

RESOLUTION NO. 21-86

RESOLUTION DETERMINING THE NECESSITY AND SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED CO-LINE URBAN RENEWAL PLAN FOR A PROPOSED URBAN RENEWAL AREA IN JASPER COUNTY, STATE OF IOWA

WHEREAS, it is hereby found and determined that one or more economic development areas, as defined in Chapter 403, Code of Iowa, exist within the County and the rehabilitation, conservation, redevelopment, development, or combination thereof, of the area is necessary in the interest of the public health, safety, or welfare of the residents of the County; and

WHEREAS, this Board has caused there to be prepared a proposed Co-Line Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Co-Line Urban Renewal Area ("Area" or "Urban Renewal Area"), which proposed Plan is attached hereto as Exhibit 1 and which is incorporated herein by reference; and

WHEREAS, the purpose of the Plan is to form the Co-Line Urban Renewal Area suitable for economic development and to include a list of proposed projects to be undertaken within the Urban Renewal Area, and a copy of the Plan has been placed on file for public inspection in the office of the County Auditor; and

WHEREAS, the property proposed to be included in the Urban Renewal Area is legally described in the Plan and this Board has reasonable cause to believe that the Area described in the Plan satisfies the eligibility criteria for designation as an urban renewal area under Iowa law and; and

WHEREAS, it is desirable that the area be redeveloped as part of the overall redevelopment covered by the Plan; and

WHEREAS, the Iowa statutes require the Board of Supervisors to submit the proposed Urban Renewal Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for development of the County as a whole prior to Board approval of such Plan, and further provides that the Planning and Zoning Commission shall submit its written recommendations thereon to this Board within thirty (30) days of its receipt of such proposed Urban Renewal Plan; and

WHEREAS, the Iowa statutes require the Board of Supervisors to notify all affected taxing entities of the consideration being given to the proposed Urban Renewal Plan and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the County shall submit written responses as provided in Section 403.5, Code of Iowa, as amended; and

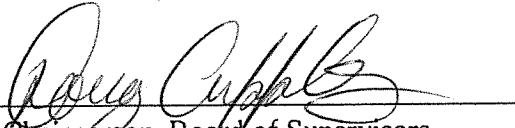
WHEREAS, the Iowa statutes further require the Board of Supervisors to hold a public hearing on the proposed Urban Renewal Plan subsequent to notice thereof by publication in a

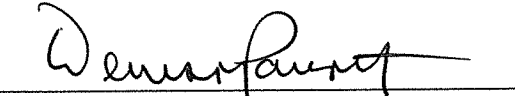
newspaper having general circulation within the County, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the Plan and shall outline the general scope of the urban renewal project under consideration, with a copy of the notice also being mailed to each affected taxing entity.

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF SUPERVISORS OF JASPER COUNTY, STATE OF IOWA:

Section 1. That the consultation on the proposed Urban Renewal Plan required by Section 403.5(2), Code of Iowa, as amended, shall be held on the December 14, 2021, in the Conference Room (Basement), County Courthouse, 101 1st Street N, Newton, Iowa, at 11:00 A.M., and the County Auditor, or his delegate, is hereby appointed to serve as the designated representative of the County for purposes of conducting the consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2), Code of Iowa.

Section 2. That the County Auditor is authorized and directed to cause a notice of such consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1), Code of Iowa, along with a copy of this Resolution and the proposed Urban Renewal Plan, the notice to be in substantially the following form:


Chairperson, Board of Supervisors


County Auditor, Jasper County, State of Iowa

**CO-LINE
URBAN RENEWAL PLAN**

for the

**CO-LINE
URBAN RENEWAL AREA**

JASPER COUNTY, IOWA

_____ 2022

TABLE OF CONTENTS

SECTION

- A. INTRODUCTION
- B. DESCRIPTION OF THE URBAN RENEWAL AREA
- C. AREA DESIGNATION
- D. BASE VALUE
- E. DEVELOPMENT PLAN
- F. PLAN OBJECTIVES
- G. TYPES OF RENEWAL ACTIVITIES
- H. ELIGIBLE URBAN RENEWAL PROJECTS
- I. FINANCIAL DATA
- J. URBAN RENEWAL FINANCING
- K. PROPERTY ACQUISITION/DISPOSITION
- L. RELOCATION
- M. STATE AND LOCAL REQUIREMENTS
- N. URBAN RENEWAL PLAN AMENDMENTS
- O. EFFECTIVE PERIOD
- P. SEVERABILITY CLAUSE

