

**ITEM TO INCLUDE ON AGENDA**

**JASPER COUNTY, IOWA**

March 28, 2023

9:30 A.M.

Urban Renewal Plan for Legacy Plaza Urban Renewal Area

- Resolution approving and authorizing execution of a First Amendment to the Agreement for Private Development by and among Jasper County, Iowa, the City of Newton, Iowa, and Christensen Development 1, LLC.

**IMPORTANT INFORMATION**

1. The above agenda items should be included, along with any other agenda items, in the meeting agenda. The agenda should be posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting. If no such office exists, the notice must be posted at the building in which the meeting is to be held.
2. If you do not now have a bulletin board designated as above mentioned, designate one and establish a uniform policy of posting your notices of meeting and tentative agenda.
3. Notice and tentative agenda must be posted at least 24 hours prior to the commencement of the meeting.
4. **NOTICE MUST BE GIVEN PURSUANT TO CHAPTER 21, CODE OF IOWA, AND THE LOCAL RULES OF THE COUNTY.**

March 28, 2023

The Board of Supervisors of Jasper County in the State of Iowa, met in regular session, in the Supervisors Room, County Courthouse, 101 1st Street N, Newton, Iowa, at 9:30 A.M., on the above date. There were present Chairperson Talsma, in the chair, and the following named Board Members:

Denny Stevenson & Doug Cupples

Absent: N/A

Vacant: N/A

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Board Member Cupples introduced and delivered to the Auditor the Resolution hereinafter set out entitled "RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A FIRST AMENDMENT TO THE AGREEMENT FOR PRIVATE DEVELOPMENT BY AND AMONG JASPER COUNTY, IOWA, THE CITY OF NEWTON, IOWA, AND CHRISTENSEN DEVELOPMENT 1, LLC", and moved:

that the Resolution be adopted.

to defer action on the Resolution and the proposal to the meeting to be held at \_\_\_\_\_ .M. on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, at this place.

Board Member Stevenson seconded the motion. The roll was called, and the vote was:

AYES: 3

NAYS: N/A

Whereupon, the Chairperson declared the measure duly adopted.

RESOLUTION NO. 23-24

RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A FIRST AMENDMENT TO THE AGREEMENT FOR PRIVATE DEVELOPMENT BY AND AMONG JASPER COUNTY, IOWA, THE CITY OF NEWTON, IOWA, AND CHRISTENSEN DEVELOPMENT 1, LLC

WHEREAS, the County previously established the Legacy Plaza Urban Renewal Area (the "Area"), pursuant to adoption of the Urban Renewal Plan (the "Plan"); and

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

WHEREAS, the City of Newton, Iowa ("City"), Christensen Development 1, LLC ("Developer"), and Jasper County ("County") previously entered into an Agreement for Private Development dated February 24, 2023 ("Agreement"), pursuant to which, among other things, the Developer agreed to construct certain Minimum Improvements (as defined in the Agreement) on certain real property located within the Urban Renewal Area as defined and legally described in the Agreement (the "Development Property"), and in consideration of Developer's obligations, the City and County agreed to provide certain incentives to Developer; and

WHEREAS, the City, Developer, and County desire to amend the Agreement pursuant to a proposed First Amendment to the Agreement (the "First Amendment") to amend the imposed deadline for Developer's acquisition of the Development Property; and

WHEREAS, Chapters 15A and 403, Code of Iowa, authorize counties to make grants for economic development in furtherance of the objectives of an urban renewal project and to appropriate such funds and make such expenditures as may be necessary to carry out the purposes of said Chapters, and to levy taxes and assessments for such purposes; and

WHEREAS, the Board has determined that the First Amendment is in the best interests of the County and the residents thereof and that the performance by the County of its obligations thereunder is a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law and, further, that the First Amendment and the County's performance thereunder is in furtherance of appropriate blight remediation and economic development activities and objectives of the County within the meaning of Chapters 15A and 403, Code of Iowa, taking into account any or all of the factors set forth in Chapter 15A, Code of Iowa, to wit:

- a. Businesses that add diversity to or generate new opportunities for the Iowa economy should be favored over those that do not.
- b. Development policies in the dispensing of the funds should attract, retain, or expand businesses that produce exports or import substitutes, or which generate tourism-related activities.

- c. Development policies in the dispensing or use of the funds should be targeted toward businesses that generate public gains and benefits, which gains and benefits are warranted in comparison to the amount of the funds dispensed.
- d. Development policies in dispensing the funds should not be used to attract a business presently located within the state to relocate to another portion of the state unless the business is considering in good faith to relocate outside the state or unless the relocation is related to an expansion which will generate significant new job creation. Jobs created as a result of other jobs in similar Iowa businesses being displaced shall not be considered direct jobs for the purpose of dispensing funds; and


WHEREAS, this Board has considered the extent of objections received from residents or property owners as to said proposed First Amendment; and, accordingly the following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That the performance by the County of its obligations under the First Amendment and the Agreement, as amended, be and is hereby declared to be a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law and, further, that the First Amendment, the Agreement, and the County's performance thereunder is in furtherance of appropriate blight remediation and economic development activities and objectives of the County within the meaning of Chapters 15A and 403, Code of Iowa, taking into account the factors set forth therein.

Section 2. That the form and content of the First Amendment, the provisions of which are incorporated herein by reference, be and the same hereby are in all respects authorized, approved and confirmed, and the Chairperson and the County Auditor be and they hereby are authorized, empowered and directed to execute, attest, seal and deliver the First Amendment for and on behalf of the County in substantially the form and content now before this meeting, but with such changes, modifications, additions or deletions therein as shall be approved by such officers, and that from and after the execution and delivery of the First Amendment, the Chairperson and the County Auditor are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Agreement, as amended, and the First Amendment as executed.

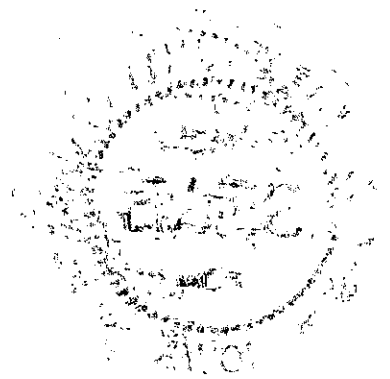
PASSED AND APPROVED this 28<sup>th</sup> day of March, 2023.

  
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Chairperson, Board of Supervisors

ATTEST:

  
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County Auditor

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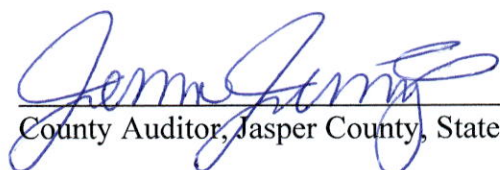
CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF JASPER )

I, the undersigned County Auditor of Jasper County, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the County showing proceedings of the Board, and the same is a true and complete copy of the action taken by the Board with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Board and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Board pursuant to the local rules of the Board and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective county offices as indicated therein, that no Board vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the County or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Board hereto affixed this 28<sup>th</sup> day of March, 2023.



  
County Auditor, Jasper County, State of Iowa