

**LINN COUNTY BOARD OF SUPERVISORS**

**RESOLUTION NO.** 2021-7-122

**Resolution Finally Adopting the Amended and Restated Urban Renewal Plan for the Linn County Urban Renewal Area**

WHEREAS, the Board of Supervisors of Linn County, Iowa (the "County") has created the Linn County Urban Renewal Area (the "Urban Renewal Area") and has approved an urban renewal plan for the Urban Renewal Area; and

WHEREAS, an amendment to the Urban Renewal Plan for the Urban Renewal Area has been prepared which describes new projects to be undertaken in that Area; and

WHEREAS, pursuant to the Amended and Restated Plan, no new property has been added to the Urban Renewal Area; and

WHEREAS, Pursuant to Section 403.5 of the Code of Iowa, a consultation meeting was held on Wednesday, July 14, 2021, in the Linn County Jean Oxley Public Service Center, Cedar Rapids, Iowa at 11:00 A.M. No comments or recommendations from affected taxing entities were received at this meeting; and

WHEREAS, notice of this meeting was published on July 13, 2021;

NOW, THEREFORE, be it resolved by the Board of Supervisors of Linn County, Iowa, as follows:

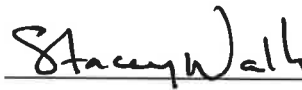
Section 1. That all recommendations received, if any, at the consultation meeting referred to in the preamble above are found to be without sufficient merit to preclude the adoption of the proposed Amended and Restated Plan.

Section 2. That the proposed Amended and Restated Plan is adopted in the form attached as Exhibit 1 to this Resolution; and

Section 3. All resolutions or parts of resolution in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved July 28, 2021.

Linn County Board of Supervisors



Chair



Vice Chair

2021-7-122

Joel P. Zehr  
Supervisor

Aye: 3

Nay: 0

Abstain: 0

Absent: 0

Attest:

Joel Miller by Rebecca Shoop  
Joel Miller, Linn County Auditor Deputy

State of Iowa )  
                          ) SS  
County of Linn )

I, Joel Miller, County Auditor of Linn County, Iowa, hereby certify that at a regular meeting of the said Board of Supervisors, the foregoing resolution was duly adopted by a vote of:

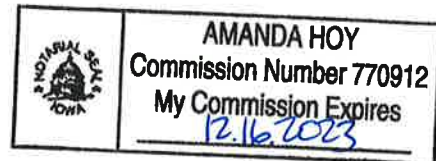
3 Aye 0 Nay 0 Abstain 0 Absent

Joel Miller by Rebecca Shoop  
Joel Miller Deputy

Subscribed and sworn to before me by the aforesaid Joel Miller, by Rebecca Shoop

On this 28 day of July, 2021.

Amanda Hoy  
Notary Public State of Iowa



## **Exhibit 1**

### **LINN COUNTY, IOWA**

#### **AMENDED AND RESTATED URBAN RENEWAL PLAN**

July, 2021

#### **I. INTRODUCTION**

Chapter 403 of the Code of Iowa (“Chapter 403”) authorizes counties to establish areas within their boundaries known as “urban renewal areas,” and to exercise special powers within these areas. Urban renewal powers were initially provided to cities in order that conditions of blight and of deterioration within cities might be brought under control. Gradually, urban renewal has been found to be a useful tool, as well, for economic development in previously undeveloped areas and for retention of enterprises and jobs in other areas.

Chapter 403 declares there exists in Iowa the continuing need for programs to alleviate and prevent conditions of unemployment, and that it is necessary to assist and retain local industries and commercial enterprises to strengthen and revitalize the economies of Iowa and its cities and counties.

In order to facilitate the use of urban renewal for economic development, in 1985, the Iowa General Assembly amended Chapter 403 to authorize boards of supervisors to create “economic development” areas. An economic development urban renewal area may be any area of a County which has been designated by the board of supervisors as an area which is appropriate for industrial and commercial enterprises, including enterprises that construct residential development and in which the county seeks to encourage further development.

As an additional expression of the role for local governments in private economic development, the General Assembly also enacted Chapter 15A of the Code of Iowa, which declares that economic development is a “public purpose” and authorizes local governments to make grants, loans, guarantees, tax incentives and other financial assistance to private enterprise. The statute defines “economic development” as including public investment involving the creation of new jobs and income or the retention of existing jobs and income that would otherwise be lost.