EXHIBITS

- A. LEGAL DESCRIPTION OF AREA
 - B. URBAN RENEWAL AREA DEPICTIONS

Co-Line Urban Renewal Plan
for the
Co-Line Urban Renewal Area
Jasper County, Iowa

A. INTRODUCTION

The Co-Line Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the Co-Line Urban Renewal Area (“Area” or “Urban Renewal Area”) has been developed to help local officials promote economic development in the Urban Renewal Area within Jasper County, Iowa (the “County”). In order to achieve this objective, the County intends to undertake urban renewal activities pursuant to the powers granted to it under Chapter 403 and Chapter 15A of the *Code of Iowa*, as amended.

B. DESCRIPTION OF THE URBAN RENEWAL AREA

The Urban Renewal Area is described in Exhibit “A” and illustrated in Exhibit “B.” The County reserves the right to modify the boundaries of the Area at some future date.

C. AREA DESIGNATION

With the adoption of this Plan, the County will designate this Urban Renewal Area as an area that is appropriate for the promotion of economic development (commercial and industrial).

D. BASE VALUE

If the Urban Renewal Area is legally established, a Tax Increment Financing (TIF) ordinance is adopted to establish a TIF district in the Area, and debt related to the Area is certified prior to December 1, 2022, the taxable valuation as of January 1, 2021, will be considered the frozen “base valuation” for the portion of the Urban Renewal Area identified in the TIF ordinance. If a TIF ordinance is not adopted until a later date, or debt is not first certified prior to December 1, 2022, the frozen “base value” will be the assessed value of the taxable property within that area covered by the TIF ordinance as of January 1 of the calendar year preceding the calendar year in which the County first certifies the amount of any debt related to the Area, in accordance with Iowa Code Section 403.19.

E. DEVELOPMENT PLAN

The County has a general plan for the physical development of the County as a whole outlined in the Planting Seeds for a Brighter Future Jasper County Comprehensive Plan, adopted October 3, 2020. The goals and objectives of this Urban Renewal Plan, including the urban renewal projects, are in conformity with the Planting Seeds for a Brighter Future Jasper County Comprehensive Plan.

The need for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area is set forth in this Plan. As the Area develops, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the County.

F. PLAN OBJECTIVES

Renewal activities are designed to provide opportunities, incentives, and sites to promote economic development (commercial and industrial). More specific objectives for the development, redevelopment, and rehabilitation within the Urban Renewal Area are as follows:

1. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities, and strengthening the tax base.
2. To plan for and provide sufficient land for commercial and industrial development in a manner that is efficient from the standpoint of providing municipal services.
3. To provide for the installation of public infrastructure that promotes the development of new commercial and industrial lots, which infrastructure may include, but is not limited to, water, sanitary sewer, streets, and other public improvements.
4. To encourage commercial and industrial growth and expansion through governmental policies which make it economically feasible to do business.
5. To encourage and promote diversity of commercial development opportunities in the County while retaining the character of the community.
6. To provide a more marketable and attractive investment climate through the use of various federal, state, and local incentives.
7. To stimulate, through public action and commitment, private investment in new commercial and/or industrial development.
8. To improve the conditions and opportunities for economic development (commercial and industrial).
9. To help develop a sound economic base that will serve as the foundation for future growth and development.

G. TYPES OF RENEWAL ACTIVITIES

To meet the objectives of this Urban Renewal Plan and to encourage the development of the Area, the County intends to utilize the powers conferred under Chapter 403 and Chapter 15A, *Code of Iowa*. Activities may include:

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.
2. To arrange for or cause to be provided the construction or repair of public infrastructure including but not limited to streets, curb and gutter, street lighting, water, sanitary sewer, public utilities or other facilities in connection with urban renewal projects.
3. To make loans, forgivable loans, grants, or other types of economic development grants or incentives to private persons, organizations, or businesses for economic development purposes on such terms as may be determined by the Board of Supervisors.
4. To borrow money and to provide security therefor.
5. To acquire or dispose of property.
6. To provide for the construction of specific site improvements such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.
7. To acquire property through a variety of means (purchase, lease, option, etc.) and to hold, clear, or prepare the property for redevelopment.
8. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Plan or specific urban renewal projects.
9. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for Jefferson County.

