

CITY OF RIVER FALLS
ST. CROIX COUNTY, WISCONSIN

Documents related to the
PROJECT PLAN AMENDMENT FOR
TAX INCREMENTAL DISTRICT NO. 5
(an existing industrial district)

AMENDMENT RESOLUTION ADOPTION DATE:
November 23, 2010

Prepared by:



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ST. CROIX COUNTY, WISCONSIN

**FOR THE PROJECT PLAN AMENDMENT FOR
TAX INCREMENTAL DISTRICT NO. 5
(an existing industrial district)**

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**PROJECT PLAN AMENDMENT TO
TAX INCREMENTAL DISTRICT NO. 5
(an industrial district)**

within the

**CITY OF RIVER FALLS
ST. CROIX COUNTY, WISCONSIN**



<i>Organizational Joint Review Board Meeting Held:</i>	<i>November 2, 2010</i>
<i>Public Hearing Held:</i>	<i>November 2, 2010</i>
<i>Adopted by Plan Commission:</i>	<i>November 2, 2010</i>
<i>Adopted by Common Council:</i>	<i>November 23, 2010</i>
<i>Approved by Joint Review Board:</i>	<i>December 15, 2010</i>



EHLERS
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Tax Incremental District No. 5 Project Plan Amendment

City of River Falls Officials

Common Council

Don Richards	Mayor
Randy Kusilek	Member
David Cronk	Member
Scott Morrissette	Member
Tom Caflisch	Member
Jim Nordgren	Member
David Reese	Member
Bob Hughes	Member

City Staff

Scot Simpson	City Administrator
Julie Bergstrom	City Finance Director- Treasurer
Lu Ann Hecht	City Clerk
William G. Thiel	City Attorney

Plan Commission

Don Richards	Chair
Susan Reese	Member
Reid Wronski	Member
David Cronk	Member
Thomas Heimerl	Member
Sandy Bowen	Member
Todd Schultz	Member
Ellen Smith	Member
Erin Tomlinson	Member

Joint Review Board

Don Richards

City Representative

Daryl Standafer

St. Croix County

John Kleven

Chippewa Valley Technical College District

Manville Q. Kenney

School District of River Falls

Paul Schwebach

Public Member

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1. EXECUTIVE SUMMARY

DESCRIPTION OF ORIGINAL DISTRICT AND PROPOSED AMENDMENT

- Original District Purpose.
 - Tax Incremental District ("TID") No. 5 (the "District") is an existing district, created by a resolution of the Common Council adopted on August 31, 1994.
- Additional Amendments.
 - The District has not had any previous amendments.
- The Purpose of This Amendment.
 - Modify the categories, locations and/or costs of the projects to be undertaken within the District through the remainder of its expenditure period.
 - Allow for the District to incur project costs outside of, but within ½ mile of, the boundaries of the District as allowed under Wisconsin Statutes s.66.1105(2)(f)1.n.
- Estimated Total Project Expenditures.

To date, project costs have totaled approximately \$6,170,000, including interest. This proposed amendment would provide for additional estimated expenditures of \$2,500,000.

Specific details as to the types, locations and cost estimates are found in Sections 7, 8 and 9 of this Project Plan Amendment. It is anticipated that the remaining and additional projects will be completed in two phases. The projects are expected to be financed with General Obligation Debt issued in 2011-2013, however, the City may use other alternative financing methods which may provide overall lower costs of financing, preserve debt capacity, mitigate risk to the City, or provide other advantages as determined by the Common Council. A discussion and listing of other possible financing mechanisms, as well as a summary of project financing by phase is located in Section 10 of this Project Plan Amendment. The Expenditure Period of this Existing District terminates on August 31, 2016.

The additional project costs include costs for property acquisition for development. These project areas are located outside of, but within ½ mile of the Existing District's boundaries.

- Economic Development.

The City projects that additional land and improvements value of approximately \$3,000,000 will be created as a result of new development, redevelopment, and appreciation in the value of existing properties. This additional value will be a result of the additional improvements made and projects undertaken as detailed in this amendment. A table detailing assumptions as to the timing of new development and redevelopment, and associated values is located in Section 10 of

this Project Plan Amendment. In addition, amendment of the District's Project Plan is expected to result in further economic benefits as detailed in the Summary of Findings hereafter.

- Expected Termination of District. The District has a maximum statutory life of 27 years, and must close not later than August 31, 2021, resulting in a final collection of increment in budget year 2022. Pre-amendment cash flow projections indicate that the entire available life of the District will be required to retire current and projected District liabilities. Based on the Economic Feasibility Study located in Section 10 of this Project Plan Amendment, amendment of the District would not result in a shift in the projected District closure year of 2021.

SUMMARY OF FINDINGS

As required by s.66.1105 Wis. Stats., and as documented in this Project Plan Amendment and the exhibits contained and referenced herein, the following findings are made:

1. **That "but for" amendment of the District's Project Plan, the remaining development projected to occur as detailed in this Project Plan Amendment: 1) would not occur; or 2) would not occur in the manner, at the values, or within the timeframe desired by the City.** In making this determination, the City has considered the following information:
 - The additional expenditures contemplated by the Project Plan Amendment are necessary to fully achieve the original goals of the District Project Plan, including creation of new tax base and other economic benefits. The City expects that without the amendment, the full development as projected will be less likely to occur.
 - The property acquisition for development, within ½ mile of the District, was unanticipated at the time of District creation, but has now been determined to be important to the District's goal of promoting industrial development in River Falls.
2. **The economic benefits of amending the District, as measured by increased employment, business and personal income, and property value, are sufficient to compensate for the cost of the improvements.** In making this determination, the City has considered the following information:
 - As demonstrated in the Economic Feasibility Section of this Project Plan Amendment, the tax increments projected to be collected are more than sufficient to pay for the remaining proposed project costs. On this basis alone, the finding is supported.
3. **The benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions.**
 - Given that it is not likely that the District will achieve all of the objectives of its Project Plan without the continued use of tax incremental financing (see finding # 1), and since the District is expected to generate additional economic benefits that are more than sufficient to compensate for the additional cost of the improvements (see Finding #2), the City reasonably concludes that the overall additional benefits of the District outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions. It is further concluded that since the "but for" test is satisfied, there would, in fact, be no foregone tax increments to be paid in the event the Project Plan is not amended.

4. The boundaries of the District are not being amended. At the time of creation, and any subsequent additions of territory, not less than 50%, by area, of the real property within the District is suitable for industrial sites and zoned for industrial use within the meaning of Section 66.1101 of the Wisconsin Statutes. Any real property within the District that is found suitable for industrial sites and is zoned for industrial use at the time of the creation of the District, or at the time its boundaries were amended, will remain zoned for industrial use for the life of the District.
5. Based upon the findings as stated above, and the original findings as stated in the Creation Resolution and in any subsequent resolutions amending the boundaries of the District, the District remains declared an industrial district based on the identification and classification of the property included within the District
6. The Project Costs of the District relate directly to promoting industrial development in the District consistent with the purpose for which the District was created.
7. The improvements of such area are likely to enhance significantly the value of substantially all of the other real property in the District.
8. The City estimates that none of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Section 66.1105(5)(b) of the Wisconsin Statutes.
9. The Project Plan for the District, as amended, is feasible, and is in conformity with the Master Plan of the City.

2. TYPE AND GENERAL DESCRIPTION OF DISTRICT

The District was created under the authority provided by Wisconsin Statutes Section 66.1105 on August 31, 1994, by resolution of the Common Council. The District's valuation date, for purposes of establishing base value, was January 1, 1994.

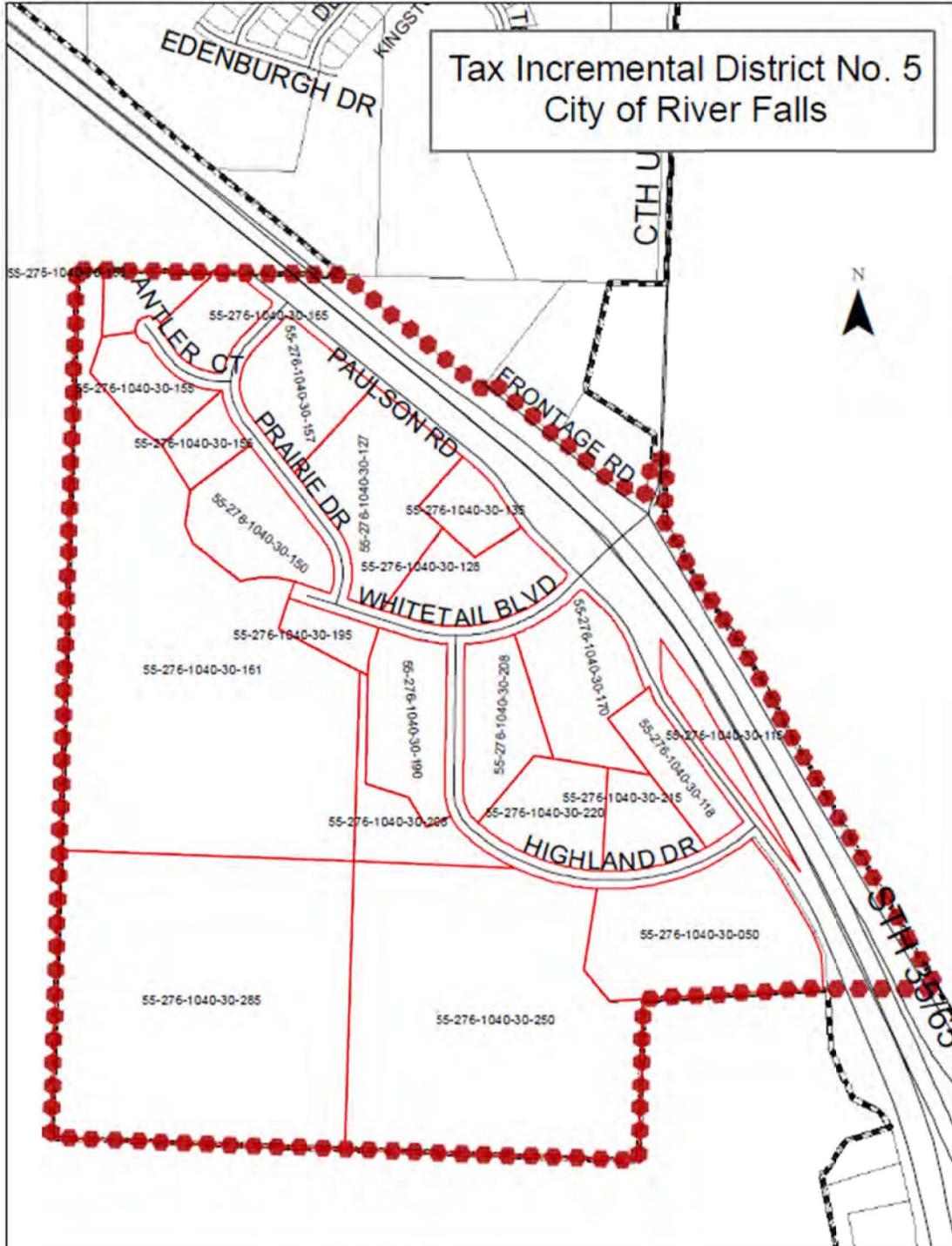
The District is an "Industrial District," created on a finding that at least 50%, by area, of the real property within the District was zoned and suitable for industrial sites within the meaning of Wisconsin Statutes Section 66.1101. Since this amendment does not add any territory to the District, the District remains in compliance with this provision. Any real property within the District that was found suitable for industrial sites and was zoned for industrial use at the time of the creation of the District, or at the time its boundaries were amended, will remain zoned for industrial use for the life of the District.

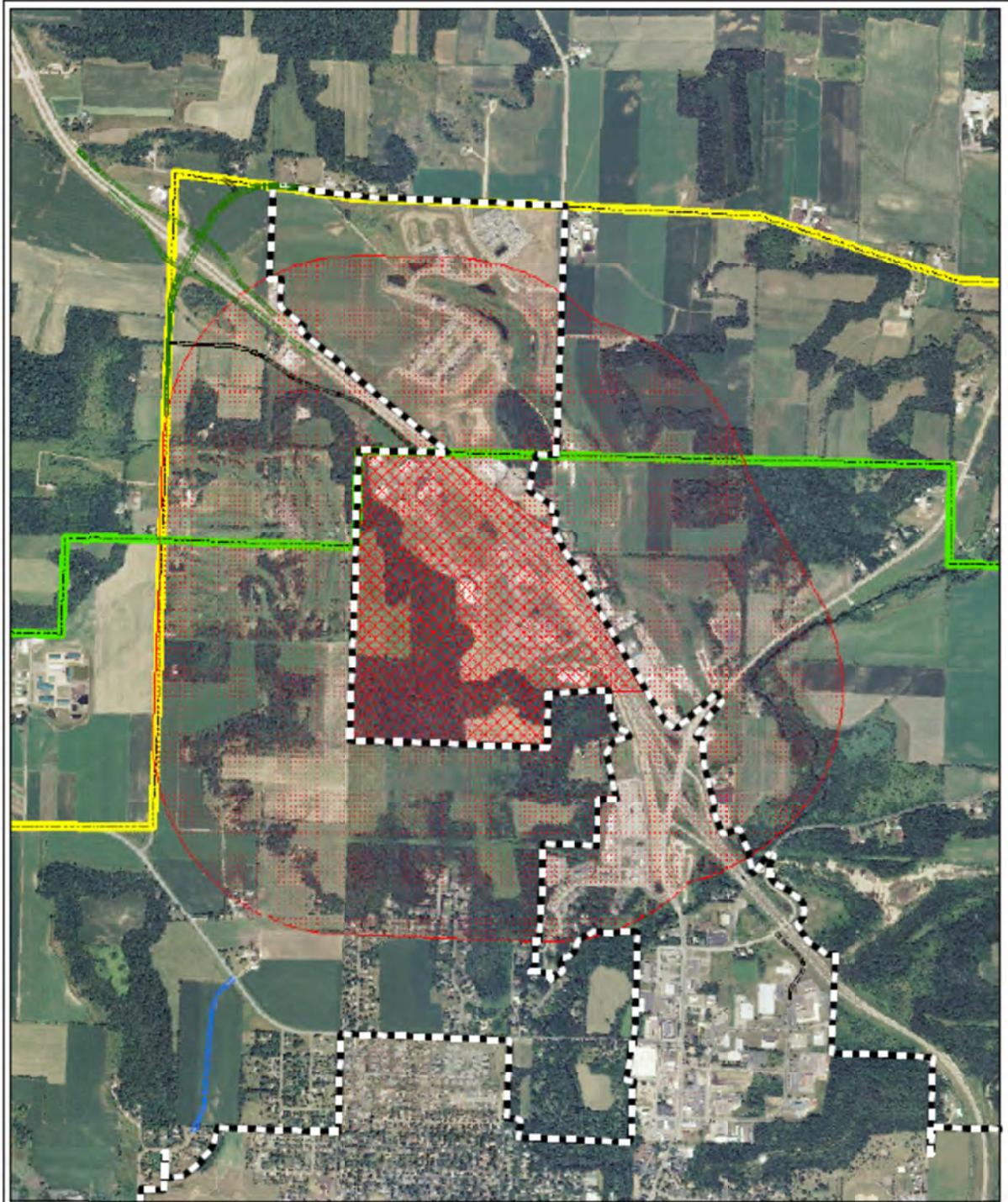
Wisconsin Statutes Section 66.1105(4)(h)2. provides authority for a City to amend the boundaries of an existing Tax Increment District for purposes of adding and/or subtracting territory up to a total of four times during the life of the District. The boundaries of the District have not previously been amended. Since this amendment does not involve the addition or subtraction of territory from the District, it is not counted against the number of available territory amendments.

This Project Plan Amendment supplements, and does not supersede or replace any component of the original Project Plan, unless specifically stated. All components of the original Project Plan remain in effect.

A map depicting the current boundaries of the District is found in Section 3 of this Project Plan Amendment. Based upon the findings stated above, the original findings stated in the Creation Resolution, and the findings contained in any subsequent resolution adding territory to the District, the District remains an industrial district based on the identification and classification of the property included within the district.

3. MAPS OF CURRENT DISTRICT BOUNDARIES AND 1/2 MILE PROJECT AREA





The City makes no warranties, expressed or implied, as to the use of this data. This data is provided "as is" without warranty or any representation of accuracy or completeness and is strictly for use in accordance with the request under which it was obtained.



0.25 0.125 0 0.25 Miles



4. MAP SHOWING EXISTING USES AND CONDITIONS

A copy of the Existing Uses and Conditions Map can be found in the original Project Plan dated August 31, 1994.

5. MAP OF DISTRICT BOUNDARY

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

6. STATEMENT OF KIND, NUMBER AND LOCATION OF PROPOSED PUBLIC WORKS AND OTHER PROJECTS

The City proposes modifying the categories, locations and/or costs of the projects to be undertaken within the District through the remainder of its expenditure period as follows:

- The City anticipates participating with the State on the Highway 35 and Radio Road Intersection Project. The District will provide funding for street amenities and utilities related to the project.

The City proposes to allow for the District to incur project costs outside of, but within ½ mile of, the boundaries of the District as allowed under Wisconsin Statutes s.66.1105(2)(f)1.n.

- Property acquisition for development and real property assembly costs

The following is a summary list of public works and other projects that the City has implemented, or expects to implement, within the District, to include the modifications detailed above. Any costs directly or indirectly related to the public works and other projects are considered "Project Costs" and are eligible to be paid with tax increment revenues of the District.

