

**Urban Renewal Plan for the
Heinz Road Urban Renewal Area
Amendment No. 2**

June 2020

**Amendment No. 1, 2014
Original, 2002**

Fee



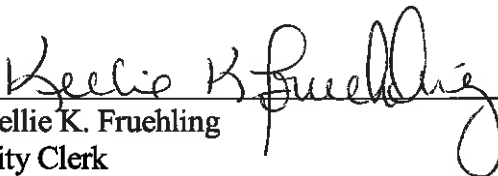
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Kind: RESOLUTION
Recorded: 08/11/2020 at 09:38:00 AM
Fee Amt: \$57.00 Page 1 of 11
Johnson County Iowa
Kim Painter County Recorder
BK **6091** PG **38-48**



STATE OF IOWA)
) SS
JOHNSON COUNTY)

I, Kellie K. Fruehling, City Clerk of Iowa City, Iowa, do hereby certify that the Resolution attached hereto is a true and correct copy of Resolution No. 20-186 which was passed by the City Council of Iowa City, Iowa, at a regular meeting held on the 4th day of August 2020, all as the same appears of record in my office.

Dated at Iowa City, Iowa, this 7th day of August 2020.



Kellie K. Fruehling
City Clerk

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RESOLUTION NO. 20-186

Resolution approving Amendment No. 2 to the Heinz Road Urban Renewal Plan to add projects to the Urban Renewal Area.

WHEREAS, on July 7, 2020, City Council adopted a resolution of necessity (Res. No. 20-165) contemplating an amendment to the Heinz Road Urban Renewal Plan to facilitate reducing carbon emissions by helping users of industrial facilities in the Urban Renewal Area improve energy efficiency, said amendment being the 2nd amendment thereto, and

WHEREAS, pursuant to Res. No. 20-165, consultation with affected taxing entities was duly held and all required responses to the recommendations made by the affected taxing entities, have been timely made as set forth in the report of the Economic Development Coordinator filed herewith and incorporated herein by the reference, which report is in all respects approved; and

WHEREAS, pursuant to said Res. No. 20-165, a public hearing was held after due and proper notice of said public hearing was given, as provided by law, by timely publication in the Iowa City Press Citizen.

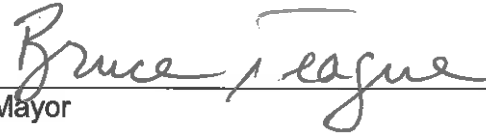
NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF IOWA CITY, IOWA:

Section 1. This Council finds that Amendment No. 2 to the Heinz Road Urban Renewal Plan conforms to the general plan for the development of the City as a whole; will not result in the displacement of families; and, does not contain open land to be acquired by the City; and,

Section 2. That Amendment No. 2 is hereby approved and adopted as the "Amendment No. 2 to the Heinz Road Urban Renewal Plan for the Heinz Road Urban Renewal Area"; and the City Clerk is hereby directed to file a certified copy of said Amendment No. 2 with the proceedings of this meeting.

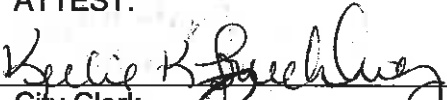
Section 3. That the Heinz Road Urban Renewal Plan for the Heinz Road Urban Renewal Area, as amended herein, shall be in full force and effect from the date of this resolution until the later of the date of termination set forth in the Plan, as amended, or the date on which payment of all obligations issued or advances made to carry out the purposes thereof shall be fully provided for. Said Amendment No. 2 shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Johnson County, Iowa, to be filed and recorded in the manner provided by law.

PASSED AND APPROVED this 4th day of August, 2020.



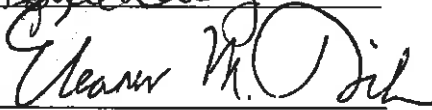
Mayor

ATTEST:



City Clerk

APPROVED:



City Attorney

(Sara Greenwood Hektoen – 07/27/2020)

SECTION 1 - INTRODUCTION

The **Urban Renewal Plan for the Heinz Road Urban Renewal Area**, as amended, is being amended to add climate change goals and add a proposed project to be undertaken in the Area. The Heinz Road Area was originally adopted in 2002 pursuant to resolution 02-195 and amended in 2014 pursuant to Resolution 14-23 to add a project.

The base valuation of the area will be unchanged by this Amendment.

SECTION 2 – URBAN RENEWAL GOALS AND OBJECTIVES

The Urban Renewal Goals and Objectives previously set forth in the Original Plan and Amendment 1 remain unchanged by this Amendment. This Amendment No. 2 adds the goal of reducing carbon emissions by helping users of industrial facilities in the Urban Renewal Area improve energy efficiency.

In 2007, the City of Iowa City took an important step toward addressing climate change by signing the U.S. Mayor's Climate Protection Agreement. In 2008, the Council agreed to participate in the "Cities for Climate Protection Campaign." In 2009, the City completed the first greenhouse gas inventory in the state. The Mayor signed the updated U.S. Climate Protection Agreement in 2014 and the Council set greenhouse gas emissions reduction goals in 2016. In 2017, the City formed a Climate Action Steering Committee to provide input on the development of a Climate Action Plan. Comprised of and representing many stakeholders in the community, the Committee sought and received public input to guide planning efforts. In 2017, Council adopted the Iowa City Climate Action and Adaptation Plan. The *Buildings* section of the Action Plan includes among its goals, a) increasing energy efficiency in businesses and b) increasing on-site renewable energy systems and electrification. In 2019, Council increased the carbon emission reduction targets and declared a Climate Crisis.

The average commercial building wastes about 30% of the energy it consumes. By capturing inefficiencies, users can reduce costs. By reducing energy use, users also reduce greenhouse gases emitted at power plants (Energy Star, U.S. Environmental Protection Agency). Reducing greenhouse gases released into the atmosphere is an effective way to stem climate change and results in a cleaner, healthier environment. The amendment to this plan seeks to assist users achieve those goals.

SECTION 3 – DESCRIPTION OF THE URBAN RENEWAL AREA

The legal description of the area is attached hereto as Attachment No. 1.

SECTION 4 – AREA DESIGNATION

This area remains an economic development area, as that term is defined in the Iowa Code Chapter 403.