Nothing herein shall be construed as a limitation on the power of the County to exercise any lawful power granted to the County under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Urban Renewal Plan.

H. ELIGIBLE URBAN RENEWAL PROJECTS

1. Development Agreement

- A. *Development Agreement with The Welder's Shield, LLC (or a related entity)*: The proposed urban renewal project anticipates The Welder's Shield, LLC (or a related entity) constructing a new industrial building, which will be

leased by Co-Line Welding, Inc. (the “Tenant”). It is estimated that total construction costs for the building will be approximately \$2,000,000 and will result in the creation or retention of jobs in the County. The County expects to make annual grants to The Welder’s Shield, LLC in the form of rebates of incremental taxes generated by the project. The cost of such grants shall not exceed \$500,000 and will be subject to the terms and conditions of a detailed development agreement with both parties.

2. Planning, engineering fees (for urban renewal plans), attorney fees, other related costs to support urban renewal projects and planning

Project	Date	Estimated cost
Fees and costs	Undetermined	Not to exceed \$25,000

I. FINANCIAL DATA

1.	July 1, 2020 constitutional debt limit:	\$150,493,905
2.	Current outstanding general obligation debt:	\$7,664,182.59
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects has not yet been determined. This document is for planning purposes only. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. In no event will the County’s constitutional debt limit be exceeded. The Board of Supervisors will consider each project proposal on a case-by-case basis to determine if it is in the County’s best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects as described above to be funded by TIF Funds will be approximately as stated in the next column:	\$525,000 This does not include financing costs related to debt issuance, which may be incurred over the life of the Area.

J. URBAN RENEWAL FINANCING

The County may utilize various financing tools such as those described below to successfully undertake the proposed urban renewal actions. The County has the statutory authority to use a variety of tools to finance physical improvements within the Area. These include:

A. Tax Increment Financing.

Under Section 403.19 of the *Code of Iowa*, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements, economic development incentives, or other urban renewal projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the

difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the County to pay costs of the eligible urban renewal projects. Certain increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the County, and in any event upon the expiration of the tax increment district.

B. General Obligation Bonds.

Under Division IV of Chapter 331 and Chapter 403 of the *Code of Iowa*, the County has the authority to issue and sell general obligation bonds or capital loan notes (“bonds”) for specified essential and general corporate purposes, including the demolition of blighted buildings, the acquisition and construction of certain public improvements within the Area and for other urban renewal projects or incentives for development consistent with this Plan. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the County. It may be, the County will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area.

The County may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates, or other incentives to developers or private entities in connection with the urban renewal projects identified in this Plan. In addition, the County may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area for urban renewal projects. Alternatively, the County may determine to use available funds for making such loans or grants or other incentives related to urban renewal projects. In any event, the County may determine to use tax increment financing to reimburse the County for any obligations or advances.

Nothing herein shall be construed as a limitation on the power of the County to exercise any lawful power granted to the County under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Urban Renewal Plan.

K. PROPERTY ACQUISITION/DISPOSITION

The County will follow any applicable requirements for the acquisition and disposition of property within the Urban Renewal Area.

L. RELOCATION

The County does not expect there to be any relocation required as part of the eligible urban renewal projects; however, if any relocation is necessary, the County will follow all applicable relocation requirements.

M. STATE AND LOCAL REQUIREMENTS

All provisions necessary to conform to State and local laws will be complied with by the County in implementing this Urban Renewal Plan and its supporting documents.

N. URBAN RENEWAL PLAN AMENDMENTS

This Urban Renewal Plan may be amended from time to time for a number of reasons including, but not limited to, adding or deleting land, adding or amending urban renewal projects, or modifying objectives or types of renewal activities.

The Board of Supervisors may amend this Plan in accordance with applicable State law.

