136 North Monroe Street, Waterloo. Wisconsin 53594-1198
Phone (920) 478-3025
Fax (920) 478-2021

-- PUBLIC MEETING NOTICE --

CITY OF WATERLOO
COMMUNITY DEVELOPMENT AUTHORITY

Pursuant to Section 19.84 Wisconsin Statutes, notice is hereby given to the public and to the news media, that the a meeting will be held to consider the following:

DATE: **March 18, 2014** **TIME: 6:00 p.m.**

LOCATION: **Municipal Building, 136 N. Monroe Street (room location to be assigned)**

1. **Roll Call And Call To Order**

2. **Approval Of The Past Unapproved Meeting Minutes**

3. **Citizen Input**
   a. **Petition Submittals From Paul Mattson & Sharon Burbach**

4. **Reports** - ***Informational***
   a. **Budget Report**
   b. **Introduction To Tax Incremental Finance Concepts**

5. **Unfinished Business**
   a. **Project Prioritization**
      i. **Worksheet Scoring Results**
      ii. **Review Of Community Development Authority Powers & Duties**
      iii. **2014-2015 Project Prioritization**

6. **New Business**
   a. **Petition Submittals From Paul Mattson & Sharon Burbach** [NOTE: Members may wish to take up this item prior to item 5a above]
   b. **Mobile Apps Documentation**
   c. **An Annual Community Development Authority Organizational Calendar**
   d. **Identifying & Assembling The Community Development Authority Toolkit**

7. **Future Agenda Items And Announcements**

8. **Adjourn**

Mo Hansen
Clerk/Treasurer

CDA MEMBERS -- Please call 920-478-3025 if you are unable to attend.

Community Development Authority Members: Sellnow, Stinnett, Ziaja, Freund, Strasser, Thurnbauer and Norton
Posted, Mailed and E-mailed: March 15, 2014

Please note: it is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above meeting(s) to gather information. No action will be taken by any governmental body other than that specifically noticed. Also, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request such services please contact the clerk's office at the above location.

Petition 1 of 2
Submitted by Paul Mattson
February 18, 2014

DATE: January 25, 2014

TO: Business owners, operators, property owners and concerned citizens of Waterloo

FROM: Sharon A. Burbach, adjacent property owner SAB
Tom Hotmar, adjacent property owner
Paul Mattson, interested potential businessman PM

SUBJECT: Support for a Request to the CDA – City Development Authority committee of Waterloo to revisit a proposed project for city property located at 120 West Madison St.

Purpose: **To obtain citizen support for a request to the CDA for a review and thorough analysis of the proposed use and priority for the 120 W Madison Street property.**

We the undersigned would like to request from the CDA, reconsideration and review of the priority and use of property located at 120 W. Madison Street. There are easier and more cost effective uses for the property than demolition for a public access walkway to a little used public parking lot. We believe this building is more valuable to the downtown business district if it is left intact.

We feel this city project proposal should be reviewed and readdressed for the following reasons:

1. The neighboring property owners have voiced opposition to this proposed city project from the beginning due to the age and potential damage to adjacent properties.
2. This is a commercial property in the middle of private residential properties.
3. Selling or renting the property would be a profit rather than an expense to the city.
4. The property has a strategic location for a small business and that every effort should be made to reconsider the use to better serve the W. Madison business district in a positive way.
5. Higher Project Priority exists for the development of Waterloo than to create a walkway from a public parking lot to a street with a majority of private residences and few commercial businesses.
6. A walkway serves no viable benefit at this time to businesses on West Madison Street.
7. This could add unknown costs to Waterloo's already strained budget for planned projects.
8. A project with potential deconstruction cost overruns, unknown potential legal costs and little benefit to the business district could prove disastrous.
9. Creating this walkway would be a permanent city maintenance burden due to manual labor necessary to maintain it, and ending in a debt necessary to be covered by the taxpayers.
10. This area may also prove to be a dangerous area to walk due to lighting and landscaping issues in the surrounding rear area of this property.

We would like to make every reasonable effort to move forward in a positive manner, and thus this request has been formulated. Since the CDA was assigned the job of researching and determining details of this project, we hope you can turn a willing ear to this request.