The process by which an economic development urban renewal area may be created begins with a finding by the board of supervisors that such an area needs to be established within the county. An urban renewal plan is then prepared for the area, which must be consistent with the county’s existing comprehensive or general plan. Any city or school district that levies property taxes on property within the proposed urban renewal area must be notified and given an opportunity to comment on the plan. The board of supervisors must hold a public hearing on the urban renewal plan, following which, the board of supervisors may approve the plan.

This document is intended to serve as the Urban Renewal Plan for the Linn County Urban Renewal Area (the “Urban Renewal Area”) and will guide the County in promoting economic growth through the encouragement of commercial and industrial development and the retention of

jobs in the County. This document is an Urban Renewal Plan within the meaning of Chapter 403 and sets out a proposed project and activities to be undertaken within the Urban Renewal Area.

The Linn County Urban Renewal Plan (the “Original Plan”, and as so amended shall be referred to herein as the “Urban Renewal Plan”) for the Linn County Urban Renewal Area (the “Urban Renewal Area”) was adopted by the Board of Supervisors on March 29, 2017 by Resolution No. 2017-3-54. The Urban Renewal Plan is being amended by this Amendment (“Amendment”) to update the list of eligible projects. This Amendment adds no new land to the Area. Except as modified by this Amendment, the provisions of the original Urban Renewal Plan, as amended, are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Amendment shall control. Any subsections in the Original Plan not mentioned in this Amendment shall continue to apply to the Plan.

Section VIII of the Urban Renewal Plan provides that the Urban Renewal Plan may be amended from time to time in accordance with the procedures set forth in Chapter 403 of the Code of Iowa to, for example, change the project boundaries, modify urban renewal objectives, activities or project, or to carry out any other purposes consistent with Chapter 403 of the Code of Iowa. The Board of Supervisors may amend the Urban Renewal Plan by resolution after holding a public hearing on the proposed change in accordance with applicable Iowa law. This amendment to the Linn County Urban Renewal Plan for the Linn County Urban Renewal Area is consistent with this provision.

## **II. DESCRIPTION OF URBAN RENEWAL AREA**

A legal description of all property (the “Property”) that is proposed to be included within the Urban Renewal Area is attached hereto as Exhibit A.

A map showing all property that is proposed to be included within the Urban Renewal Area is attached hereto as Exhibit B.

## **III. URBAN RENEWAL OBJECTIVES**

The primary objectives for the creation and development of the Urban Renewal Area are:

1. To contribute to a diversified, well-balanced local economy by providing incentives for job retention, creating new job opportunities and strengthening the property tax base.
2. To acquire land for conservation and public recreation uses.
3. To stimulate through public action and commitment, private investment in commercial and industrial development, and to encourage job retention, growth and expansion through the use of various federal, state and local incentives.
4. To provide infrastructure, services and facilities that enhance possibilities for economic development and make the Linn County community attractive to private enterprise.

5. To provide public facilities to enhance County services and enhance the economic attractiveness of the community.

#### **IV. URBAN RENEWAL PROJECTS AND ACTIVITIES**

The following types of activities are examples of the specific actions which may be undertaken by the County within the Urban Renewal Area:

1. Preparation of plans related to the development and implementation of the Urban Renewal Area and specific urban renewal projects.

2. Construction of public improvements and facilities, including streets, trails, public utilities or other facilities in connection with an urban renewal project.

3. Acquisition, preparation and disposition of property for private development and/or redevelopment.

4. Pursuant to state law, provision of direct financial assistance, including grants and loans, to private persons engaged in economic development, in such form and subject to such conditions as may be determined by the Board of Supervisors.

## V. URBAN RENEWAL PROJECT

The County has the opportunity to acquire approximately 485 acres of property located generally southeast of Squaw Creek Park. One area of approximately 306 acres includes nine parcels owned by Dows Farms, Inc. and is generally described as follows: On the northwest corner of the intersection of Highway 13 and Cottage Grove Parkway, bounded by Squaw Ridge Road on the west, Cottage Grove Parkway on the south, Highway 13 on the east and Squaw Creek Park and Gardner Golf Course on the north. The other area of approximately 179 acres includes seven parcels owned by Dows Real Estate Company and is generally described as follows: On the northwest corner of the intersection of Squaw Creek Road and Mt. Vernon Road, bounded by Dows Road on the west, Mt. Vernon Road on the south, Squaw Creek Road on the east, and Squaw Creek Ridge Subdivision on the north.

