

ORDINANCE CITY OF MONONA

**ORDINANCE NO. 425-22
ELECTRIC FRANCHISE
(TRANSMISSION SYSTEM)**

114.01 GRANT OF FRANCHISE. There is hereby granted to SOO GREEN HVDC LINK PROJECTCO, LLC, hereinafter referred to as "SOO Green" or the "Company," its successors and assigns, the right and franchise to construct, reconstruct, repair, replace, maintain and operate in the City of Monona, Iowa ("City"), the necessary conduits, and other appliances or equipment for the transmission of electric current and communication facilities (collectively, the "Facilities") and the right to construct, reconstruct, relocate, repair, replace, maintain and operate the Facilities under the streets, avenues, alleys and public places and in a certain railroad right of way in the City of Monona, Clayton County, Iowa. This franchise shall be effective for a twenty-five (25) year period from and after the effective date defined in Section 114.15 herein ("Effective Date"). SOO Green is also granted the right of eminent domain as provided in Iowa Code Section 364.2(4) as reasonably necessary to carry out the purposes of this franchise. ("Franchise" or "Ordinance").

114.02 PLACEMENT OF FACILITIES; INDEMNIFICATION. The Facilities shall be placed and maintained so as not to unnecessarily interfere with travel on the streets, alleys, and public places in the City or unnecessarily interfere with the proper use of the same, including ordinary drainage, or with the sewers, underground pipe, and other property of the City, and the Company shall hold the City free and harmless from all damages arising from the negligent acts or omissions of the Company in the installation or maintenance of the Facilities.

114.03 EXCAVATIONS. In making any excavations in any street, alley, or public place, the Company shall protect the site while work is in progress, shall not unnecessarily obstruct the use of streets, and shall back-fill all openings in such manner as to prevent settling or depressions in surface, pavement, or sidewalk of such excavations with same materials, restoring the condition as nearly as practical.

114.04 RELOCATION FOR

CITY PROJECT. The Company shall, at its cost and expense, locate and relocate its Facilities in, on, over or under any public street or alley or other public place in the City in such a manner as the City may at any time reasonably require for the purposes of facilitating the construction, reconstruction, maintenance or repair of the street or alley or any public improvement of, in or about any such street or alley or reasonably promoting the efficient operation of any such improvement ("City Project") The Company shall not be required to relocate, at its cost and expense, Company facilities in the public right-of-way that have been relocated at company expense at the direction of the City in the previous three (3) years. The City and the Company desire to minimize, to the fullest extent possible, the risk that any of the Facilities would require relocation for the purposes of a future City Project. The City has reviewed the engineering plans for the Facilities and used its best available information to identify any areas where a City Project may occur during the term of this franchise and could potentially result in a Facilities relocation. The City and the Company will work together to revise the location of the Facilities prior to construction to reduce the risk of any conflict. For future City Projects, the following will apply:

a. In developing a City Project, the City shall consider reasonable alternatives so as not arbitrarily to cause the Company unreasonable additional expense.

b. If there is a potential conflict between a City Project and the Facilities, the City and the Company will work together to identify alternatives that would avoid relocation of Facilities. When such alternative is available, SOO Green will have the option to pay the incremental cost, if any, associated with the alternative to avoid relocation and the City will implement that alternative if SOO Green so elects.

c. If a relocation of Facilities cannot be avoided, the City will provide a reasonable alternative location for the Company's facilities within City right-of-way. The Company shall be solely responsible for any additional cost to the City as determined by the City Engineer in the City Engineer's sole discretion for providing such alternative location. If the alternative location the City can

provide within the City right-of-way is not acceptable to the Company, the Company is granted the power of eminent domain to acquire the land rights necessary to relocate the Facilities to a suitable location. The Company will not be required to deactivate and relocate existing Facilities until the relocated Facilities are operational.

114.05 RELOCATION FOR PRIVATE PROJECT. If the City orders or requests the Company to relocate its Facilities for the primary benefit of a commercial or private project, or as the result of the initial request of a commercial or private developer or other non-public entity, the City shall require advance payment to the Company for all construction and transactions costs and the provision of an alternative location for the Facilities of such relocation from such developer or other non-public entity as a precondition to relocating the Facilities. If such pre-payment is made, the Company will not be required to deactivate and relocate existing Facilities until the relocated Facilities are operational.