If you support city development and growth using proper review and analysis procedures with budgeted and tax dollars for expenditures to provide improvements in your business community, please sign below.

This effort is to request completion of a proper review and analysis to show that committees such as the CDA can provide intelligent decision making with facts, figures, and smart budgeting. Sensible use of your tax dollars for local growth and prosperity using proper tools and procedures should be the base of good political leadership.

Please support us by signing this review request.

NAME	ADDRESS	PHONE
John R. Spies	184 S. Washington St	920-478-3365
[illegible]	124 N Monroe ST	Waterloo WI
Robert W. Naretto	1744 Taylor St.	Waterloo WI
[illegible]	2411 Gill Rd	
Jerry Neuberger	314 Riverside Dr	Waterloo, WI
James E. Kuhn	232 Bishops Cr.	Waterloo WI.
[illegible]	218 Minnetonka way	Waterloo WI
Dave Braunschweig	720 Herron Ct.	Waterloo, WI
Brett Lanphier	910 Herron Dr	Waterloo WI

Petition 2 of 2
Submitted by Sharon Burbach
February 19, 2014

DATE: January 25, 2014

TO: Business owners, operators, property owners and concerned citizens of Waterloo

FROM: Sharon A. Burbach, adjacent property owner SAB
Tom Hotmar, adjacent property owner T.H.
Paul Mattson, interested potential businessman PM

SUBJECT: Support for a Request to the CDA – City Development Authority committee of Waterloo to revisit a proposed project for city property located at 120 West Madison St.

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Please support us by signing this review request.

NAME	ADDRESS	PHONE
Crystal Meske	125 W Madison St, Apt C	920-988-3164
Rachel McCarty	133 S. Washington St. Waterloo	(920) 253-6819
Kimberly Sampe	1095 Bluegrass Dr. Waterloo	(920) 478-2541
[illegible] Pratt	1071 Hwy T Marshall	608-655-4357
Bruce Braunschweig	437 Minnetonka Dr.	920 988-3346
Megan Nahlmeyer	747 Pierce St.	478-3447
Ron Schey	W10445 Hubbleton	478 3531
[illegible]	W10445 Hubbleton	920-253-5593
Laurie Bordry	204 Anna St Waterloo	920-253-7318
[illegible]	204 Anna St Waterloo	608-220-9036
Mary McGuire	505 Franklin St Waterloo	478-3194
Cathy Kuhl	145 N. Monroe St Waterloo	920-723-8493
[illegible]	450 Riverside Dr. Waterloo	478-3432
[illegible]	600 Mohawk Ct.	3053
Brian Stutz	W12124 Woodside Cir.	920-478-3605
Bob [illegible]	425 Minnetonka Way	920-478-4360
[illegible]	1031 Jamie St	920-478-4932
Nicole Schneider	174 Adams St	920-478-3464
Claire M Jones	224 Minnetonka	920-478-3335
Judy [illegible]	W12207 State Rd 89	920-988-1509
Betty Walters	W8642 Blue Quill	920-478-3314
Trish Veith	434 Jefferson St	920-478-2120
[illegible]	258 Oakfield 53564	414 870-4807
Marcia [illegible]	432 Indian Hills	920 478-2426
Bev Heberman	523 W Knowlton St	920 253-4095
Stacy Reese	312 Henry Ct	920-478-9588
Cynthia Novak	310 Riverside Dr	920 478 4026
Nicole Parlach	244 Crestview Dr	920-478-3997
Tracy Berger	711 West Ave A	920-366-2405
[illegible]	910 Huron	920 478 3152
Sally [illegible]	N9340 Pesche Rd	920-988-6757
Pat Trowbridge	318 Kennedy Dr	920 988 9170
Sue Zimmerman	27d Trowbridge	920-285-0848