PROPERTY, RIGHT-OF-WAY AND EASEMENT ACQUISITION

- **PROPERTY ACQUISITION FOR DEVELOPMENT.** In order to promote and facilitate development and/or redevelopment the City may acquire property within the District. The cost of property acquired, and any costs associated with the transaction, are eligible Project Costs. Following acquisition, other Project Costs within the categories detailed in this Section may be incurred in order to make the property suitable for development and/or redevelopment. Any revenue received by the City from the sale of property acquired pursuant to the execution of this Project Plan Amendment will be used to reduce the total project costs of the District. If total Project Costs incurred by the City to acquire property and make it suitable for development and/or redevelopment exceed the revenues or other consideration received from the sale or lease of that property, the net amount shall be considered "real property assembly costs" as defined in State Statutes Section 66.1105(2)(f)1.c., and subject to recovery as an eligible Project Cost.
- **PROPERTY ACQUISITION FOR CONSERVANCY.** In order to promote the objectives of this Project Plan Amendment, the City intends to acquire property within the District that it will designate for conservancy. These conservancy objectives include: preserving historic resources or sensitive natural features; protection of scenic and historic views; maintaining habitat for wildlife, maintaining

adequate open space; reduction of erosion and sedimentation by preserving existing vegetation; and providing adequate areas for management of stormwater. The cost of property acquired for conservancy, and any costs associated with the transaction, are eligible Project Costs.

- **ACQUISITION OF RIGHTS-OF-WAY.** The City may need to acquire property to allow for installation of streets, driveways, sidewalks, utilities, stormwater management practices and other public infrastructure. Costs incurred by the City to identify, negotiate and acquire rights-of-way are eligible Project Costs.
- **ACQUISITION OF EASEMENTS.** The City may need to acquire temporary or permanent easements to allow for installation and maintenance of streets, driveways, sidewalks, utilities, stormwater management practices and other public infrastructure. Costs incurred by the City to identify, negotiate and acquire easement rights are eligible Project Costs.
- **RELOCATION COSTS.** If relocation expenses are incurred in conjunction with the acquisition of property, those expenses are eligible Project Costs. These costs may include, but are not limited to: preparation of a relocation plan; allocations of staff time; legal fees; publication of notices; obtaining appraisals; and payment of relocation benefits as required by Wisconsin Statutes Sections 32.19 and 32.195.

SITE PREPARATION ACTIVITIES

- **ENVIRONMENTAL AUDITS AND REMEDIATION.** There have been no known environmental studies performed within the proposed District. If, however, it becomes necessary to evaluate any land or improvement within the District, any cost incurred by the City related to environmental audits, testing, and remediation are eligible Project Costs.
- **DEMOLITION.** In order to make sites suitable for development, the City may incur costs related to demolition and removal of structures or other land improvements, to include abandonment of wells or other existing utility services.
- **SITE GRADING.** Land within the District may require grading to make it suitable for development and/or redevelopment, to provide access, and to control stormwater runoff. The City may need to remove and dispose of excess material, or bring in fill material to provide for proper site elevations. Expenses incurred by the City for site grading are eligible Project Costs.

UTILITIES

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

- **WATER SYSTEM IMPROVEMENTS.** There are inadequate water distribution facilities serving the District. To allow development to occur, the City may construct, alter, rebuild or expand water system infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: distribution mains; manholes and valves; hydrants; service laterals; pumping stations; wells; water treatment facilities; storage tanks and reservoirs; and all related appurtenances. To the extent water system projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand water system infrastructure located outside of the District. That portion of the costs of water system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.
- **STORMWATER MANAGEMENT SYSTEM IMPROVEMENTS.** Development within the District will cause stormwater runoff and pollution. To manage this stormwater runoff, the City may construct, alter, rebuild or expand stormwater management infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: stormwater collection mains; inlets, manholes and valves; service laterals; ditches; culvert pipes; box culverts; bridges; stabilization of stream and river banks; and infiltration, filtration and detention Best Management Practices (BMP's). To the extent stormwater management system projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand stormwater management infrastructure located outside of the District. That portion of the costs of stormwater management system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.
- **ELECTRIC SERVICE.** In order to create sites suitable for development, the City may incur costs to provide, relocate or upgrade electric services. Relocation may require abandonment and removal of existing poles or towers, installation of new poles or towers, or burying of overhead electric lines. Costs incurred by the City to undertake this work are eligible Project Costs.
- **GAS SERVICE.** In order to create sites suitable for development, the City may incur costs to provide, relocate or upgrade gas mains and services. Costs incurred by the City to undertake this work are eligible Project Costs.
- **COMMUNICATIONS INFRASTRUCTURE.** In order to create sites suitable for development, the City may incur costs to provide, relocate or upgrade infrastructure required for voice and data communications, including, but not limited to: telephone lines, cable lines and fiber optic cable. Costs incurred by the City to undertake this work are eligible Project Costs.

STREETS AND STREETScape

- **STREET IMPROVEMENTS.** There are inadequate street improvements serving the District. To allow development to occur, the City may need to construct and/or reconstruct streets, highways, alleys, access drives and parking areas. Eligible Project Costs include, but are not limited to: excavation; removal or placement of fill; construction of road base; asphalt or concrete paving or repaving; installation of curb and gutter; installation of sidewalks and bicycle lanes; installation of culverts, box culverts and bridges; rail crossings and signals; utility relocation, to include burying overhead utility lines; street lighting; installation of traffic control signage and traffic signals;

pavement marking; right-of-way restoration; installation of retaining walls; and installation of fences, berms, and landscaping.

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

RDA TYPE ACTIVITIES

- **CONTRIBUTION TO REDEVELOPMENT AUTHORITY.** As provided for in Wisconsin Statutes, Sections 66.1105(2)(f)1.h and 66.1333(13), the City may provide funds to its RDA to be used for administration, planning operations, and capital costs, including but not limited to real property acquisition, related to the purposes for which it was established in furtherance of any redevelopment or urban renewal project. Funds provided to the RDA for this purpose are eligible Project Costs.
-
- **REVOLVING LOAN/GRANT PROGRAM.** To encourage private redevelopment consistent with the objectives of this Project Plan Amendment, the City, through its RDA, will provide loans and/or matching grants to eligible property owners in the District. Loan and/or matching grant recipients will be required to sign an agreement specifying the nature of the property improvements to be made. Eligible improvements will be those that are likely to improve the value of the property, enhance the visual appearance of the property and surrounding area, correct safety deficiencies, or as otherwise specified by the RDA in the program manual. Any funds returned to the RDA from the repayment of loans made are not considered revenues to the District, and will not be used to offset District Project Costs. Instead, these funds will be placed into a revolving loan fund and will continue to be used for the program purposes stated above. Any funds provided to the RDA for purposes of implementing this program are considered eligible Project Costs.

MISCELLANEOUS

- **CASH GRANTS (DEVELOPMENT INCENTIVES).** The City may enter into agreements with property owners, lessees, or developers of land located within the District for the purpose of sharing costs to encourage the desired kind of improvements and assure tax base is generated sufficient to recover Project Costs. No cash grants will be provided until the City executes a developer agreement with the recipient of the cash grant. Any payments of cash grants made by the City are eligible Project Costs.
- **PROJECTS OUTSIDE THE TAX INCREMENT DISTRICT.** Pursuant to Wisconsin Statutes Section 66.1105(2)(f)1.n, the City may undertake projects within territory located within one-half mile of the boundary of the District provided that: 1) the project area is located within the City's corporate boundaries and 2) the projects are approved by the Joint Review Board. The cost of projects completed outside the District pursuant to this section are eligible project costs, and may include any project cost that would otherwise be eligible if undertaken within the District. The City intends to make the following project cost expenditures outside the District to acquire property for development.

The City proposes to allow for the District to incur project costs outside of, but within ½ mile of, the boundaries of the District as allowed under Wisconsin Statutes s.66.1105(2)(f)1.n. for property

acquisition for development and real property assembly costs

- **PROFESSIONAL SERVICE AND ORGANIZATIONAL COSTS.** The costs of professional services rendered, and other costs incurred, in relation to the creation, administration and termination of the District, and the undertaking of the projects contained within this Project Plan Amendment, are eligible Project Costs. Professional services include, but are not limited to: architectural; environmental; planning; engineering; legal, audit; financial; and the costs of informing the public with respect to the creation of the District and the implementation of the Project Plan.
- **ADMINISTRATIVE COSTS.** The City may charge to the District as eligible Project Costs reasonable allocations of administrative costs, including, but not limited to, employee salaries. Costs allocated will bear a direct connection to the time spent by City employees in connection with the implementation of the Project Plan.
- **FINANCING COSTS.** Interest expense, debt issuance expenses, redemption premiums, and any other fees and costs incurred in conjunction with obtaining financing for projects undertaken under this Project Plan Amendment are eligible Project Costs.

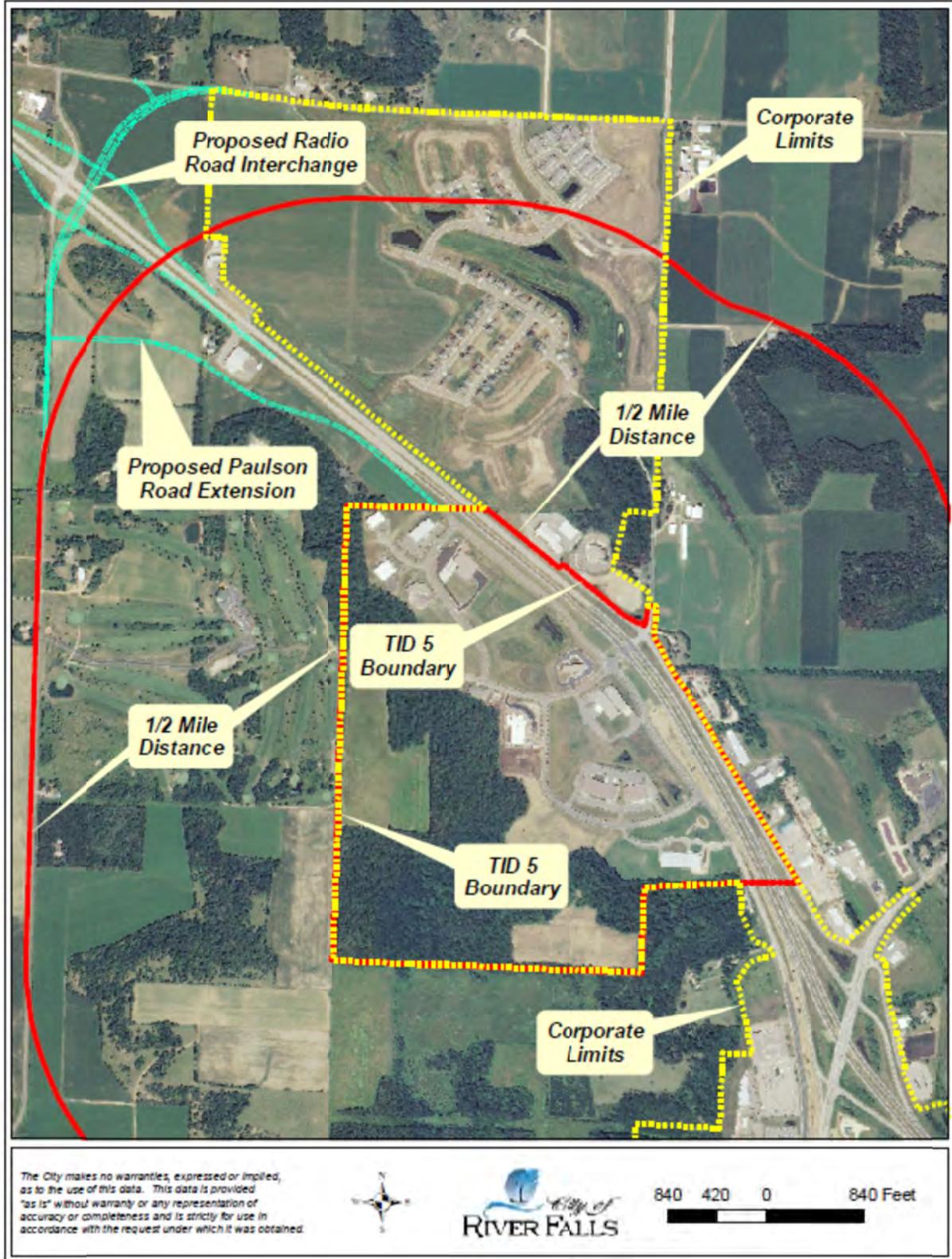
With all projects the costs of engineering, design, survey, inspection, materials, construction, restoring property to its original condition, site preparation, legal and other consultant fees, testing, environmental studies, permits, updating City of River Falls ordinances and plans, judgments or claims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

In the event any of the public works project expenditures are not reimbursable out of the special tax increment finance fund under Wisconsin Statute Section 66.1105, in the written opinion of nationally recognized bond counsel retained by the City of River Falls for such purpose or a court of record so rules in a final order, then such project or projects shall be deleted herefrom and the remainder of the projects hereunder shall be deemed the entirety of the projects for purposes of this Project Plan Amendment.

The City of River Falls reserves the right to implement only those projects that remain viable as the Project Plan Amendment period proceeds.

Project Costs or any expenditures made, estimated to be made, or monetary obligations incurred or estimated to be incurred, by the City and listed in this Project Plan Amendment or the original Project Plan. To the extent the costs benefit the City of River Falls outside the District, a proportionate share of the cost is not a project cost. Costs identified in this Project Plan Amendment are preliminary estimates made prior to design considerations and are subject to change after planning is completed. Proration of costs in the Project Plan Amendment are also estimates and subject to change based upon implementation, future assessment policies and user fee adjustments. Project Costs will be diminished by any income, special assessments or other revenues, including user fees or charges, other than tax increments, received or reasonably expected to be received by the City in connection with the implementation of this Project Plan Amendment.

7. MAPS SHOWING PROPOSED IMPROVEMENTS AND USES



8. DETAILED LIST OF ADDITIONAL AND/OR UPDATED PROJECT COSTS

This Section contains information relative to the specific projects and expenditures that the City anticipates it will undertake within the District during the remainder of the expenditure period. As part of this Amendment, the City is modifying the project cost estimates for the original District area to add additional projects. Details with respect to the added projects can also be found within this Section.

All costs are based on 2010 prices and are preliminary estimates. The City reserves the right to increase these costs to reflect inflationary increases and other uncontrollable circumstances between 2010 and the time of construction. The City also reserves the right to increase certain Project Costs to the extent others are reduced or not implemented, without amending the Project Plan Amendment. The tax increment allocation is preliminary and is subject to adjustment based upon the implementation of the Project Plan Amendment.

This Project Plan Amendment is not meant to be a budget, nor an appropriation of funds for specific projects, but a framework within which to manage projects. All costs included in the Project Plan Amendment are estimates based on best information available. The City retains the right to delete projects or change the scope and/or timing of projects implemented as they are individually authorized by the Common Council, without further amending the Project Plan.

PROPOSED TIF PROJECT COST ESTIMATES

   		
Tax Increment District No. 5 Project List		
	Phase I	Phase II
	2011	Year
Projects		
Property Acquisition for Development		
Real Property Assembly Costs		
Acquisition within Half Mile of the TID 5 Boundaries	1,150,000	
Street Amenities and Utilities related to Intersection of State Highway 35 and County U		1,000,000
Administrative and Other Expenses (See Cashflow)		
Subtotal Needed for Projects	1,150,000	1,000,000

9. ECONOMIC FEASIBILITY STUDY AND A DESCRIPTION OF THE METHODS OF FINANCING AND THE TIME WHEN SUCH COSTS OR MONETARY OBLIGATION RELATED THERETO ARE TO BE INCURRED

This amendment modifies the specific projects and expenditures that the City anticipates it will undertake within the District during the remainder of the expenditure period.

The information and exhibits contained within this Section demonstrate that the District, as proposed to be amended, will remain economically feasible insofar as:

- The City has available to it the means to secure the necessary financing required to accomplish the remaining projects contained within this Project Plan Amendment. A listing of "Available Financing Methods" follows.
- The City expects to complete the remaining projects in one or more phases, and can adjust the timing of implementation as needed to coincide with the pace of private development. A discussion of the phasing and projected timeline for project completion is discussed under "Project Plan Amendment Implementation" within this Section. A table identifying the financing method for each phase and the time at which that financing is expected to incur is included.
- The development anticipated to occur as a result of the continued implementation of this Project Plan Amendment will generate sufficient tax increments to pay for the cost of the projects. Within this Section are tables identifying: 1) the development expected to occur, 2) an updated projection of tax increments to be collected resulting from that development and other economic growth within the District, and 3) an updated cash flow model demonstrating that the projected tax increment collections and all other revenues available to the District will be sufficient to pay all Project Costs.

AVAILABLE FINANCING METHODS

Implementation of this Project Plan Amendment will require that the City issue obligations to provide direct or indirect financing for the Projects to be undertaken. The following is a list of the types of obligations the City may choose to utilize.

General Obligation (G.O.) Bonds or Notes

The City may issue G.O. Bonds or Notes to finance the cost of Projects included within this Project Plan Amendment. Wisconsin Statutes limit the principal amount of G.O. debt that a community may have outstanding at any point in time to an amount not greater than five-percent of its total equalized value (including increment values). The tables on page 18 provide a calculation of the City's current and projected G.O. debt capacity. Tables 1 and 2 project, respectively, the City's equalized value, and the full faith and credit borrowing capacity of the City. Equalized valuation projections were made using two methods. The first projects future valuation of the City using the average annual percentage of valuation growth experienced between 2006 and 2010. This method is identified as the percentage method. The second method projects the future valuation based upon the average annual increment between 2006 and 2010. This method is identified as the straight-line method. Table 2 projects the G.O. borrowing capacity of the City utilizing the straight-line valuation projection and considering the existing debt of the City, demonstrating that the City will have sufficient G.O. debt capacity during the implementation period of the District to finance projects using this method if it chooses.

Bonds Issued to Developers ("Pay as You Go" Financing)

The City may issue a bond to one or more developers who provide financing for projects included in this Project Plan Amendment. Repayment of the amounts due to the developer under the bonds are limited to an agreed percentage of the available annual tax increments collected that result from the improvements made by the developer. To the extent the tax increments collected are insufficient to make annual payments, or to repay the entire obligation over the life of the District, the City's obligation is limited to not more than the agreed percentage of the actual increments collected. Bonds issued to developers in this fashion are not general obligations of the City and therefore do not count against the City's borrowing capacity.