SECTION 5 – PROPOSED URBAN RENEWAL PROJECTS

The eligible urban renewal projects under this Urban Renewal Plan include:

Development Agreements

Enter into development agreements with industrial users in the Urban Renewal Area to provide economic development assistance for projects that include improvements to the facilities making them more energy efficient. The proposed Urban Renewal Projects contemplated by this Amendment No. 2 may require evaluation by a qualified third-party engineering firm to determine and recommend the optimal energy efficiency solutions for industrial companies. Projects may range from adjustments to existing systems to the installation of new systems. They may include a change-over from natural gas to electric energy to the installation of solar panels to reduce carbon emissions.

Project	Date	Estimated Cost	Rationale
Energy efficiency improvements at Industrial properties	2020 – FY25	\$2,500,000	To reduce carbon emissions

SECTION 6 – DEBT

1. FY21 Constitutional Debt Limit: \$342,894,916
2. Current general obligation debt: \$54,850,000
3. Proposed amount of indebtedness to be incurred: Although a specific amount of tax increment debt to be incurred (including direct grants, loans, advances, indebtedness, or bonds) for projects over time has not yet been determined, it is anticipated that the cost of the Proposed Urban Renewal Activities and Proposed Projects identified in Section 5 above will not exceed \$2.6 million. In no event will debt be incurred that would exceed the City's debt capacity. It is further expected that loans, advances, indebtedness or bonds to be incurred for the Proposed Project or subsequent projects, including interest on the same, will be financed in whole or in part with tax increment revenues from the Urban Renewal Area. The City Council will consider each request for financial assistance or a project proposal on a case-by-case basis to determine if it is in the City's best interest to participate.

SECTION 7 – CONFORMANCE WITH LAND USE POLICY AND ZONING ORDINANCES

The Amendment is consistent with the Iowa City Comprehensive Plan, including the Southeast District Plan.

SECTION 8 – URBAN RENEWAL PLAN AMENDMENTS

If the City of Iowa City desires to amend this Plan, it may do so in conformance with applicable state and local laws.

SECTION 9 – EFFECTIVE PERIOD

This Urban Renewal Plan Amendment #2 will become effective upon its adoption by the City Council. Notwithstanding anything to the contrary in the Urban Renewal Plan, any prior amendment, resolution, or document, the Urban Renewal Plan, any prior amendment, resolution, or document, the Urban Renewal Plan shall remain in effect until terminated by the City Council, and 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, will be consistent with Chapter 403 of the Iowa Code.

SECTION 10 – REPEALER

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

SECTION 11 – SEVERABILITY CLAUSE

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 the previous amendments to the Plan, or any part of the plan not determined to be invalid or unconstitutional.

Attachment #1
Legal Description

Consisting of a tract of land described as follows:

Commencing at the intersection of the northerly right-of-way Line of U.S. Highway 6 and the easterly right-of-way line of Scott Boulevard located in Section 19, Township 79 North, Range 5 West of the Fifth Principal Meridian, Iowa City, Johnson County, Iowa; said point of beginning;

Thence, northeasterly and northerly along easterly right-of-way line of Scott Boulevard to a point on the southerly right-of-way line of the Heartland Rail Corporation;

Thence northwesterly along said southerly right-of way line of the Heartland Rail Corporation to the most northwesterly point of Lot 4, BDI Fifth Addition;

Thence, southeasterly and then southerly along the westerly property line of Lot 4, BDI Fifth Addition to the most southwesterly point of Lot 4, BDI Fifth Addition, which is also the most northwesterly point of Lot 4 Second Addition;

Thence, southerly and then southwesterly along the westerly property line of Lot 4 BDI Second Addition to the most northwesterly point of Lot 1, BDI Fourth Addition;

Thence, southwesterly along the westerly property line of Lot 1, BDI Fourth Addition to the intersection of the westerly property line of Lot 1, BDI Fourth Addition and the northerly right-of-way line of US Highway 6;

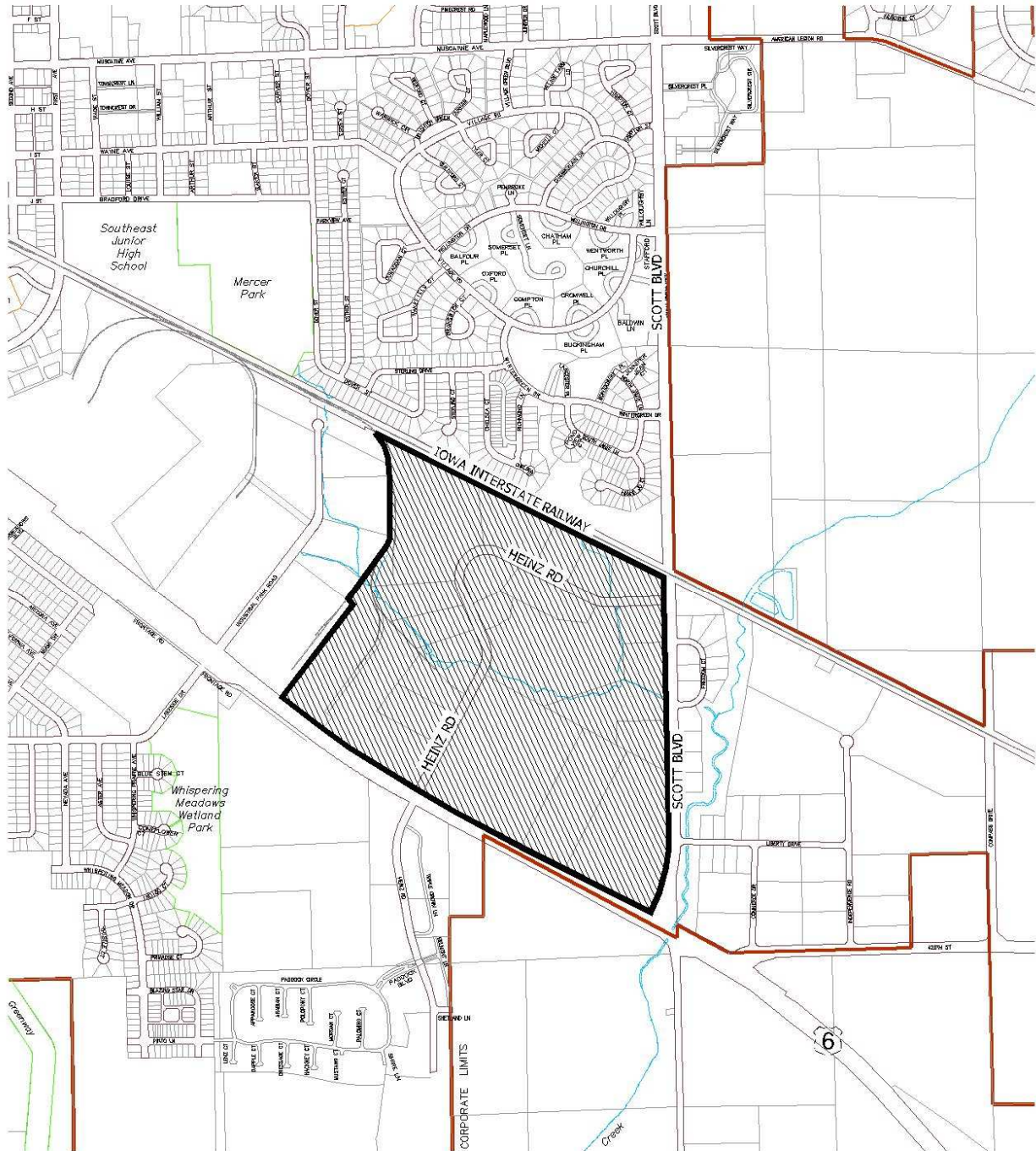
Thence, to a point perpendicular with the southerly right-of-way of US Highway 6;