114.06 VACATION OF PUBLIC RIGHT-OF-WAY. The City shall give the Company reasonable advance written notice to vacate a public right-of-way. Vacating a public right-of-way shall not deprive the Company of its right to operate and maintain existing Facilities within the vacated right-of-way and the City shall grant the Company a utility easement in the vacated public right-of-way until the City orders or requests the Company to relocate its Facilities. If such relocation is for the primary benefit of a commercial or private project, or as the result of the initial request of a commercial or private developer or other non-public entity Section 114.05 of this Franchise shall control. If the relocation is for a Public Project, Section 114.04 shall control.

114.07 VEGETATION MANAGEMENT. The Company is authorized and empowered to prune or remove at Company expense any trees, shrubs, or vegetation extending over or into any street, alley, right-of-way, or public grounds to construct and operate the transmission line and to maintain electric reliability, safety, or restore utility service. Any such pruning or removal shall be done in accordance with accepted safety and utility industry

standards and federal and state laws, rules, and regulations.

114.08 PUBLIC PLACES. "Public places" means any property owned by the City.

114.09 NON-EXCLUSIVITY. The franchise granted by this Ordinance shall not be exclusive.

114.10 REPEAL OF CONFLICTING ORDINANCES. All ordinances, or parts of ordinances, insofar as they are in direct conflict herewith, are hereby repealed.

114.11 ASSIGNMENTS. No sale, assignment or lease of this franchise shall be effective until it is approved by the city council and after the Company has filed in the office of the city clerk written notice of the proposed sale, transfer, disposition or assignment, such notice to clearly summarize the proposed procedure and the terms and conditions thereof. Such approval by the city council shall not be unreasonably withheld. The proposed vendor, assignee or lessee shall similarly file an instrument, duly executed, reciting such proposal, accepting the terms of this franchise and agreeing to perform all the conditions thereof. This provision shall not apply, however, to collateral assignments in connection with a project financing of the project.

114.12 CONFIDENTIAL INFORMATION. Upon reasonable request, the Company shall provide the City, on a project-specific basis, with information indicating the horizontal location relative to boundaries of the right-of-way of all equipment which the Company owns or over which it has control located within City right-of-way. The Company and City recognize the information provided may, under current Iowa law, constitute public records, but that nonetheless, some information provided may be confidential under state or federal law, or both. Therefore, the City shall not release any information with respect to the location or type of equipment which the Company owns or controls in City right-of-way that the Company certifies may constitute a trade secret or which may otherwise be protected from public disclosure by state or federal law. The City further agrees that no documents, maps, or information provided to the City by the Company shall be made available to the public or other entities if such documents or information are exempt from disclosure under applicable state or federal law. Any documents, maps, or other information submitted to the City which the Company regards as exempt or protected from public disclosure shall be clearly marked as Confidential by the Company. Upon request of the City, the Company shall provide citation to legal authority supporting its designation. The City shall inform the Company of any request for disclosure of such confidential documents, and upon notification from the City of any request or legal action regarding such confidential information.

114.13 SEVERABILITY. If any of the provisions of this franchise are for any reason declared to be illegal or void, the lawful provisions of this franchise, which are severable from said unlawful provisions, shall be and remain in full force and effect, the same as if the franchise contained no illegal or void provisions.

114.14 NOTICES: Any written notice required by this Franchise shall be sent by first class mail to the persons and addresses below.
For SOO Green

Raj Rajan
Vice President – Project Development
Direct Connect Development Company
1600 Utica Ave S, 9th Floor
St. Louis Park, MN 55416

For City of Monona
Barbara Collins
City Administrator
City of Monona
P.O. Box 298
104 E. Center St.
Monona, IA 52159

114.15 EFFECTIVE AND BINDING. The City shall provide the Company with an original signed and sealed copy of this Ordinance within ten (10) days of its final passage. The Effective Date of this Ordinance shall be the earlier of (a) the date the Company provides written notice to the City Manager that any mobilization, staging, or construction of the Facilities will commence within the City limits or (b) December 31, 2026. The Company shall file its written acceptance of this Ordinance with the City Council by email within sixty (60) days after its approval by the City Council.

114.16 COMPLETE AGREEMENT. This franchise ordinance sets forth and constitutes the entire agreement between the Company and the City of Monona with respect to the rights contained herein, and may not be superseded, modified or otherwise amended without the approval and acceptance of the Company.