Tax Increment Revenue Bonds

The City has the authority to issue revenue bonds secured by the tax increments to be collected. These bonds may be issued directly by the City, or as a Lease Revenue Bond by its Redevelopment Authority (RDA). Tax Increment Revenue Bonds and Lease Revenue Bonds are not general obligations of the City and therefore do not count against the City's borrowing capacity. To the extent tax increments collected are insufficient to meet the annual debt service requirements of the revenue bonds, the City may be subject to either a permissive or mandatory requirement to appropriate on an annual basis a sum equal to the actual or projected shortfall.

Utility Revenue Bonds

The City can issue revenue bonds to be repaid from revenues of the sewer and/or water systems, including revenues paid by the City that represent service of the system to the City. There is neither a statutory nor constitutional limitation on the amount of revenue bonds that can be issued, however, water rates are controlled by the Wisconsin Public Service Commission and the City must demonstrate to bond underwriters its ability to repay revenue debt with the assigned rates. To the extent the City utilizes utility revenues other than tax increments to repay a portion of the bonds, the City must reduce the total eligible Project Costs in an equal amount.

Special Assessment "B" Bonds

The City has the ability to levy special assessments against benefited properties to pay part of the costs for street, curb, gutter, sewer, water, storm sewers and other infrastructure. In the event the City determines that special assessments are appropriate, the City can issue special assessment B bonds pledging revenues from special assessment installments to the extent assessment payments are outstanding. These bonds are not counted against the City's G.O. debt limit. If special assessments are levied, the City must reduce the total eligible Project Costs under this Project Plan Amendment in an amount equal to the total collected.

EQUALIZED VALUATION PROJECTION

		City of River Falls, WI Projection of General Obligation Debt Borrowing Capacity			
Table 1 - Projection of Growth in Equalized Value (TID IN)					
---PERCENTAGE METHOD---			--STRAIGHT LINE METHOD--		
HISTORICAL DATA					
2006	806,998,900		2006	806,998,900	
2007	834,151,100		2007	834,151,100	
2008	869,671,600		2008	869,671,600	
2009	852,887,300		2009	852,887,300	
2010	837,562,700	0.95%	2010	837,562,700	7,640,950
PROJECTED VALUATIONS					
2011	845,493,039	0.95%	2011	845,203,650	0.91%
2012	853,498,465	0.95%	2012	852,844,600	0.90%
2013	861,579,689	0.95%	2013	860,485,550	0.90%
2014	869,737,429	0.95%	2014	868,126,500	0.89%
2015	877,972,410	0.95%	2015	875,767,450	0.88%
2016	886,285,362	0.95%	2016	883,408,400	0.87%
2017	894,677,024	0.95%	2017	891,049,350	0.86%
2018	903,148,142	0.95%	2018	898,690,300	0.86%
2019	911,699,466	0.95%	2019	906,331,250	0.85%
Table 2 - Projection of G.O. Debt Capacity (Based on Straight Line Method)					
BUDGET YEAR	EQUALIZED VALUE	GROSS DEBT LIMIT	DEBT BALANCE	NET BORROWING CAPACITY	
2011	837,562,700	41,878,135	11,518,088	30,360,047	
2012	845,203,650	42,260,183	10,067,951	32,192,231	
2013	852,844,600	42,642,230	9,055,074	33,587,156	
2014	860,485,550	43,024,278	8,115,830	34,908,447	
2015	868,126,500	43,406,325	7,327,848	36,078,477	
2016	875,767,450	43,788,373	6,551,686	37,236,687	
2017	883,408,400	44,170,420	5,881,233	38,289,187	
2018	891,049,350	44,552,468	5,382,150	39,170,318	
2019	898,690,300	44,934,515	4,974,506	39,960,009	
2020	906,331,250	45,316,563	4,551,450	40,765,113	
2021	913,972,200	45,698,610	4,112,373	41,586,237	
2022	921,613,150	46,080,658	3,657,165	42,423,493	
2023	929,254,100	46,462,705	3,180,535	43,282,170	
2024	936,895,050	46,844,753	2,682,283	44,162,470	
2025	944,536,000	47,226,800	2,161,883	45,064,917	
2026	952,176,950	47,608,848	1,614,102	45,994,746	
2027	959,817,900	47,990,895	1,043,589	46,947,306	
2028	967,458,850	48,372,943	445,000	47,927,943	
2029	975,099,800	48,754,990		48,754,990	
2030	982,740,750	49,137,038		49,137,038	
2031	990,381,700	49,519,085		49,519,085	
2032	998,022,650	49,901,133		49,901,133	

PROJECT PLAN AMENDMENT IMPLEMENTATION

Projects identified will provide the necessary anticipated governmental services and/or development incentives to the district. It is anticipated these expenditures will be made during 2010. However, public debt and expenditures should be made at the pace private development occurs to assure increment is sufficient to cover expenses. The order in which expenditures are made should be adjusted in accordance with development and execution of developer agreements. The City reserves the right to alter the implementation of this Project Plan Amendment to accomplish this objective. In any event, all additional Project Costs are to be incurred within the period specified in Section 66.1105(6)(am) of the Wisconsin Statutes.

It is anticipated developer agreements between the City and property owners will be in place prior to major public expenditures. These agreements can provide for development guarantees or a payment in lieu of development. To further assure contract enforcement these agreements might include levying of special assessments against benefited properties.

The order in which expenditures are made should be adjusted in accordance with development and execution of developer agreements. The City reserves the right to alter the implementation of this Project Plan Amendment to accomplish this objective.

Interest rates projected are based on current market conditions. Municipal interest rates are subject to constantly changing market conditions. In addition, other factors such as the loss of tax-exempt status of municipal bonds or broadening the purpose of future tax-exempt bonds would affect market conditions. Actual interest expense will be determined once the methods of financing have been approved and securities issued.

If financing as outlined in this Project Plan Amendment proves unworkable, the City of River Falls reserves the right to use alternate financing solutions for the projects as they are implemented.

IMPLEMENTATION & FINANCING TIMELINE

	G.O. Bond		G.O. Promissory Note		Total Project Costs
	2011	2013	2011	2013	
Projects					All Phases
Property Acquisition for Development Within Half Mile of TID No. 5	1,150,000				0
Street Amenities and Utilities related to Intersection of HWY 35 & Radio Road			1,000,000		1,150,000
Subtotal Needed for Projects	1,150,000		1,000,000		2,150,000
Finance Related Expenses					
Financial Advisor	14,265		13,553		0
Bond Counsel (Estimate)	9,500		8,750		0
Rating Agency Fee	6,500		6,500		0
Paying Agent (if Term Bonds)	675		675		0
Max. Underwriter's Discount	\$15.00 18,000		\$10.00 10,400		1,000,000
Capitalized Interest					
Total Financing Required	1,198,940		1,039,878		
<i>Estimated Interest Earnings</i>	0.00% 0		0.00% 0		
<i>Assumed Spend Down (Months)</i>	0		0		
Rounding	1,060		122		
NET ISSUE SIZE	1,200,000		1,040,000		

DEVELOPMENT ASSUMPTIONS

City of River Falls, WI



**Tax Increment District No. 5
Development Assumptions**



Construction Year	Actual	Whitetail Ridge Corporate Park	Annual Total
2009	23,306,800		23,306,800
2010			0
2011		1,000,000	1,000,000
2012			0
2013		1,000,000	1,000,000
2014			0
2015		1,000,000	1,000,000
2016			0
2017			0
2018			0
2019			0
2020			0
TOTALS	23,306,800	3,000,000	26,306,800

NOTES:

INCREMENT REVENUE PROJECTIONS




Tax Increment District No. 5
Tax Increment Projection Worksheet

Type of District	Ind (Pre 10-1-95)	Projected Base Value	0
Actual Creation Date	3/31/1994	Pre-Amendment Base Value (Actual)	NA
Valuation Date	Jan. 1, 1994	Property Appreciation Factor	0.00%
Maximum Life (In Years)	27	Current Tax Rate (Per \$1,000 EV)	\$20.00
Expenditure Period (In Years)	22	Tax Rate Adjustment Factor (Next 2 Years)	0.00%
Revenue Periods/Final Rev Year	27 2022	Tax Rate Adjustment Factor (Following 2 Years)	0.00%
End of Expenditure Period	3/31/2016	Tax Rate Adjustment Factor (Thereafter)	0.00%
Latest Termination Date	3/31/2021	Discount Rate 1 for NPV Calculation	0.00%
Eligible for Extension/No. of Years	No 0	Discount Rate 2 for NPV Calculation	0.00%
Eligible Recipient District	Yes		

Construction Year	Value Added	Valuation Year	Inflation Increment	Valuation Increment	Revenue Year	Tax Rate	Tax Increment	
16	2009	23,306,800	2010	0	23,306,800	2011	20.00	466,086
17	2010	0	2011	0	23,306,800	2012	20.00	466,086
18	2011	1,000,000	2012	0	24,306,800	2013	20.00	486,083
19	2012	0	2013	0	24,306,800	2014	20.00	486,083
20	2013	1,000,000	2014	0	25,306,800	2015	20.00	506,081
21	2014	0	2015	0	25,306,800	2016	20.00	506,081
22	2015	1,000,000	2016	0	26,306,800	2017	20.00	526,079
23	2016	0	2017	0	26,306,800	2018	20.00	526,079
24	2017	0	2018	0	26,306,800	2019	20.00	526,079
25	2018	0	2019	0	26,306,800	2020	20.00	526,079
26	2019	0	2020	0	26,306,800	2021	20.00	526,079
27	2020	0	2021	0	26,306,800	2022	20.00	526,079
		25,306,800		0				

Future Value of Increment 6,072,976



CASH FLOW

City of River Falls, WI



**Tax Increment District No. 5
Cash Flow Pro Forma**

Year	Revenues				Expenditures								Balances		Amend. Project Cost Principal Outstanding	Year		
	Tax Increments	Investment Earnings	Transfer from TID No. 4	Total Revenues	G.O. Bond \$1,200,000 2011			G.O. Promissory Note \$1,040,000 2013			Existing TID No. 5 Debt	Projected Debt Levy Reimbursement	Proj. Other TID No. 5 Expenses	Total Expenditures			Annual	Cumulative
					Prin (12/1)	Est. Rate	Interest	Prin (12/1)	Est. Rate	Interest								
2010	0	0	0	0									50,000	50,000		(854,370)	2,240,000	2010
2011	466,086	0	27,999	494,084						241,775			50,000	291,776	202,308	(652,062)	2,240,000	2011
2012	466,086	0	62,117	528,202	85,000	1.400%	51,078			212,967			50,000	399,045	129,157	(522,904)	2,155,000	2012
2013	486,083	0	37,117	523,200	100,000	1.650%	34,865			51,114			50,000	235,979	287,221	(235,683)	2,055,000	2013
2014	486,083	0	12,117	498,200	100,000	1.850%	33,215	100,000	1.050%	28,355	51,114		50,000	362,684	135,517	(100,166)	1,855,000	2014
2015	506,081	0	212,117	718,198	100,000	2.350%	31,365	110,000	1.200%	18,965	51,114	256,587	50,000	618,031	100,167	0	1,645,000	2015
2016	506,081	0	0	506,081	105,000	2.550%	29,015	110,000	1.400%	17,645	51,114	143,307	50,000	506,081	0	0	1,430,000	2016
2017	526,079	0	0	526,079	110,000	3.000%	26,338	115,000	1.650%	16,105	41,671	216,966		526,079	0	0	1,205,000	2017
2018	526,079	0	0	526,079	110,000	3.250%	23,038	115,000	1.900%	14,208	41,670	222,164		526,079	0	0	980,000	2018
2019	526,079	0	0	526,079	115,000	3.700%	19,463	120,000	2.150%	12,023		259,594		526,079	0	0	745,000	2019
2020	526,079	0	0	526,079	120,000	3.850%	15,208	120,000	2.400%	9,443		261,429		526,079	0	0	505,000	2020
2021	526,079	0	0	526,079	125,000	4.050%	10,588	125,000	2.500%	6,563		258,929		526,079	0	0	255,000	2021
2022	526,079	0	0	526,079	130,000	4.250%	5,525	125,000	2.750%	3,438		262,117		526,079	0	0	0	2022
Total	6,072,976	0	351,465	6,424,441	1,200,000		279,695	1,040,000		126,742	742,540	1,881,093	350,000	5,620,071	854,370			

NOTES:

10. ANNEXED PROPERTY

No territory will be added or subtracted from the District as a result of this amendment.

11. PROPOSED CHANGES IN ZONING ORDINANCES

The City of River Falls does not anticipate the need to change any of its zoning ordinances in conjunction with the implementation of this Project Plan Amendment.

And any real property within the District that is found suitable for industrial sites and is zoned for industrial use will remain zoned for industrial use for the life of the District.

12. PROPOSED CHANGES IN MASTER PLAN, MAP, BUILDING CODES AND CITY OF RIVER FALLS ORDINANCES

It is expected that this Project Plan Amendment will be complementary to the City's Master Plan. There are no proposed changes to the master plan, map, building codes or other City of River Falls ordinances for the implementation of this Project Plan Amendment.

13. RELOCATION

It is not anticipated there will be a need to relocate any persons or businesses in conjunction with this Project Plan Amendment.

In the event relocation or the acquisition of property by eminent domain becomes necessary at some time during the implementation period, the City will follow applicable state statutes as required in Wisconsin Statutes chapter 32.

14. ORDERLY DEVELOPMENT AND/OR REDEVELOPMENT OF THE CITY OF RIVER FALLS

This Project Plan Amendment will have no impact on the viability of the original District Project Plan as it relates to the orderly development and/or redevelopment of the City.

15. A LIST OF ESTIMATED NON-PROJECT COSTS

Non-Project Costs are public works projects that only partly benefit the District or are not eligible to be paid with tax increments, or costs not eligible to be paid with TIF funds. Examples would include:

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

The City does not expect to incur any non-Project Costs in the implementation of this Project Plan Amendment.

16. OPINION OF ATTORNEY FOR THE CITY OF RIVER FALLS ADVISING WHETHER THE PROJECT PLAN AMENDMENT IS COMPLETE AND COMPLIES WITH WISCONSIN STATUTES, SECTION 66.1105



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*Also licensed to practice
in Minnesota

December 10, 2010

Hon. Don Richards, Mayor
City of River Falls
222 Lewis Street
River Falls WI 54022

Re: **City of River Falls, Wisconsin
Tax Incremental District No. 5 Amendment**

Dear Mayor Richards:

As City Attorney for the City of River Falls, I have reviewed the Project Plan Amendment document and various resolutions passed by the Plan Commission, Common Council, and Joint Review Board regarding the amendment of Tax Incremental District No. 5, located in the City of River Falls. In my opinion, the Project Plan Amendment and actions taken by the Plan Commission, Common Council, and Joint Review Board comply with §§66.1105(2)(f)1.N. and 66.1105(4)(f), Wis. Stats.

Very truly yours,

WELD, RILEY, PRENN & RICCI, S.C.

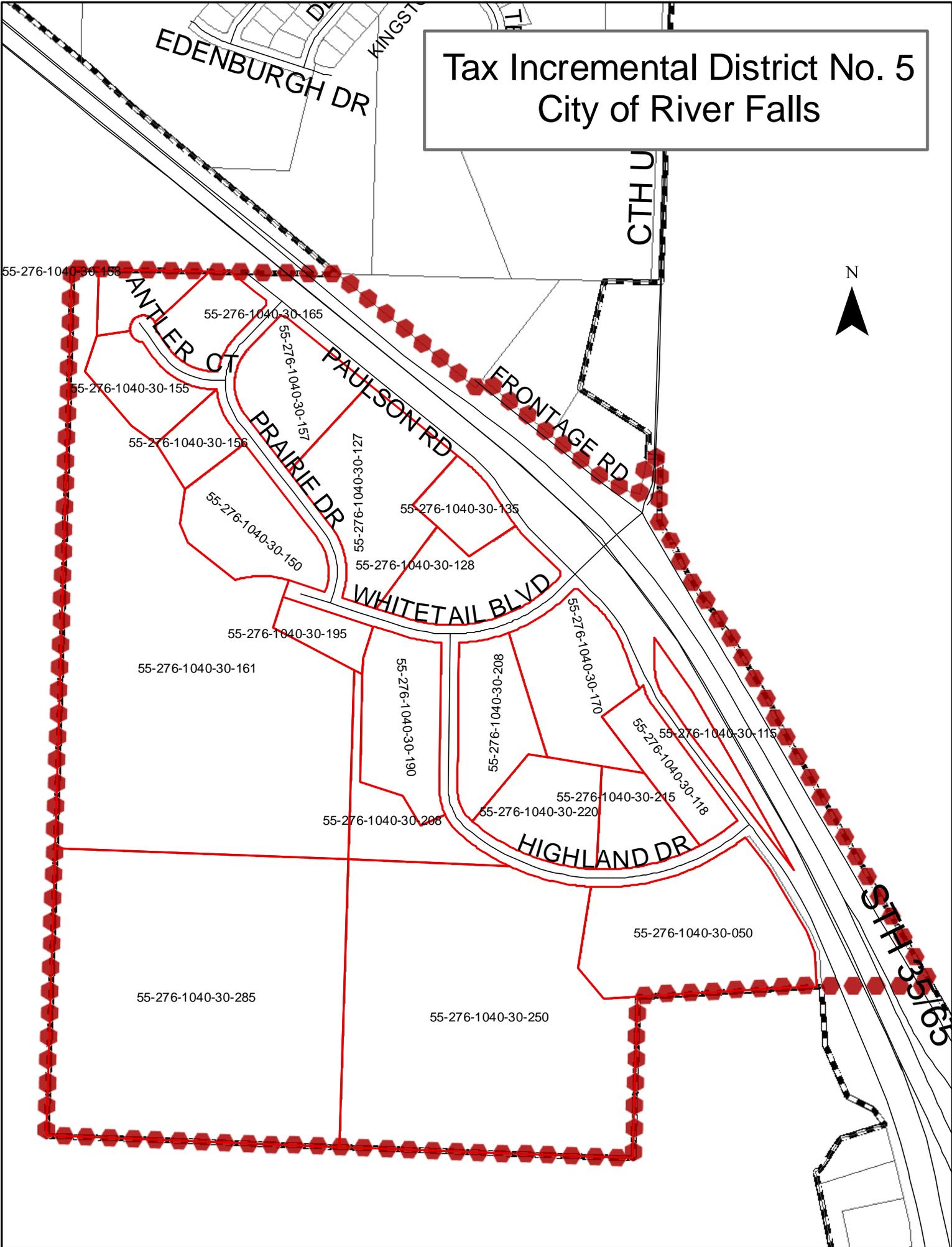
William G. Thiel

WGT/db

cc: Ehlers & Associates, Inc.

