CORY, INC.**

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**Urban Renewal Plan  
Cerro Gordo County Corridor Urban Renewal Area  
Cerro Gordo County, Iowa**

**A. INTRODUCTION**

This Urban Renewal Plan has been developed to help local officials promote economic development in Cerro Gordo County. The primary goal of the plan is to stimulate, through public involvement and commitment, private investment in new commercial/industrial development.

In order to achieve this objective, Cerro Gordo County (the "County"), intends to undertake urban renewal activities pursuant to the powers granted to it under Chapters 403 and 15A of the Code of Iowa.

**B. DESCRIPTION OF THE URBAN RENEWAL AREA**

The Cerro Gordo County Corridor Urban Renewal Area is described in Exhibit A and illustrated in Exhibit B.

The County reserves the right to modify the boundaries of the area at some future date. Any amendments to the property included within the area will be completed in accordance with Chapter 403 of the Code of Iowa.

**C. DISTRICT DESIGNATION**

With the adoption of this plan, Cerro Gordo County will designate this Urban Renewal Area as an economic development district that is appropriate for new commercial and industrial development.

**D. BASE VALUE**

If the Cerro Gordo County Corridor Urban Renewal Area is legally established and debt is certified prior to December 1, 2012, the taxable valuation within the district as of January 1, 2011, will be considered the "base valuation." If debt is not certified until a later date, the "base value" will be the assessed value of the taxable property in the Urban Renewal Area as of January 1 of the calendar year preceding the calendar year in which the County first certifies the amount of any debt.

### **E. CITY/COUNTY AGREEMENTS**

Because the Cerro Gordo County Corridor Urban Renewal Area is within 2 miles of the Cities of Mason City and Clear Lake, the County will enter into a joint agreement with each City, pursuant to Section 403.17 of the Code of Iowa, which authorizes the County to carry out project activities within a City's 2-mile "area of operation." Copies of these agreements are attached as Exhibit C.

### **F. AGREEMENT TO INCLUDE AGRICULTURAL LAND**

Because some of the area being included in the Cerro Gordo County Corridor Urban Renewal Area contains land that is being used for agricultural purposes as defined by Iowa Code Section 403.17(3), the County and property owners have entered into an agreement in which the property owners agree to allow the County to include real property defined as "Agricultural Land" in the Urban Renewal Area. Copies of these agreements are attached as Exhibit D.

### **G. DEVELOPMENT PLAN**

The County has a general plan for the physical development of the County outlined in the Cerro Gordo County Comprehensive Plan which was updated in 2004. The goals, objectives, and proposed activities outlined in this Urban Renewal Plan are consistent with the goals and policies identified and adopted as part of the County's planning process and are consistent with the Comprehensive Plan itself. The plan identifies the Corridor Urban Renewal Area as a "Joint Development Area" appropriate for new commercial and industrial development."

This Urban Renewal Plan does not replace the County's existing land use planning or zoning regulation process.

### **H. PROJECT AREA OBJECTIVES**

Renewal activities are designed to provide opportunities, incentives, and sites for community economic development purposes, including new and expanded commercial and industrial development. Objectives include:

1. To stimulate through public action and commitment, private investment in new development.
2. To provide for the installation of public works and facilities which contribute to the sound development in the area.

3. To plan for and provide sufficient land for new development in a manner that is efficient from the standpoint of providing services.
4. To provide a more marketable and attractive investment climate.
5. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities, and strengthening the tax base.

#### **I. TYPE OF RENEWAL ACTIVITIES**

To meet the objectives of this Urban Renewal Plan and to encourage the development of the area, the County intends to utilize the powers conferred under Chapter 403 and Chapter 15A, Code of Iowa.

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.
2. To arrange for or cause to be provided the construction or repair of public infrastructure, including but not limited to streets, storm water drainage, sanitary sewer system, water system, public utilities or other facilities in connection with urban renewal projects.
3. To make loans, forgivable loans, tax rebate payments or other types of economic development grants or incentives to private persons or businesses for economic development purposes on such terms as may be determined by the Board of Supervisors.
4. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Program or specific urban renewal projects.
5. To borrow money and to provide security therefor.
6. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the Cerro Gordo County and the State of Iowa.

#### **J. DEVELOPMENT PROJECTS**

Although certain urban renewal activities may occur over a period of years, the first proposed project involves providing property tax rebates to support a building expansion by Red Power, L.L.C. The County may also consider providing financial assistance, including tax increment rebates, to other developers as an

incentive to promote new and expanding business development and employment opportunities in the area.

In addition, the County may use tax increment to help finance the cost of installing infrastructure, including but not limited to, water, sewer, storm water, roadway, and traffic control improvements.

#### K. FINANCIAL DATA

1. Current constitutional debt limit: \$197,192,614
2. Current general obligation debt: \$11,447,419
3. Proposed amount of loans, advances, indebtedness or bonds to be incurred: Although, a specific amount of tax increment debt to be included for projects over time has not yet been determined, it is anticipated that the cost of the proposed projects identified in Section J of this plan will be in approximately the \$50,000 to \$3 million range. Future projects that have not been specifically determined at this time may increase this amount. The current Red Power, L.L.C. project proposal involves providing tax increment grants or rebates subject to certain conditions, including employment obligations. The cumulative value of the potential grants or rebates is estimated at between \$140,000 and \$200,000. This amount is included in the \$50,000 to \$3 million range.

#### L. SPECIAL FINANCING

To meet the objectives of this Urban Renewal Plan and to encourage private investment in and the development of the urban renewal area, the County may determine to provide financial assistance to qualified private businesses through the making of incentives, such as loans, rebates or grants under all applicable provisions of the Iowa Code, including but not limited to Chapter 15 and 15A, and through the use of tax increment financing under Chapter 403 of the Code of Iowa.

1. Loan, Rebates or Grants. The making of loans or grants of public funds to private businesses within the urban renewal area may be deemed necessary or appropriate for economic development purposes and to aid in the planning, undertaking and carrying out of urban renewal project activities authorized under this Urban Renewal Plan and the Code of Iowa. Accordingly, in furtherance of the objectives of this Urban Renewal Plan, the County may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in

the urban renewal area. Alternatively, the County may determine to use available funds for making such loans or grants.

2. Tax Increment Financing. The County may utilize tax increment financing as a means to help pay for the costs associated with the development of the urban renewal area. General obligation bonds, tax increment revenue bonds or such other obligations or loan agreements may be issued by the County, and tax increment reimbursement may be sought for, among other things, the following costs (if and to the extent incurred by the County):
  - A. Constructing public improvements, such as streets, sanitary sewers, storm sewers, water mains, parking lots or other facilities;
  - B. Making loans or grants to private businesses, including debt service payments on any bonds or notes issued to finance such loans or grants;
  - C. Providing the local matching share of state or federal grant and loan programs; or
  - D. Providing other incentives for activities described in this plan.

#### **M. URBAN RENEWAL PLAN AMENDMENTS**

This Urban Renewal Plan may be amended from time to time for a variety of reasons, including but not limited to, change in the area, to add or change land use controls and regulations, to modify goals or types of renewal activities, or to amend property acquisition and disposition provisions.

The Board of Supervisors may amend this Urban Renewal Plan by complying with applicable State law.

#### **N. PROPERTY ACQUISITION/DISPOSITION**

Other than easements and public right-of-ways, no property acquisition by the County is anticipated at this time. However, if property acquisition/disposition become necessary to accomplish the objectives of the plan, urban renewal powers will be carried out, without limitation, in accordance with the State of Iowa Urban Renewal Law.

#### **O. EFFECTIVE PERIOD**

This Cerro Gordo County Corridor Urban Renewal Plan will become effective upon its adoption by the Board of Supervisors and will remain in effect until it is repealed by the Board of Supervisors. During the life of the plan, the Board of

Supervisors may designate all or any portion of the property covered by this plan as a "tax increment area."

With respect any property covered by this plan which is included in an ordinance which designates that property as a tax increment area, the use of incremental property tax revenues, or the "division of revenue," as those words are used in Chapter 403 of the Code of Iowa, is limited to twenty (20) years from the calendar year following the calendar year in which the County first certifies to the County Auditor the amount of any loans, advances, indebtedness, or bonds which qualify for payment from the incremental property tax revenues attributable to that property. However, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the Code) by the County for activities carried out under this Urban Renewal Plan shall be limited as deemed appropriate by the Board of Supervisors and consistent with all applicable provisions of law.