NAME	ADDRESS	PHONE
C Kegler	335 Sun Prairie Rd. Wtloo	608 655-1533
B. Tupple	N5024 CTH M Juneau	920-319-1005
Dan Baumann	149 Hendricks St Waterloo	478-3381
Mandrogan	523 Kindlehoy St. Waterloo	920-253 9009
Carol Kausch	150 Hendrick St	920-988-3006
Maureen Eggert	W8170 Younker	920-478-3433
Deb Gay	N2600 N. Rock Rd Roosevelt WI	920-382-8059
Wanda A. Thomas	434 Jackson ST.	(920) 478-2321
Jamie Ploc	W3879 St. Hwy 89	920 253 9756
Ellie Zak	348 N Monroe St Wtl	920-478-3338
[illegible]	Zimbric Pharma	478-2685
Kathy Nahrgang	2100 MILWAUKEE	478-3310
Jaime Kline H+R	Block 108 E. Madison St	9478-4900
MARK HURLEY	130 E MADISON ST	478-4500

CITY OF WATERLOO

BALANCE SHEET
FEBRUARY 28, 2014

FUND 600 - COMMUNITY DEVELOP AUTHORITY

	ASSETS		
600-11100	TREASURER'S CASH	(217,753.12)	
600-13000	DUE FROM OTHER GOVERNMENTS	236,569.00	
600-13101	ACCOUNTS RECEIVABLE PRIOR YEAR	.00	
600-18101	CONSTRUCTION IN PROGRESS CDA	.00	
	TOTAL ASSETS		18,815.88
	LIABILITIES AND EQUITY		
	LIABILITIES		
600-21100	VOUCHERS PAYABLE	.00	
600-26100	DEFERRED REVENUE	.00	
	TOTAL LIABILITIES		.00
	FUND EQUITY		
600-34300	FUND BALANCE	24,932.77	
	REVENUE OVER EXPENDITURES - YTD	(6,116.89)	
	TOTAL FUND EQUITY		18,815.88
	TOTAL LIABILITIES AND EQUITY		18,815.88

CITY OF WATERLOO

DETAIL REVENUES WITH COMPARISON TO BUDGET
FOR THE 2 MONTHS ENDING FEBRUARY 28, 2014

FUND 600 - PUBLIC CHARGES FOR SERVICE

		PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
	INTERGOVERNMENTAL REVENUE					
600-46-4674-000	MBC BUILDING RENTAL	.00	.00	1,000.00	(1,000.00)	.00
	TOTAL INTERGOVERNMENTAL REVENUE	.00	.00	1,000.00	(1,000.00)	.00
	TOTAL FUND REVENUE	.00	.00	1,000.00	(1,000.00)	.00

CITY OF WATERLOO

DETAIL EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 2 MONTHS ENDING FEBRUARY 28, 2014

FUND 600 - MAUNESHA BUSINESS CENTER

		PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
	ATTORNEY					
600-51-5162-220	MAUNESHA BUSINESS TELEPHONE	27.83	27.83	343.00	315.17	8.11
600-51-5162-221	MAUNESHA BUSINESS ELECTRIC	179.81	179.81	2,788.00	2,608.19	6.45
600-51-5162-222	MAUNESHA BUSINESS HEAT	243.06	243.06	612.00	368.94	39.72
600-51-5162-223	MAUNESHA BUSINESS WATER/SEWER	42.41	42.41	443.00	400.59	9.57
600-51-5162-290	MAUNESHA BUSINESS CLEAN CONTRA	74.40	74.40	1,000.00	925.60	7.44
600-51-5162-341	MAUNESHA BUSINESS INTERNET	72.59	72.59	866.00	793.41	8.38
600-51-5162-350	MAUNESHA BUSINESS CLEANING SUP	229.65	229.65	.00	(229.65)	.00
	TOTAL ATTORNEY	869.75	869.75	6,052.00	5,182.25	14.37
	PLANNING AND CONSERVATION					
600-56-5630-220	PROJECT CDA PROGRAMS	5,247.14	5,247.14	30,000.00	24,752.86	17.49
	TOTAL PLANNING AND CONSERVATION	5,247.14	5,247.14	30,000.00	24,752.86	17.49
	TOTAL FUND EXPENDITURES	6,116.89	6,116.89	36,052.00	29,935.11	16.97
	NET REVENUES OVER EXPENDITURES	(6,116.89)	(6,116.89)	(35,052.00)	28,935.11	(17.45)

Next, the county apportionment rate on each municipality must be calculated. This is done by dividing the municipal apportioned tax by each municipality's TID OUT equalized value [for Alpha, (.79 * $1,500,000)/$370,000,000 = .0032, or 3.2 mills]. This mill rate is then multiplied by the TID IN equalized value of each municipality to get the total county taxes each municipality will collect (for Alpha, .0032 * $400,000,000 = 1,280,000). This value will include both the levy due to the county and the county's share of the tax increment that is due to Alpha. Alpha will collect the tax increment and retain that portion of the county levy in the TID #1 account.