O. EFFECTIVE PERIOD

This Urban Renewal Plan will become effective upon its adoption by the Board of Supervisors and will remain in effect as a Plan until it is repealed by the Board of Supervisors.

With respect to the property included within the Urban Renewal Area, which is also included in an ordinance which designates that property as a tax increment financing district (a “TIF Ordinance”), and is designated based on an economic development finding, the use of incremental property tax revenues or the “division of revenue,” as those words are used in Chapter 403 of the Code of Iowa, is limited to twenty (20) years beginning with the first calendar year following the calendar year in which the County first certifies to the County Auditor the amount of any loans, advances, indebtedness, or bonds which qualify for payment from the incremental property tax revenues attributable to that property within a TIF Ordinance of the Urban Renewal Area. The division of revenues shall continue for the maximum period allowed by law.

At all times, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the Code of Iowa) by the County for activities carried out under the Urban Renewal Area shall be limited as deemed appropriate by the Board of Supervisors and consistent with all applicable provisions of law.

P. SEVERABILITY CLAUSE

In the event one or more provisions contained in the Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized, or unenforceable in any respect, such invalidity, illegality, un-authorization, or unenforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

EXHIBIT A

LEGAL DESCRIPTION OF AREA

The Co-Line Urban Renewal Area is described as follows:

Development Property:

Parcel A of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) Section Thirty-three (33), Township Seventy-eight (78) North, Range Seventeen (17) West of the 5th P.M. in Jasper County, Iowa and is more particularly described as follows: beginning at the Southeast corner of said SW ¼ of the SW ¼ Section 33; thence South 89°46'15" West 60.00 feet along the South line thereof; thence North 00°10'40" West 175.00 feet parallel with the East line thereof; thence South 89°46'15" West 540.00 feet parallel with the South line of said SW ¼ of the SW ¼ Section 33; Thence North 00°10'40" West 525.00 feet parallel with the East line thereof; thence North 89°46'15" East 600.00 feet parallel with the South line thereof; thence South 00°10'40" East 700.00 feet along the East line of the SW ¼ of the SW ¼ Section 33 to the Point of Beginning, containing 7.47 acres including 0.05 of road right of way. Subject to any and all easements and restrictions of record.

AND

Right of Way:

The full right of way of S. 128th Ave E beginning at the center line of County Highway T-33 and following along the S ½ of the SW quarter of Section 33, Township 78 Range 17 (3,909 ft) to the West quarter corner of the SE ¼ SE ¼ of Section 32, Township 78 Range.

EXHIBIT B
(two pages)

