

RESOLUTION NO. 2021-6-96

**Setting dates of a public hearing and consultation with affected taxing entities on the proposed amendment to the Linn County 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, Chapter 403 of the Code of Iowa requires that, before a county approves any new urban renewal project or adds new property to an urban renewal area, a county must amend the existing urban renewal plan to describe the new property and the new project; 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 it is necessary that a date be set for a public hearing on this proposal; and

WHEREAS, this proposed amendment adds no new land; and

WHEREAS, the Iowa statutes further require the Board of Supervisors to notify all affected taxing entities of the consideration being given to the proposed amendment 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 part thereof, to which the County shall submit written responses as provided in Section 403.5, as amended; and

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Linn County, Iowa, as follows:

Section 1. Pursuant to Section 403.5 of the Code of Iowa, the consultation process on the proposed amendment required by Section 403.5(2) of the Code of Iowa shall be held on Wednesday, July 14, 2021, in the Linn County Jean Oxley Public Service Center, Cedar Rapids, Iowa at 11:00 A.M. The Planning and Development Director, or their 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).

Section 2. A copy of the hearing notice shall be mailed by ordinary mail to each affected taxing entity, the form of notice is attached hereto as Exhibit 2.

Section 3. This Board of Supervisors will meet at the Linn County Jean Oxley Public Service Center, Cedar Rapids, Iowa, on the 28<sup>th</sup> day of July, 2021, at 11:00 o'clock a.m., at which time and place it will hold a public hearing on the proposed 2021 amendment to the Urban Renewal Area and Plan.

Section 4. Notice of the hearing shall be published, the same being in the form attached to this resolution, which publication shall be made in a newspaper of general circulation in

Linn County, which publication shall be not less than four (4) nor more than twenty (20) days before the date set for the hearing, the form of this notice is attached as Exhibit 3.

Passed and approved June 23, 2021.

Stacey Walker  
Stacey Walker, Chairperson

Attest:

Joel Miller by Rebecca Sloop,  
Joel Miller, County Auditor  
Deputy

## Exhibit 1

### LINN COUNTY, IOWA

#### AMENDMENT TO THE URBAN RENEWAL PLAN

##### I. INTRODUCTION

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. PROPOSED URBAN RENEWAL PROJECT

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:

Project	Description and Rationale	Estimated Indebtedness
Dows Farm Agri Community Commercial Area	Development the commercial portion of the Dows Farm Development, consistent with the Dows Farm Governing Plan.	The County anticipates entering in to a Development Agreement which will provide a reimbursement of

	Construction of approximately 40,700 square feet of commercial space.	100% of the increment taxes generated and collected 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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**III. 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.

**IV. EFFECTIVE DATE**

This Amendment the Linn County Urban Renewal Plan for the Linn County Urban Renewal Area shall be deemed to be effective upon the adoption of a Board of Supervisors Resolution approving the said amended Urban Renewal Plan. The Urban Renewal Plan, as so amended, shall remain in full force until amended or rescinded by the Board of Supervisors.

**V. 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).

## **VI. REPEALER**

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

## **VII. 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.

## **EXHIBIT 2**

### **NOTICE OF A CONSULTATION TO BE HELD BETWEEN LINN COUNTY, STATE OF IOWA AND ALL AFFECTED TAXING ENTITIES CONCERNING THE PROPOSED AMENDMENT TO THE LINN COUNTY URBAN RENEWAL PLAN FOR THE LINN COUNTY URBAN RENEWAL AREA**

Linn County, State of Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1) of the Code of Iowa, as amended, commencing at 11:00 a.m. on Wednesday, July 14, 2021, in the Formal Board Room Room, Jean Oxley Public Service Center, 935 2<sup>nd</sup> St. SW, Cedar Rapids, Iowa concerning a proposed Amendment to the Linn County Urban Renewal Plan for the Linn County Urban Renewal Area, a copy of which is attached hereto.

Each affected taxing entity may appoint a representative to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the Urban Renewal Area, the fiscal impact of the division of revenue on the affected taxing entities, the estimated impact on the provision of services by each of the affected taxing entities in the Urban Renewal Area, and the duration of any bond issuance included in the Amendment.

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The Planning and Development Director, or their delegate, as the designated representative of Linn County, State of Iowa, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed Amendment, addressing any recommendations made by that entity for modification to the proposed division of revenue.

This notice is given by order of the Board of Supervisors of Linn County, State of Iowa, as provided by Section 403.5 of the Code of Iowa, as amended.

Dated this 23<sup>rd</sup> day of June, 2021.

### EXHIBIT 3

#### NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL OF A PROPOSED AMENDMENT TO THE LINN COUNTY URBAN RENEWAL PLAN FOR THE LINN COUNTY URBAN RENEWAL AREA

The Board of Supervisors of Linn County, State of Iowa, will hold a public hearing before itself at its meeting which commences at 11:00 a.m. on Wednesday, July 28<sup>th</sup>, 2021, in the Formal Board Room Room, Jean Oxley Public Service Center, 935 2<sup>nd</sup> St. SW, Cedar Rapids, Iowa, to consider adoption of a proposed Amendment to the Linn County Urban Renewal Plan (the "Amendment") concerning the Linn County Urban Renewal Area in Linn County, State of Iowa, legally described in the Plan. New projects that will be undertaken in the Urban Renewal Area include development of the commercial portion of the Dows Farm Development, consistent with the Dows Farm Governing Plan totaling of approximately 40,700 square feet of commercial space.

It is estimated that a portion of the cost of the new projects would be financed with incremental property tax revenues.

The 2021 Amendment is on file and available for inspection in the office of the County Auditor.

At the hearing any interested person may file written objections or comments and may be heard with respect to the subject matter of the hearing.

Dated this 23<sup>rd</sup> day of June, 2021.

## Shoop, Becky

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**From:** legals <legals@thegazette.com>  
**Sent:** Wednesday, June 23, 2021 10:28 AM  
**To:** Shoop, Becky  
**Subject:** RE: Linn County Urban Renewal Plan PH

Thanks it can run on July 13

Diane Gusta  
The Gazette (Legals)  
319-398-8383

**The Gazette**  
thegazette.com

**From:** Shoop, Becky <becky.shoop@linncounty-ia.gov>  
**Sent:** Wednesday, June 23, 2021 10:02 AM  
**To:** legals <legals@thegazette.com>  
**Cc:** Hoy, Amanda <amanda.hoy@linncounty-ia.gov>  
**Subject:** Linn County Urban Renewal Plan PH

#249724 July 13

Please publish the attached in your paper on Tuesday, July 13, 2021.

Thanks!



**REBECCA SHOOP**  
*First Deputy*  
**AUDITOR'S OFFICE**  
935 2ND St. SW | Cedar Rapids, IA 52404  
Ph: 319-892-5308 | Fax: 319-892-5359  
[LinnCounty.org](http://LinnCounty.org)