EXHIBIT A

**Cerro Gordo County  
Corridor Urban Renewal Area  
Description of Land**

Private Property:

1. All land in Woollums First Subdivision, Cerro Gordo County, Iowa

Parcels:	06-11-100-003-00	Ag Parcels:	06-11-100-006-00	3.98 a
	06-11-100-004-00		06-11-100-008-00	3.99 a
	06-11-100-005-00		06-11-100-009-00	5.11 a
	06-11-100-010-00		06-11-100-018-00	<u>3.99 a</u>
	06-11-100-012-00			17.07 a
	06-11-100-013-00			
	06-11-100-014-00			
	06-11-100-016-00			
	06-11-100-017-00			
	06-11-100-019-00			

2. Parcel "A" in the SE¼ of Section 11-96-21 (Doc. 1997-7873)

Parcel: 06-11-400-001-00

3. E 10 acres of the NW¼ of the SW¼ of Section 11-96-21

Parcel: 06-11-300-003-00

4. All land in Benton's Addition, Cerro Gordo County, Iowa

Parcel:	06-11-300-018-00	Ag Parcels:	06-11-300-016-00	10.21 a
	06-11-300-017-00			

County-Owned Property:

1. NE¼ of Section 11-96-21

Ag Parcel: 06-11-200-003-00 149.06 a

2. W½ SW¼ of Section 12-96-21

Ag Parcel: 06-12-300-001-00 73.64 a

3. That part of the SE $\frac{1}{4}$  of Section 11-96-21 lying E of the centerline of Kingbird Avenue and N of the centerline of 263<sup>rd</sup> Street

Ag Parcel: 06-11-400-003-00      70.31 a

4. Lot 1, Cerro Gordo County First Subdivision to Cerro Gordo County, Iowa

Ag Parcel: 06-11-400-005-00      23.04 a

Road Rights-of-Way:

The Corridor Urban Renewal Area also includes the full right-of-way of all streets and roads that are in or adjacent to the property described above including, but not necessarily limited to the following:

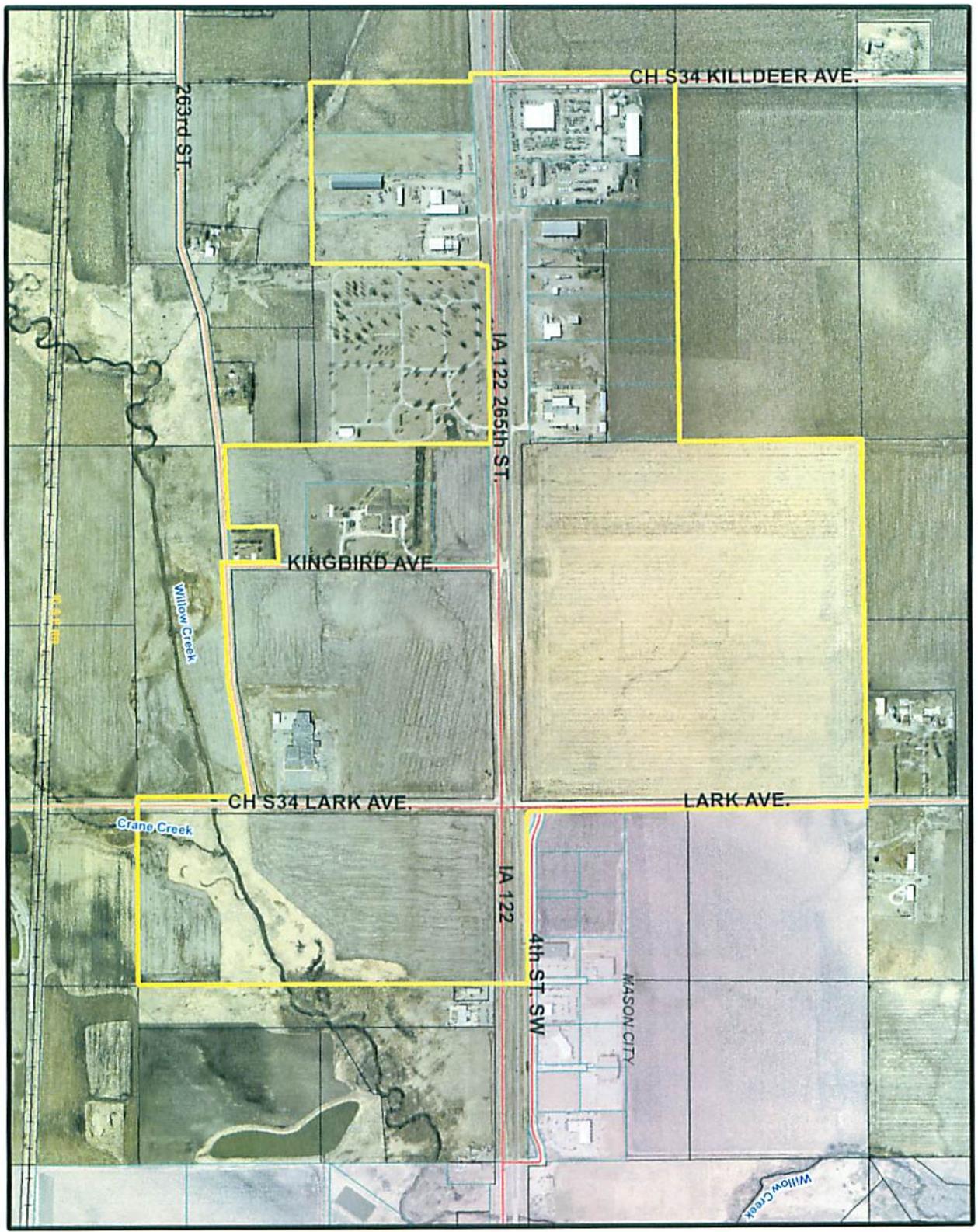
1. All of Killdeer Avenue beginning at a point 60 feet west of the NE corner of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 10-96-21, thence south along the west right-of-way line of Killdeer Avenue to the south right-of-way line of 265<sup>th</sup> Street (Iowa Highway 122), thence easterly 120 feet along the south right-of-way line of 265<sup>th</sup> Street (Iowa Highway 122), thence north along the east right-of-way line of Killdeer Avenue to a point 60 feet east of the NW corner of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 11-96-21, thence west 120 feet to the point of beginning.
2. All of Lark Avenue beginning at a point 33 feet west of the NE corner of the NE $\frac{1}{4}$  of Section 11-96-21, thence south along the west right-of-way line of Lark Avenue to a point 33 feet west of the SE corner of the NE $\frac{1}{4}$  of Section 11-96-21, thence east 66 feet to a point 33 feet east of the SW corner of the NW $\frac{1}{4}$  of Section 12-96-12, thence north along the east right-of-way line of Lark Avenue to a point 33 feet east of the NW corner of the NW $\frac{1}{4}$  of Section 12-96-21, thence west 66 feet to the point of beginning.
3. All of Lark Avenue beginning at a point 60 feet west of the NE corner of the SE $\frac{1}{4}$  of Section 11-96-21, thence south along the west right-of-way line of Lark Avenue to a point 60 feet west of the SE corner of the SE $\frac{1}{4}$  of Section 11-96-21, thence east 120 feet to a point 60 feet east of the SW corner of the SW $\frac{1}{4}$  of Section 12-96-11, thence north along the east line of Lark Avenue to a point 60 feet east of the NW corner of the SW $\frac{1}{4}$  of Section 12-96-21, thence west 120 feet to the point of beginning.
4. All of Kingbird Avenue from the south right-of-way line of 265<sup>th</sup> Street (Iowa Highway 122) to the south right-of-way line of 263<sup>rd</sup> Street.
5. All of 265<sup>th</sup> Street (Iowa Highway 122):

Westerly boundary: A line running from the north right-of-way line of 265<sup>th</sup> Street to the south right-of-way line of 265<sup>th</sup> Street, 60 feet west of and parallel to the west line of the NW $\frac{1}{4}$  of Section 11-96-21 and the west line of the SW $\frac{1}{4}$  of Section 11-96-11.

Easterly boundary: A line running from the north right-of-way line of 265<sup>th</sup> Street to the south right-of-way line of 265<sup>th</sup> Street, along the east line of the SW<sup>1</sup>/<sub>4</sub> of the NW<sup>1</sup>/<sub>4</sub> of Section 10-96-21 and the east line of the NW<sup>1</sup>/<sub>4</sub> of the SW<sup>1</sup>/<sub>4</sub> of Section 10-96-21.

Right-of-way is inclusive of the frontage road platted as part of and adjacent to the south line of Lots 1-5 of Woollums First Subdivision, Cerro Gordo County, Iowa.

# Cerro Gordo County Corridor Urban Renewal Area



"Exhibit B"

November 7, 2011



## Budget Preparation Calendar 2012-2013 Annual Budget

<u>Date</u>	<u>Budget Event</u>
September 19, 2011	Distribute budget request forms and CIP data sheets to all Department heads.
November 14, 2011	Deadline for budget amendments to be submitted to the Finance Officer.
November 28, 2011	Deadline for all budget request forms and CIP data sheets to be submitted to the Finance Officer.
December 5 – 30, 2011	City Administrator and Finance Officer meet with Department heads and Boards – as necessary.
January 3 – 27, 2012	City Administrator and Finance Officer compile the proposed FY 13 budget.
January 3 – 20, 2012	City Council meets in “Budget Workshops” to review various aspects of the budget (Dept. heads and Board reps. will meet with Council at this time).
February 3, 2012	Target date for delivery of the proposed FY 13 municipal budget to Mayor & City Council.
February 6, 2012	City Council to discuss the proposed FY 13 municipal budget proposal for the first time.
February 20, 2012	City Council to discuss the proposed FY 13 budget proposal for a 2nd time. Adopt a “tentative budget”. Set public hearing date for March 5, 2012.
February 22, 2012	Notice is published in Clear Lake Mirror Reporter.
March 5, 2012	Hold budget hearing. Adopt final budget.
March 15, 2012	Finance Officer certify final FY 13 municipal budget to the County Auditor.

