

AMENDMENT TO AGREEMENT
BETWEEN WOODBURY COUNTY AND THE CITY OF HORNICK, IOWA

This Agreement is entered into on this 8th day of October, 2024 by and between Woodbury County, Iowa, hereafter referred to as "County", and the City of Hornick, Iowa, hereafter referred to as "City", pursuant to Section 331.429(2) of the Code of Iowa.

The parties agree as follows to this amended agreement as provided in section 13 of the original Project Agreement:

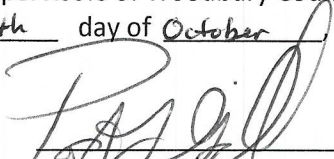
1. Woodbury County and the City of Hornick signed to a project agreement dated May 17, 2022 for a project designated as STBG-SWAP-CO97(142)—FG-97 hereafter referred to as the "Project".
2. The City of Hornick agreed to make financial contribution to Project for the cost of the work within the corporate limits, outside of the center 22' paved roadway. The preconstruction estimated total cost for all work within the City was \$115,451.00, less the federal aid substitution funding share of \$54,205.94 leaving an estimated \$61,245.06 to be repaid to the County. The final amount due the County was to be based on field measurements and actual quantities incorporated in the project.
3. The City requested extra work on the to improve curb and gutter, sidewalks, and other areas within the project corridor at City expense. Said work totaled \$238,829.46, less \$106,571.92 in federal aid substitution funding share, for a total of \$132,257.53 owed to Woodbury County for project work.
4. The City had agreed to make a payment of 1/10th of the actual cost upon completion of the Project and acceptance by the County with a reimbursement period of 10 years. The City is requesting, and the County hereby agrees, that the City makes a payment of \$72,257.53 by November 1, 2024 with a reimbursement period of up to 6 years.
5. The City hereby agrees to pay the remaining amount due of \$60,000.00 in six (6) equal annual installments of \$10,000.00 beginning January 1, 2025, and then on January 1 every year thereafter, with a final payment due January 1, 2030. There will be no interest charged by the County on the outstanding balance. The City may pay back the balance early at the City's option.
6. The terms of this agreement shall be in perpetuity or until such time as the obligations contained in this Agreement are fully complied with.
7. The County does not waive any right or remedy which may be available to recover money due under this agreement. Upon material breach of the terms of this Agreement by the City, the County may declare the entire balance to be immediately due, and after giving the City reasonable notice and opportunity to cure the breach, the County may initiate any action or procedure to protect its interests.
8. The Agreement may be amended from time to time by written agreement of both parties.

WOODBURY COUNTY


Matthew Ung, Chairperson, Board of Supervisors

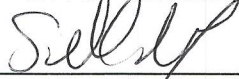
10-8-24
Date

I hereby certify that the above and foregoing agreement was duly and legally passed by the Board of Supervisors of Woodbury County, Iowa, and properly included in the minutes of the meeting on the 8th day of October, 2024.


Patrick Gill, County Auditor

October 8, 2024
Date


CITY OF HORNICK



Mayor, City of Hornick

10-17-24
Date

I, Lori J Teel, certify that I am the Clerk of the CITY, and that Scott Mitchell

Who signed said Agreement for and on behalf of the CITY was authorized to execute the same by virtue of a formal Resolution passed and adopted by the CITY, on the 16th day of October, 2024.


City Clerk of Hornick

10-~~16~~¹⁷-2024
Date 

RESOLUTION NO. 2024-11

**APPROVE CONTRACT TERMS
WITH WOODBURY COUNTY FOR MAIN STREET PROJECT**

WHEREAS, the City of Hornick, Iowa (the "City"), entered into an agreement on the 17th day of May, 2022 with Woodbury County, Iowa, hereafter referred to as "County", for Main Street parking and sidewalk improvements to be completed as a part of the County project #STBG-SWAP-C097(142)—FG-97, hereafter referred to as the "Project", and

WHEREAS, the County notified the City of the City's financial portion of the Project to be \$132,257.53, and

WHEREAS, the City requested and the County agreed, that the City make a payment of \$72,257.53 by November 1, 2024 with a reimbursement period of up to 6 years, and

WHEREAS, the City hereby agrees to pay the remaining amount due of \$60,000.00 in six (6) equal annual installments of \$10,000.00 beginning January 1, 2025, and then on January 1 every year thereafter, with a final payment due January 1, 2030, and with there being no interest charged by the County on the outstanding balance, and with the City having the option to make early payment on the balance due,

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Hornick, Iowa that the City of Hornick will:

1. Remit \$72,237.53 to the County by November 1, 2024 for payment of the project as agreed, and
2. Will make six (6) equal annual installments of \$10,000.00 beginning on January 1, 2025, and then on January 1 every year thereafter, with a final payment due January 1, 2030, with the City having the option to make early payment on the balance due.

Roll Call Vote - Ayes: Matthias, Holst, Bebee, Johnston, Andresen
Nays: (none)
Absent: (none)

PASSED, APPROVED AND ADOPTED this 16th day of October, 2024
by the Hornick City Council.

Scott Mitchell
SCOTT MITCHELL, MAYOR

ATTEST: Lori Teel
LORI TEEL, CITY CLERK