Thence, southeasterly along the southerly right-of-way of Highway 6 to a point perpendicular to the easterly right-of-way of Scott Boulevard,

Thence, northeasterly to the intersection of the northerly right-of-way of US Highway 6 and the easterly right-of-way of Scott Boulevard, which is said point of beginning.

(This area has also been referred to as the BDI Industrial Park Area.)

Heinz Road Urban Renewal Area



- Urban Renewal Area Boundary
- Urban Renewal Area



Amendment No. 1

Heinz Road Urban Renewal Plan City of Iowa City, IA

Original Area Adopted 2002

Amendment No. 1 – 2013

Fee




Doc ID: 025239730009 Type: GEN
Kind: RESOLUTION
Recorded: 01/24/2014 at 03:24:30 PM
Fee Amt: \$47.00 Page 1 of 9
Johnson County Iowa
Kim Painter County Recorder
BK 5200 PG 907-915



STATE OF IOWA)
) SS
JOHNSON COUNTY)

I, Marian K. Karr, City Clerk of Iowa City, Iowa, do hereby certify that the Resolution attached hereto is a true and correct copy of Resolution No.14-23 which was passed by the City Council of Iowa City, Iowa, at a regular meeting held on the 21st day of January, 2014, all as the same appears of record in my office.

Dated at Iowa City, Iowa, this 22nd day of January, 2014.



Marian K. Karr
City Clerk

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CORPORATE SEAL

Prepared by: Wendy Ford, 410 E. Washington St., Iowa City, IA 52240 (319) 356-5248

RESOLUTION NO. 14-23

RESOLUTION TO APPROVE AMENDMENT #1 TO THE HEINZ ROAD URBAN RENEWAL PLAN TO ADD AN URBAN RENEWAL PROJECT.

WHEREAS, on December 3, 2013, City Council adopted a resolution of necessity (Resolution No. 13-331) contemplating an amendment to the Heinz Road Urban Renewal Plan to include an urban renewal project, said amendment being the 1st amendment thereto; and

WHEREAS, pursuant to Resolution No. 13-331, consultation with all affected taxing entities was duly held and all required responses to the recommendations made by the affected taxing entities have been timely made as set forth in the report of the Economic Development Coordinator filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, pursuant to said Resolution No. 13-331, a public hearing was held after due and proper notice of said public hearing was given, as provided by law, by timely publication in the Iowa City Press-Citizen.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF IOWA CITY, IOWA:

Section 1. This Council finds that the Amendment No. 1 to the Heinz Road Urban Renewal Plan conforms to the general plan for the development of the City as a whole; and.

Section 2. That the Amendment No. 1 is hereby approved and adopted as "Amendment No. 1 to the Heinz Road Urban Renewal Plan"; and the City Clerk is hereby directed to file a certified copy of said Amendment No. 1 with the proceedings of this meeting.

Section 3. That the Heinz Road Urban Renewal Plan, as amended herein, shall be in full force and effect from the date of this resolution until the later of the date of termination set forth in the Plan, as amended, or the date on which payment of all obligations issued or advances made to carry out the purposes thereof shall be fully provided for. Said Amendment No. 1 shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Johnson County, Iowa, to be filed and recorded in the manner provided by law.

PASSED AND APPROVED this 21st day of January, 2014.

ATTEST:

Marian K. Kaw
CITY CLERK

Attyfer
MAYOR

Approved by:

[Signature]
City Attorney's Office

12-27-14

CORPORATE SEAL-1-

Resolution No. 14-23
Page 2

It was moved by Mims and seconded by Payne the
Resolution be adopted, and upon roll call there were:

AYES:

X

X
X
X
X
X

NAYS:

ABSENT:

X

Botchway
Dickens
Dobyns
Hayek
Mims
Payne
Throgmorton

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Attachment No. 1 - Location Map: Heinz Road Urban Renewal Area

Attachment No. 2 – Legal Description

Section 1 - Introduction

The Heinz Road Urban Renewal Plan ("Plan") for the Heinz Road Urban Renewal Area ("Area"), as amended, is being further amended herein to add a proposed project to be undertaken within the Area.

There have been no previous amendments to the plan. The purpose of this amendment is to add a project. The Heinz Road Urban Renewal Area remains unchanged.

Except as modified by this Amendment, the provisions of the original Heinz Road Urban Renewal Plan are hereby ratified, confirmed, and approved and shall remain in full force and effect. In case of any conflict or uncertainty, the terms of this Amendment shall control.

Section 2 - Description of Urban Renewal Area

The legal description of the Area and map thereof are attached hereto as Attachment No. 2.

Section 3 – Proposed Urban Renewal Projects

Although certain project activities may occur over a period of years, in addition to the projects previously proposed in the City-University Project I Urban Renewal Plan, as previously amended, the Proposed Urban Renewal Projects under this Amendment include:

1. Economic Development

Project	Date	Estimated Cost	Rationale
Developer's Agreement for TIF rebates to Alpla, Inc.	2014-2018	Not to exceed \$170,000	Economic Development: Additional jobs and taxable value.
Administrative expenses	2014	Not to exceed \$5,000	

Section 4 – DEBT

1. (FY14) Constitutional Debt Limit: \$ 233,415,950
2. Current general obligation debt: \$ 67,055,000

Proposed amount of indebtedness to be incurred: A specific amount of tax increment debt to be incurred (including direct grants, loans, advances, indebtedness, bonds or other incentives) for projects over time has not yet been determined. The City Council will consider each request for financial assistance or a project proposal on a case-by-case basis to determine if it is in the City's best interest to participate. It is estimated that the City's cost for anticipated Proposed Projects discussed in Section 3 will be in the range of \$175,000 . This is an estimate and in no event will the City Council exceed this estimated amount of indebtedness without amendment to

this Plan. This estimation is merely meant for planning purposes.