City of Clear Lake  
Total Department Budgets

	Percent of Total	2010-2011 Actual	2011-2012 Budgeted	2011-2012 Amended	2012-2013 Requested	Amount of Change	Percent of Change
<b>Public Safety</b>							
Police	16.57%	1,700,833.88	2,049,307.00	1,995,307.00	1,977,289.00	(18,018.00)	-0.90%
Fire	7.51%	180,433.31	205,479.00	206,695.00	896,703.00	690,008.00	333.83%
Ambulance	4.29%	445,672.60	519,951.00	541,204.00	512,065.00	(29,139.00)	-5.38%
Emergency Management	0.12%	12,508.58	13,775.00	13,775.00	13,775.00	-	0.00%
Animal Control	0.04%	1,788.26	5,150.00	5,150.00	5,300.00	150.00	2.91%
<b>Total</b>	<b>28.53%</b>	<b>\$ 2,341,236.63</b>	<b>\$ 2,793,662.00</b>	<b>\$ 2,762,131.00</b>	<b>\$ 3,405,132.00</b>	<b>\$ 643,001.00</b>	<b>23.28%</b>
<b>Public Works</b>							
Traffic Safety	0.20%	16,870.48	42,850.00	76,350.00	23,850.00	(52,500.00)	-68.76%
Street Lighting	0.99%	106,811.14	118,700.00	117,500.00	118,700.00	1,200.00	1.02%
Engineering	0.44%	39,024.48	52,230.00	52,468.00	52,200.00	(268.00)	-0.51%
Street	7.88%	729,024.17	1,199,909.00	1,178,170.00	939,950.00	(238,220.00)	-20.22%
<b>Total</b>	<b>9.51%</b>	<b>\$ 891,730.27</b>	<b>\$ 1,413,689.00</b>	<b>\$ 1,424,488.00</b>	<b>\$ 1,134,700.00</b>	<b>\$ (289,788.00)</b>	<b>-20.34%</b>
<b>Health &amp; Social Services</b>							
Health Officer	0.00%	-	-	-	-	-	0.00%
Mosquito Control	0.07%	7,021.08	8,845.00	2,845.00	8,855.00	6,010.00	211.25%
<b>Total</b>	<b>0.07%</b>	<b>\$ 7,021.08</b>	<b>\$ 8,845.00</b>	<b>\$ 2,845.00</b>	<b>\$ 8,855.00</b>	<b>\$ 6,010.00</b>	<b>211.25%</b>
<b>Culture &amp; Recreation</b>							
Library	4.09%	387,356.96	428,760.00	431,254.00	488,433.00	57,179.00	13.26%
Library Foundation	0.30%	18,702.60	33,390.00	33,390.00	35,750.00	2,360.00	7.07%
Band	0.17%	17,888.75	20,500.00	20,500.00	20,500.00	-	0.00%
Park & Rec	3.73%	507,549.36	351,973.00	377,056.00	445,272.00	68,216.00	18.09%
Pool	1.24%	107,169.31	141,306.00	130,985.00	147,785.00	16,800.00	12.83%
Golf Course	0.04%	236,439.27	-	54,800.00	5,000.00	(49,800.00)	-90.88%
Cemetery	0.96%	18,311.22	37,194.00	38,330.00	114,044.00	75,714.00	197.53%
<b>Total</b>	<b>10.53%</b>	<b>\$ 1,293,417.47</b>	<b>\$ 1,013,123.00</b>	<b>\$ 1,086,315.00</b>	<b>\$ 1,256,784.00</b>	<b>\$ 170,469.00</b>	<b>15.69%</b>
<b>Community &amp; Economic Development</b>							
Kinney Lindstrom	0.05%	4,411.30	6,000.00	6,000.00	6,000.00	-	0.00%
Special Community	2.41%	393,439.26	323,360.00	318,314.00	287,860.00	(30,454.00)	-9.57%
Building Inspection	0.73%	76,286.63	84,091.00	85,423.00	86,908.00	1,485.00	1.74%
Planning & Zoning	0.10%	6,403.41	12,250.00	12,250.00	12,250.00	-	0.00%
<b>Total</b>	<b>3.29%</b>	<b>\$ 480,540.60</b>	<b>\$ 425,701.00</b>	<b>\$ 421,987.00</b>	<b>\$ 393,018.00</b>	<b>\$ (28,969.00)</b>	<b>-6.86%</b>
<b>General Government</b>							
Legislative - Council	0.11%	11,100.21	12,727.00	13,227.00	12,727.00	(500.00)	-3.78%
Mayor	0.10%	11,578.20	11,614.00	11,614.00	11,614.00	-	0.00%
Financial Admin	4.31%	424,817.59	480,228.00	526,845.00	514,561.00	(12,284.00)	-2.33%
Liability Insurance	2.43%	205,218.91	225,000.00	260,000.00	290,000.00	30,000.00	11.54%
<b>Total</b>	<b>6.94%</b>	<b>\$ 652,714.91</b>	<b>\$ 729,569.00</b>	<b>\$ 811,686.00</b>	<b>\$ 828,902.00</b>	<b>\$ 17,216.00</b>	<b>2.12%</b>
<b>Debt Service</b>							
Debt Service	8.50%	880,956.19	1,096,578.00	1,096,578.00	1,014,074.00	(82,504.00)	-7.52%
<b>Total</b>	<b>8.50%</b>	<b>\$ 880,956.19</b>	<b>\$ 1,096,578.00</b>	<b>\$ 1,096,578.00</b>	<b>\$ 1,014,074.00</b>	<b>\$ (82,504.00)</b>	<b>-7.52%</b>
<b>Capital Projects - Infrastructure</b>							
Projects	9.90%	2,788,796.86	3,401,000.00	3,840,100.00	1,181,500.00	(2,658,600.00)	-69.23%
<b>Total</b>	<b>9.90%</b>	<b>\$ 2,788,796.86</b>	<b>\$ 3,401,000.00</b>	<b>\$ 3,840,100.00</b>	<b>\$ 1,181,500.00</b>	<b>\$ (2,658,600.00)</b>	<b>-69.23%</b>
<b>Enterprise - Includes Debt &amp; Capital Projects</b>							
Water	11.43%	814,038.05	1,333,256.00	1,558,792.00	1,364,387.00	(194,405.00)	-12.47%
Sani Sewer	4.10%	262,301.04	1,220,846.00	1,131,883.00	488,811.00	(643,072.00)	-56.81%
Solid Waste	4.14%	452,336.48	486,352.00	486,361.00	494,069.00	7,708.00	1.58%
Storm Water Utility	3.06%	216,995.18	411,532.00	707,368.00	365,434.00	(341,934.00)	-48.34%
<b>Total</b>	<b>22.73%</b>	<b>\$ 1,745,670.75</b>	<b>\$ 3,451,986.00</b>	<b>\$ 3,884,404.00</b>	<b>\$ 2,712,701.00</b>	<b>\$ (1,171,703.00)</b>	<b>-30.16%</b>
<b>Grand Total</b>	<b>100.00%</b>	<b>\$ 11,082,084.76</b>	<b>\$ 14,334,153.00</b>	<b>\$ 15,330,534.00</b>	<b>\$ 11,935,666.00</b>	<b>\$ (3,394,868.00)</b>	<b>-22.14%</b>