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Tax Incremental District No. 5 City of River Falls



Affidavit of Publication

STATE OF WISCONSIN }
 County of Pierce as, Steven N. Dzubay

being duly sworn on oath, says that he is the publisher of the River Falls Journal, a weekly newspaper published in River Falls in Pierce County, State of Wisconsin, and that a notice of which (copy attached) was published in said newspaper 2 successive weeks, once in each week, to wit; commencing Oct. 14 2010 and ending Oct. 21 2010 and further, that the attached printed copy of such notice was taken from the said River Falls Journal, the newspaper in which the same was published.

Steve Dzubay
 Subscribed and sworn to before me _____ day
 this twenty-first of October, 2010
Susanne R. Loosmore
 Notary Public, Pierce County, WI
 My commission expires Aug. 25, 2013

FEES:	
First Insertion:	
<u>7</u> inches, @ \$ <u>7.37</u> /in=	<u>51.59</u>
<u>1</u> Additional Insertions:	
<u>7</u> inches @ \$ <u>5.79</u> /in=	<u>40.53</u>
Affidavit fee \$ <u>1.⁰⁰</u>	
Total \$ <u>93.12</u>	

Susanne R. Loosmore
 Notary Public
 State of Wisconsin
 Ad # 201838

NOTICE OF PUBLIC HEARING AND JOINT REVIEW BOARD MEETING REGARDING THE PROPOSED PROJECT PLAN AMENDMENT FOR TAX INCREMENTAL DISTRICT NO. 5 IN THE CITY OF RIVER FALLS, WISCONSIN

NOTICE IS HEREBY GIVEN that the City of River Falls will hold an organizational Joint Review Board meeting on November 2, 2010, at 6:00 p.m., at the River Falls City Hall, located at 222 Lewis Street. The purpose of this meeting is to organize a Joint Review Board for purposes of considering the proposed Project Plan amendment.

NOTICE IS HEREBY GIVEN that the Plan Commission of the City of River Falls will hold a public hearing on November 2, 2010, at the River Falls City Hall, located at 222 Lewis Street, at 6:32 p.m., for the purpose of providing the community a reasonable opportunity to comment upon the proposed amendment of the Project Plan for Tax Incremental District No. 5 (the "District").

The proposed amendment is to modify the categories, locations or costs of the Projects to be undertaken and add additional Projects, providing incentive and opportunities for additional private development and redevelopment; and

The proposed amendment is to also allow for the District to incur project costs outside of, but within 1/2 mile of, the boundaries of the District as permitted under Wisconsin Statutes s.66.1105(2)(f)1.n; and

Proposed additional and updated projects costs may also include, but are not limited to: cash grants to owners or lessee or developers of land located within the district (development incentives), professional and organizational services, administrative costs, and finance costs.

All interested parties will be given a reasonable opportunity to express their views on the proposed Project Plan Amendment. A copy of the proposed Project Plan Amendment will be available for viewing in the offices of the City Clerk at the River Falls City Hall, located at 222 Lewis Street, during normal business hours and will be provided upon request.

Such hearing shall be public and citizens and interested parties shall then be heard. This hearing may be adjourned from time to time.

Dated this 11th day of October, 2010.
 Lu Ann Hecht, City Clerk

NOTE: If you have a need for a sign language interpreter or other special accommodations, please contact the Americans with Disabilities (ADA) Coordinator at 425-0900 or the Telecommunications Device for the Deaf (TDD) at 425-0930 at least 48 hours before the meeting.
 (Pub. 10/14 and 10/21/10) WNAJLP



October 13, 2010

Daryl Standafer, County Board Executive/Chair
St. Croix County Board of Supervisors
St. Croix County Government Center
1101 Carmichael Road
Hudson, WI 54016

Bruce Barker, President
Chippewa Valley Technical College District
620 W. Clairemont Ave.
Eau Claire, WI 54701

Board of Education
c/o Tom Westerhaus, District Administrator
School District of River Falls
852 East Division Street
River Falls, WI 54022

**RE: City of River Falls, Wisconsin
Proposed Project Plan Amendments for Tax Incremental District Nos. 4 and 5**

Enclosed are a copy of the Notice of Hearing on the proposed Amendment to the Project Plan for Tax Incremental District No. 4 ("TID No. 4") and a copy of the Notice of Hearing on the proposed Amendment to the Project Plan for Tax Incremental District No. 5 ("TID No. 5"), both located within the City of River Falls. These notices are being sent to you as required by Section 66.1105 (4)(h)1, Wisconsin Statutes, to notify you of the hearings, which will be held by the Plan Commission of the City to consider the Project Plan Amendments for TID Nos. 4 and 5.

Any City that seeks to amend a tax incremental district shall convene a Joint Review Board (the "JRB") to review the proposal. The JRB shall consist of the following five members (see separate attachment for guidelines in appointment), per Wisconsin State Statutes 66.1105 (4m):

- one representative chosen by the school district that has power to levy taxes on the property within TID Nos. 4 and 5
- one representative chosen by the technical college district that has power to levy taxes on the property within TID Nos. 4 and 5
- one representative chosen by the county that has power to levy taxes on the property within TID Nos. 4 and 5
- one representative chosen by the City
- one public member

We request that you appoint a member prior to the JRB's organizational meeting which is **scheduled to be held on November 2, 2010, at 6:00 p.m. at the River Falls City Hall, located at 222 Lewis Street.** At that time, the JRB will discuss its role under the Wisconsin Statutes regarding review of the public record and review of the documents.

The main purpose of the November 2, 2010, meeting is to select a chairperson and the public member. At this meeting, the JRB will set a date to meet again for the purpose of considering approval of the Project Plan Amendments. A draft copy of each Project Plan Amendment will be distributed at this meeting. **Please call either Susan Landrum or me at 1-800-552-1171; or, e-mail Susan at slandrum@ehlers-inc.com as soon as possible to let us know who will be the appointed representative at this November 2nd meeting, a phone number where they can be reached, or if you cannot send a representative to this meeting.**

As part of its deliberations, the JRB must review the public records, amending documents and the resolutions passed by the Plan Commission and Common Council. Its decision, by majority vote, must be made and submitted to the City within 30 days of receipt of the adopted Common Council resolution. The decision to approve or deny the Project Plan Amendments shall be based on the following criteria:

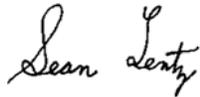
- A. Whether development expected in the tax incremental district would occur without the use of tax incremental financing;
- B. Whether the economic benefits of the tax incremental district, as measured by increased employment, business and personal income and property value, are sufficient to compensate for the cost of the improvements; and
- C. Whether the benefits of the proposal outweigh any loss, if it occurs, in the tax revenues of the overlying districts.

Should the JRB reject the proposed Project Plan Amendments, it must submit (in writing) a description as to why the proposal fails to meet one or more of these criteria.

The City will provide administrative support for the JRB. The City is ready to answer any questions regarding this proposal and urges all JRB members to attend the public hearings on November 2, 2010, at 6:31 p.m. for TID No. 4 and 6:32 p.m. for TID No. 5, at the River Falls City Hall, following the organizational meeting of the JRB.

Attached is a draft of a suggested agenda for the organizational meeting of the JRB. Should you have any questions or need any additional information regarding this proposal, please contact us.

Sincerely,
EHLERS & ASSOCIATES, INC.



Sean Lentz
Financial Advisor

cc: Don Richards, Mayor
Julie Bergstrom, Finance Director- Treasurer
Lu Ann Hecht, Lake George Inland Lake Protection and Rehabilitation District
William G. Thiel, Weld, Riley, Prens & Ricci, S.C.
Susan Landrum, Ehlers & Associates, Inc.

AGENDA

JOINT REVIEW BOARD

CITY OF RIVER FALLS, WISCONSIN

TAX INCREMENTAL DISTRICT NOS. 4 AND 5 PROJECT PLAN AMENDMENTS

November 2, 2010, at 6:00 p.m.

River Falls City Hall
222 Lewis Street

1. Roll Call to order
2. Election of Chairperson
3. Consideration and appointment of the Joint Review Board's public member
4. Discuss responsibilities of the Joint Review Board
5. Discuss and review Project Plan Amendment for Tax Incremental District No. 4
6. Discuss and review Project Plan Amendment for Tax Incremental District No. 5
7. Set next meeting date
8. Adjourn

JOINT REVIEW BOARD RESPONSIBILITIES

1. Review public record
2. Review planning documents
3. Review Common Council resolution
4. Decision to approve or deny
 - A. Whether development expected in the Tax Incremental District (the "District") would occur without the use of Tax Incremental Financing;
 - B. Whether the economic benefits of the District, measured by increased employment, business and personal income and property value, are sufficient to compensate for the cost of the improvements; and
 - C. Whether the benefits of the proposal outweigh any loss, if it occurs, in the tax revenues of the overlying districts

Attendance at public hearing is optional, but recommended.

GUIDELINE IN APPOINTMENT OF JOINT REVIEW BOARD

WI State Statutes Section 66.1105(4m)(ae)1.

School Board President or designee (e.g. District Finance Director, etc.)

County Executive, County Board Chair, or designee (e.g. County Treasurer, etc.)

Technical College Director or designee (e.g. District CFO, etc.)

Mayor or designee (e.g. Economic Development Director, City Treasurer, etc.)

When designees are used, preference shall be given to persons with knowledge of local government finance.

If a District is located in a union high school district, the seat that is held by the school district representative shall be held by 2 representatives, each of whom has one-half of a vote.

If more than one school district, union high school district, elementary school district, technical college district, or county has the power to levy taxes on the property within the District, the entity which is located on the property of the District that has the greatest value shall choose that representative.

The public member and the board's chairperson shall be selected by a majority of the other board members before the public hearing.

QUESTIONS FOR JOINT REVIEW BOARD MEMBERS

Would the expected development occur without the aid of TIF?

What are the expected economic benefits of the TID in terms of jobs, incomes, and property values?

How much of the total projected tax increment revenue comes from my overlying taxing district?

How does this planned development fit in with the rest of the development in my district?

Is there a better alternative use for the development site? Is there a better alternative use for the tax revenue? Is there a better alternative use for the limited TIF capacity?

What is the general public sentiment among the residents of my district concerning this TID?

How will my jurisdiction know what is spent and received for this TID?

How will the planned development affect the demand for services from my district's residents (schools, police, fire, EMS)?

What guarantees are in place to ensure that the anticipated tax revenue is actually collected?

.....

Send questions you may have for DOR to tif@dor.state.wi.us

JRB MEMBERSHIP

Changes made in 2004 to the TIF Law added very specific language regarding the membership of Joint Review Boards. The goal is to ensure that the members have appropriate background and experience to accurately evaluate TIF project plans.

Please Note: If the TID is served by a school district and a union high school district, the school district member shares the school vote evenly with a representative from the union high school district.

DOR REVIEW

The 2004 TIF Law changes created the DOR Review. This allows JRB members, by majority vote, to request that the Department of Revenue review the objective facts and planning documents involved with a TID plan.

To request a DOR Review, a letter and materials should be sent to the DOR prior to JRB decision with the following elements:

- Municipality name and TID number,
- A list of JRB members, the date of the meeting and a record of the vote,
- A copy of **all** the documents that are to be reviewed by DOR, and
- Specifically name what item or fact is believed to be incomplete or inaccurate identified under Wi. S. 66.1105(4)(gm).

WISCONSIN TAX INCREMENTAL FINANCING

A Guide For Joint Review Board Members

Wi. s. 66.1105
or
Wi. s. 60.85

Published 12/05



State of Wisconsin
Bureau of Property Tax

YOU HAVE BEEN CHOSEN!

If you are reading this pamphlet, you have been designated to serve on the Joint Review Board (JRB) for a Tax Incremental District (TID) in your community. You will serve a specific role, representing one of the overlying taxing jurisdictions that will help to fund the projects planned for the TID.

Tax Incremental Financing (TIF) is a partnership. The taxing jurisdictions (municipal, county, school, technical college, special districts) that overlay a group of parcels, work together to encourage development on those parcels. Tax revenue generated from the new development is used to pay for improvements that helped bring the new development to the site. Once the projects are paid off, the TID is closed and each jurisdiction has a larger tax base.

When creating a TID, or amending an existing one, the JRB has the power of final approval. They can approve or deny the creation or amendment of the district based on their review. Minutes should be taken and votes should be recorded at the JRB meetings, and these should be added to the record for the TID. The JRB must respond to the municipal officials within seven days of making a decision, and, when they reject a plan, they must cite in writing specific decision criteria that were found to be lacking.

DUTIES & RESPONSIBILITIES

Generally, the Joint Review Board members represent the interests of the taxing jurisdiction on whose behalf they are serving. For example, a school's representative will look at the TIF plans and consider the impact on the finances of the school district. Members' opinions can differ, and for this reason, there can be disagreement among members.

Specifically, JRB members are, by majority vote, **required to make a positive assertion that the development would not occur without the creation of a TID** [Wi. s. 66.1105(4m)(b) 2. & s. 60.85(4)(am)]. Local officials are required to provide the following information:

1. The specific items that constitute the project costs: the total dollar amount, and the total amount of tax increments.
2. The total value increment and the date to be terminated.
3. The reasons why the project costs may not or should not be paid solely by the TID taxpayers.
4. The share of projected tax increments from each overlying taxing district.
5. The benefits that the overlying jurisdictions will receive.
6. A copy of the plan commission and board/council TID resolutions.
7. Copies of planning documents and public record.

**If you don't get something,
ask for it!**

DECISION CRITERIA

The criteria upon which the JRB approve or deny is laid out explicitly in the TIF Law [Wi. s. 66.1105(4m)(c) & s. 60.85(4)(c)]. The three criteria are:

1. Whether the development expected in the TID would occur without the use of tax incremental financing.
2. Whether the economic benefits of the TID, as measured by increased employment, business and personal income, and property value, are insufficient to compensate for the cost of improvements.
3. Whether the benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing districts.

The first criterion, the "but for" test, is the most important part of the JRB deliberations. The JRB is required to assert that the planned development would not occur without the use of TIF. If the "but for" test is not met, the TID cannot be approved. The "but for" concept justifies the investment of all the overlying taxing jurisdictions in a project. If a development would have happened without TIF there is no reason for the taxpayers outside the municipality to be involved with financing.

**The JRB may also hold additional
public hearings as part of their
deliberations.**

City of River Falls
Joint Review Board
Tax Incremental District No. 4 and 5
November 2, 2010

Lu Ann Hecht, City Clerk, called the meeting to order at 6:03 p.m. in the Foster Conference Room of City Hall, 222 Lewis Street.

Members present: John Kleven, Chippewa Valley Technical College Representative; Don Richards, City of River Falls Representative; Manny Kenney, River Falls School District Representative; Daryl Standafer, Chair, St. Croix County Board of Supervisors.

Others present: Scot Simpson, City Administrator; Julie Bergstrom, Finance Director/Treasurer; Sean Lentz, Financial Advisor, Ehlers & Associates, Inc.

Motion by Kenney, second by Kleven, to appoint Don Richards as Chairperson. Upon voice vote; Unanimous.

Motion by Kleven, second by Kenney to nominate Paul Schwebach as the Public Member. With no other nominations, Chairperson Richards called for a vote. Upon voice vote; Unanimous, to appoint Paul Schwebach as Public Member.

Lentz gave an overview of the changes to TID 4 and 5. He explained that TID 4 and 5 are interrelated and the benefits to the city. The proposals will allow for the District to incur project costs outside of, but within ½ mile of, the boundaries of the District as permitted under Wisconsin Statutes. The proposed amendments will modify the categories, locations or cost of the Projects to be undertaken and add additional projects, providing incentive and opportunities for additional private development and redevelopment.

Lentz stated the Public Hearing will be held at 6:30, directly following this meeting.

When the next meeting date is determined, Lentz will contact all members.

Chairperson Richards adjourned the meeting at 6:27 p.m.

Respectfully submitted,


Lu Ann Hecht
City Clerk

**PLAN COMMISSION FOR THE
CITY OF RIVER FALLS, WISCONSIN**

**RESOLUTION No. PC101576
APPROVING A PROJECT PLAN AMENDMENT FOR TAX
INCREMENTAL DISTRICT NO. 5, CITY OF RIVER FALLS,
WISCONSIN**

WHEREAS, the City of River Falls (the "City") has determined that the use of Tax Increment Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 5 (the "District") was created by the City on August 31, 1994, as an industrial district; and

WHEREAS, such amendment will modify the categories, locations and/or costs of the Projects to be undertaken, providing incentive and opportunities for additional private development and redevelopment; and

WHEREAS, such amendment will also allow for the District to incur project costs outside of, but within ½ mile of, the boundaries of the District as permitted under Wisconsin Statutes s.66.1105 (2)(f)1.n; and

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

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

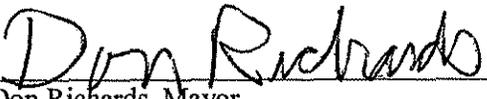
WHEREAS, prior to its publication, a copy of the notice of said hearing was sent to the chief executive officers of: St. Croix County; the School District of River Falls; the Chippewa Valley Technical College District; and the other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on November 2, 2010, held a public hearing concerning the proposed Project Plan Amendment providing interested parties a reasonable opportunity to express their views thereon.