114.17 PUBLICATION EXPENSES. The expense of the publication of this Ordinance shall be paid by the Company.

114.18 RENEWAL. The City and the Company will meet at least 12 months prior to the expiration of this Franchise to discuss renewal of the Franchise.

114.19 ENTIRE AGREEMENT. This Ordinance sets forth and constitutes the entire agreement between the Company and the City with respect to the rights contained herein, and may not be superseded, modified, or otherwise amended without the approval and acceptance of the Company. In no event shall the City enact any ordinance or place any limitations, either operationally or through the assessment of fees, that create additional burdens upon the Company, or that delay utility operations.

PASSED AND APPROVED this 21st day of March, 2022.

CITY OF MONONA, IOWA
By: Grant Langhus, Mayor

ATTEST:
Barbara Collins, City Administrator

First Reading: 03-21-22
Second Reading: Waived
Third Reading: Waived
Adopted: 03-21-22

I, Barbara Collins, City Administrator/ Clerk of the City of Monona, Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. 425-22, passed by the City Council of said City at a meeting held March 21, 2022, and signed by the mayor on the 21st day of March, 2022, and published as provided by law on March 30, 2022.

Barbara Collins, City Administrator

Published March 30, 2022 in The Outlook, Monona.

PUBLIC HEARING CITY OF FARMERSBURG

NOTICE OF PUBLIC HEARING -- PROPOSED BUDGET
Fiscal Year July 1, 2022 - June 30, 2023

City of: FARMERSBURG

The City Council will conduct a public hearing on the proposed Budget at: City Hall, 208 S. Main St, Farmersburg, IA Meeting Date: 4/10/2022 Meeting Time: 06:00 PM

At the public hearing any resident or taxpayer may present objections to, or arguments in favor of, any part of the proposed budget. This notice represents a summary of the supporting detail of revenues and expenditures on file with the City Clerk and County Auditor.

City budgets are subject to protest. If protest petition requirements are met, the State Appeal Board will hold a local hearing. For more information, consult <https://dom.iowa.gov/local-gov-appeals>.

The Budget Estimate Summary of proposed receipts and expenditures is shown below. Copies of the the detailed proposed Budget may be obtained or viewed at the offices of the Mayor, City Clerk, and at the Library.				
The estimated Total tax levy rate per \$1000 valuation on regular property				14.52879
The estimated tax levy rate per \$1000 valuation on Agricultural land is				3.00215
At the public hearing, any resident or taxpayer may present objections to, or arguments in favor of, any part of the proposed budget.				
Phone Number (563) 536-2390			City Clerk/Finance Officer's NAME Heidi Landt	
		Budget FY 2023	Re-estimated FY 2022	Actual FY 2021
Revenues & Other Financing Sources				
Taxes Levied on Property	1	72,023	62,108	65,110
Less: Uncollected Property Taxes-Levy Year	2	9,054	8,378	8,137
Net Current Property Taxes	3	62,969	53,730	56,973
Delinquent Property Taxes	4	1,049	297	1,295
TIF Revenues	5	0	0	0
Other City Taxes	6	36,756	32,458	36,042
Licenses & Permits	7	100	45	154
Use of Money and Property	8	1,503	2,027	1,672
Intergovernmental	9	61,194	355,265	237,635
Charges for Fees & Service	10	148,920	162,100	149,718
Special Assessments	11	0	0	0
Miscellaneous	12	17,000	21,520	33,369
Other Financing Sources	13	0	337,054	0
Transfers In	14	5,000	5,000	1,160
Total Revenues and Other Sources	15	334,491	969,496	518,018
Expenditures & Other Financing Uses				
Public Safety	16	27,203	38,349	24,813
Public Works	17	60,488	98,199	47,717
Health and Social Services	18	350	350	350
Culture and Recreation	19	38,350	65,810	22,201
Community and Economic Development	20	5,230	5,220	2,369
General Government	21	30,426	33,439	26,134
Debt Service	22	7,280	6,575	6,520
Capital Projects	23	0	0	0
Total Government Activities Expenditures	24	169,327	247,942	130,104
Business Type / Enterprises	25	127,020	637,994	283,164
Total ALL Expenditures	26	296,347	885,936	413,268
Transfers Out	27	5,000	5,000	1,160
Total ALL Expenditures/Transfers Out	28	301,347	890,936	414,428
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out	29	33,144	78,560	103,590
Beginning Fund Balance July 1	30	552,007	473,447	369,857
Ending Fund Balance June 30	31	585,151	552,007	473,447