City of Clear Lake  
Budget Worksheet  
Fiscal Year 2012-2013

Total Revenues	2007-2008 Actual	2008-2009 Actual	2009-2010 Actual	2010-2011 Actual	2011-2012 Budgeted	2011-2012 Amended	2012-2013 Requested
<b>Property Taxes</b>							
General	2,347,766.38	2,464,721.49	2,687,169.94	2,642,198.80	2,772,012.00	2,772,012.00	2,912,609.00
Debt Service	377,986.25	402,870.74	322,716.01	342,427.32	578,413.00	578,413.00	540,883.00
Employee Benefits	498,261.88	399,619.25	443,669.79	561,057.83	588,106.00	588,106.00	578,000.00
410 Pension	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total Property Taxes</b>	<b>3,224,014.51</b>	<b>3,267,211.48</b>	<b>3,453,555.74</b>	<b>3,545,683.95</b>	<b>3,938,531.00</b>	<b>3,938,531.00</b>	<b>4,031,492.00</b>
<b>TIF Revenues</b>							
Current	879,938.94	1,398,963.75	1,744,350.75	2,061,651.63	2,245,000.00	2,154,800.00	2,206,650.00
Delinquent	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total TIF Revenues</b>	<b>879,938.94</b>	<b>1,398,963.75</b>	<b>1,744,350.75</b>	<b>2,061,651.63</b>	<b>2,245,000.00</b>	<b>2,154,800.00</b>	<b>2,206,650.00</b>
<b>Other Taxes</b>							
General	1,524,883.75	1,447,100.83	1,406,000.74	1,518,464.48	1,413,502.00	1,498,402.00	1,499,517.00
Debt Service	4,912.70	4,980.14	3,591.52	3,249.68	5,344.00	5,344.00	4,924.00
Employee Benefits	7,148.40	5,745.12	5,876.19	6,416.60	6,594.00	6,594.00	6,384.00
<b>Total Other Taxes</b>	<b>1,536,944.85</b>	<b>1,457,826.09</b>	<b>1,415,468.45</b>	<b>1,528,130.76</b>	<b>1,425,440.00</b>	<b>1,510,340.00</b>	<b>1,510,825.00</b>
<b>Special Assessments - General</b>	<b>297,683.90</b>	<b>292,027.95</b>	<b>528,005.73</b>	<b>358,120.17</b>	<b>175,000.00</b>	<b>150,000.00</b>	<b>250,000.00</b>
<b>Licenses &amp; Permits - General</b>	<b>84,333.19</b>	<b>81,326.92</b>	<b>89,090.62</b>	<b>74,973.50</b>	<b>88,150.00</b>	<b>87,650.00</b>	<b>87,650.00</b>
<b>Use of Money &amp; Property</b>							
General	128,093.82	73,359.28	37,110.65	30,498.31	35,800.00	30,800.00	30,800.00
TIF	4,589.60	6,173.26	3,363.58	17,271.37	16,693.00	16,693.00	2,525.00
Capital Projects	292.25	700.59	117.30	2,841.32	0.00	0.00	0.00
Debt Service	6,970.57	4,496.43	1,758.37	813.65	1,525.00	775.00	775.00
Employee Benefits	8,067.45	5,574.18	1,614.17	935.40	1,600.00	1,000.00	1,000.00
410 Pension	3,308.70	0.00	0.00	0.00	0.00	0.00	0.00
Other Trusts	10,926.41	38,503.40	19,282.96	2,878.82	1,525.00	4,055.00	4,285.00
Library Foundation	128.43	-5,204.32	10,496.51	14,581.89	10,000.00	10,000.00	10,000.00
Riley Trust	0.00	0.00	1,956.28	1,862.22	1,800.00	1,800.00	1,800.00
Water	67,481.81	56,055.03	42,043.07	3,398.93	5,200.00	2,700.00	2,700.00
Sewer Rental	3,526.88	4,008.94	1,341.66	1,205.82	1,300.00	1,300.00	1,300.00
Solid Waste	7,323.19	3,757.82	1,409.42	503.61	1,325.00	575.00	575.00
Storm Water Utility	1,258.71	91.16	180.13	421.12	75.00	75.00	75.00
<b>Total Use of Money &amp; Property</b>	<b>241,967.82</b>	<b>187,515.77</b>	<b>120,674.10</b>	<b>77,212.46</b>	<b>76,843.00</b>	<b>69,773.00</b>	<b>55,835.00</b>
<b>Intergovernmental</b>							
General	88,669.24	124,554.39	171,124.99	239,216.27	134,500.00	166,817.00	142,700.00
Capital Projects	584,293.71	587,361.32	150,887.73	526,978.00	2,136,692.00	2,225,201.00	0.00
Road Use Tax	699,274.22	676,384.91	711,322.39	747,740.15	700,000.00	700,000.00	700,000.00
Storm Water Utility	50,000.00	0.00	93,583.94	0.00	0.00	0.00	0.00
<b>Total Intergovernmental</b>	<b>1,422,237.17</b>	<b>1,388,300.62</b>	<b>1,126,919.05</b>	<b>1,513,934.42</b>	<b>2,971,192.00</b>	<b>3,092,018.00</b>	<b>842,700.00</b>
<b>Charges for Services</b>							
General	479,497.99	485,115.21	449,555.64	554,409.47	470,161.00	581,660.00	556,875.00
Water	724,483.85	733,526.33	726,256.59	778,286.23	799,500.00	789,500.00	812,000.00
Sewer Rental	311,160.31	318,686.89	316,912.28	325,170.42	338,000.00	336,500.00	341,500.00
Solid Waste	439,506.53	454,010.81	456,814.46	469,615.35	469,000.00	473,000.00	493,000.00
Storm Water Utility	77,966.49	88,627.82	102,314.48	110,623.35	122,000.00	112,000.00	116,000.00
<b>Total Charges for Services</b>	<b>2,032,615.17</b>	<b>2,079,967.06</b>	<b>2,051,853.45</b>	<b>2,238,104.82</b>	<b>2,198,661.00</b>	<b>2,292,660.00</b>	<b>2,319,375.00</b>

City of Clear Lake  
Budget Worksheet  
Fiscal Year 2012-2013

	2007-2008	2008-2009	2009-2010	2010-2011	2011-2012	2011-2012	2012-2013
<b>Total Revenues</b>	Actual	Actual	Actual	Actual	Budgeted	Amended	Requested
<b>Miscellaneous</b>							
General	110,129.64	124,449.62	51,350.77	72,691.50	48,500.00	54,116.00	48,500.00
Capital Projects	178,177.87	0.00	0.00	8,500.00	0.00	0.00	0.00
Other Trusts	5,777.45	6,763.00	7,337.20	5,785.07	5,000.00	12,000.00	5,000.00
Library Foundation	14,751.00	69,381.00	15,326.00	12,272.17	30,000.00	30,000.00	30,000.00
Riley Trust	0.00	0.00	348,340.29	0.00	0.00	0.00	0.00
Water	651.81	219.40	1,566.13	477.82	1,000.00	1,000.00	1,000.00
Sewer Rental	30.00	20.00	0.00	0.00	250.00	0.00	0.00
Solid Waste	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Storm Water	96,137.74	185,445.72	142,488.69	0.00	0.00	0.00	0.00
<b>Total Miscellaneous</b>	<b>405,655.51</b>	<b>386,278.74</b>	<b>566,409.08</b>	<b>99,726.56</b>	<b>84,750.00</b>	<b>97,116.00</b>	<b>84,500.00</b>
<b>Other Financing Sources</b>							
General	57,980.59	346,764.41	255,922.00	509,681.00	0.00	37,000.00	25,000.00
TIF	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Debt Service	653,871.88	567,063.00	1,576,022.00	469,478.00	0.00	0.00	0.00
Capital Projects	120,000.00	1,123,100.00	1,385,143.00	2,986,978.00	0.00	0.00	0.00
Employee Benefits	97,060.39	0.00	5,300.00	5,400.00	0.00	0.00	0.00
Other Trusts	1,500.00	7,500.00	7,200.00	0.00	0.00	0.00	0.00
Water	1,374,854.00	566,693.00	795,680.00	634,371.00	0.00	0.00	0.00
Sewer Rental	249,467.00	275,974.00	355,941.00	581,672.00	0.00	0.00	0.00
Solid Waste	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Storm Water Utility	131,732.00	119,000.00	231,957.39	252,810.00	0.00	0.00	0.00
<b>Total Other Financing Sources</b>	<b>2,686,465.86</b>	<b>3,006,094.41</b>	<b>4,613,165.39</b>	<b>5,440,390.00</b>	<b>0.00</b>	<b>37,000.00</b>	<b>25,000.00</b>
<b>Total Revenues</b>	<b>12,811,856.92</b>	<b>13,545,512.79</b>	<b>15,709,492.36</b>	<b>16,937,928.27</b>	<b>13,203,567.00</b>	<b>13,429,888.00</b>	<b>11,414,027.00</b>

**City of Clear Lake  
Fy 2012-2013 - Capital Listing**

Description	Fy 11-12 Requested	Fy 11-12 Amended	Fy 12-13 Requested	
<b>Police</b>				
Patrol Cars/Chief's Vehicle	87,900	87,900	30,300	Received \$26,499 from Ventura for vehicle replacement
Radio System Upgrade	146,000	150,000		
Computer Equip/Printer Copier	11,000	11,000	11,000	
Radar Speed guns	2,500	2,500	2,500	
Radios		2,500		Grant
Digital Squad Camera			5,000	
Other Equipment - Law Trust Fund		5,600		
Portable Breath Testers			2,250	
Generator			100,000	
<b>Police Total</b>	<b>247,400</b>	<b>259,500</b>	<b>151,050</b>	
<b>Fire</b>				
Aerial Ladder Truck			660,000	\$425,000 Reserve; \$200,000 Bond Proceeds
Aerial Ladder Truck Equipment			35,000	
Breathing Air Compressor/ Air Packs	2,500	2,500	4,500	FEMA Grant Application for 90% Fy 11 Costs
Protective Clothing	12,000	12,000	12,000	
Hoses/Nozzles/Fittings	4,500	4,500	1,500	
Computer/Radio/Rescue/Lanterns/Books	16,600	14,300	5,300	
Museum Basement Wall repair	8,000	8,000	1,500	
<b>Fire Total</b>	<b>43,600</b>	<b>41,300</b>	<b>719,800</b>	
<b>Ambulance</b>				
Capital Reserve	20,000	20,000	20,000	Total Reserve as of June 2013 \$100,000
Computer/Misc Equipment	2,500	-	2,500	
Power Lift Cot (#2)	10,000	10,000		
Protective Clothing			10,000	
3 Cardiac monitor Defibrillators	50,000	52,500		
<b>Ambulance Total</b>	<b>82,500</b>	<b>82,500</b>	<b>32,500</b>	
<b>Library</b>				
Books/Audio Visual Materials	50,200	50,200	50,500	
Computer/Electronic Media	7,200	7,200	9,200	
Tuck Pointing - Phase III		12,000		Budgeted in Fy 11 - Not completed prior to June 2011
HVAC Duct Work Repair	5,200	5,200		
Elevator Upgrade Reserve	25,000	25,000		
Elevator Upgrade			58,960	
<b>Library Total</b>	<b>87,600</b>	<b>99,600</b>	<b>118,660</b>	
<b>Park &amp; Recreation</b>				
Safety surface			5,000	
Molly McGowan Shelter Roof			3,200	
Picnic Tables/Park Benches	5,000	5,000		
Equipment/Improvements- Donations		8,116		
Vehicle/Trailer			2,000	
Tourist Park Sidewalk			2,500	
12th Ave S Rec Complex - Site Work		5,000	100,000	
Computer			1,000	
Lakeview Carpet/Restroom repainting	2,600	5,400		
Tractor Replacement	25,000	35,400		\$14,200 Trade in
Trees Forever Donation	3,000	3,000	3,000	
<b>Park &amp; Rec Total</b>	<b>35,600</b>	<b>61,916</b>	<b>116,700</b>	
<b>Pool</b>				
Concession Equipment Replacement	3,000	3,000		
Pool repainting			20,000	
<b>Pool Total</b>	<b>3,000</b>	<b>3,000</b>	<b>20,000</b>	
<b>Cemetery</b>				
Equipment/Mower Replacement	9,000	10,400	16,000	Trade in value fy 11 \$4200
Grading Plan			70,000	
<b>Cemetery Total</b>	<b>9,000</b>	<b>10,400</b>	<b>86,000</b>	