NOTE: When a municipality has no TIDs, the TID OUT and TID IN values are the same for that municipality (as was the case for the other three municipalities), so the municipal apportioned levy is the same as the county taxes collected. If there are no TIDs in a county, the county mill rate is lower for everyone, meaning that every taxpayer in the county pays a higher rate when there are TIDs in order to generate the increment that must be paid to the municipality that operates the TID. This cost is shared by all taxpayers in the county because they will all share in the expanded tax base once the TID is closed.

A more complete version of this example calculation is available at the end of the publication titled "Tax Incremental Finance: An Intergovernmental/Private Partnership".

WISCONSIN LEGISLATIVE COUNCIL
INFORMATION MEMORANDUM

Wisconsin's Tax Incremental Financing Laws

Tax incremental financing (TIF) is a tool that municipalities often use to spur economic development. The TIF process allows municipalities to pay for public improvements within a designated portion of the municipality, called a ***tax incremental district*** (TID), using the future taxes collected on the district's increased property value to repay the cost of the improvements. The rationale behind TIF is that the municipality's public improvements will encourage development, accompanied by an increase in property value that would not have otherwise occurred.

Under current law, cities, villages, towns, and certain counties have authority to use TIF. TIF law for cities and villages may be found in s. 66.1105 of the Wisconsin Statutes. This section describes how a TID may be created, how long it may exist, and what requirements must be fulfilled for a municipality to reap the tax benefits of the TID. To ensure compliance, TIF law is administered by the Department of Revenue (DOR).

TIF BASICS

Wisconsin ***cities and villages*** have been able to use TIF since 1975.[1] In 2004, TIF law was expanded so that ***towns*** could also utilize TIF.[2] As of October 1, 2006, the county board of a ***county in which no cities or villages are located*** may also utilize city and village TIF procedures.[3] Because town TIF law is somewhat different, this Information Memorandum is limited to a discussion on city and village TIF law.

BASE VALUES

Before discussing how a TID is created, it is important to understand some of the key concepts behind TIF law. After a TID is created, DOR determines the equalized value of the taxable property within the district. This is referred to as the TID's ***base value***. The equalized value of certain city- and village-owned tax exempt property must also be included in the base value. Inclusion of this property prevents municipalities from purchasing property prior to creating a TID in order to lower the TID's base value and create more tax increments than would have been created if the property had been taxable at the time the TID was created.

VALUE INCREMENTS AND TAX INCREMENTS

If the property value increases beyond the base value, this increase is called a ***value increment***. DOR determines the value increment each year by subtracting the base value from the sum of all of the taxable property value in the TID. Tax collected on the value increment is called the ***tax increment***. The tax increment equals the value increment multiplied by the property tax levy of all jurisdictions levying taxes in the municipality. The county, municipality, school district, and technical college district, or any other tax district, do not receive the amount of revenues from their tax levy on the value increment. Instead, this money is collected and allocated to a special tax increment fund. This fund is used by the municipality to pay for public works and other improvements in the TID as a way to stimulate increases in property value.[4]

PAYMENT FOR PROJECT COSTS

Generally, a municipality may pay for project costs: (1) with tax increments; (2) with money from its general fund, that will be reimbursed when tax increments are generated; or (3) from the proceeds of notes or bonds specifically issued to finance TIF project costs. Typically, no expenditure may be made later than five years prior to the unextended termination date of the TID. [s. 66.1105 (6) (am) 1., Stats.]