CO-LINE URBAN RENEWAL AREA DEPICTIONS

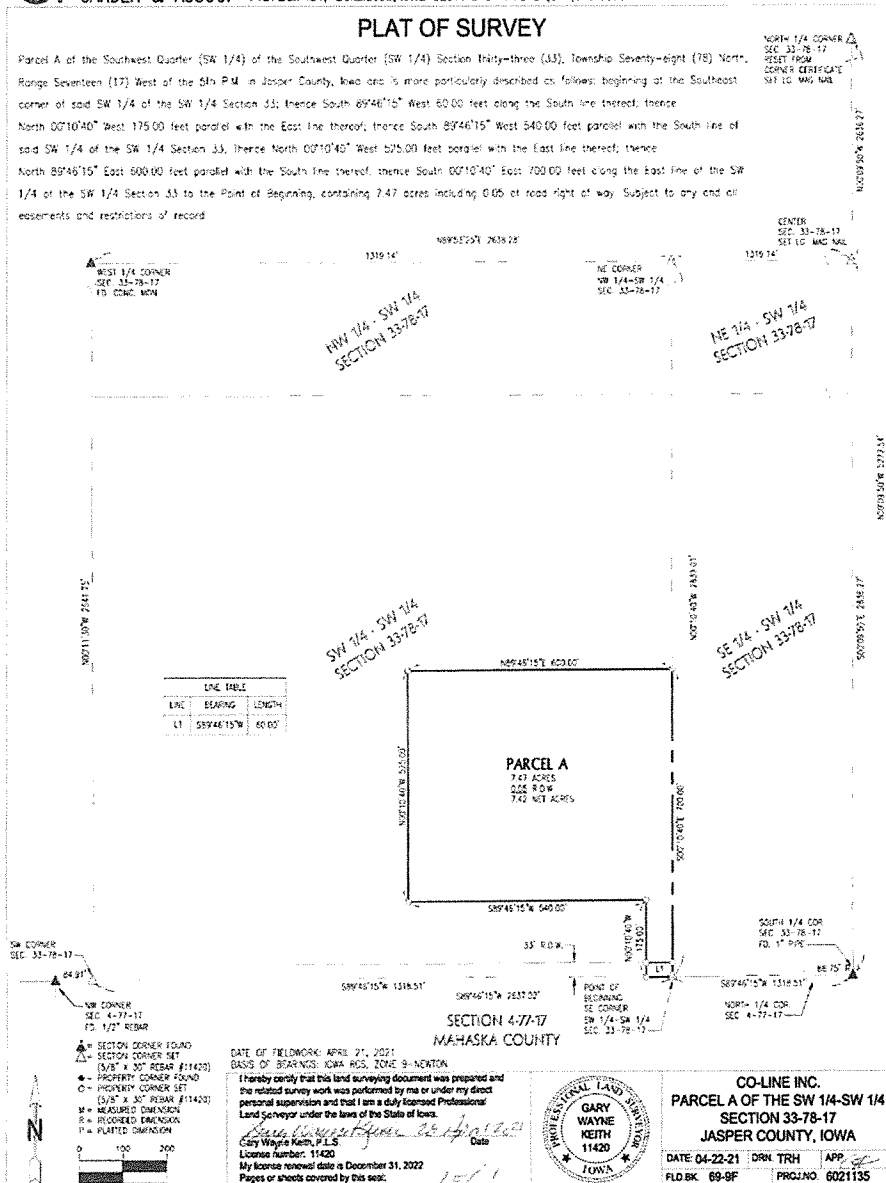
Depiction of Development Property Portion of Area:

INDEX LEGEND	
LOCATION:	SW 1/4 SW 1/4, SECTION 33-78-17, JASPER COUNTY, IOWA
PROPRIETOR:	DEED HOLDER: LINDA H. & ARLEN R. BRAD; CONTRACT HOLDER: TARA JO & DALE G. BRAD
REQUESTED BY:	CO-LINE INC.
PREPARED BY:	GARY W. KEITH
COMPANY:	GARDEN & ASSOCIATES, LTD.
RETURN TO:	P.O. BOX 451, OSKALOOSA, IOWA 52577

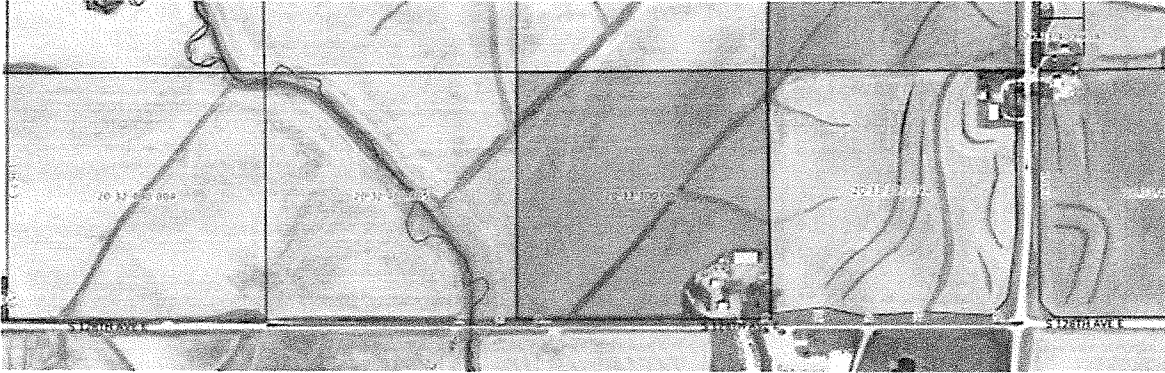
GARDEN & ASSOC.

P.O. Box 451, Oskaloosa, Iowa 52577-0451 Phone: (641)672-2526

RESERVED FOR RECORDER'S USE



Depiction of Right of Way Portion of Area:



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