City of Clear Lake			
Fy 2012-2013 - Capital Listing			
Description	Fy 11-12 Requested	Fy 11-12 Amended	Fy 12-13 Requested
<b>Street</b>			
Traffic Signal Battery Backup - Remaining	20,000	20,000	
EECDBG Traffic Light Project		20,500	\$14,081 Grant
Electric tester, Radio Upgrade, Truck Heater/El	8,300	8,300	
Moldboards, 96 Plow Replacement, 14' Plow	29,500	29,500	
Shop Hoist	7,800	7,800	
Liquid Calcium Chloride System			7,500
Plasma Cutter			2,500
Paint Shaker			4,500
Paint Machine Line Driver			5,500
3/4 Ton pickup replacement	30,000	30,000	
Mechanical Sweeper	175,000	172,000	\$10,000 Sweeper sale
<b>Water</b>			
Vehicle			25,000
High service pump #3			27,000
Manual read meter upgrade			64,000
<b>Equipment Total</b>	<b>270,600</b>	<b>288,100</b>	<b>136,000</b>
<b>Street</b>			
South 20th Street			470,500 \$182,000 Assessments
14th Ave South			405,500 \$130,000 Assessments
N 40th Street Bridge Rehab		10,000	176,000
N 6th Street			200,000
Street Overlays	200,000	402,000	
South Lakeview Dr - Engineering			7,500
N Shore Dr - Engineering			115,000
1st Ave N & N Lakeview - Engineering			15,000
Sidewalk Improvements			120,000
VFW Parking Lot	150,000	163,000	
2nd Ave North			
CDBG Project	3,179,000	3,870,000	\$2,368,000 CDBG Grant
14th Ave N			
North Shore Dr Streetscape	214,000	229,000	\$87,138 Grant Funds
10th Ave North - N 5th Pl to Buddy Holly	658,000	655,000	\$324,000 Grant Funds
<b>Water</b>			
Hwy 18 - N 3rd to N 9th St W			220,000
Airport Watermain Extension		21,200	
Lincoln School Site Watermain		125,000	
Water Tower Removal	50,000		75,000
New Tower Land Acquisition	50,000	100,000	
<b>Sanitary Sewer</b>			
SE Portion Facility Plan			27,000
Sewer Lining & Rehabilitation		81,500	200,000
<b>Storm Sewer</b>			
7th Ave N Upgrade		150,000	
Industrial Park - Medical Clinic		50,000	
Storm Sewer Lining Project			100,000
12th Ave S - Meyer Culvert		10,000	
<b>Other Projects</b>			
Fire Station	700,000	215,000	\$2,300,000 Bond Issue
City Hall/Police Remodel	60,000	60,000	50,000
Industrial Park Gas & Electric	18,000		20,000
<b>Infrastructure Total</b>	<b>5,279,000</b>	<b>6,141,700</b>	<b>2,201,500</b>
<b>Grand Total</b>	<b>6,063,300</b>	<b>6,993,016</b>	<b>3,587,210</b>

**City of Clear Lake  
Capital Project Funding Schedule**

	Grants		Bonds &				Sanitary	Storm Wtr		Project	MEMO:
	Donations	TIF	Loan Agr.	General	Rut	Water	Sewer	Utility	Other	Total	Assess
<b>Fy 11-12 Amended</b>											
CDBG Project - Street	1,241,726	800,000		164,000	194,274					2,400,000	164,000
CDBG Project - Water		75,000		138,000		162,000				375,000	138,000
CDBG Project - Sanitary Sewer	550,000			181,000			94,000			825,000	181,000
CDBG Project - Storm		90,000			180,000			-		270,000	
North Shore Dr Streetscape	87,138	141,862		-				-		229,000	
10th Ave North	324,000			197,000	39,000	65,000	30,000	-		655,000	197,000
VFW Parking Lot	22,337	140,663								163,000	
Overlay Project					402,000					402,000	
Fire Station			215,000							215,000	
Water Tower Land Acquisition		100,000								100,000	
Lincoln School Site Water main						125,000				125,000	
Sanitary Sewer Lining Project							81,500			81,500	
7th Ave N Storm Sewer Upgrade					150,000					150,000	
Clear Lake Industrial Park - Med Clinic		50,000								50,000	
City Hall/Police Remodel		60,000								60,000	
Mechanical Sweeper				10,000	142,000				Solid Waste	20,000	172,000
Police Radio Console Upgrade		150,000								150,000	
										-	
										-	
<b>Total</b>	<b>2,225,201</b>	<b>1,607,525</b>	<b>215,000</b>	<b>690,000</b>	<b>1,107,274</b>	<b>352,000</b>	<b>205,500</b>	<b>-</b>	<b>20,000</b>	<b>6,422,500</b>	<b>680,000</b>
<b>Fy 12-13</b>											
Police/City Hall Generator				100,000						100,000	
City Hall/Police Remodel				50,000						50,000	
South 20th St - Main to 2nd Ave S				275,500	125,000	12,000	8,000	50,000		470,500	182,000
14th Ave S - S 8th St to S Shore Dr				213,000	125,000	4,000	34,500	29,000		405,500	130,000
N 6th St - 10th Ave N to Hwy 18				46,000	98,000	31,000	25,000	-		200,000	46,000
N 40th Street Bridge Rehab		176,000								176,000	
Sidewalk Improvement Project				120,000						120,000	100,000
Preliminary Engineering - N Shore Dr, S Lakeview Dr, 1st Ave N & N Lakeview Dr		65,000			72,500					137,500	
Cemetery Grading				70,000						70,000	
Aerial Ladder Truck and Equipment			208,000	62,000				Reserve	425,000	695,000	
12th Ave S Rec Land Project		100,000								100,000	
Water Tower Removal		75,000								75,000	
Water Main - Hwy 18-N 3 St W to N 9 St W		220,000								220,000	
Sanitary and Storm Sewer Lining Project		50,000					200,000	50,000		300,000	
<b>Total</b>	<b>-</b>	<b>686,000</b>	<b>208,000</b>	<b>936,500</b>	<b>420,500</b>	<b>47,000</b>	<b>267,500</b>	<b>129,000</b>	<b>425,000</b>	<b>3,119,500</b>	<b>458,000</b>
<b>Grandtotal</b>	<b>2,225,201</b>	<b>2,293,525</b>	<b>423,000</b>	<b>1,626,500</b>	<b>1,527,774</b>	<b>399,000</b>	<b>473,000</b>	<b>129,000</b>	<b>445,000</b>	<b>9,542,000</b>	<b>1,138,000</b>

City of Clear Lake  
 Budget Cash Flow worksheet  
 Fy 11-12 Amended & Fy 12-13 Budgeted