CREATION OF A TID

There are numerous procedural requirements that must be satisfied before a TID may be created. These procedural requirements can be divided into three steps: (1) preparation; (2) notices and hearings; and (3) resolutions.[5]

STEP 1: PREPARATION

The first step in creating a TID is for the city or village's planning commission (hereinafter, "planning commission") to create a project plan. Section 66.1105 (4) (f), Stats., requires the following items to be included in the final plan:

- A statement of the kind, number, and location of proposed public works.
- An economic feasibility study.
- A detailed list of project costs, including financing costs.
- A description of the methods of financing and the time when the related costs or monetary obligations are to be incurred.
- A map showing the existing uses and conditions of real property in the district.
- A map showing the proposed improvements and uses in the district.
- The proposed changes in zoning ordinances, master plan, building codes, map, and city ordinances.
- A list of estimated nonproject costs.

- The proposed method for relocating any persons being displaced.
- An indication of how the TID's creation promotes the orderly development of the municipality.
- A signed attorney's opinion that the plan is complete and complies with Wisconsin's TIF law.

STEP 2: NOTICES AND HEARINGS

The planning commission is required to hold a public hearing to give the public a reasonable opportunity to express their views on: (1) the proposed creation of a TID and the proposed boundaries of the district; and (2) the proposed project plan. [s. 66.1105 (4) (a) and (e), Stats.] The planning commission may hold one public hearing on both issues or separate public hearings to address each issue.

STEP 3: RESOLUTIONS ON THE PROJECT PLAN

After the public hearing is held, the TID project plan must be reviewed and recommended by the following three decision-making bodies: (1) the planning commission; (2) the city or village legislative body; and (3) the Joint Review Board (JRB). Before the TID may be created, these bodies must adopt resolutions supporting its creation.

Planning Commission

The first body to review and recommend a TID is the planning commission that convened the public hearing or hearings. If the planning commission adopts a resolution recommending a final version of the project plan, the resolution must also designate the TID's boundaries and include a finding that creation of the TID promotes orderly development in the municipality. [s. 66.1105 (4) (f), Stats.]

City or Village Legislative Body

If the planning commission adopts a resolution recommending a final TID project plan, the final project plan is sent to the city or village's legislative body for review. The legislative body is the second body to review the creation of a TID and may approve the plan by passing a ***creation resolution***. However, the public hearing that allows the public to discuss the proposed project plan (described in Step 2) must take place at least 14 days before the legislative body can take any formal action.

Among the various items that must be included in the creation resolution, the resolution must include:

- A finding that the TID has not less than 50% of the real property that is one of the following: a ***blighted area***, in need of ***rehabilitation or conservation*** work, suitable for ***industrial sites*** and zoned for industrial use, or suitable for ***mixed-use development***.

- A finding that the TID complies with the ***12% rule***. The 12% rule requires that the equalized value of the taxable property in the TID, plus the value increments of all existing TIDs does not exceed 12% of the total equalized value in the municipality.

[s. 66.1105 (4) (gm) 4. a. and c., Stats.]

Joint Review Board

As previously stated, taxes collected on the value increment of the TID is used to pay back project costs in the TID. The various taxing jurisdictions with authority to tax real property in the proposed TID do not receive this amount. Instead, theses taxing jurisdictions are given the opportunity to approve or deny the TID. The JRB is made up of five representatives from the ***school district,***[6] ***technical college district, county,*** and ***municipality*** where the TID is located, along with one ***public member*** selected by a majority of the other board members before the planning commission holds the public hearing or hearings. [s. 66.1105 (4m) (a), Stats.]

In order for the TID to be created, the JRB must approve its creation by a majority vote within 30 days of receiving the planning documents. If the local legislative body adopted a creation resolution, then before approving the TID, the JRB is required to review the public record, the planning documents, and the resolution passed by the local legislative body. [s. 66.1105 (4m) (b) 1., Stats.] The JRB may also decide to hold more public hearings in addition to the initial public hearing or hearings held by the planning commission. Further, the statutes provide a means for the JRB to request DOR to review objective facts in any of the documents sent by the local legislative body.

The local legislative body must send the following information to the JRB for its review:

- The specific items that constitute the project costs, the total dollar amount of project costs projected to be paid with tax increments, and the projected amount of tax increments to be generated over the life of the TID.
- The projected equalized value of the value increment when the project costs are paid in full and the TID is terminated.
- The reasons why the project costs may not or should not be paid by the owners of the property that will benefit from the public improvements within the TID.
- The share of the projected tax increments estimated to be paid by the owners of the taxable property in each of the taxing jurisdictions overlying the TID.
- The benefits that the owners of the taxable property in the overlying taxing jurisdictions will receive to compensate them for their share of the projected tax increments paid.