Section 5 – Urban Renewal Plan Amendments

If the City of Iowa City desires to amend this Plan, it may do so in conformance with applicable state and local laws.

Section 6 – Effective Period

This Urban Renewal Plan Amendment No. 1 will become effective upon its adoption by the City Council of Iowa City Notwithstanding anything to the contrary in the Urban Renewal Plan, any prior amendment, resolution, or document, the Urban Renewal Plan shall remain in effect until terminated by the City Council, and 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, will be consistent with Chapter 403 of the Iowa Code.

Section 7: Repealer

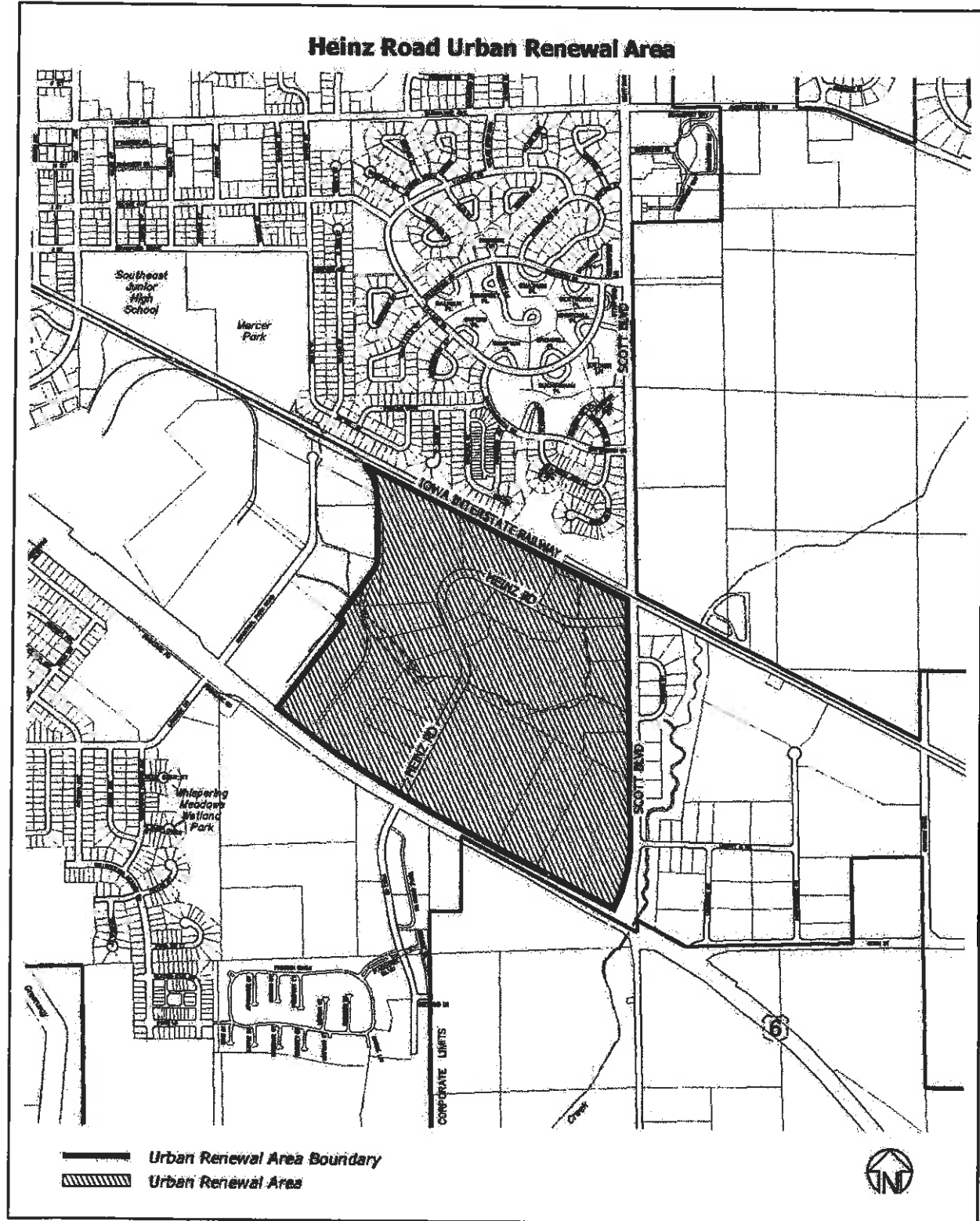
Any parts of the previous Plan, as previously amended, in conflict with this Amendment are hereby repealed.

Section 8: Severability Clause

If any part of this 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 the previous amendments to the Plan, or any part of the Plan not determined to be invalid or unconstitutional.

Attachment No. 1

Heinz Road Urban Renewal Area



Attachment No. 2

Legal Description of the Heinz Road Urban Renewal Area

Consisting of a tract of land described as follows:

Commencing at the intersection of the northerly right-of-way Line of U.S. Highway 6 and the easterly right-of-way line of Scott Boulevard located in Section 19, Township 79 North, Range 5 West of the Fifth Principal Meridian, Iowa City, Johnson County, Iowa; said point of beginning;

Thence, northeasterly and northerly along easterly right-of-way line of Scott Boulevard to a point on the southerly right-of-way line of the Heartland Rail Corporation;

Thence northwesterly along said southerly right- of way line of the Heartland Rail Corporation to the most northwesterly point of Lot 4, BDI Fifth Addition;

Thence, southeasterly and then southerly along the westerly property line of Lot 4, BDI Fifth Addition to the most southwesterly point of Lot 4, BDI Fifth Addition, which is also the most northwesterly point of Lot 4 Second Addition;

Thence, southerly and then southwestery along the westerly property line of Lot 4 BDI Second Addition to the most northwesterly point of Lot 1, BDI Fourth Addition;

Thence, southwestery along the westerly property line of Lot 1, BDI Fourth Addition to the intersection of the westerly property line of Lot 1, BDI Fourth Addition and the northerly right- of-way line of US Highway 6;

Thence, to a point perpendicular with the southerly right- of-way of US Highway 6;

Thence, southeasterly along the southerly right-of-way of Highway 6 to a point perpendicular to the easterly right-of-way of Scott Boulevard,

Thence, northeasterly to the intersection of the northerly right- of-way of US Highway 6 and the easterly right-of-way of Scott Boulevard, which is said point of beginning.