	6/30/11 Cash Balance	Receivables	Payables	6/30/11 Adjusted Cash	Revenues	Expenditures	Transfers in	Transfers Out	6/30/12 Cash Balance	Revenues	Expenditures	Transfers in	Transfers Out	6/30/13 Cash Balance
General	3,310,545.14	511,834.71	447,208.05	2,861,371.80	5,333,457.00	5,338,748.00	182,420.00	1,332,078.00	1,706,422.80	5,233,651.00	5,457,064.00	1,105,634.00	941,037.00	1,647,606.80
Public Safety Equipment				513,800.00	45,000.00	28,800.00			530,000.00	20,000.00	450,000.00			100,000.00
City Hall/Police Remodel				-					-	300,000.00				300,000.00
Capital Reserve Fund				-			500,000.00		500,000.00		1,181,500.00	100,000.00		600,000.00
Capital Projects	849,297.07	303,700.11	704,037.12	448,960.06	2,225,201.00	3,431,600.00	1,600,799.00	626,000.00	217,360.06		1,181,500.00	1,181,500.00	208,000.00	9,360.06
Debt Service	-	22,735.94	11,326.75	11,409.19	584,532.00	1,096,578.00	516,307.00		15,670.19	546,582.00	1,014,074.00	478,494.00		26,672.19
Subtotal	4,159,842.21	838,270.76	1,162,571.92	3,835,541.05	8,188,190.00	9,895,726.00	2,799,526.00	1,958,078.00	2,969,453.05	6,100,233.00	8,102,638.00	2,865,628.00	1,149,037.00	2,683,639.05
Road Use Tax	1,246,026.20	60,434.50	30,394.95	1,276,065.75	700,000.00	740,500.00		911,694.00	323,871.75	700,000.00	239,500.00		520,500.00	263,871.75
Capital Reserve Fund				-			200,000.00		200,000.00			100,000.00		300,000.00
Employee Benefits	263,356.18	7,186.36	859.92	269,682.62	595,700.00	560,700.00	5,300.00		309,982.62	585,384.00	654,317.00	6,100.00		247,149.62
TIF	335,410.18	29,674.29	192,481.00	172,603.47	2,171,493.00	204,214.00		2,059,221.00	80,661.47	2,209,175.00	184,760.00		2,030,076.00	75,000.47
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Law Trusts	1,258.85			1,258.85	7,000.00	5,600.00			2,658.85					2,658.85
ED Loan Trust	226,294.36	111.59		226,405.95	4,055.00				230,460.95	4,285.00				234,745.95
K Lindstrom	-	5,000.00	312.65	4,687.35	5,000.00	6,000.00			3,687.35	5,000.00	6,000.00			2,687.35
Firefighter Benefit	60,279.24	56.66		60,335.90					60,335.90					60,335.90
Riley Trust	351,985.31	173.48		352,158.79	1,800.00				353,958.79	1,800.00				355,758.79
Library Foundations	204,196.79			204,196.79	40,000.00	33,390.00			210,806.79	40,000.00	35,750.00			215,056.79
Subtotal	2,688,807.11	102,636.88	224,048.52	2,567,395.47	3,525,048.00	1,550,404.00	205,300.00	2,970,915.00	1,776,424.47	3,545,644.00	1,120,327.00	106,100.00	2,550,576.00	1,757,265.47
Water 11 dep 52570	713,760.96	171,894.38	143,047.11	742,608.23	793,200.00	1,558,792.00	524,670.00		501,686.23	815,700.00	1,364,387.00	502,655.00		455,654.23
Sewer	292,695.13	338,281.31	325,399.24	305,577.20	337,800.00	1,131,883.00	786,000.00		297,494.20	342,800.00	488,811.00	58,500.00		209,983.20
Solid Waste	103,710.35	51,323.05	41,101.97	113,931.43	473,575.00	486,361.00		34,000.00	67,145.43	493,575.00	494,069.00		14,000.00	52,651.43
Storm Water Util	181,505.26	55,097.36	75,384.97	161,217.65	112,075.00	707,368.00	647,497.00		213,421.65	116,075.00	365,434.00	181,000.00		145,062.65
Subtotal	1,291,671.70	616,596.10	584,933.29	1,323,334.51	1,716,650.00	3,884,404.00	1,958,167.00	34,000.00	1,079,747.51	1,768,150.00	2,712,701.00	742,155.00	14,000.00	863,351.51
Grandtotal	8,140,321.02	1,557,503.74	1,971,553.73	7,726,271.03	13,429,888.00	15,330,534.00	4,962,993.00	4,962,993.00	5,825,625.03	11,414,027.00	11,935,666.00	3,713,883.00	3,713,613.00	5,304,256.03

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**City of Clear Lake  
Taxable Valuations**

	Fy 03-04	Fy 04-05	Fy 05-06	Fy 06-07	Fy 07-08	Fy 08-09	Fy 09-10	Fy 10-11	Fy 11-12	Fy 12-13	Amount of Change	Percent of Change
Regular	289,914,081	290,591,662	296,788,947	303,341,005	320,018,028	322,409,631	341,718,808	349,606,547	367,396,512	383,417,548	16,021,036	4.36%
TIF	15,516,919	22,790,148	29,960,502	34,054,923	32,851,622	51,963,681	64,308,173	71,000,205	77,487,036	81,149,466	3,662,430	4.73%
Ag Land	3,241,483	2,814,217	2,783,954	2,763,620	2,823,015	2,871,869	2,980,924	2,270,081	2,414,327	1,968,886	-445,441	-18.45%
	4.45%	2.60%	4.27%	3.26%	4.59%	6.09%	8.46%	3.59%	5.77%	4.42%		
<b>Total</b>	<b>308,672,483</b>	<b>316,196,027</b>	<b>329,533,403</b>	<b>340,159,548</b>	<b>355,692,665</b>	<b>377,245,181</b>	<b>409,007,905</b>	<b>422,876,833</b>	<b>447,297,875</b>	<b>466,535,900</b>		
Residential Rollback	51.39%	48.46%	47.96%	46.00%	45.56%	44.08%	45.59%	46.91%	48.53%	50.75%		
<b>Tax Levy</b>												
General	1,772,353	1,817,250	2,022,272	2,303,138	2,300,613	2,419,991	2,637,902	2,582,991	2,710,762	2,848,812	138,050	5.09%
Tort	55,200	55,200	55,200	65,000	65,000	65,000	72,500	77,000	85,000	90,000	5,000	5.88%
Emp/Ben	373,957	505,000	437,320	404,320	503,870	404,320	449,000	566,300	594,700	584,384	-10,316	-1.73%
Debt Svc	249,958	249,958	288,408	306,680	381,829	406,975	326,072	345,045	583,757	545,807	-37,950	-6.50%
<b>Subtotal</b>	<b>2,451,468</b>	<b>2,627,408</b>	<b>2,803,200</b>	<b>3,079,138</b>	<b>3,251,312</b>	<b>3,296,286</b>	<b>3,485,474</b>	<b>3,571,336</b>	<b>3,974,219</b>	<b>4,069,003</b>	<b>94,784</b>	<b>2.38%</b>
Ag Land	9,737	8,453	8,362	8,301	8,480	8,626	8,954	6,819	7,252	5,914	-1,338	
<b>Tax Rate</b>												
General	6.11337	6.25362	6.81384	7.59257	7.18901	7.50595	7.71951	7.38828	7.37830	7.43005	0.05175	0.70%
Tort	0.19040	0.18996	0.18599	0.21428	0.20311	0.20161	0.21216	0.22025	0.23136	0.23473	0.00337	1.46%
Emp Ben	1.28989	1.73783	1.47351	1.33289	1.57451	1.25406	1.31395	1.61982	1.61869	1.52415	-0.09454	-5.84%
Debt Svc	0.81838	0.79761	0.88266	0.90896	1.08207	1.08708	0.80308	0.82035	1.31216	1.17487	-0.13729	-10.46%
<b>Subtotal</b>	<b>8.41204</b>	<b>8.97902</b>	<b>9.35600</b>	<b>10.04870</b>	<b>10.04870</b>	<b>10.04870</b>	<b>10.04870</b>	<b>10.04870</b>	<b>10.54051</b>	<b>10.36380</b>	<b>-0.17671</b>	<b>-1.68%</b>
Ag Land	3.00375	3.00375	3.00375	3.00375	3.00375	3.00375	3.00375	3.00375	3.00375	3.00375	0.00000	

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**City of Clear Lake  
Residential Tax Bill Comparison**

<b>Current Year</b>		85,000	100,000	125,000	150,000	200,000
Valuation						
Roll Back	48.53%	41,249.65	48,529.00	60,661.25	72,793.50	97,058.00
Taxable Value		41,249.65	48,529.00	60,661.25	72,793.50	97,058.00
Gross City Taxes		434.79	511.52	639.40	767.28	1,023.04
Homestead Credit		37.32	37.32	37.32	37.32	37.32
<b>Net City Taxes</b>		<b>397.47</b>	<b>474.20</b>	<b>602.08</b>	<b>729.96</b>	<b>985.72</b>

Tax Rate            10.54051

<b>Next Year</b>		85,000	100,000	125,000	150,000	200,000
Valuation						
Roll Back	50.75%	43,139.03	50,751.80	63,439.75	76,127.70	101,503.60
Taxable Value		43,139.03	50,751.80	63,439.75	76,127.70	101,503.60
Gross City Taxes		447.08	525.98	657.48	788.97	1,051.96
Homestead Credit		36.69	36.69	36.69	36.69	36.69
<b>Net City Taxes</b>		<b>410.39</b>	<b>489.29</b>	<b>620.78</b>	<b>752.28</b>	<b>1,015.27</b>

Tax Rate            10.36380

% of Rate Change    -1.68%

% of Tax Change	3.25%	3.18%	3.11%	3.06%	3.00%
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**City of Clear Lake  
Taxable Valuations**