[s. 66.1105 (4) (i), Stats.]

Upon reviewing the information sent by the local legislative body, the JRB is required to base its approval or denial of the local legislative body's creation resolution on the following criteria:

- Whether the development expected in the TID would occur without the use of TIF (this is referred to as the "***but for" finding***).[7]
- Whether the economic benefits of the TID, as measured by increased employment, business, and personal income and property value, are insufficient to pay for the cost of improvements in the TID.
- Whether the benefits outweigh the anticipated tax increments to be paid by property owners in the overlying taxing districts.

[s. 66.1105 (4m) (c) 1., Stats.]

DOR'S ROLE IN APPROVING TIF APPLICATIONS

One of the responsibilities given to DOR is the responsibility to determine and certify the TID's base value and tax increments. DOR is also required to approve TIF applications, monitor compliance with certain mixed-use development requirements, and create and update a manual on the TIF program.[8]

CERTIFICATION OF THE BASE VALUE

After a TID is created, the local municipal clerk submits certain application documents to DOR on or before December 31 of the year that the TID is created. [s. 66.1105 (5) (b), Stats.] DOR uses these documents to determine and certify the TID's base value. As previously mentioned, increases in the TID's property value depends upon the base value of the property located in the TID prior to any development.

In addition to reviewing the procedural requirements, DOR also evaluates whether the TID ***exceeds the 12% rule***. DOR may not certify the base value until it reviews and approves the municipality's finding that the equalized property value in the TID plus the value increment of all existing TIDs does not exceed 12% of the total equalized value of taxable property within the city. [s. 66.1105 (5) (d), Stats.]

Under ***2009 Wisconsin Act 312***, a municipality was given the opportunity to amend its project plan so that the TID is in compliance if the TID exceeds the 12% rule. If DOR determines that the TID exceeds the 12% rule, the city or village may either rescind its approval of the project plan or remove parcels of land so that the TID complies with the 12% limit. If the municipality decides to remove parcels of land, then it must resubmit the creation application to DOR within 30 days of receiving the noncompliance notice. [s. 66.1105 (12), Stats.]

While TIDs are technically created before the application documents are filed, the municipality may not receive the tax increments until DOR certifies various items. For example, if the municipality starts work before DOR certifies the base value of the TID, and DOR finds a problem which prohibits certification of the base, the municipality may not be able to receive tax increments resulting from an increase in the district's base value.[9]

Community Development Authority
March 18, 2014

INFORMATION ON PRIORITIZATIONS ITEMS
Handouts

1. CDA Potential Project Summary – Revised February 15, 2014

2. Resolution #2012-24 and background on 120 West Madison Street

3. Communication to Jim Gauthier (now deceased) regarding a four parcel sale in one structured offer.

4. Gauthier "All-In-One" proposal – background with photos

City of Waterloo, WI
Tuesday, February 18, 2014

Chapter 35. COMMUNITY DEVELOPMENT AUTHORITY

[HISTORY: Adopted by the Common Council of the City of Waterloo 11-1-2007 by Ord. No. 2007-21. Amendments noted where applicable.]

GENERAL REFERENCES

Boards, commissions and committees — See Ch. **19**.
Building construction — See Ch. **140**.
Mobile homes and mobile home parks — See Ch. **252**.
Nuisances — See Ch. **261**.
Property maintenance — See Ch. **288**.
Subdivision of land — See Ch. **380**.
Zoning — See Ch. **385**.

§ 35-1. Creation.

Pursuant to § 66.1335, Wis. Stats., there is hereby created a community development authority to be known as the "Community Development Authority of the City of Waterloo (CDA)." The CDA shall be deemed a separate body corporate and politic authorized to transact business and exercise any and all powers granted to a CDA under the Community Development Authority Law as amended from time to time for the purpose of carrying out blight elimination, slum clearance, urban renewal programs and projects and housing projects.

§ 35-2. Composition and procedures.