(This area is has also been referred to as the BDI Industrial Park Area.)

Heinz Road Urban Renewal Plan

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BOOK 3314 PAGE 226

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JOHNSON COUNTY RECORDER
IOWA CITY, IOWA

STATE OF IOWA)
JOHNSON COUNTY) SS

I, Marian K. Karr, City Clerk of Iowa City, Iowa, do hereby certify that the Resolution attached hereto is a true and correct copy of Resolution No. 02-195 which was passed by the City Council of Iowa City, Iowa, at a regular meeting held on the 21st day of May, 2002, and should replace the Resolution and Plan Filed No. 032549 recorded in Book 3303 Page 159 on May 29, 2002, all as the same appears of record in my office.

Dated at Iowa City, Iowa, this 12th day of June, 2002.

SEAL

Marian K. Karr
Marian K. Karr
City Clerk

Ares

Recorder

May 21, 2002

The City Council of Iowa City, Iowa, met in regular session, in the Emma J. Harvat Hall, Civic Center, Iowa City, Iowa, at 7:00 o'clock P.M., on the above date. There were present Mayor Lehman, in the chair, and the following named Council Members:

Champion, Kanner, Lehman, O'Donnell, Pfab,

Vanderhoef, Wilburn

Absent: None

* * * * *

The City Council of Iowa City, Iowa, met on May 7, 2002, and held a public hearing on the proposed Heinz Road Urban Renewal Plan. The Council then deferred further action on the Plan until this time and place.

Council Member Champion then introduced the following Resolution entitled "RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR AN URBAN RENEWAL PROJECT; AND ADOPTING THE HEINZ ROAD URBAN RENEWAL PLAN THEREFOR" and moved that the same be adopted. Council Member O'Donnell seconded the motion to adopt. The roll was called and the vote was,

AYES: O'Donnell, Vanderhoef, Wilburn, Champion, Lehman

NAYS: Kanner, Pfab

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION NO. 02-195

RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR AN URBAN RENEWAL PROJECT; AND ADOPTING THE HEINZ ROAD URBAN RENEWAL PLAN THEREFOR.

WHEREAS, this Council has reasonable cause to believe that the area described below satisfies the eligibility criteria for designation as an urban renewal area under Iowa law; and

WHEREAS, a proposed Heinz Road Urban Renewal Plan for the area described below has been prepared, which proposed Plan is on file in the office of the City Clerk and which is incorporated herein by reference; and

WHEREAS, this proposed Urban Renewal Area includes and consists of:

Commencing at the intersection of the Northerly Right-of-Way Line of U.S. Highway No. 6 and the Easterly Right-of-Way Line of Scott Boulevard located in Section 19, Township 79 North, Range 5 West of the Fifth Principal Meridian, Iowa City, Johnson County, Iowa; said Point of Beginning; Thence Northeasterly and Northerly along Easterly Right-of-Way Line of Scott Boulevard to a point on the Southerly Right-of-Way Line of the Heartland Rail Corporation; Thence Northwesterly along said Southerly Right-of-Way Line of the Heartland Rail Corporation to the most northwesterly point of Lot 4, BDI Fifth Addition; Thence Southeasterly and then Southerly along the Westerly property line of Lot 4, BDI Fifth Addition to the most Southwesterly point of Lot 4, BDI Fifth Addition, which is also the most Northwesterly point of Lot 4, BDI Second Addition; Thence Southerly and then Southwesterly along the Westerly property line of Lot 4, BDI Second Addition to the most Northwesterly point of Lot 1, BDI Fourth Addition; Thence Southwesterly along the Westerly property line of Lot 1, BDI Fourth Addition to the intersection of the Westerly property line of Lot 1, BDI Fourth Addition and the Northerly Right-of-Way Line of U.S. Highway No. 6; Thence to a point perpendicular with the Southerly Right-of-Way of U.S. Highway No. 6; Thence Southeasterly along the Southerly Right-of-Way of Highway No. 6 to a point perpendicular to the Easterly Right-of-Way of Scott Boulevard; Thence Northeasterly to the intersection of the Northerly Right-of-Way of Highway 6 and the Easterly Right-of-Way of Scott Boulevard, which is said point of

beginning. (This area is more commonly referred to as the BDI Industrial Park Area.)

WHEREAS, it is desirable that these areas be redeveloped as part of the overall redevelopment area covered by said proposed Urban Renewal Plan to be known hereafter as the "Heinz Road Urban Renewal Plan"; and

WHEREAS, the Iowa statutes require the City Council to submit the proposed Heinz Road 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 City as a whole, prior to City Council approval of such urban renewal project and an urban renewal plan therefor; and

WHEREAS, creation of the Heinz Road Urban Renewal Plan Area and adoption of the Heinz Road Urban Renewal Plan therefor has been approved by the Planning and Zoning Commission for the City as being in conformity with the general plan for development of the City as a whole, as evidenced by its written report filed herewith and incorporated herein by this reference; and

WHEREAS, by resolution adopted on April 2, 2002, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Heinz Road Urban Renewal Plan and the division of revenue described therein, and that notice of said consultation and a copy of the proposed Heinz Road Urban Renewal Plan be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the City Council and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of the David Schoon, Economic Development Coordinator filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by said resolution this Council also set a public hearing on the adoption of the proposed Heinz Road Urban Renewal Plan for this meeting of the Council, and due and proper notice of said public hearing was given, as provided by law, by timely publication in the "Press-Citizen", which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with said notice, all persons or organizations desiring to be heard on said proposed Plan, both for and against, have been given an opportunity to

be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and said public hearing has been closed.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF IOWA CITY, IOWA:

Section 1. That the findings and conclusions set forth or contained in the proposed "Heinz Road Urban Renewal Plan" for the area of the City of Iowa City, Iowa legally described and depicted in the Plan and incorporated herein by reference (which area shall hereinafter be known as the "Heinz Road Urban Renewal Plan Area"), be and the same are hereby adopted and approved as the findings of this Council for this area.