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission of the City of River Falls that:

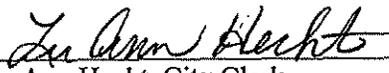
1. The boundaries of the District remain unchanged, as specified in the Project Plan Amendment.
2. It approves the Project Plan Amendment for the District, attached as Exhibit A, and recommends its approval to the Common Council.
3. The Project Plan Amendment for the District promotes orderly development in the City.
4. That the City Clerk is hereby directed to provide the City Mayor and Common Council with certified copies of this resolution, upon its adoption by the Plan Commission.

Adopted this 2nd day of November, 2010.



Don Richards, Mayor

Attest:



Lu Ann Hecht, City Clerk



222 Lewis Street
River Falls, WI 54022

715.425.0900
FAX 715.425.0915

MINUTES
Community Development
Plan Commission Meeting
November 2, 2010
6:30 p.m.
Council Chambers

CALL TO ORDER/ROLL CALL – meeting convened at 6:30 p.m.

Members present: Mayor Don Richards, David Cronk, Todd Schultz, Susan Reese, Ellen Smith, and Erin Tomlinson, Tom Heimerl, Sandy Bowen, and Reid Wronski. There was a quorum present at all times.

Members absent: Dave Cronk.

Staff present: Buddy Lucero, Planning Director; Tony Steiner, City Planner; Scot Simpson, City Administrator, and Carl Gaulke, Municipal Utilities General Manager.

Others present: Sean Lentz, Ehlers; Carole Mottaz, Our Neighbor's Place; Jim Nordgren.

Approval of Agenda/Minutes

MSC Heimerl/Schultz to approve the minutes of October 5, 2010 as submitted. Unanimous.

PUBLIC COMMENTS

No comments.

PUBLIC HEARINGS

Proposed Project Plan Amendment for Tax Incremental District No. 4, in the City of River Falls, Wisconsin

The Mayor recessed the Plan Commission at 6:31 p.m. and went into a public hearing.

Sean Lentz, Ehlers, stated there are two proposed amendments, one for Tax Increment District (TID) #4 and the other for TID #5. Lentz stated his PowerPoint presentation is a summary of both because they are related. He stated a value was placed on the property that was originally put into the TID and that is the base value. Taxes from that base value continue to go to all the taxing jurisdictions. When a TID is created, the base value is frozen. Any new construction or reconstruction that creates additional taxable value is deemed to be increment value, and the taxes on that increment value that the entire taxing jurisdictions share goes into a special fund to fund project costs associated with the goals of that district, typically development or redevelopment in that area or a broader area. Typically this is how the tax district creates funds to pay for expenditures to promote development or redevelopment.

TID #4 is located east of Main Street in the area of the new Kwik Trip on North Main Street. TID #5 is the Whitetail Ridge Corporate Park. Lentz stated that no new property is being added to either district. The amendment for #4 is not to add new property or project costs, but is to share revenues from TID #4 with TID #5. The next five years is the limit for this projection period. Requirements for these amendments to occur are that the two districts have to have the same overlying taxing jurisdictions and they have to have been created before 1995. TID #4 was created in 1988 and TID #5 in 1994. The projections show TID #4 has a surplus (another requirement). The Plan Commission, City Council and Joint Review Board will be asked to approve an amendment that will allow the sharing of revenues from TID #4 with TID #5 to assist #5 in paying existing and proposed new expenditures.

Two expenditures are highlighted in TID #5. The first is possible by an amendment to the law in 2008 that allows districts to incur expenses within a half mile of the district. The project isn't required to be in the TID district, just within a half mile. The City would like to have the ability to secure property for potential additional development. The second reason is the Radio Road expenditures which were alluded to in the original plan. Preliminarily the project may move forward in 2013.

Reese questioned if the property would be attached automatically. Ehlers stated no, the requirement is that the property is within the half mile area, and would remain outside of TID #5. Reese as if it might be developed as another TID in the future. Ehlers stated yes, it may be an option that the City would consider.

Ehlers showed projected revenue funds. The current captured value is \$23,000,000. Next year the projected revenue is \$466,000 within TID #5. With the assistance of TID #4, existing revenues of TID #5 for additional development, it is the expectation that all the expenditures would be paid for by the time the maximum life of the district ends, which is 2022. After that date the district closes and the value that is currently captured goes back to all of the taxing jurisdictions.

TID #5 project plan goals are property purchase, the restating of the interchange projects, and the completion of Whitetail Ridge Corporate Park. The amendment for TID #4 is to share revenue with TID #5 to pay for past project costs which is now allowed under the Tax Increment Financing (TIF) law.

The Joint Review Board met prior to the Plan Commission to review the requests. There are resolutions for Plan Commission consideration. If approved, the requests would be forwarded to City Council on a future agenda. The Joint Review Board would have a final vote if and when the Council reviews and approves the amendments.

Wronski questioned when TID #4 would expire and questioned what was in TID #5.

Heimerl asked for clarification on what can be purchased with TID revenues outside the district limits.

Simpson clarified that the State is acquiring all the property necessary for the interchange. The City is participating as a partial funder, but the State is doing the acquisitions. These amendments are for potential infrastructure and not for acquisitions.

At 6:55 p.m. with no one wishing to speak for or against this issue the Mayor reconvened into Open Session for a disposition.

MSC Wronski/Smith to approve the Resolution Regarding Proposed Project Plan Amendment for Tax Incremental District No. 4, in the City of River Falls, Wisconsin. Unanimous.

Proposed Project Plan Amendment for Tax Incremental District No. 5, in the City of River Falls, Wisconsin

The Mayor recessed Plan Commission at 6:55 p.m. and went into a public hearing.

Simpson stated that this is the amendment that deals directly with TID #5.

At 6:56 p.m. with no one wishing to speak for or against this issue the Mayor reconvened into Open Session for a disposition.

MSC Wronski/Heimerl to approve the Resolution Regarding Proposed Project Plan Amendment for Tax Incremental District No. 5, in the City of River Falls, Wisconsin. Unanimous.

Amendment to the Special Use Permit for Our Neighbor's Place, 235 Johnson Street

The Mayor recessed Plan Commission at 6:57 p.m. and went into a public hearing.

Steiner explained that the Special Use Permit to have a homeless shelter at 235 W. Johnson Street was reviewed and approved by the Plan Commission and City Council in November of 2009. The Council approved with a contingency of 24/7 on-site supervision with a manager living in one of the apartments. Our Neighbor's Place is asking for this contingency to be removed. If the Plan Commission approves, the City Council would have final approval.

Wronski questioned if there was anything unusual about the applicant not being the owner. Steiner responded that it is not a requirement of the Municipal Code. The owner has been notified and has met with staff.

Carole Mottaz, shelter Board member and representing Our Neighbor's Place, stated that she submitted the request. There are four apartments and feels that having a supervisor occupy one is not a good use of the apartment. Currently a supervisor is living in one of the apartments and they have nothing to do. The Board is in frequent contact with the clients as each family is assigned a support team. The supervisor can afford to rent an apartment somewhere else. The clients understand that they are guests and not tenants and that Our Neighbor's Place are the tenants. If the City Council pulls the Special Use Permit for any reason those clients would be asked to leave immediately and they clearly understand this.

Reese asked if the intention was to only accept families. Mottaz responded that their preference is families, but would take single adults if there were two females/males. There is a waiting list for families. They are two bedroom apartments. Regular zoning requirements apply. Reese felt what is being proposed is not the same as what was originally presented. She felt the time period should be longer before changes are made to the Special Use Permit.

Heimerl felt the supervision issue was part of the reason it was approved. He felt the presence of a supervisor was better. He was concerned about future requests for changes to the Special Use Permit.

Mottaz felt this is a necessary service to the community and talked about the requirements before clients are accepted for shelter. This program is volunteer driven with no cost to taxpayers. She questioned what the Commission felt clients are going to do that would require 24/7 supervision.

There was discussion among the Commission as what the supervisor does while there. Mottaz stated that this is the first homeless shelter in Pierce County. Several shelters were visited in the Twin Cities area to follow their model. They have since found other models without supervisors. A supervisor cannot go into the apartments. Mottaz stated this is very much a work in progress.

Reese felt the current plan should be followed for more time. She asked if they would be willing to limit their residents to families only. Mottaz responded that she felt their Board would have to approve that request.

The Mayor questioned if any neighbors had complained. Mottaz answered no. Bowen questioned their turnover. Mottaz stated there have been no families that have left, as it has been only two months. It will be very difficult to cycle families through in 90 days.

There was discussion regarding the need for more space and it was clarified that there is a waiting list of families for the apartments.

At 7:17 p.m. with no one wishing to speak for or against this issue the Mayor reconvened into Open Session for discussion and disposition.

MS Schultz/Tomlinson to approve the Resolution Regarding an Amendment to the Special Use Permit for Our Neighbor's Place, 235 Johnson Street.

Wronski asked for clarification that the Special Use Permit could be revised or revoked by Council. It is discretionary and if the intent is violated, it can be revoked by the City Council. Simpson stated it cannot be an arbitrary decision and would have to be related to protecting the health, welfare and safety of its citizens. If there are issues with vandalism, abuse, etc., Council could revoke the permit. Wronski also asked if surrounding property owners had been notified of this public hearing. Steiner stated the same people that were notified for the original public hearing for the Special Use Permit request were notified. There have been no objections.

Schultz felt that this general area is student housing. He felt no one was supervising students and feels there is a level of trust in the processes outlined and the fact that there is a need for these apartments.

Schultz asked if the 24/7 on-site supervisor requirement was added by Council. That was confirmed.

The motion to approve the Resolution carried with Heimerl and Reese opposing.

LONG RANGE PLANNING PROJECTS

UWRF "Draft" Campus Master Plan – Update

Lucero stated that the University is in the process of updating their Master Plan. The information provided are options they are considering. The University will be making a presentation to the Commission at a future meeting. He asked that Commission members look at the alternatives and consider the impacts to the community.

Reese asked if the University is thinking about building a parking structure. Lucero confirmed.

UPDATE AND INFORMATION

No comments.

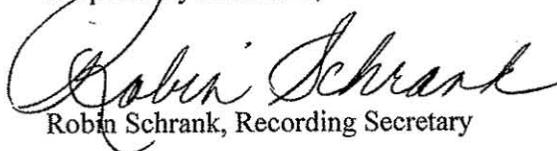
CALENDAR

No other comments or questions.

Adjournment

The meeting adjourned at 7:28 p.m.

Respectfully submitted,


Robin Schrank, Recording Secretary

**COMMON COUNCIL FOR THE
CITY OF RIVER FALLS, WISCONSIN**

RESOLUTION NO. 5427

**RESOLUTION APPROVING A PROJECT PLAN AMENDMENT FOR
TAX INCREMENTAL DISTRICT NO. 5, CITY OF RIVER FALLS,
WISCONSIN**

WHEREAS, the City of River Falls (the "City") has determined that the use of Tax Increment Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 5 (the "District") was created by the City on August 31, 1994, as an industrial district; and

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

WHEREAS, such amendment will modify the categories, locations or costs of the Projects to be undertaken, providing incentive and opportunities for additional private development and redevelopment; and

WHEREAS, such amendment will also allow for the District to incur project costs outside of, but within ½ mile of, the boundaries of the District as permitted under Wisconsin Statutes s.66.1105 (2)(f)1.n; and

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

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

- k. An opinion of the City Attorney or of an attorney retained by the City advising that the plan is complete and complies with Section 66.1105 (4)(f). of the Wisconsin Statutes.

WHEREAS, prior to its publication, a copy of the notice of said hearing was sent to the chief executive officers of: St. Croix County; the School District of River Falls; the Chippewa Valley Technical College District; and the other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on November 2, 2010, held a public hearing concerning the proposed Project Plan Amendment providing interested parties a reasonable opportunity to express their views thereon; and

WHEREAS, after said public hearing, the Plan Commission adopted, and subsequently recommend approval to the Common Council a Project Plan Amendment for the District.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of River Falls as follows:

1. The boundaries of the District remain unchanged, as specified in the Project Plan Amendment.
2. That this Project Plan Amendment shall become effective as of the date of adoption of this resolution provided that it is further approved by the Joint Review Board.
3. The Common Council hereby finds and declares that:
 - a. Not less than 50%, by area, of the real property within the District is suitable for industrial sites and zoned for industrial use within the meaning of Section 66.1101 of the Wisconsin Statutes.
 - b. Based upon the findings, as stated in a. above, and the original findings as stated in the Creation Resolution, the District remains declared as an industrial district based on the identification and classification of the property included within the District.
 - c. The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District.
 - d. The City estimates that approximately none of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Section 66.1105 (5)(b) of the Wisconsin Statutes.

- e. The project costs of the District relate directly to promoting industrial development in the District consistent with the purpose for which the District was created.
 - f. Any real property within the District that is found suitable for industrial sites and is zoned for industrial use will remain zoned for industrial use for the life of the District.
4. The Project Plan Amendment for the District (attached as Exhibit A) is approved, and the City further finds that this plan is feasible and in conformity with the master plan of the City.

BE IT FURTHER RESOLVED THAT the City Clerk is hereby authorized and directed to notify the Wisconsin Department of Revenue, within 60 days of adoption of the amendment that this Project Plan Amendment has taken place, pursuant to the provisions of Section 66.1105 (5)(cm) of the Wisconsin Statutes.

Adopted this 23rd day of November, 2010



Don Richards, Mayor

Attest:



Lu Ann Hecht, City Clerk

**CITY OF RIVER FALLS, WISCONSIN
COMMON COUNCIL PROCEEDINGS**

November 23, 2010

Mayor Richards called the meeting to order at 6:30 p.m. in the City Council Chambers located in City Hall.

City Council Members Present: Tom Cafilisch, David Cronk, Bob Hughes, Randy Kusilek, Scott Morrisette, Jim Nordgren, David Reese

Staff Present: Bill Thiel, City Attorney; Scot Simpson, City Administrator; Julie Bergstrom, Finance Director; Reid Wronski, City Engineer; Roger Leque, Police Chief; Carrie Fisher, Utility Office Manager; Angel Smith, Management Analyst

Others Present: Sean Lentz

APPROVAL OF MINUTES:

November 9, 2010, Regular Meeting Minutes

MSC Cronk/Nordgren to approve minutes as submitted. Unanimous.

APPROVAL OF BILLS:

City – \$654,140.48

Utility – \$1,020,466.91

MSC Kusilek/Cafilisch move to approve the bills subject to the assistant comptroller. Unanimous.

PUBLIC COMMENT, PETITIONS, REQUESTS AND COMMUNICATIONS:

None.

PUBLIC HEARING:

Delinquent Accounts - Resolution No. 5420 Authorizing City and Utility Delinquent Accounts to be Placed on the 2010 Tax Roll

Mayor Richards recessed Council at 6:32 p.m. and went into a public hearing. At 6:33 p.m. with no one wishing to speak for or against this issue, Council reconvened into Open Session for disposition. MS Nordgren/Reese move to approve resolution.

Hughes asked what happens when the accounts are placed on the tax roll. Finance Director Bergstrom explained the accounts are paid through the tax collection process. The accounts are paid first before the taxes.

Cafilisch asked if there was any type of increase for the late accounts. Bergstrom said there was a 10 percent penalty if not paid before November 1. Cafilisch asked if increasing the penalty would help with the collection of the account. Bergstrom said it was set by local ordinance. Attorney Thiel said a lot of delinquent accounts are related to tenants and the landlords are not aware of the delinquent accounts. Nordgren mentioned late payment fees are already added to utility accounts. Morrisette asked if this was a normal list of accounts. Bergstrom said yes with the exception of the Waste Management accounts.

The Mayor asked for a vote on the resolution. It passed unanimously.

CONSENT AGENDA:

Acknowledgement of the following minutes:

- Fire Department – 10/4/10; Police and Fire Commission – Special 10/12/10 and 10/13/10
- Police and Fire Commission – 10/4/10; Ambulance Commission – 10/4/10
- Plan Commission – 10/5/10; f. River Falls Housing Authority – 10/12/10
- River Falls Library – 10/4/10; Park and Recreation Advisory Board – 10/20/10

Resolution No. 5421 - Approving Contract for Services-River Falls Library Board

Resolution No. 5422 - Regarding Review of Kinnic View Properties LLC, Certified Survey Map

Resolution Regarding GASB 54 →→*Pulled by Hughes*

Resolution No. 5423 - Approving 2011–2012 Contracts Between City of River Falls Municipal Utility and Communication Workers of America, AFL-CIO – Electric Power Plant, Electric Utility Craft Employees, and Sewer and Water Utilities

Resolution No. 5424 - Approving 2011–2012 Contracts Between the City of River Falls and Communication Workers of America, AFL-CIO – Public Works

Resolution No. 5425 - Approving Request for Open Container Variance for River Dazzle Parade – November 26

Resolution No. 5426 - Approving A Project Plan Amendment For Tax Incremental District No. 4, City Of River Falls, Wisconsin

Resolution No. 5427 - Approving A Project Plan Amendment For Tax Incremental District No. 5, City Of River Falls, Wisconsin

MSC Cafilisch/Nordgren move to approve remainder of Consent Agenda. Unanimous.

Resolution No. 5428 - Regarding GASB 54

Hughes asked why the funds need to be in the restricted classification. Bergstrom referred to information in the packet. She said there were four project funds that the City wanted to keep closer track of and it would be easier for accounting purposes.

Hughes had further questions. City Administrator Simpson explained the City was following the direction set forth by the Government Accountability Board. He said the GAB is guarding against the creation of a bunch of special funds. He said the Council needed to pass a resolution in order to do this.

Reese asked a clarifying question and asked about fund 232. There was further discussion about the fund and its use. Simpson said the fund was used for housing.

MSC Hughes/Nordgren move to approve resolution. Unanimous.