	Fy 03-04	Fy 04-05	Fy 05-06	Fy 06-07	Fy 07-08	Fy 08-09	Fy 09-10	Fy 10-11	Fy 11-12	Fy 12-13	Amount of Change	Percent of Change
Regular	289,914,081	290,591,662	296,788,947	303,341,005	320,018,028	322,409,631	341,718,808	349,606,547	367,396,512	383,417,548	16,021,036	4.36%
TIF	15,516,919	22,790,148	29,960,502	34,054,923	32,851,622	51,963,681	64,308,173	71,000,205	77,487,036	81,149,466	3,662,430	4.73%
Ag Land	3,241,483	2,814,217	2,783,954	2,763,620	2,823,015	2,871,869	2,980,924	2,270,081	2,414,327	1,968,886	-445,441	-18.45%
	4.45%	2.60%	4.27%	3.26%	4.59%	6.09%	8.46%	3.59%	5.77%	4.42%		
<b>Total</b>	<b>308,672,483</b>	<b>316,196,027</b>	<b>329,533,403</b>	<b>340,159,548</b>	<b>355,692,665</b>	<b>377,245,181</b>	<b>409,007,905</b>	<b>422,876,833</b>	<b>447,297,875</b>	<b>466,535,900</b>		
Residential Rollback	51.39%	48.46%	47.96%	46.00%	45.56%	44.08%	45.59%	46.91%	48.53%	50.75%		
<b><u>Tax Levy</u></b>												
General	1,772,353	1,817,250	2,022,272	2,303,138	2,300,613	2,419,991	2,637,902	2,582,991	2,710,762	2,916,565	205,804	7.59%
Tort	55,200	55,200	55,200	65,000	65,000	65,000	72,500	77,000	85,000	90,000	5,000	5.88%
Emp/Ben	373,957	505,000	437,320	404,320	503,870	404,320	449,000	566,300	594,700	584,384	-10,316	-1.73%
Debt Svc	249,958	249,958	288,408	306,680	381,829	406,975	326,072	345,045	583,757	545,807	-37,950	-6.50%
<b>Subtotal</b>	<b>2,451,468</b>	<b>2,627,408</b>	<b>2,803,200</b>	<b>3,079,138</b>	<b>3,251,312</b>	<b>3,296,286</b>	<b>3,485,474</b>	<b>3,571,336</b>	<b>3,974,219</b>	<b>4,136,756</b>	<b>162,538</b>	<b>4.09%</b>
Ag Land	9,737	8,453	8,362	8,301	8,480	8,626	8,954	6,819	7,252	5,914	-1,338	
<b><u>Tax Rate</u></b>												
General	6.11337	6.25362	6.81384	7.59257	7.18901	7.50595	7.71951	7.38828	7.37830	7.60676	0.22846	3.10%
Tort	0.19040	0.18996	0.18599	0.21428	0.20311	0.20161	0.21216	0.22025	0.23136	0.23473	0.00337	1.46%
Emp Ben	1.28989	1.73783	1.47351	1.33289	1.57451	1.25406	1.31395	1.61982	1.61869	1.52415	-0.09454	-5.84%
Debt Svc	0.81838	0.79761	0.88266	0.90896	1.08207	1.08708	0.80308	0.82035	1.31216	1.17487	-0.13729	-10.46%
<b>Subtotal</b>	<b>8.41204</b>	<b>8.97902</b>	<b>9.35600</b>	<b>10.04870</b>	<b>10.04870</b>	<b>10.04870</b>	<b>10.04870</b>	<b>10.04870</b>	<b>10.54051</b>	<b>10.54051</b>	<b>0.00000</b>	<b>0.00%</b>
Ag Land	3.00375	3.00375	3.00375	3.00375	3.00375	3.00375	3.00375	3.00375	3.00375	3.00375	0.00000	

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**City of Clear Lake  
Residential Tax Bill Comparison**

<b>Current Year</b>		85,000	100,000	125,000	150,000	200,000
Valuation						
Roll Back	48.53%	41,249.65	48,529.00	60,661.25	72,793.50	97,058.00
Taxable Value		41,249.65	48,529.00	60,661.25	72,793.50	97,058.00
Gross City Taxes		434.79	511.52	639.40	767.28	1,023.04
Homestead Credit		37.32	37.32	37.32	37.32	37.32
<b>Net City Taxes</b>		<b>397.47</b>	<b>474.20</b>	<b>602.08</b>	<b>729.96</b>	<b>985.72</b>

Tax Rate                    10.54051

<b>Next Year</b>		85,000	100,000	125,000	150,000	200,000
Valuation						
Roll Back	50.75%	43,139.03	50,751.80	63,439.75	76,127.70	101,503.60
Taxable Value		43,139.03	50,751.80	63,439.75	76,127.70	101,503.60
Gross City Taxes		454.71	534.95	668.69	802.42	1,069.90
Homestead Credit		37.32	37.32	37.32	37.32	37.32
<b>Net City Taxes</b>		<b>417.39</b>	<b>497.63</b>	<b>631.37</b>	<b>765.11</b>	<b>1,032.58</b>

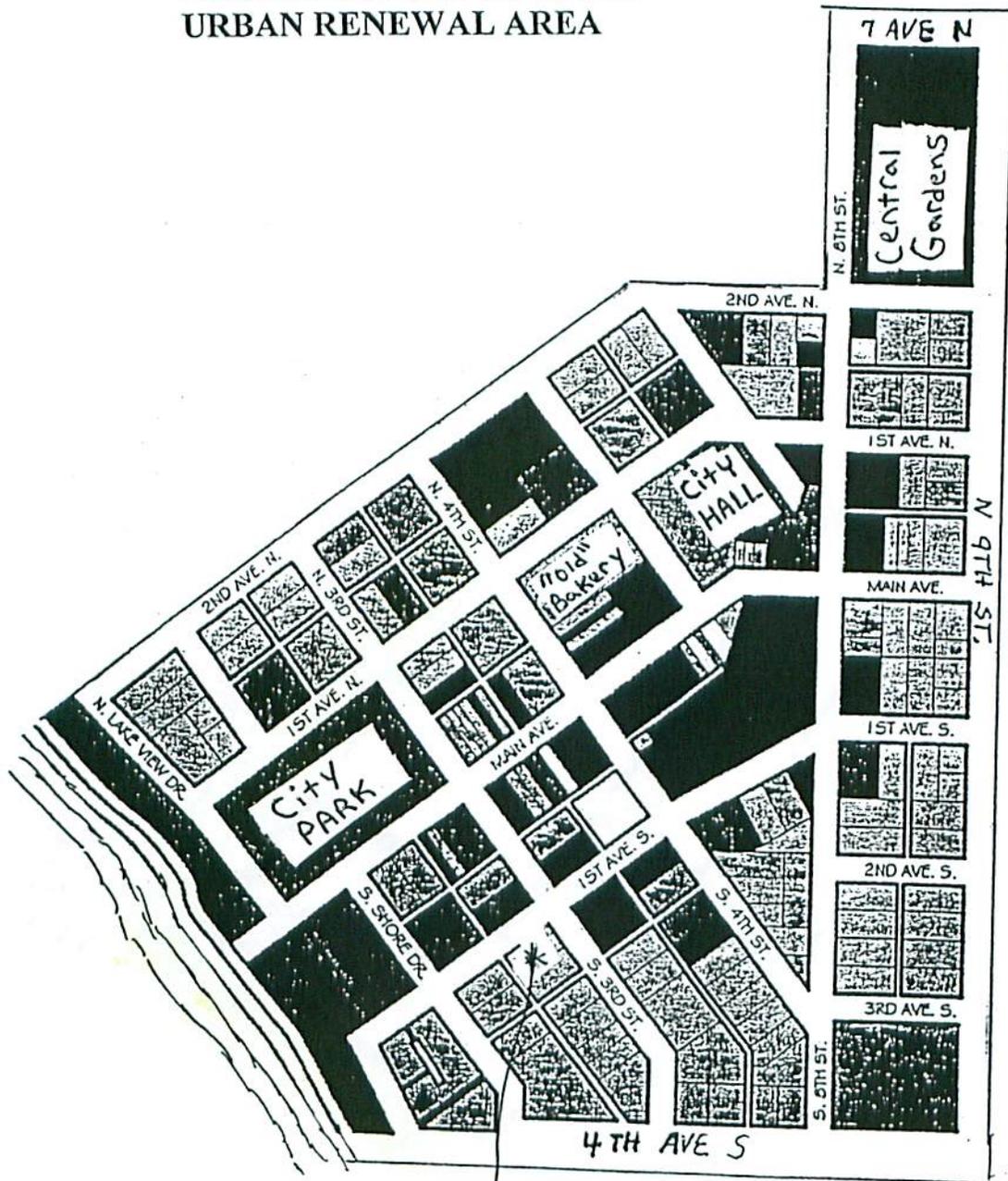
Tax Rate                    10.54051

% of Rate Change            0.00%

% of Tax Change              5.01%      4.94%      4.86%      4.81%      4.75%



CLEAR LAKE DOWNTOWN  
URBAN RENEWAL AREA



209 1st Avenue S





**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION TO APPROVE A DEVELOPMENT AGREEMENT WITH JOSHSON LLC, INCLUDING PROPERTY TAX REBATE PAYMENTS IN AN AGGREGATE AMOUNT NOT TO EXCEED \$25,000**

WHEREAS, the City of Clear Lake, Iowa (the "City"), pursuant to and in strict compliance with laws applicable to the City, on November 17, 2003, approved and established the "Downtown Urban Renewal Area & Plan"; and

WHEREAS, on March 15, 2004, the City pursuant to and in strict compliance with laws applicable to the City, approved and established the "Clear Lake Consolidated Urban Renewal Area & Plan"; and

WHEREAS, one of the primary project objectives of the "Downtown Urban Renewal Area & Plan", as adopted by the City was "to eliminate blighting influences and promote revitalization in the downtown area"; and

WHEREAS, the City proposes to enter into a development agreement (the "Development Agreement") with "Joshson LLC" ("Joshson LLC") in connection with certain environmental work and costs associated with the property and buildings located at 209 1<sup>st</sup> Avenue S.; and

WHEREAS, the Development Agreement would provide financial incentives to "Joshson LLC" in the form of property tax rebate payments, in a cumulative amount not to exceed \$25,000; and

WHEREAS, it is necessary to set a date for a public hearing on the Development Agreement.