Section 2. This Council further finds:

a. A feasible method exists for the location of families who will be displaced from the Heinz Road Urban Renewal Plan Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

b. The Heinz Road Urban Renewal Plan conforms to the general plan for the development of the City as a whole; and

c. As to those areas of open land to be acquired by the City included within the Heinz Road Urban Renewal Plan Area:

i. With reference to those portions thereof which are to be developed for residential uses, this City Council hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the City; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

A. That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.

B. That conditions of blight in the municipality and the shortage of decent, safe and sanitary housing cause or contribute to

an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, or welfare.

C. That the provision of public improvements related to housing and residential development will encourage housing and residential development which is necessary to encourage the retention or relocation of industrial and commercial enterprises in this state and its municipalities.

D. The acquisition of the area is necessary to provide for the construction of housing for low and moderate income families.

ii. With reference to those portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

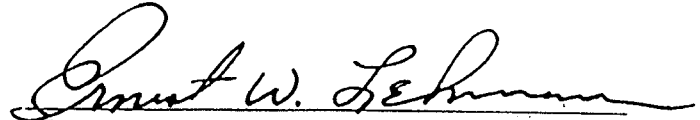
Section 3. That the Heinz Road Urban Renewal Plan Area is an economic development area within the meaning of Iowa Code Chapter 403; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403 of the Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this City.

Section 4. That the Heinz Road Urban Renewal Plan, attached hereto as Exhibit A and incorporated herein by reference, be and the same is hereby approved and adopted as the "Heinz Road Urban Renewal Plan for the Heinz Road Urban Renewal Plan Area"; the Heinz Road Urban Renewal Plan for such area is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of said Heinz Road Urban Renewal Plan with the proceedings of this meeting.

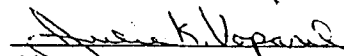
Section 5. That the Heinz Road Urban Renewal Plan for the Heinz Road Urban Renewal Plan Area shall be in full force and effect from the date of this resolution until the later of the date of termination set forth in the Heinz Road Urban Renewal Plan or the date on which payment of all obligations issued or advances made to carry out the purposes thereof shall be fully provided for. Said Heinz Road Urban Renewal Plan shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the

Recorder for Johnson County, Iowa, to be filed and recorded in the manner provided by law.

PASSED AND APPROVED this 21st day of May, 2002.


Mayor

ATTEST:


Deputy City Clerk

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CORPORATE SEAL

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Addendum No. 1 - Legal Description

Addendum No. 2 - Heinz Road Urban Renewal Project Area Map

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Heinz Road Urban Renewal Area

Introduction

The Iowa City Comprehensive Plan – 1997 provides a vision for the economic well-being for the residents of Iowa City and outlines the goals the community must strive to achieve in order to attain its economic well-being vision. The goals outlined in the Comprehensive Plan are:

- Diversify and increase the property tax base by (1) encouraging the retention and expansion of existing industry and (2) attracting industries that have growth potential and are compatible with existing businesses;
- Increase employment opportunities consistent with the available labor force;
- Provide and protect areas suitable for future industrial and commercial development;
- Cooperate with local and regional organizations to promote economic development within Iowa City;
- Improve the environmental and economic health of the community through the efficient use of resources; and
- Consider financial incentives and programs to facilitate achieving the above goals.

Over the years the Heinz Road Urban Renewal Area has provided a suitable area for industrial development, which has both increased employment opportunities consistent with the available workforce and which has diversified and increased the property tax base of the community. With the likes of national companies such as General Mills and ACT in conjunction with local businesses such as Blooming Prairie Warehouse, Economy Advertising, and Buckle Down Publishing, the community's economic well-being has been improved.

Though only a few vacant parcels of land are available in the Heinz Road Urban Renewal Area, opportunities are present for existing businesses to expand on existing developed lots. The Heinz Road Urban Renewal Area provides a place in which the City can continue to achieve its economic well-being goals.

To achieve the primary objectives of this Plan, the City of Iowa City shall undertake the urban renewal actions as specified in this Urban Renewal Plan, pursuant to the powers granted to it under Chapter 403 of the 2001 Code of Iowa, as amended.

Urban Renewal Plan Objectives

The overall goal of the Heinz Road Urban Renewal Plan is to formulate and execute a workable program using public and private resources to further develop the Urban Renewal Project Area for industrial development. The following objectives have been established for the proposed Urban Renewal Project Area:

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- To encourage and support development that will expand the taxable values of property within the Urban Renewal Project Area.
- To encourage the development of start-up firms, the expansion of existing businesses, and the attraction of new industries.
- To encourage employers who will provide employment opportunities consistent with the available workforce.
- To make public and private infrastructure and site improvements as deemed necessary by the City to support new and expanded industrial development;
- To provide financial incentives and assistance to qualifying businesses, as necessary.

Description of Urban Renewal Area

The legal description of this proposed Urban Renewal Project Area is included in the Plan as Addendum No. 1 - Legal Description.

The location and general boundaries of the Heinz Road Urban Renewal Plan Area are shown on Addendum No. 2 - Location Map: Heinz Road Urban Renewal Project Area.

Proposed Urban Renewal Actions

Proposed urban renewal actions will consist of private site improvements, public infrastructure improvements, and financial incentives to encourage industrial development.

Private Site Improvements

Private site improvements may include, but are not limited to, demolition of existing buildings and site preparation, design and construction of buildings, grading for building construction and amenities; adequate paving and parking; adequate landscaping; and on-site utilities.

Tax increment financing may be used by qualifying businesses to finance these private site improvements. Qualifying businesses must meet the requirements of the *Financial Incentives* section in order to use tax increment financing for private site improvements.

Public Infrastructure Improvements

Public infrastructure improvements may include, but are not limited to, stormwater management facilities, public streets and sidewalks (such as the widening of Highway 6), sanitary sewers, and storm sewers. Tax increment financing shall be available to finance the construction of these improvements, in whole or in part, at the City Council's discretion.

Financial Incentives

Tax increment financing shall be available for providing direct grants, loans, or rebates for those qualifying businesses engaged in the uses allowed in the General Industrial (I-1) Zone. The funds from the direct grants, loans, or rebates may be used for, but are not limited to, financing the private site improvements listed above. Qualifying businesses shall be determined by the City Council. The Council's determination shall be based upon the financial assistance guidelines outlined in Addendum A of the "Economic Development Policies, Strategies, and Actions for the City of Iowa City".