ORDINANCES AND RESOLUTIONS

Ordinance 2010-18 Amending Section 9.24.050 - Fighting Events Prohibited - First Reading

Angel Smith gave a brief presentation on the ordinance. She explained at the time the ordinance was passed, there was no statewide oversight of mixed martial arts. Smith said in response to citizens' request about amending the ordinance, this ordinance is being brought forward to Council to review. She noted that since the ordinance was passed, both mixed martial arts and professional boxing is regulated by the State of Wisconsin. She said amateur boxing is being regulated by the U.S. Olympic Committee. She said the ordinance does not currently apply to wrestling. Smith called Council's attention to Wis. Stats. 444.095 which allows the Council to regulate mixed martial arts. She said it was staff's recommendation for Council to modify the ordinance to allow amateur boxing and that wrestling events should be deleted from the ordinance for being overly broad.

The Mayor asked if Westwind would be able to hold an amateur boxing event because they qualify as a restaurant. Simpson said most likely yes.

Hughes asked about underage persons being allowed to attend a boxing event at a bar. City Attorney said as long as they were with their parents. Hughes felt the ordinance was a ridiculous amount of bureaucracy.

Reese was concerned about enforcement. The Mayor said the City relies on the police to care take of it. Hughes asked if he could strike the entire ordinance. Attorney Thiel said it was not on the agenda to take action

for adoption tonight but it would not be appropriate to do that because it was a non-motion. He suggested either repealing the ordinance or tabling it.

Reese said he would feel more comfortable if he knew the police were capable of being able to enforce it. Chief Leque said the Police Department would not get involved in it. Their expectation would be that people would follow the rules. He said if something happened, they would follow up with it. As a matter of practice, Police would not be present. Leque gave an example of an accident happening on a carnival ride.

Simpson added that if the Council desired, the Police Department would provide a police presence. There was more discussion about the different options for the ordinance. Hughes felt the ordinance was not necessary. Nordgren asked about a wrestling exemption for the schools. Thiel said it was in the code book. The reference was to secondary and university level schools. Leque felt "training" was not a violation of the ordinance. He said they have tried to simplify the ordinance to say the City is not going to regulate boxing or wrestling. Leque said the original reason the ordinance was passed was because the State did not regulate mixed martial arts and there was a concern about injuries occurring with this type of event.

Reese felt there should be a permitting process so staff is aware of an event. Hughes felt the ordinance should be struck. Caflich felt staff has done a remarkable job of research and study of the ordinance. He felt the Council should follow the staff's recommendation.

REPORTS:

City Administrator's Report

Simpson listed the board vacancies and the days the City offices will be closed.

Comptroller's Report for October 2012

Reese read the follow report: general Fund revenues through the end of October were \$5,945,220 or 74 percent of budgeted. October revenues included \$53,555 from payment in lieu of taxes from the River Falls Housing Authority and \$126,677 in quarterly transportation aids. Expenditures for the same period were \$5,880,554 for a net of revenues over expenditures of \$64,666.

CLOSED SESSION:

MS Caflich/Nordgren move to recess into Closed Session at 7:12 p.m. per Wisconsin State Statutes § 19.85 (1)(e) for the following purposes:

"Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session; to-wit: collective bargaining unit contract (AFSCME) and Mann Valley property."

The roll call vote to recess into Closed Session was unanimous.

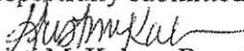
MSC Cronk/Morrisette move to reconvene into Open Session. Unanimous.

There was no further discussion on Closed Session item regarding property.

The Mayor called for a vote on the second Closed Session item. MSC Caflich/Morrisette move to approve Resolution No. 5429 – Approving 2011-2012 Contracts Between the City of River Falls and Local 556-a, Wisconsin Council 40, American Federation of State, County, and Municipal Employees, AFL-CIO. Unanimous.

Motion by Cronk to adjourn meeting.

Respectfully submitted,


Kristi McKahan, Deputy City Clerk



December 10, 2010

Manny Kenney, JRB Representative
Treasurer, Finance Committee Chair
River Falls School District Board of Education
852 East Division Street
River Falls, WI 54022
mannykenney@yahoo.com

Paul Schwebach
River Falls JRB Public Member
1120 Wasson Circle
River Falls, WI 54022
paul.schwebach@rcu.org

John Kleven, JRB Representative
Chippewa Valley Technical College
500 South Wasson Lane
River Falls, WI 54022
jkleven4@cvtc.edu

Don Richards, Mayor and JRB Representative
City of River Falls
123 East Elm Street
River Falls, WI 54022
drichards@rfcity.org

Daryl Standafer, Chair and Pierce County JRB Representative
St. Croix County Board of Supervisor
St. Croix County Government Center
1101 Carmichael Road
Hudson, WI 54016
daryls@co.saint-croix.wi.us

RE: City of River Falls, Tax Incremental District Nos. 4 and 5

This letter is to confirm the meeting of the Joint Review Board (the "JRB") will be held on December 15, 2010, at 4:00 p.m. at the River Falls City Hall, located at 222 Lewis Street. The purpose of this meeting is for the JRB to consider approval of the resolutions adopted by the River Falls Common Council on November 23, 2010, amending Tax Increment District No. 4 (the "TID No. 4") and approving its Project Plan Amendment, and amending Tax Increment District No. 5 (the "TID No. 5") and approving its Project Plan Amendment.

Please call either Susan Landrum or me at 1-800-552-1171; or, e-mail Susan at slandrum@ehlers-inc.com, as soon as possible to confirm your attendance at this meeting.

To assist the JRB in its deliberation, copies of the adopted Plan Commission resolutions and Common Council resolutions are enclosed with this letter, and constitute the public record in this matter. Signed copies of the resolutions are on file and available at the River Falls City Hall. Also enclosed are a copy of the meeting notice and agenda, minutes from the organizational JRB meeting, as well as a proposed "Resolution Approving the Project Plan Amendment of Tax Incremental District No. 4, River Falls, Wisconsin" and "Resolution Approving the Project Plan Amendment of Tax Incremental District No. 5, River Falls, Wisconsin" for consideration by the JRB. Please also find included a final copy of the Project Plan Amendments.

In considering whether to approve the City's Resolutions amending the TID Nos. 4 and 5, the JRB, as required by Section 66.1105(4m)(c), Wisconsin Statutes, is to determine the following:

- A. Whether the development expected in the Districts would occur without the use of tax incremental financing;
- B. Whether the economic benefits of the Districts, as measured by increased employment, business and personal income and property value, are insufficient to compensate for the cost of the improvements;
- C. Whether the benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions.

To assist the JRB in its analysis of the enclosed information, we are providing the following brief narrative as it relates to each of the criteria outlined above.

PROPOSED PROJECT PLAN AMENDMENT TO TAX INCREMENTAL DISTRICT NO. 4:

FINDING # 1: WOULD DEVELOPMENT OCCUR WITHOUT TAX INCREMENTAL FINANCING?

- Current and projected tax increment collections for TID No. 5 will be insufficient to pay for project costs already incurred and/or the additional projects that need to be completed in TID No. 5 to achieve the objectives of its Project Plan.
- In order to cover the increased expenses, in TID No. 5, and to meet its goals, it is likely that revenue sharing from TID 4 will be necessary. Therefore, the City expects that "but for" this revenue sharing, the planned development in TID No. 5 will not be fully realized.

FINDING # 2: ECONOMIC BENEFIT

- As demonstrated in the Economic Feasibility Section of the Project Plan Amendment, the tax increments projected to be collected are more than sufficient to pay for the remaining proposed project costs. On this basis alone, the finding is supported.
- Approval of the ability to share increment with TID No. 5 is necessary to enable that District to fully realize the economic benefits projected in its Project Plan. Since TID No. 4 is generating sufficient increment to pay for its project costs, and has surplus increment available to pay for some of the project costs of TID No. 5, the economic benefits that have already been generated are more than sufficient to compensate for the cost of improvements in TID No. 4 and TID No. 5.

FINDING # 3: DO THE BENEFITS OF THE PROPOSAL OUTWEIGH THE TAX INCREMENTS TO BE PAID?

- Given that it is likely that TID No. 5 will not achieve all of the objectives of its Project Plan without the ability to share in the surplus increments of TID No. 4 (see finding # 1), and since TID No. 4 is expected to generate additional economic benefits that are more than sufficient to compensate for the additional cost of the improvements (see Finding #2), the City reasonably concludes that the overall additional benefits outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions. It is further concluded that since the "but for" test is satisfied, there would, in fact, be no foregone tax increments to be paid in the event the Project Plan is not amended.

PROPOSED PROJECT PLAN AMENDMENT TO TAX INCREMENTAL DISTRICT NO. 5:

FINDING # 1: WOULD DEVELOPMENT OCCUR WITHOUT TAX INCREMENTAL FINANCING?

- The additional expenditures contemplated by the Project Plan Amendment are necessary to fully achieve the original goals of TID No. 5's Project Plan, including creation of new tax base and other economic benefits. The City expects that without the amendment, the full development as projected will be less likely to occur.
- The property acquisition for development, within ½ mile of TID No. 5, was unanticipated at the time of its creation, but has now been determined to be important to TID No. 5's goal of promoting industrial development in River Falls.

FINDING # 2: ECONOMIC BENEFIT

- As demonstrated in the Economic Feasibility Section of the Project Plan Amendment, the tax increments projected to be collected are more than sufficient to pay for the remaining proposed project costs. On this basis alone, the finding is supported.

FINDING # 3: DO THE BENEFITS OF THE PROPOSAL OUTWEIGH THE TAX INCREMENTS TO BE PAID?

- Given that it is not likely that TID No. 5 will achieve all of the objectives of its Project Plan without the continued use of tax incremental financing (see finding # 1), and since TID No. 5 is expected to generate additional economic benefits that are more than sufficient to compensate for the additional cost of the improvements (see Finding #2), the City reasonably concludes that the overall additional benefits of TID No. 5 outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions. It is further concluded that since the "but for" test is satisfied, there would, in fact, be no foregone tax increments to be paid in the event the Project Plan is not amended.

Joint Review Board, District No. 4
City of River Falls, Wisconsin
December 10, 2010
Page 4 of 4

CONCLUSION

Based on the information contained in the Project Plan Amendments, the findings of the Plan Commission and the Common Council as provided for in their respective resolutions, the City therefore respectfully requests favorable consideration of its Resolutions by the JRB.

Sincerely,

EHLERS & ASSOCIATES, INC.



Sean Lentz
Financial Advisor

cc: Paul Barkla, County Board Chair (mspooz@webtv.net)
Tom Westerhaus, School District Administrator (tom.westerhaus@rfsd.k12.wi.us)
Bruce Barker, Technical College President (bbarker@cvtc.edu)
William G. Thiel, Weld, Riley, Prenn & Ricci, S.C. (wthiel@wrpr.com)
Julie Bergstrom, Finance Director- Treasurer (jbergstrom@rfcity.org)
Lu Ann Hecht, City Clerk/Lake George Inland Lake Protection and Rehabilitation District
(lhecht@rfcity.org)

AGENDA

JOINT REVIEW BOARD

TAX INCREMENTAL DISTRICT NO. 4 PROJECT PLAN AMENDMENT IN ORDER TO SHARE REVENUE WITH TAX INCREMENTAL DISTRICT NO. 5

AND

TAX INCREMENTAL DISTRICT NO. 5 PROJECT PLAN AMENDMENT

WITHIN THE CITY OF RIVER FALLS, WISCONSIN

December 15, 2010 at 4:00 p.m.

River Falls City Hall

222 Lewis Street

1. Call to order
2. Roll call
3. Review and consideration of minutes from organizational meeting
4. Review the public records, planning documents, Plan Commission resolutions approving the Project Plan Amendments, and resolutions passed by the Common Council approving the Project Plan Amendments
5. Consideration of resolution approving the Project Plan Amendment for Tax Incremental District No. 4
6. Consideration of resolution approving the Project Plan Amendment for Tax Incremental District No. 5
7. Consideration to disband
8. Adjournment

**JOINT REVIEW BOARD
RESOLUTION APPROVING THE
PROJECT PLAN AMENDMENT FOR
TAX INCREMENTAL DISTRICT NO. 4,
CITY OF RIVER FALLS, WISCONSIN**

WHEREAS, the City of River Falls (the "City") seeks to amend the Project Plan for Tax Incremental District No. 4 (the "District"); and

WHEREAS, Wisconsin Statutes, Section 66.1105 requires that a Joint Review Board (the "JRB") shall convene to review the proposal; and

WHEREAS, the JRB consists of one representative chosen by the School District; one representative chosen by the Wisconsin Technical College District System; and one representative chosen by the County, all of whom have the power to levy taxes on property within the District; and one representative chosen by the City and one public member; and

WHEREAS, the public member and JRB's chairperson were selected by a majority vote of the other JRB members before the public hearing under Section 66.1105 (4)(a) and (e), Wisconsin Statutes, was held; and

WHEREAS, all JRB members were appointed and the first JRB meeting held within 14 days after the notice was published under Section 66.1105 (4)(a) and (e), Wisconsin Statutes; and

WHEREAS, the JRB has reviewed the public record, planning documents, the resolution adopted by the Plan Commission approving the District amendment and adopting the Project Plan Amendment, and the resolution passed by the Common Council approving the amendment of the District under Section 66.1105 (4)(gm), Wisconsin Statutes; and

WHEREAS, project costs benefitting the District are to be made outside of, but within a one-half mile radius of the District, pursuant to Wisconsin Statutes Section 66.1105(2)(f)1.n, as identified in the Project Plan Amendment; and

WHEREAS, the JRB has considered whether, and concluded that, the District continues to meet the following criteria:

1. The development expected in the District would not occur without the use of tax increment financing and the amendment of a tax incremental district.
2. The economic benefits of the District, as measured by increased employment, business and personal income and property value, are sufficient to compensate for the cost of the improvements.
3. The benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing districts.

NOW BE IT RESOLVED that the Joint Review Board approves the Project Plan Amendment of this District.

Passed and adopted this 15th day of December, 2010

Joint Review Board

Representing

St. Croix County

School District of River Falls

Chippewa Valley Technical College District

City of River Falls

Public Member

**JOINT REVIEW BOARD
RESOLUTION APPROVING THE
PROJECT PLAN AMENDMENT FOR
TAX INCREMENTAL DISTRICT NO. 5,
CITY OF RIVER FALLS, WISCONSIN**

WHEREAS, the City of River Falls (the "City") seeks to amend the Project Plan for Tax Incremental District No. 5 (the "District"); and

WHEREAS, Wisconsin Statutes, Section 66.1105 requires that a Joint Review Board (the "JRB") shall convene to review the proposal; and

WHEREAS, the JRB consists of one representative chosen by the School District; one representative chosen by the Wisconsin Technical College District System; and one representative chosen by the County, all of whom have the power to levy taxes on property within the District; and one representative chosen by the City and one public member; and

WHEREAS, the public member and JRB's chairperson were selected by a majority vote of the other JRB members before the public hearing under Section 66.1105 (4)(a) and (e), Wisconsin Statutes, was held; and

WHEREAS, all JRB members were appointed and the first JRB meeting held within 14 days after the notice was published under Section 66.1105 (4)(a) and (e), Wisconsin Statutes; and

WHEREAS, the JRB has reviewed the public record, planning documents, the resolution adopted by the Plan Commission approving the District amendment and adopting the Project Plan Amendment, and the resolution passed by the Common Council approving the amendment of the District under Section 66.1105 (4)(gm), Wisconsin Statutes; and

WHEREAS, the JRB has considered whether, and concluded that, the District continues to meet the following criteria:

1. The development expected in the District would not occur without the use of tax increment financing and the amendment of a tax incremental district.
2. The economic benefits of the District, as measured by increased employment, business and personal income and property value, are sufficient to compensate for the cost of the improvements.
3. The benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing districts.

NOW BE IT RESOLVED that the Joint Review Board approves the Project Plan Amendment of this District.

Passed and adopted this 15th day of December, 2010

Joint Review Board

Representing

St. Croix County

School District of River Falls

Chippewa Valley Technical College District

City of River Falls

Public Member

**NOTICE OF JOINT REVIEW BOARD MEETING
REGARDING THE PROPOSED AMENDMENT OF
TAX INCREMENTAL DISTRICT NO. 4 AND THE
PROPOSED AMENDMENT OF TAX INCREMENTAL DISTRICT NO. 5
IN THE CITY OF RIVER FALLS, WISCONSIN**

NOTICE IS HEREBY GIVEN that the City of River Falls will hold a Joint Review Board meeting on December 15, 2010, at 4:00 p.m., at the River Falls City Hall, located at 222 Lewis Street. The purpose of this meeting is for the Joint Review Board to consider approval of the resolution adopted by the River Falls Common Council amending Tax Increment District No. 4 to allow it to share increment with Tax Incremental District No. 5; and to consider approval of the resolution adopted by the River Falls Common Council amending Tax Increment District No. 5 (the "District") to modify the types and amounts of allowable project costs and allow for the District to incur project costs outside of, but within ½ mile of, the boundaries of the District.

By Order of the City of River Falls, Wisconsin

Lu Ann Hecht, City Clerk

Published December 9, 2010

City of River Falls
Joint Review Board
Tax Incremental District No. 4 and 5
November 2, 2010

Lu Ann Hecht, City Clerk, called the meeting to order at 6:03 p.m. in the Foster Conference Room of City Hall, 222 Lewis Street.

Members present: John Kleven, Chippewa Valley Technical College Representative; Don Richards, City of River Falls Representative; Manny Kenney, River Falls School District Representative; Daryl Standafer, Chair, St. Croix County Board of Supervisors.

Others present: Scot Simpson, City Administrator; Julie Bergstrom, Finance Director/Treasurer; Sean Lentz, Financial Advisor, Ehlers & Associates, Inc.

Motion by Kenney, second by Kleven, to appoint Don Richards as Chairperson. Upon voice vote; Unanimous.

Motion by Kleven, second by Kenney to nominate Paul Schwebach as the Public Member. With no other nominations, Chairperson Richards called for a vote. Upon voice vote; Unanimous, to appoint Paul Schwebach as Public Member.