The County anticipates that Squaw Creek Park could be expanded to include some of the property and that existing trail systems could be extended off of Mt. Vernon Road and connected to trails in Squaw Creek Park. The County contemplates agreements with the cities of Cedar Rapids and Marion with respect to the use by those cities of portions of the property. Certain portions of the property that abut Highway 13 and/or Mt. Vernon Road, Squaw Creek Road, and Dows Road could be made available for private development.

The County expects that acquisition of the property and use for recreation and conservation purposes will contribute to the well-being of the County's residents and will make the County a more attractive location for new commercial and industrial enterprises.

In order to finance the acquisition of the property, the County intends to issue general obligation bonds. State law authorizes counties to issue general obligation bonds for urban renewal projects after publishing a notice of hearing and intent to issue the bonds, which notice must include the right of voters to petition for an election on the issuance of the bonds.

In accordance with recent amendments to Chapter 403 of the Code of Iowa, the Urban Renewal Plan for the Urban Renewal Area is amended to add the following project activities which are expected to be undertaken:

### Development Agreements

The following are private redevelopment projects which are expected to be undertaken:

<b>Project</b>	<b>Description and Rationale</b>	<b>Estimated Indebtedness</b>
Dows Farm Agri Community Commercial Area	Development the commercial portion of the Dows Farm Development, consistent with the Dows Farm Governing Plan. Construction of approximately 40,700	The County anticipates entering in to a Development Agreement which will provide a reimbursement of 100% of the increment taxes generated and collected

	square feet of commercial space.	with respect to the project improvements which will be reimbursed for a period of 10-years. The annual reimbursement will be subject to development conformance with the Dows Farm Governing Plan. The total estimated amount of indebtedness for this project is: \$667,617.
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**VI. LAND USE PLAN AND PROPOSED DEVELOPMENT**

The County’s 2013 Comprehensive Plan designates the Urban Renewal Area for development and conservation uses; therefore the Urban Renewal Projects and Activities described in this Plan are consistent with the county’s adopted Comprehensive Plan.

Furthermore, the County approved the Governing Plan for the Dows Farm Agri-Community in 2020. The Governing Plan illustrated the vision for the Dows Farm Agri-Community and provides detailed development criteria for the area. All Urban Renewal Projects and Activities described in this Plan are consistent with the adopted Governing Plan

This Urban Renewal Plan, as amended, does not in any way replace or modify the City’s current land use planning or zoning regulation process.

**VII. EFFECTIVE PERIOD**

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

**VIII. PLAN AMENDMENTS**

This Urban Renewal Plan may be amended in accordance with the procedures set forth in Chapter 403 of the Code of Iowa to, for example, change the project boundaries, modify urban renewal objectives, activities or project, or to carry out any other purposes consistent with Chapter 403 of the Code of Iowa.

**IX. COUNTY INDEBTEDNESS**

The estimated amount of debt to be incurred by the updated urban renewal project identified in this Amendment are outlined in *Section II* of this Amendment. The estimated project costs in this

Amendment 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. It is expected that such indebtedness will be financed in whole with tax increment revenues from the Urban Renewal Area, as amended. Subject to the foregoing, the anticipated aggregate indebtedness to be incurred for the proposed urban renewal projects identified in this Amendment is estimated at \$667,617 (this estimate does not include debt service or financing costs related to debt issuance, which will be incurred over the life of the Area). Currently, the Linn County's' outstanding general obligation indebtedness is \$60,315,000 (as of Fiscal Year 2021 beginning July 1, 2020). The Constitution of the State of Iowa limits the amount of County debt outstanding at any time to no more than five (5) percent of the actual value (as shown by the last certified state and county tax list) of all taxable property within the County. The County's constitutional debt limit is \$1,056,020,177 as of July 1, 2020 (FY2021).

#### **X. REPEALER**

Any parts of the previous Plan, as previously amended, in conflict with this Amendment are hereby repealed.

#### **XI. SEVERABILITY**

If any part of the Amendment is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Plan as a whole, or any part of the Plan or this Amendment not determined to be invalid or unconstitutional.