Conformance with Land Use Policy and Zoning Ordinance

Comprehensive Plan

The Land Use Map contained in the Comprehensive Plan illustrates the Urban Renewal Project Area for industrial development, which is consistent with this Urban Renewal Plan.

Current Zoning

The Project Area is presently zoned I-1, General Industrial Zone which is consistent with this Urban Renewal Plan.

Current and Proposed Land Uses

The Project Area is presently used for industrial purposes. The proposed land uses include industrial purposes, which are consistent with the current zoning.

Relocation of Families

Given that the Urban Renewal Area does not contain within its boundaries any residential housing units, there is no need to relocate any families.

Current Debt and Proposed Indebtedness

List of Current General Obligation Debt

General Obligation Debt by Issue

<u>Issue Date</u>	<u>Original Amount</u>	<u>Interest Rates</u>	<u>Final Maturity</u>	<u>6-30-01 Principal Outstanding</u>	<u>Notes</u>
1991	\$2,340,000	5.4%-5.6%	6/02	\$225,000	(1)
1992	4,870,000	4.45%-5.50%	6/02	490,000	(2)
1992	3,450,000	4.75%-5.20%	6/07	1,680,000	(3)
1994	7,370,000	4.6%-4.7%	6/04	2,175,000	(4)
1995	8,500,000	4.8%-5.125%	6/07	4,240,000	(5)
1996	6,100,000	3.6%-5.5%	6/15	5,000,000	(6)
1997	5,200,000	4.5%-4.7%	6/07	3,100,000	
1997	5,540,000	4.875%-5.0%	6/17	4,700,000	(7)
1998	8,500,000	4.35%-4.75%	6/13	6,775,000	
1999	9,000,000	4.125-4.75%	6/18	8,075,000	
2000	14,310,000	4.375-5.50%	6/18	13,605,000	
2001	11,500,000	4.00-4.90%	6/16	11,500,000	
Total				<u>\$61,565,000</u>	

(1) 9.40% abated by sewer revenues.

(2) 8.68% abated by special assessment revenue. 10.73% abated by water revenue.

(3) 100% abated by parking revenue.

(4) 32.1% abated by sewer revenues and 20.5% abated by water revenues.

(5) 23.88% abated by sewer revenues and 57.88% abated by water revenues.

(6) 72.89% abated by water revenues.

(7) 100% abated by water revenues.

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Current Constitutional Debt Limit of the City of Iowa City

The Constitution of the State of Iowa, Article XI, Section 3, provides as follows:

"Indebtedness of political or municipal corporations. No county, or other political or municipal corporation shall be allowed to become indebted in any manner, or for any purpose, to an amount, in the aggregate, exceeding five per centum on the value of taxable property within such county or corporation-to be ascertained by the last State and County tax lists, previous to the incurring of such indebtedness."

Debt Limit Computation

As March 8, 2002

Total Assessed Actual Valuation	\$2,904,556,668
Legal Debt Limit of 5% of 2001 Assessed Actual Value	\$145,227,833
Debt Chargeable Against Limit	\$61,565,000
Legal Debt Limit Available	\$83,662,833

Proposed Amount of Indebtedness:

Through the actions of this urban renewal plan, the City of Iowa City proposes to potentially incur indebtedness for public infrastructure improvements, private site improvements, and financial incentives to qualifying businesses. Given the uncertainty of the needs of future business development projects within the Urban Renewal Area, the proposed amount of indebtedness is difficult to determine at this time. The proposed amount of indebtedness to be incurred under this Urban Renewal Plan, including loans, advances, indebtedness, or bonds which qualify, could equal approximately \$7.0 million over the 20 year period of the Urban Renewal Plan's Tax Increment Financing District.

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Other Provisions Necessary to Meet State and Local Requirements

Chapter 403 of the 2002 Code of Iowa, as amended, authorizes cities to exercise urban renewal powers and certain other powers for the development of economic development areas. Certain provisions must be fulfilled to exercise these powers. These provisions and the method(s) by which the City of Iowa City proposes to fulfill these provisions (shown with an *) are detailed below.

Provision: A Resolution of necessity finding that a slum, blighted, and/or an economic development area exists in the community and that designation of this area as a proposed Urban Renewal Project Area is appropriate.

- * A Resolution of Necessity was adopted by the City Council on April 2, 2002. This Resolution of Necessity declares the area encompassed by this Urban Renewal Plan is appropriate for development in conformance with the City's zoning and comprehensive plan; however, due to certain circumstances, appropriate economic development of industrial park uses has not occurred on the vacant and under-utilized property which exists in the proposed Urban Renewal Project Area.

Provision: A Resolution of Necessity which determines that the proposed Urban Renewal Project Area is in need of economic development because certain conditions exist which effectively hinder development.

- * A Resolution of Necessity designating the area as meeting the criteria detailed by Chapter 403, Code of Iowa (2002), was adopted by the City Council on April 2, 2002

Provision: A general plan for the development of the municipality has been adopted.

- * The City of Iowa City adopted the 1997 Iowa City Comprehensive Plan on December 9, 1997.

Provision: The Planning and Zoning Commission has made and forwarded its recommendation(s) to the City Council as to the conformity of this Urban Renewal Plan with the 1997 Iowa City Comprehensive Plan.

- * The Planning and Zoning Commission recommendation was forwarded to the City Council on April 5, 2002

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Provision A designated representative of the municipality shall hold a consultation with designated representatives of the affected taxing districts after notice is given by regular mail and prior to the public hearing on the plan.

- * The consultation with representatives from the affected taxing districts was held on April 15, 2002. The notice was mailed by regular mail on April 3, 2002.

Provision Representatives of the affected taxing districts may make written recommendations for modification to the proposed division of revenue no later than seven days following the date of the consultation. The representative of the municipality shall, no later than seven days prior to the public hearing on the urban renewal plan, submit a written response to the affected taxing entity addressing the affected taxing districts' recommendations to the proposed division of revenue.

- * Comments were not received from the affected taxing districts by April 22, 2002, which was seven days following the date of the consultation.

Provision: A public hearing on the on the Urban Renewal Plan is held after official publication of the public notice.

- * The public hearing on the Urban Renewal Plan document pursuant to state law was held on May 7, 2002. The public notice was published April 30, 2002, in the Press Citizen, a newspaper having a general circulation in Iowa City.

Provision: Approval of the Urban Renewal Plan by the local public agency after finding that:

(a) A feasible method exists for relocating families.