A. Composition. The CDA shall consist of seven resident persons having sufficient ability and experience in the fields of urban renewal, community development and housing. These persons shall serve as Commissioners of the CDA.

B. Appointment. The Commissioners shall be appointed by the Mayor with the confirmation of the Common Council. Two of the Commissioners shall be members of the Common Council and shall serve during their term of office as board members. The first appointments of the five non-board members shall be for the following terms: two for one year and one each for the terms of two, three and four years. Thereafter, the terms of non-board members shall be four years and until their successors are appointed and qualified. Vacancies shall be filled for the unexpired term as provided for in this subsection.

C. Officers. The CDA shall annually elect a Chairperson and a Vice Chairperson from among the Commissioners. The City Planning Commission shall assist in performing the duties required by the CDA.

D. Compensation. The Commissioners shall receive no compensation for their services, but shall be entitled to reimbursement for their actual necessary expenses, including local travel

expenses included in the discharge of their duties.

E. Meetings, quorum and bylaws. All meetings of the CDA shall be held in compliance with the provisions of the Open Meeting Laws of the State of Wisconsin. *Editor's Note: See §§ 19.81 to 19.98, Wis. Stats.* Four Commissioners shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes. Action may be taken by the CDA upon the affirmative vote of a majority of the Commissioners present at any meeting at which a quorum is present. The CDA may adopt and from time to time amend or repeal such bylaws or other rules or regulations not inconsistent with the applicable laws of this state and of this chapter, as it deems necessary in the performance and function of its duties; provided Common Council approval of such actions is first obtained.

F. Budget and annual report. An annual budget shall be prepared by the CDA which shall be subject to approval by the Common Council. The CDA shall also prepare and file with the Mayor and Common Council a report of its activity for the preceding calendar year on or before August 1 of the following year.

§ 35-3. Powers and duties.

The CDA shall have all powers, duties and functions set out in §§ 66.1201 and 66.1333, Wis. Stats., for housing and redevelopment authorities, and as to all housing projects initiated by the CDA it shall proceed under § 66.1201, Wis. Stats., and as to all projects relating to blight elimination, slum clearance, urban renewal and redevelopment programs it shall proceed under §§ 66.1301 to 66.1327, 66.1331, 66.1333, 66.1337 or 66.1105, Wis. Stats., as determined appropriate by the Common Council on a project-by-project basis. As to all community development programs and activities undertaken by the City under the Federal Housing and Community Development Act of 1974, the CDA shall proceed under all applicable laws and ordinances not inconsistent with the laws of this state. In addition, the CDA may act as agent of the City to perform all acts, except the development of the general plan of the City, which may otherwise be performed by the Plan Commission under §§ 66.1301 to 66.1327, 66.1331, 66.1333 and 66.1337 or 66.1105, Wis. Stats. In addition to all other powers, duties and functions, the CDA shall have such other powers, duties and functions related to community development as are conferred upon the Authority by the Common Council from time to time.

§ 35-4. Evidence of authority.

A certified copy of this chapter shall be filed with the City Clerk and shall be prima facie evidence of the CDA's right to transact business, and such chapter shall not be subject to challenge because of any technicality. In any suit, action or proceeding commenced against the CDA, a certified copy of such chapter shall be deemed conclusive evidence that the CDA is established and authorized to transact business and exercise its powers hereunder and pursuant to § 66.1335, Wis. Stats.

§ 35-5. Construction.

All powers, duties and functions of a housing and community development authority, as set forth in § 66.1335, Wis. Stats., are deemed to have been granted to the CDA as though set forth in this chapter, except as to those powers, duties and functions which are subject to further authorization and direction of the Common Council, as set forth herein. This chapter and the

powers granted hereunder shall be construed liberally to effectuate its purpose.

§ 35-6. Statutory authority.

This chapter is enacted pursuant to § 66.1335, Wis. Stats. Insofar as this chapter may be inconsistent with § 66.1335, Wis. Stats., the statute shall control.

§ 35-7. Severability.

If any provision of this chapter is invalid or unconstitutional or if the application of this chapter to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this chapter which can be given effect without the invalid or unconstitutional provisions or applications.

§ 35-8. When effective.

This chapter shall take effect and be in force from and after its passage and publication.