Lentz gave an overview of the changes to TID 4 and 5. He explained that TID 4 and 5 are interrelated and the benefits to the city. The proposals will allow for the District to incur project costs outside of, but within ½ mile of, the boundaries of the District as permitted under Wisconsin Statutes. The proposed amendments will modify the categories, locations or cost of the Projects to be undertaken and add additional projects, providing incentive and opportunities for additional private development and redevelopment.

Lentz stated the Public Hearing will be held at 6:30, directly following this meeting.

When the next meeting date is determined, Lentz will contact all members.

Chairperson Richards adjourned the meeting at 6:27 p.m.

Respectfully submitted,


Lu Ann Hecht
City Clerk

**PLAN COMMISSION FOR THE
CITY OF RIVER FALLS, WISCONSIN**

**RESOLUTION No. PC101575
APPROVING A PROJECT PLAN AMENDMENT FOR TAX
INCREMENTAL DISTRICT NO. 4, CITY OF RIVER FALLS,
WISCONSIN**

WHEREAS, the City of River Falls (the "City") has determined that the use of Tax Increment Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 4 (the "District") was created by the City on July 12, 1998, as an industrial district; and

WHEREAS, such amendment will allow for the District to share, for a period of five years, surplus increments with Tax Incremental District No. 5 under the provisions of Section 66.1105 (6)(e) of the Wisconsin Statutes; and

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

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

WHEREAS, prior to its publication, a copy of the notice of said hearing was sent to the chief executive officers of: St. Croix County; the School District of River Falls; the Chippewa Valley Technical College District; and the other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on November 2, 2010, held a public hearing concerning the proposed Project Plan Amendment providing interested parties a reasonable opportunity to express their views thereon.

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission of the City of River Falls that:

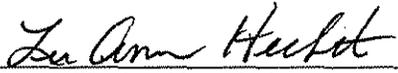
1. The boundaries of the District remain unchanged, as specified in the Project Plan Amendment.
2. It approves the Project Plan Amendment for the District, attached as Exhibit A, and recommends its approval to the Common Council.
3. The Project Plan Amendment for the District promotes orderly development in the City.
4. That the City Clerk is hereby directed to provide the City Mayor and Common Council with certified copies of this resolution, upon its adoption by the Plan Commission.

Adopted this 2nd day of November, 2010.



Don Richards, Mayor

Attest:



Lu Ann Hecht, City Clerk

**PLAN COMMISSION FOR THE
CITY OF RIVER FALLS, WISCONSIN**

**RESOLUTION No. PC101576
APPROVING A PROJECT PLAN AMENDMENT FOR TAX
INCREMENTAL DISTRICT NO. 5, CITY OF RIVER FALLS,
WISCONSIN**

WHEREAS, the City of River Falls (the "City") has determined that the use of Tax Increment Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 5 (the "District") was created by the City on August 31, 1994, as an industrial district; and

WHEREAS, such amendment will modify the categories, locations and/or costs of the Projects to be undertaken, providing incentive and opportunities for additional private development and redevelopment; and

WHEREAS, such amendment will also allow for the District to incur project costs outside of, but within ½ mile of, the boundaries of the District as permitted under Wisconsin Statutes s.66.1105 (2)(f)1.n; and

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

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

WHEREAS, prior to its publication, a copy of the notice of said hearing was sent to the chief executive officers of: St. Croix County; the School District of River Falls; the Chippewa Valley Technical College District; and the other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on November 2, 2010, held a public hearing concerning the proposed Project Plan Amendment providing interested parties a reasonable opportunity to express their views thereon.

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission of the City of River Falls that:

1. The boundaries of the District remain unchanged, as specified in the Project Plan Amendment.
2. It approves the Project Plan Amendment for the District, attached as Exhibit A, and recommends its approval to the Common Council.
3. The Project Plan Amendment for the District promotes orderly development in the City.
4. That the City Clerk is hereby directed to provide the City Mayor and Common Council with certified copies of this resolution, upon its adoption by the Plan Commission.

Adopted this 2nd day of November, 2010.



Don Richards, Mayor

Attest:



Lu Ann Hecht, City Clerk

**COMMON COUNCIL FOR THE
CITY OF RIVER FALLS, WISCONSIN**

RESOLUTION NO. 5426

**RESOLUTION APPROVING A PROJECT PLAN AMENDMENT FOR
TAX INCREMENTAL DISTRICT NO. 4, CITY OF RIVER FALLS,
WISCONSIN**

WHEREAS, the City of River Falls (the "City") has determined that the use of Tax Increment Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 4 (the "District") was created by the City on July 12, 1998, as an industrial district; and

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

WHEREAS, such amendment will allow for the District to share, for a period of five years, surplus increments with Tax Incremental District No. 5 under the provisions of Section 66.1105 (6)(e) of the Wisconsin Statutes; and

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

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

WHEREAS, prior to its publication, a copy of the notice of said hearing was sent to the chief executive officers of: St. Croix County; the School District of River Falls; the Chippewa Valley Technical College District; and the other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on November 2, 2010, held a public hearing concerning the proposed Project Plan Amendment providing interested parties a reasonable opportunity to express their views thereon; and

WHEREAS, after said public hearing, the Plan Commission adopted, and subsequently recommend approval to the Common Council a Project Plan Amendment for the District.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of River Falls as follows:

1. The boundaries of the District remain unchanged, as specified in the Project Plan Amendment.
2. That this Project Plan Amendment shall become effective as of the date of adoption of this resolution provided that it is further approved by the Joint Review Board.
3. The Common Council hereby finds and declares that:
 - a. Not less than 50%, by area, of the real property within the District is suitable for industrial sites and zoned for industrial use within the meaning of Section 66.1101 of the Wisconsin Statutes.
 - b. Based upon the findings, as stated in a. above, and the original findings as stated in the Creation Resolution, the District remains declared as an industrial district based on the identification and classification of the property included within the District.
 - c. There are no additional improvements as a result of this amendment.
 - d. The amount of retail businesses will not change as a result of this amendment.
 - e. The project costs will not change as a result of this amendment.
 - f. Any real property within the District that is found suitable for industrial sites and is zoned for industrial use will remain zoned for industrial use for the life of the District.

4. The Project Plan Amendment for the District (attached as Exhibit A) is approved, and the City further finds that this plan is feasible and in conformity with the master plan of the City.

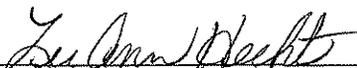
BE IT FURTHER RESOLVED THAT the City Clerk is hereby authorized and directed to notify the Wisconsin Department of Revenue, within 60 days of adoption of the amendment that this Project Plan Amendment has taken place, pursuant to the provisions of Section 66.1105 (5)(cm) of the Wisconsin Statutes.

Adopted this 23rd day of November, 2010



Don Richards, Mayor

Attest:



Lu Ann Hecht, City Clerk

**COMMON COUNCIL FOR THE
CITY OF RIVER FALLS, WISCONSIN**

RESOLUTION NO. 5427

**RESOLUTION APPROVING A PROJECT PLAN AMENDMENT FOR
TAX INCREMENTAL DISTRICT NO. 5, CITY OF RIVER FALLS,
WISCONSIN**

WHEREAS, the City of River Falls (the "City") has determined that the use of Tax Increment Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 5 (the "District") was created by the City on August 31, 1994, as an industrial district; and

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

WHEREAS, such amendment will modify the categories, locations or costs of the Projects to be undertaken, providing incentive and opportunities for additional private development and redevelopment; and

WHEREAS, such amendment will also allow for the District to incur project costs outside of, but within ½ mile of, the boundaries of the District as permitted under Wisconsin Statutes s.66.1105 (2)(f)1.n; and

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

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

- k. An opinion of the City Attorney or of an attorney retained by the City advising that the plan is complete and complies with Section 66.1105 (4)(f). of the Wisconsin Statutes.

WHEREAS, prior to its publication, a copy of the notice of said hearing was sent to the chief executive officers of: St. Croix County; the School District of River Falls; the Chippewa Valley Technical College District; and the other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on November 2, 2010, held a public hearing concerning the proposed Project Plan Amendment providing interested parties a reasonable opportunity to express their views thereon; and

WHEREAS, after said public hearing, the Plan Commission adopted, and subsequently recommend approval to the Common Council a Project Plan Amendment for the District.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of River Falls as follows:

1. The boundaries of the District remain unchanged, as specified in the Project Plan Amendment.
2. That this Project Plan Amendment shall become effective as of the date of adoption of this resolution provided that it is further approved by the Joint Review Board.
3. The Common Council hereby finds and declares that:
 - a. Not less than 50%, by area, of the real property within the District is suitable for industrial sites and zoned for industrial use within the meaning of Section 66.1101 of the Wisconsin Statutes.
 - b. Based upon the findings, as stated in a. above, and the original findings as stated in the Creation Resolution, the District remains declared as an industrial district based on the identification and classification of the property included within the District.
 - c. The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District.
 - d. The City estimates that approximately none of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Section 66.1105 (5)(b) of the Wisconsin Statutes.

- e. The project costs of the District relate directly to promoting industrial development in the District consistent with the purpose for which the District was created.
 - f. Any real property within the District that is found suitable for industrial sites and is zoned for industrial use will remain zoned for industrial use for the life of the District.
4. The Project Plan Amendment for the District (attached as Exhibit A) is approved, and the City further finds that this plan is feasible and in conformity with the master plan of the City.

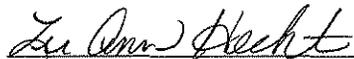
BE IT FURTHER RESOLVED THAT the City Clerk is hereby authorized and directed to notify the Wisconsin Department of Revenue, within 60 days of adoption of the amendment that this Project Plan Amendment has taken place, pursuant to the provisions of Section 66.1105 (5)(cm) of the Wisconsin Statutes.

Adopted this 23rd day of November, 2010



Don Richards, Mayor

Attest:



Lu Ann Hecht, City Clerk

**JOINT REVIEW BOARD
RESOLUTION APPROVING THE
PROJECT PLAN AMENDMENT FOR
TAX INCREMENTAL DISTRICT NO. 5,
CITY OF RIVER FALLS, WISCONSIN**

WHEREAS, the City of River Falls (the "City") seeks to amend the Project Plan for Tax Incremental District No. 5 (the "District"); and

WHEREAS, Wisconsin Statutes, Section 66.1105 requires that a Joint Review Board (the "JRB") shall convene to review the proposal; and

WHEREAS, the JRB consists of one representative chosen by the School District; one representative chosen by the Wisconsin Technical College District System; and one representative chosen by the County, all of whom have the power to levy taxes on property within the District; and one representative chosen by the City and one public member; and

WHEREAS, the public member and JRB's chairperson were selected by a majority vote of the other JRB members before the public hearing under Section 66.1105 (4)(a) and (e), Wisconsin Statutes, was held; and

WHEREAS, all JRB members were appointed and the first JRB meeting held within 14 days after the notice was published under Section 66.1105 (4)(a) and (e), Wisconsin Statutes; and

WHEREAS, the JRB has reviewed the public record, planning documents, the resolution adopted by the Plan Commission approving the District amendment and adopting the Project Plan Amendment, and the resolution passed by the Common Council approving the amendment of the District under Section 66.1105 (4)(gm), Wisconsin Statutes; and

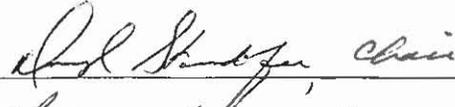
WHEREAS, the JRB has considered whether, and concluded that, the District continues to meet the following criteria:

1. The development expected in the District would not occur without the use of tax increment financing and the amendment of a tax incremental district.
2. The economic benefits of the District, as measured by increased employment, business and personal income and property value, are sufficient to compensate for the cost of the improvements.
3. The benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing districts.

NOW BE IT RESOLVED that the Joint Review Board approves the Project Plan Amendment of this District.

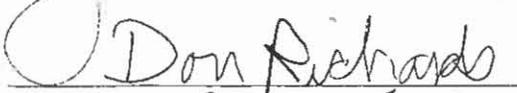
Passed and adopted this 15th day of December, 2010

Joint Review Board











Representing

St. Croix County

School District of River Falls

Chippewa Valley Technical College District

City of River Falls

Public Member

City of River Falls
Joint Review Board
Tax Incremental District No. 4 and 5
December 15, 2010

Mayor Don Richards called the meeting to order at 4:01 p.m. in the Foster Conference Room of City Hall, 222 Lewis Street.

Members present: John Kleven, Chippewa Valley Technical College Representative; Manny Kenney, River Falls School District Representative; Daryl Standafer, Chair, St. Croix County Board of Supervisors; Paul Schwebach, Public Member.

Others present: Julie Bergstrom, Finance Director/Treasurer; Sean Lentz, Financial Advisor, Ehlers & Associates, Inc.

Motion by Standafer, second by Schwebach to approve the November 2, 2010, minutes. Unanimous.

Lentz stated that both the Plan Commission and City Council approved the Project Plan Amendments.

Motion by Kenney, second by Schwebach to approve the Project Plan Amendment for Tax Incremental District No. 4. Unanimous.

Motion by Schwebach, second by Standafer to approve the Project Plan Amendment for Tax Incremental District No. 5. Unanimous.

Motion by Kleven, second by Kenney to disband Joint Review Board and adjourn. Unanimous. 4:08 p.m.

The Project Plan Amendments were signed by Board Members.

Respectfully submitted,



Lu Ann Hecht
City Clerk



January 20, 2010

Wisconsin Department of Revenue
Tax Incremental Financing Unit
Attn: Equalization Bureau
2135 S. Rim Rock Road
PO Box 8971, Mail Stop 6-97
Madison, WI 53708

**RE: City of River Falls, Wisconsin
Tax Incremental District No. 5 Project Plan Amendment**

On behalf of the City of River Falls, enclosed are the following documents necessary to complete the Project Plan Amendment review for Tax Incremental District No. 5 (the "District"):

- Legal Requirements Amendment Form (PE-605A);
- Copy of letter to other taxing entities notifying of the organizational meeting & public hearing;
- Affidavit of publication for public hearing notice;
- Minutes from Joint Review Board (the "JRB") Organizational Meeting;
- Plan Commission Resolution and meeting minutes;
- Common Council Resolution and meeting minutes;
- Copy of letter to JRB members notifying of the final meeting & providing the required documents;
- Affidavit of publication for JRB meeting
- JRB Resolution & meeting minutes;
- Final Project Plan Amendment document.

If you have any questions regarding the District, please contact Ehlers directly.

Sincerely,

EHLERS

Sean Lentz
Financial Advisor

Susan Landrum
TIF Coordinator

cc: City of River Falls

PROJECT PLAN AMENDMENT (s. 66.1105 or s. 60.85)
ALLOCATION AMENDMENT (s. 66.1105)
LEGAL REQUIREMENTS

County	St. Croix County
Municipality Name	City of River Falls
CoMun Code http://www.revenue.wi.gov/pubs/slf/municode.pdf	55 276
TID Number	5

Check one:
<input checked="" type="checkbox"/> Regular (s.66.1105)
<input type="checkbox"/> Town (s.60.85)
RETURN TO:
Wisconsin Department of Revenue Tax Incremental Finance PO Box 8971, MS 6-97 Madison, WI 53708-8971

This form is used to report the dates of the required legal steps for amending (no territory change) a tax incremental district's project plan. It should be submitted with copies of the various documents, including a copy of the amended plan.

NOTE: The clerk is required to give the department written notice of the adoption of a project plan amendment **within 60 days after its adoption**. See the project plan amendment checklist [PE-109](#) for other items that may have to be submitted to the department.

INDICATE THE DATE EACH ACTIVITY WAS COMPLETED	DATE
Hearing notice sent by first class mail to chief executive officer of all local government entities having power to levy taxes on a Tax Incremental District (TID) property and to the school districts involved. Include copies.	10/13/10
Joint Review Board Notice – Published as a class 1 notice. Include proof of publication (affidavit from the publishing newspaper verifying date).	10/14/10
Copy of Notice to Property Owners in the TID – Notice should be sent out at least 15 days prior to the public hearing. Provide a copy of the notice with a list of whom it was sent to. TID created under 66.1105 – Need only be sent if the TID is created as Blighted or in need of Rehabilitation/Conservation work. TID created under 60.85 (Town) – Copy of notice shall be sent to all property owners in the TID.	
Hearing notice published as a class 2 notice under Wis.Stats. Chapter 985. The notice must contain a statement of purpose and cost of the amendment. Include a proof of publication from the newspaper.	Date of 1st insertion 10/14/10 Date of 2nd insertion 10/21/10
Public hearing held by planning commission.	11/02/10
Project plan amendment approved by planning commission resolution.	11/02/10
Project plan amendment approved by a local legislative body resolution. It must contain findings that the amended plan is feasible, complies with the value limitation test, and in conformity with the master plan.	11/23/10
Joint Review Board Notice – Published as a class 1 notice. Include proof of publication (affidavit from the publishing newspaper verifying date).	12/09/10
Project plan amendment approved by the Joint Review Board. <ul style="list-style-type: none"> • For 66.1105 TID's, within 30 days of receiving the local legislative body resolution. • For towns, not less than 10 days nor more than 30 days after receiving the resolution. 	12/15/10

INDIVIDUAL TO CONTACT FOR INFORMATION	
Name	Phone
Ehlers - Financial Consultants	651-697-8531
Address	E-mail:
3060 Centre Pointe Drive, Roseville, MN 55113	slandrum@ehlers-inc.com



STATE OF WISCONSIN
DIVISION OF STATE AND LOCAL FINANCE

DEPARTMENT OF REVENUE

2135 RIMROCK ROAD
PO BOX 8971, MS 6-97
Madison, WI 53708-8971
Phone (608) 266-2149
Fax (608) 264-6897

47-276

September 1, 2010

DESIGNATED FINANCIAL OFFICER
CITY OF RIVER FALLS
222 LEWIS ST
RIVER FALLS, WI 54022

RE : TAX INCREMENTAL DISTRICT NUMBER 005
CITY OF RIVER FALLS

As provided in s.66.1105(5)(g) of the Wisconsin Statutes, "... the department of revenue shall annually give notice to the designated finance officer of all governmental entities having the power to levy taxes on property within each district as to the equalized value of such property and the equalized value of the tax increment base."