(b) The Urban Renewal Plan conforms to the general plan known as the 1997 Iowa City Comprehensive Plan.

- * The plan includes a feasible method for relocating families.

On May 21, 2002, the City Council of the City of Iowa City by resolution has found this Urban Renewal Plan to be in conformance with the 1997 Iowa City Comprehensive Plan, the adopted general plan for the municipality.

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Procedures for Changes in Approved Plan

If the City of Iowa City desires to amend this Urban Renewal Plan, it may do so after providing public notice, holding a public hearing on the proposed change, and undertaking other required actions in conformance with applicable state and local laws.

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Addendum No. 1
Legal Description of the
Proposed Urban Renewal Project Area

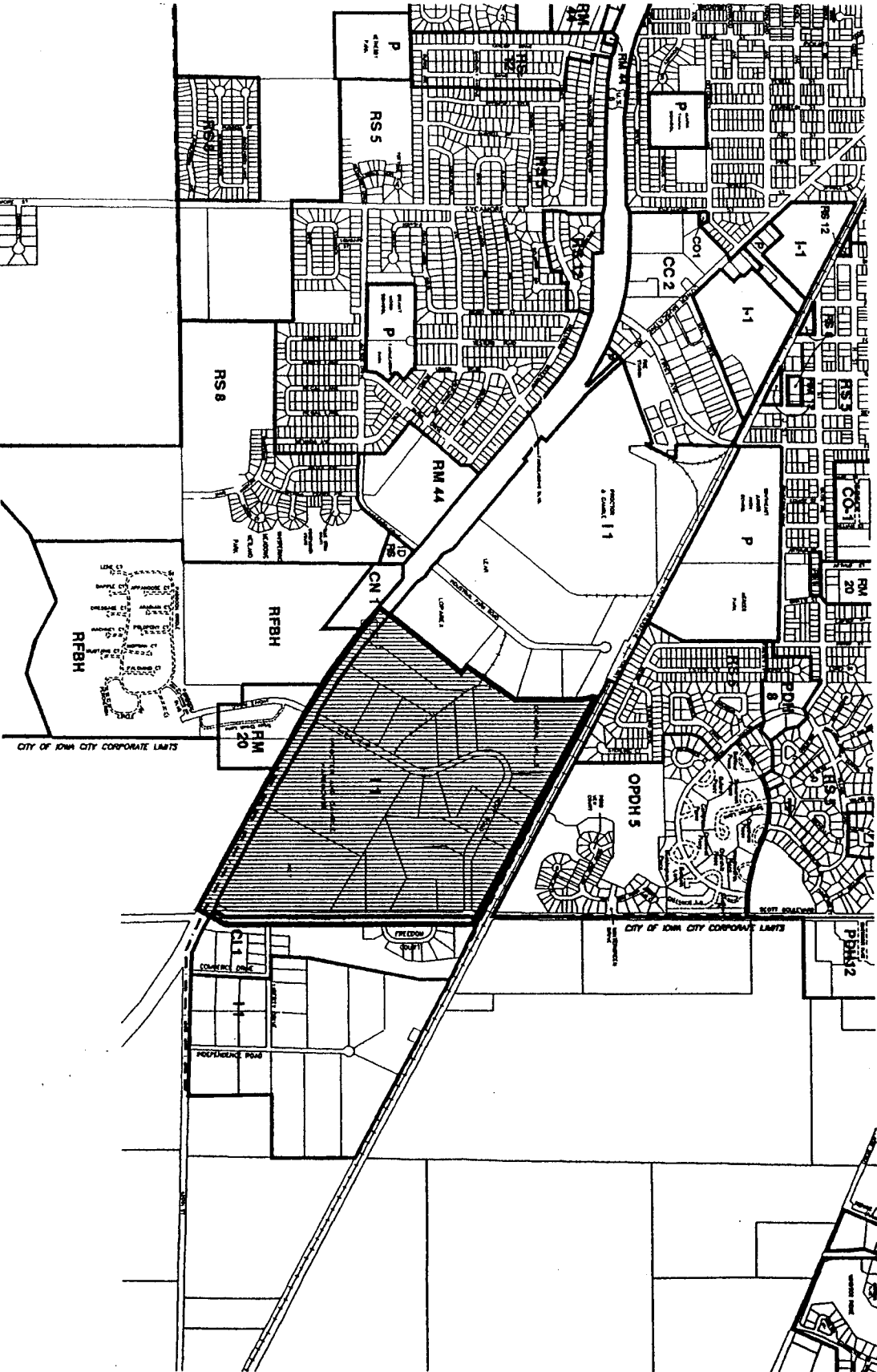
Consisting of a tract of land described as follows:

Commencing at the intersection of the Northerly Right-of-Way Line of U.S. Highway No. 6 and the Easterly Right-of-Way Line of Scott Boulevard located in Section 19, Township 79 North, Range 5 West of the Fifth Principal Meridian, Iowa City, Johnson County, Iowa; said Point of Beginning; Thence Northeasterly and Northerly along Easterly Right-of-Way Line of Scott Boulevard to a point on the Southerly Right-of-Way Line of the Heartland Rail Corporation; Thence Northwesterly along said Southerly Right-of-Way Line of the Heartland Rail Corporation to the most northwesterly point of Lot 4, BDI Fifth Addition; Thence Southeasterly and then Southerly along the Westerly property line of Lot 4, BDI Fifth Addition to the most Southwesterly point of Lot 4, BDI Fifth Addition, which is also the most Northwesterly point of Lot 4, BDI Second Addition; Thence Southerly and then Southwesterly along the Westerly property line of Lot 4, BDI Second Addition to the most Northwesterly point of Lot 1, BDI Fourth Addition; Thence Southwesterly along the Westerly property line of Lot 1, BDI Fourth Addition to the intersection of the Westerly property line of Lot 1, BDI Fourth Addition and the Northerly Right-of-Way Line of U.S Highway No. 6; Thence to a point perpendicular with the Southerly Right-of-Way of U.S. Highway No. 6; Thence Southeasterly along the Southerly Right-of-Way of Highway No. 6 to a point perpendicular to the Easterly Right-of-Way of Scott Boulevard; Thence Northeasterly to the intersection of the Northerly Right-of-Way of Highway 6 and the Easterly Right-of-Way of Scott Boulevard, which is said point of beginning.

(This area is more commonly referred to as the BDI Industrial Park Area.)

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Addendum 2



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Heinz Road Urban Renewal Area