NOW THEREFORE, IT IS RESOLVED by the City Council of the City of Clear Lake, Iowa, as follows:

Section 1. This City Council met on the 6th day of February, 2012, at 6:30 o'clock p.m., at the City Council Chambers, in the City, and conducted a public hearing on whether or not to approve the Development Agreement and to authorize the property tax rebate payments.

Section 2. The City Council finds that it is in the best interests of the City to approve the Development Agreement.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Passed and approved February 6, 2012.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

## **DEVELOPMENT AGREEMENT**

**THIS DEVELOPMENT AGREEMENT** (the "Agreement") is made and executed this \_\_\_\_\_ day of \_\_\_\_\_, 2012, by and between the **CITY OF CLEAR LAKE**, an Iowa municipal corporation (the "City"), whose address is 15 N. 6<sup>th</sup> Street, PO Box 185, Clear Lake, Iowa, 50428, and **JOSHSON LLC**, ("Joshson LLC") whose address is 5024 S. Bur Oak Place Suite 113B Sioux Falls, SD 57108.

### **WITNESSETH:**

**WHEREAS**, the City has established the "Clear Lake Consolidated Urban Renewal Area" Plan and a Tax Increment Ordinance for the Urban Renewal Area; and

**WHEREAS**, "Joshson LLC" has proposed the acquisition of certain real property which is situated within the Urban Renewal Area and is more specifically described on "Exhibit A" hereto (the "Property"), and has proposed to undertake the demolition of an existing commercial building, along with asbestos removal, environmental clean-up, and related site work and stormwater quality improvements (the "work"); and

**WHEREAS**, "Joshson LLC" has committed to funding all the upfront costs of the "work" to be incurred on the "Property"; and

**WHEREAS**, "Joshson LLC" has requested that the City provide financial assistance in the form of property tax rebate payments to be used by "Joshson LLC" in paying the costs of undertaking the "work"; and

**WHEREAS**, Chapter 15A of the Code of Iowa authorizes cities to provide grants, loans, guarantees, tax incentives and other financial assistance to or for the benefit of private persons

**WHEREAS**, the City and "Joshson LLC" desire to set forth the following special terms and conditions with respect to the proposed redevelopment of the Property.

**NOW, THEREFORE**, in consideration of the mutual promises and covenants contained herein, the parties mutually agree as follows:

#### **A. JOSHSON'S COVENANTS**

1. "Joshson LLC" agrees to acquire the Property and undertake the "work" described herein. Following completion of the "work" "Joshson LLC" will construct not less than five (5) townhomes/condominiums on the property

which shall have a combined aggregate value of not less than \$1,250,000 in new assessed value.

2. "Joshson LLC" agrees to provide invoices to the City for all costs incurred in relation to the "work" described herein. Such invoices may include expenses incurred for civil and environmental consulting services and environmental remediation and/or abatement activities.
3. "Joshson LLC" hereby acknowledges that failure to maintain a minimum assessed valuation on the Property of \$1,310,000 shall give the City the right to withhold any and all the unremitted Payments.
4. Joshson LLC agrees to guarantee, or otherwise ensure, the timely payment of all property taxes as they come due with respect to the Property throughout the Term, as hereinafter defined, and to submit documentation in evidence of each such payment, failure to comply with this provision shall give the City the right to withhold any and all the unremitted Payments.
5. Joshson LLC agrees to certify to the City by no later than November 1 of each year, commencing November 1, 2014 and concluding on November 1, 2018, the estimated amount of Incremental Property Tax Revenues anticipated to be paid with respect to the Property, with the completed Project thereon, in the fiscal year immediately following such certification.

#### **B. CITY'S OBLIGATION'S**

1. Payments. In recognition of "Joshson LLC's" obligations set forth herein, the City agrees, subject to the terms and conditions herein set forth, to make economic development property tax rebate payments (the "Payments") to "Joshson LLC", as hereinafter defined, pursuant to Chapters 15A and other relevant provisions of the Code of Iowa, provided however that (i) the aggregate, total cumulative amount of the Payments shall not exceed an amount equal to Twenty-Five Thousand Dollars (\$25,000) and (ii) the City's obligation to make the Annual Appropriation Payments, as hereinafter defined, shall be conditioned upon annual approval and appropriation by the City Council, as hereinafter set forth.

This Agreement assumes that the full taxable value of the Project will go on the property tax rolls as of January 1, 2014. Accordingly, Payments will be made on June 1 and December 1 of each fiscal year, beginning December 1, 2015, and continuing through and including June 1, 2020, or until such earlier date upon which total Payments equal to \$25,000 have been made.

Each Payment shall be in an amount which represents 100% of the Incremental Property Tax Revenues (exclusive of Clear Lake Community Schools PPEL levy and the consolidated debt service levies of the various taxing entities of Cerro Gordo County) received by the City from the Cerro Gordo County Treasurer with respect to the Property during the semi-annual period immediately preceding each Payment date.

The City's Payments to "Joshson LLC", as proposed herein, will, further, be limited to actual expenses for the "work" as herein previously defined, and as documented by submitted invoices from "Joshson LLC" to the City.

2. **Annual Appropriation.** For the ten Payments (the "Annual Appropriation Payments") due during the time period (the "Annual Appropriation Period") commencing December 1, 2015, and continuing to and including June 1, 2020, each Payment shall be subject to annual appropriation by the City Council. Prior to November 15 of each year during the Annual Appropriation Period, the City Council of the City shall consider the question of obligating for appropriation to the funding of the Payments due in the next succeeding fiscal year, an amount of Incremental Property Tax Revenues to be collected in such following fiscal year equal to or less than the most recent "Joshson LLC's" Estimate as provided for in this Agreement (the "Appropriated Amount").

In any given fiscal year, if the City Council determines to not obligate the then considered Appropriated Amount, then the City will be under no obligation to fund the Annual Appropriation Payment scheduled to become due in the following fiscal year, and the Developer will have no rights whatsoever to compel the City to make such Payment or to seek damages relative thereto or to compel the funding of such Payment.

**Recitals.** The foregoing recitals are true and correct and are hereby incorporated herein by this reference.

**Public Hearings.** On February 6, 2012, the City Council, after providing public notice as required by law, held a public hearing on "Joshson LLC's" request for approval of this Agreement.

**City Council Action.** On February 6, 2012, the City Council: (a) made findings that the provisions of this Agreement are consistent with the Comprehensive Plan; Downtown Urban Renewal Plan; and the Downtown District Plan; and (b) adopted Resolution No. 12-10 approving and authorizing the execution of this Agreement.

**Successors and Assigns.** This Agreement shall automatically be binding upon and shall inure to the benefit of the City and "Joshson LLC" and their respective successors and assigns. The terms and conditions of this Agreement similarly shall be binding upon the Property and shall run with title to the same.

**Applicable Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Iowa.

**Amendments.** This Agreement shall not be modified or amended except by written agreement duly executed by both parties hereto (or their successors or assigns) and approved by the City Council.

**Entire Agreement.** This Agreement supersedes any other agreement, oral or written, and contains the entire agreement between the City and “Joshson LLC” as to the subject matter hereof.

**Severability.** If any provision of this Agreement shall be held to be invalid or unenforceable to any extent by a court of competent jurisdiction, the same shall not affect in any respect the validity or enforceability of the remainder of this Agreement.

**Effective Date.** This Agreement shall become effective upon approval by the City Council and execution of this Agreement by both parties hereto.

**Relationship of the Parties.** The relationship of the parties to this Agreement is contractual and “Joshson LLC” is an independent contractor and not an agent of the City. Nothing herein shall be deemed to create a joint venture or principal-agent relationship between the parties, and neither party is authorized to, nor shall either party act toward third persons or the public in any manner, which would indicate any such relationship with the other.

**Interpretation.** The parties hereby agree and acknowledge that they have both participated equally in the drafting of this Agreement and no party shall be favored or disfavored regarding the interpretation to this Agreement in the event of a dispute between the parties.

**Third-Party Rights.** This Agreement is not a third-party beneficiary contract and shall not in any way whatsoever create any rights on behalf of any third party.

**Attorney’s Fees.** In connection with any arbitration or litigation arising out of this Agreement, the prevailing party shall be entitled to recover reasonable attorney’s fees and costs through all appeals.

**Development Permits.** Nothing herein shall limit the City’s authority to grant or deny any development permit applications or requests subsequent to the effective date of this Agreement. The failure of this Agreement to address any particular City, County, State and/or Federal permit, condition, term or restriction shall not relieve “Joshson LLC” or the City of the necessity of complying with the law governing said permitting requirement, condition, term or restriction. Without imposing any limitation on the City’s police powers, the City reserves the right to withhold, suspend, or terminate any and all certificates of occupancy for any building or unit if “Joshson LLC” is in breach of any term and condition of this Agreement.

The City and the Joshson LLC have caused this Agreement to be signed, and the City’s seal to be affixed, in their names and on their behalf by their duly authorized officers, all as of the day and date written above