Pursuant to this authority, allocation of the following values is authorized:

\$23,774,200 This figure represents the **current equalized value** of all taxable property
January 1, 2010 in the above mentioned Tax Incremental District as of the indicated date.

\$467,400 This figure represents the **tax incremental base value** as of the indicated
January 1, 1994 date.

\$23,306,800 This figure represents the **Tax Incremental District equalized value increase**
between the tax incremental base value and the current equalized value of all
taxable property in the Tax Incremental District.

Please be advised that the taxes generated by the value increase will be paid to the above municipality for deposit into its tax incremental fund as provided in s.66.1105(6)(b).

Wisconsin Department of Revenue
Bureau of Property Tax
Equalization Section

DEVELOPMENT AGREEMENT

Please place a copy of the executed development agreement(s) here.

Please also send a copy of the executed development agreement(s) to:
Ehlers: 3060 Centre Pointe Drive, Roseville, MN 55113

TID DATES AND REQUIREMENTS

Whether you are new or an old hand at this, we would like to highlight some important dates, steps and suggestions to follow during the life of your TID's. The best source of TID information can be found on the Department of Revenue's (DOR) website at <http://www.revenue.wi.gov/slf/tif.html>. You can download forms and publications, browse the TIF Manual or see Reports for your municipality. Sign up to our e-mail list so you don't miss any updates, announcements or reminders. Any questions you may have can be directed to the TIF e-mail box at tif@revenue.wi.gov or by calling (608) 261-5335 or (608) 266-5708.

Annually there are a number of things that the municipality is required to do:

Due Dates	Form	Details
April 15 th – May 15th	PE-209 – Tax Increment Certification	For each of your TIDs It is located at: http://www.revenue.wi.gov/eserv/pe-209.html .
April 15 th – May 15th	Annual fee - My Tax Account	An annual fee of \$150 (per TID) must be paid electronically through "My Tax Account." An email notice will be sent to the municipality through "My Tax Account" with the amount due.
by May 1st	Annual accounting report to each of the overlying taxing jurisdictions (county, school districts, technical school districts and special districts).	This report also needs to be available at your office for the general public. You do not need to send a copy of this report to DOR. There is an example at http://www.revenue.wi.gov/forms/govtif/tidterm.html . This is also a good time to let the overlying taxing jurisdictions know if you plan on terminating a TID in the near future.
By the assessor for each TID by the second Monday in June even if only estimates are available, or the Board of Review has not been held.	MAR (Municipal Assessor's Report)	This report is vital in letting DOR know the value changes that have occurred annually in the TID. This form does not get sent to the TIF Staff in Madison but rather should go directly to your District Equalization Office at http://www.revenue.wi.gov/faqs/slf/sups.html .
By the clerk for each TID, each year after the Board of Review hearing.	PE-615A (TID Statement of Assessment)	This form does not get sent to the TIF Staff in Madison, rather it should go directly to your District Equalization Office. If in doubt as to where to send it, check the Municipal Clerks page at http://www.revenue.wi.gov/forms/govtif/tidsubyr.html .
October-December, due no later than the 3 rd Monday in December.	PC-202 (Tax Increment Worksheet)	This form is located at: http://www.revenue.wi.gov/eserv/pc-202.html . The form is used by local officials to calculate the amount they have to add to their tax levies in order to capture the tax increment revenue generated by any TIF District. Court's have ruled that a municipality with an active TID has no authority to defer or otherwise not levy the tax increment. Failure to include the tax increment amounts when calculating property taxes will reduce your municipal levy. The form is pre-populated with general information about the municipality. This form must be completed prior to calculating the mill rates for the tax roll. You can contact the Local Government Services Section at blfa@revenue.wi.gov for more information.

DOR MAINTENANCE & TERMINATION INFORMATION

Place a copy of DOR miscellaneous informative documents here.

The Tax Incremental Finance Manual (TIF) has been recently updated with Frequently Asked Questions. Please visit <http://www.revenue.wi.gov/pubs/slf/tif/cvmanual.html> to check out the various categories.

2.3 TIF Maintenance

After a TID is created, municipal officials are responsible to maintain the TID. They must keep the TID in good standing with both the state and the other local governments that partnered to create the TID. The Department of Revenue must annually receive the Tax Increment Certification, the Statement of Assessment and the Assessor's Final Report. Without these forms the DOR cannot determine current value, or certify a tax increment for the TID. The Tax Increment Certification also provides notice to DOR of amendments, allocations and audits that have been completed. Another annual responsibility is the TID Annual Report. Each TID must be reported separately to the overlying taxing jurisdictions. Finally, there are three periodic audits required for every TID. These audits must be completed in a timely manner, or future TIDs may be denied. All of these responsibilities are described in detail below.

Please note: It is *very* important that these forms are sent to the correct place. The Tax Increment Certification is sent to the DOR Central Office (PO Box 8971); the Statement of Assessment and the Assessor's Final Report are sent to the DOR District Office.

Annual Filing with DOR

The [Assessor's Final Report](#) identifies the current assessed value for each class of property within the TID. The assessor must file one form for each TID in the municipality. The form provides detailed instructions on how to complete the required information. This form is available from DOR on the web, but the Work Sheet Supplement that goes with it is available only in paper form from the Supervisor of Equalization. This form is due by the second Monday in June to the Supervisor of Equalization. Failure to submit this form will result in that year's value increment – and the associated tax increment – being lost. Even if final values are not available, this filing deadline *must be met*. If final data is not available the best estimate should be sent and marked "ESTIMATE".

The [Statement of Assessment](#) identifies the total current year value of all real and personal property in the TID. The Statement of Assessment is available from DOR on the web, but gets returned to the Supervisor of Equalization in the local DOR District Office. This form is due as soon as possible after the Board of Review has met.

The Tax Increment Certification Form (PE-209) is sent by the Department of Revenue to each municipal clerk that operates a TID. Based on the information submitted in this form, the department will know if they should certify an increment for the TID. The municipal clerk also reports on this form if any amendments have been adopted for the TID, or if any required audits have been conducted. The form's three sections are detailed below.

Section 1 – Certification of Continued TID Value Increment

The Department of Revenue will not certify a value increment for a TID unless requested to do so by the municipal clerk on the PE-209. In every year except the final year of the TID's life, the PE-209 will be returned with the bottom most box checked in Section 1.

This instructs the DOR to certify a value increment; the value increment generates a tax increment that funds the projects for the TID. In the final year of the TID's life, the clerk will check the upper-most box in Section 1, and then check the box to indicate the reason for the TID's termination. Either the TID has reached its maximum allowed life, or the TID has generated tax increments in excess of the total project costs. In either case the TID must be terminated by resolution. The clerk must check the box that indicates the appropriate reason for the termination, and return a copy of the termination resolution with the PE-209.

The text at the top of the box explains that the date of notification determines the effective date of the termination. If the DOR is notified before May 15 of any year, the effective date of termination is the date notification is received. If the notification is received after May 15, the effective date is the following January 1.

Section 2 – Project Plan Amendment Notice

The DOR also needs to know if any amendments of any kind have been adopted in the past year. If no amendment has been adopted, check the top box in Section 2. If an amendment has passed, write the date of adoption in the box and indicate what type of amendment has been passed. If an allocation amendment has caused the transfer of money from one district to another, indicate the amount of the transfer and the source/destination of the funds.

Section 3 – Certification of TID Annual Reports and CPA Audit

The top half of this section concerns the annual report for the TID. Each year when the municipal clerk fills out the Tax Increment Certification Form they have to acknowledge that they have (or have not) sent a copy of the TID Annual Report to each of the overlying taxing jurisdictions by May 1. If the current year is one in which an audit is required, you may send the annual report after the audit is completed. If the municipality is waiting until after a CPA audit is completed to send the report, please indicate this in the margin. Annual reports are only sent to the county, school, technical college and special districts. These reports should also be made available to interested members of the public. More information on the annual report is available below.

The bottom half of this section deals with the three CPA Audits required for each TID. The timing of the audits is triggered by the expenditure of project costs. Each audit is due within 12 months of the following:

1. 30% of the project costs being spent,
2. the last project expenditure, and
3. the termination of the TID.

If an audit is required, based on the criteria listed here, you may submit it along with the Annual Report to the overlying taxing jurisdictions. Do *not* send a copy to the DOR. Beginning in 2004, failure to complete the required termination audit may result in DOR refusing to certify the base value of a new TID. This is the only audit that DOR gets a copy of, and it is submitted online. More information on these audits can be found below.

Annual Reports

The annual report is the duty of every municipality that has a TID. One report must be done for each TID; like the accounting, the TIDs must each be reported individually. The municipality is required by statute [s. 66.1105 (6m)(c)] to "prepare and make available to the public updated annual reports", and to send the report to each overlying taxing jurisdiction before May 1 annually. For this reason some people call this the "May 1 Report". Every school district, technical college district, county and special district that has taxing power over property in the TID must receive a copy of the report. If a school district and a separate union high school district both serve the area where the TID is located, they should each receive their own copy of the annual report.

Wis. stat. 66.1105(6)(c) states that the report should describe "the status of each existing [TID], including expenditures and revenues." No standard format is required for this report, but [Sample Annual Reports](#) are available on the DOR website. The samples provide some guidance as to the format and level of detail that should be included in the reports. The sample also includes the notes that should accompany the financial statements. If the data for this report is coming from a municipality's comprehensive annual report, the same level of detail laid out in the sample should be present with the notes in the Annual Report.

Please note: The "May 1 Report" should *NOT* be sent to the DOR. This report must only be sent to each of the overlying taxing jurisdictions that levies taxes on the property in the TID. Each district should receive its own report.

Periodic Audits

As mentioned above, these periodic CPA audits are required by law. They may be conducted as a part of the annual audit for the city, if such an annual audit is conducted already. In this case, the municipality should still extract the appropriate information from the municipal audit and compile the TIF audit information matching the format of the [Sample Audit Report](#) available on the DOR website. The costs associated with having these audits done is an eligible TIF project cost that can be paid for with tax increments from the TID, so planning for them as part of the original project plan is advisable.

The TIF statutes require these audits to "determine if all financial transactions are made in a legal and proper manner and to determine if the tax incremental district is complying with its project plan and with [TIF Law]." The sample audits available on the DOR website show an example of how to format the audits, and provide guidance as to what content the DOR wants in these audits. The same format should be used for all three audits, and the information contained therein should be current as of the year the audit is conducted.

Please note: Only the final audit should be sent to DOR! Copies of all audits and annual reports should be sent to the overlying taxing jurisdictions, but please do not send the first or second audit, or any annual reports, to DOR.

The three "trigger events" that make an audit necessary are specified above and detailed here.

- The first audit must be conducted in the year after which the first 30% of the project expenditures are made. If 30% or more of the project costs are scheduled to be spent in the first year, then this audit will have to be conducted after the first year. If projects are spread over several years, then the first audit will not be conducted until after the year in which 30% of the expenditures have been made. For example, in a TID that has \$1 million in total project costs, an audit must be conducted after the year in which spending hits \$300,000, regardless of how much is spent in that year alone, or how long the district has been in existence.
- The second audit is required once 100% of planned expenditures have been made. If more projects are added as part of an approved project plan amendment after this audit is complete, the audit must be repeated. This audit should address the revenues and expenditures from the year of creation through the year the audit is conducted. The TID account will likely be in debt at this point because the tax increment revenue collected should be less than the total project expenditures for the TID. If increment revenue is equal to or in excess of total project costs the TID must be terminated.
- The final audit is to be conducted at the end of the TID life. After the TID is terminated, for either of the two reasons described above, a close out audit must be conducted. This audit will look just like the previous two audits, but it will account for all the revenue and expenditure for the entire life of the district, including any excess increment that was collected and returned to the overlying taxing jurisdictions. This audit is submitted to DOR through an electronic form. More information about the process of terminating a TID is available in section 2.4

ANNUAL REPORTS

Place a copy of the reports here.

Reports are due May 1 of each year.

The "May 1 Report" or "TID Accounting Report" should *NOT* be sent to the DOR. It is required that a copy of the report be provided to the overlying taxing jurisdictions annually by May 1st.

This report must be sent to each of the overlying taxing jurisdictions that levies taxes on the property in the District. Every school district, technical college district, county and special district that has taxing power over property in the District must receive a copy of the report. If a school district and a separate union high school district both serve the area where the District is located, they should each receive their own copy of the annual report. Wis. stat. 66.1105(6)(c) states that the report should describe "the status of each existing [TID], including expenditures and revenues."

The DOR website provides sample accounting reports.

<http://www.dor.state.wi.us/forms/govtif/tidterm.html>

<http://www.dor.state.wi.us/pubs/slf/tif/2-3.pdf>

<http://www.revenue.wi.gov/forms/govtif/tidterm.html>

Reports are due the Third Monday in December of each year.

The Tax Increment Worksheet (PC-202) is used to calculate the tax increment that must be added to the apportioned levy from the various taxing jurisdictions. Failure to include the tax increment amounts when calculating property taxes will reduce municipal levy.

This DOR website details the specific requirements. Wisconsin municipalities must now complete the calculation of the tax increment & submit this online.

<http://www.revenue.wi.gov/eserv/pc-202.html>

TID SUBSEQUENT YEAR PACKETS

Place a copy of the reports here.

Clerk Forms are due between April 15 & May 15 of each year.

Please note that the 2009 Wisconsin Act 28 included a change to the tax incremental finance statutes. Sections 66.1105(6)(ae), 66.1106(7)(am) & 60.85(6)(am), Wis. Stats., which authorize the Department of Revenue to charge an annual administrative fee of \$150 to each municipality for each tax incremental district for which the department authorizes the allocation of a tax increment. The annual fee must be paid to the Department of Revenue no later than May 15. Failure to complete these forms may result in no tax increment for your TID(s).

The fee payment process is only available through My Tax Account (<http://www.revenue.wi.gov>)

A form packet will be distributed annually to the municipal clerk by the State.

The Certification of Continued TID Value Increment (PE-209) is due between April 15 & May 15.

The filing is only available online at <http://www.revenue.wi.gov/eserv/pe-209.html>.

The Statement of Assessment (PE-615A) is due as soon as possible after the Board of Review (BOR). This is the Clerks – TID SOA.

<http://www.revenue.wi.gov/forms/govtif/pe-615a.pdf>

This DOR website details the specific requirements, including forms.

<http://www.dor.state.wi.us/forms/govtif/tidsubyr.html>

Assessor Forms are due the Second Monday in June of each year.

A form packet will be distributed annually to the Assessor by the State.

The Assessor's Final Report (PA-100T) is required to be completed for each active TID and returned by the second Monday in June. If a timely report is not received, the Department will use the previous year's non-manufacturing certified equalized value. As a result, any additions or corrections will be lost for that year and no statutory adjustments will be made.

This is the Assessors – TID AFR

<http://www.revenue.wi.gov/forms/govtif/pa-100t.pdf>

This DOR website details the specific requirements, including forms.

AUDITS

Audit Reports are required at 3 times during the life of the Tax Increment District.

- no later than 12 months after 30 % of project expenditures
- no later than 12 months after the end of expenditure period
- no later than 12 months after termination of the district

The DOR website details the specific accounting requirements.

<http://www.dor.state.wi.us/forms/govtif/tidterm.html>

<http://www.dor.state.wi.us/pubs/slf/tif/2-3.pdf>

<http://www.revenue.wi.gov/forms/govtif/tidterm.html>

OTHER CORRESPONDENCE AND MISCELLANEOUS DOCUMENTS

Please be sure all of your pertinent information regarding the creation/amendment of this TID is filed safely away where it can be located when needed.

Note: All records should be kept until the TID has been terminated and the final accounting is completed. A complete set of the forms that were filed with DOR should be available in the municipality's office. With the possibility of four territory amendments, it is important to keep a copy of the original & final TID district/parcel # map in the file & all amendment final TID district/parcel # maps. This is helpful as personnel changes and new office staff settles in. Include a sheet of information listing the type of TID, date created, original project costs (\$), size of TID and any other information that would help if someone unfamiliar with the TID needed a quick reference.

DISTRICT TERMINATION DOCUMENTS

Place a copy of the documents here.

A Tax Incremental District (TID) terminates when the earlier of the following occurs:

- when the municipality has received aggregate tax increments in an amount equal to the aggregate of all project costs under the project plan and any amendments to the project plan (note: there are special exceptions for "donor" districts),
- the TID has reached its maximum life.
- the municipality chooses to dissolve the district early.

Sec. 66.1105(8)(c), Wis. Stats. requires that upon termination of this or any TID you have, a final accounting needs to be submitted to DOR's TIF office. Sec. 66.1105(8)(a), Wis. Stats. requires that within 60 days of a TID's termination, a PE-223 (Final Accounting for Terminated Tax Increment District Agreement) be submitted to DOR, along with a copy of the termination resolution. The PE-223 is the notification to DOR that a TID has been terminated and verifies when the final accounting audit is expected to be completed.

Upon the completion of the final audit, form PE-110 (Tax Incremental District Final Accounting Report) should be electronically filed with DOR. Immediately following the electronic submission of the PE-110, the Excel accounting spreadsheet should be e-mailed to the TIF office. Failure to send the final accounting at the agreed upon date will result in DOR not certifying the tax incremental base of any tax incremental district(s) of the municipality. Copies of the PE-223, PE-110 and the TID Final Accounting Report Excel spreadsheet are available at: <http://www.revenue.wi.gov/forms/govtif/tidterm.html>.

Remember: Failure to submit the required termination forms/information within the timeframe agreed to by the City will cause DOR to deny certification of any additional tax incremental base for additional District's within the municipality. Excess collected increments must be returned to the overlying taxing jurisdictions prior to completing the final accounting audit.

This DOR website details the specific accounting requirements including sample reports and provides the necessary forms for TID Termination.

<http://www.dor.state.wi.us/forms/govtif/tidterm.html>