

CITY CLERK'S CERTIFICATION TO COUNTY AUDITOR

I hereby certify that attached hereto is a true and correct copy of the Tax Increment Ordinance approved by the City Council of the City of Bettendorf, State of Iowa, designated as Ordinance Number 09-17, entitled:

AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON **CERTAIN PROPERTY** LOCATED WITHIN THE I-80 URBAN RENEWAL AREA, IN THE CITY OF BETTENDORF, COUNTY OF SCOTT, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF BETTENDORF, COUNTY OF SCOTT, NORTH SCOTT COMMUNITY SCHOOL DISTRICT, PLEASANT VALLEY COMMUNITY SCHOOL DISTRICT AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE I-80 URBAN RENEWAL AREA (**VENHORST PROPERTY & PANTHER PROPERTY**)

approved by the City Council on the 6th day of June, 2017, and duly published on the 15th day of June, 2017, the original of which is on file in the records of the undersigned.

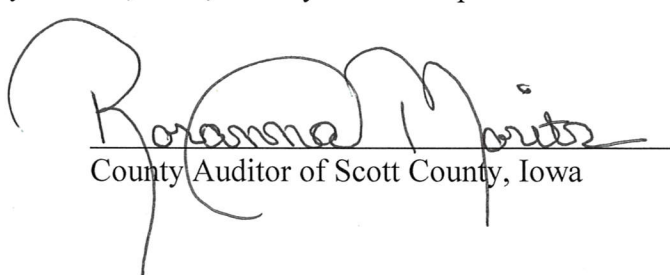
Dated this 13th day of July, 2017.



Clerk of the City of Bettendorf

COUNTY AUDITOR'S CERTIFICATE

I, ROXANNA MORITZ, County Auditor of Scott County, Iowa, hereby certify that on the 19th day of JULY, 2017, there was filed in my office a copy of the Tax Increment Ordinance of the City of Bettendorf, State of Iowa, Ordinance Number 09-17, approved by the City Council on the 6th day of June, 2017, all duly certified upon the form attached above.



County Auditor of Scott County, Iowa

ORDINANCE CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF SCOTT

)

I certify that Ordinance Number 09-17, of which a true copy is attached, was duly adopted by the City Council of the City of Bettendorf, State of Iowa, signed by the Mayor and published as required by law and is now in effect. I further certify that the consideration(s) and votes taken for the enactment of the Ordinance were as follows:

1. First consideration - Date: May 2, 2017
Vote: In favor 6, Opposed 1,
Absent or Abstain 0.
2. Second consideration - Date: May 16, 2017
Vote: In favor 6, Opposed 0,
Absent or Abstain 1.
3. Final Consideration - Date: June 6, 2017
Vote: In favor 6, Opposed 1,
Absent or Abstain 0.
4. Publication Date: June 15, 2017.

The Ordinance was not considered on any date after its first consideration as shown above when it did not receive an affirmative vote for passage.

On the date of _____, _____, the City Council adopted a motion for the suspension of the rule requiring separate consideration at three meetings and voted the final adoption of the Ordinance. The vote for suspension of the rules was by three-fourths of the full City Council, voting _____ in favor, _____ opposed and _____ absent, vacant or abstaining and was duly recorded.

I further certify that each meeting for the consideration of the Ordinance was duly and publicly held, with a notice of the meeting and tentative agenda naming the consideration of the Ordinance timely posted and upon reasonable advance notice to the media as required by the Chapter 21 of the Code of Iowa and rules of the Council then governing.

I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective city offices as indicated therein, that no Council 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 City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the City hereto affixed this 13th day of July, 2017.



Diana P. Peach

City Clerk, City of Bettendorf, State of Iowa

**(Attach Affidavit of Publication to this Certificate
and send Certificate and Affidavit to Ahlers & Cooney, P.C.)**

01352345-1\10216-072

STATE OF IOWA }
SCOTT COUNTY, } ss.

The undersigned, being first duly sworn, on oath does say that he/she is an authorized employee of THE QUAD-CITY TIMES, morning edition, a daily newspaper printed and published by Lee Enterprises, Incorporated, in the City of Davenport, Scott County, Iowa, and that a notice, a printed copy of which is hereto annexed as Exhibit "A" and made a part of this affidavit, was published in said THE QUAD-CITY TIMES, on the following dates:

6/15

The affiant further deposes and says that all of the facts set forth in the foregoing affidavit are true he/she verily believes.

W. Wiley Weathers

Subscribed and sworn to before me by said affiant this

15

day of

June

17



STEPHEN H. THOR
Commission Number 168839
My Commission Expires
3-24-18

Notary Public in and for Scott County, Iowa

ORDINANCE NO. 09-17
AN ORDINANCE PROVIDING THAT
GENERAL PROPERTY TAXES LEVIED
AND COLLECTED EACH YEAR ON
CERTAIN PROPERTY LOCATED
WITHIN THE I-80 URBAN RENEWAL
AREA, IN THE CITY OF BETTENDORF,
COUNTY OF SCOTT, STATE OF IOWA,
BY AND FOR THE BENEFIT OF THE
STATE OF IOWA, CITY OF
BETTENDORF, COUNTY OF SCOTT,
PLEASANT VALLEY COMMUNITY
SCHOOL DISTRICT AND OTHER TAX-
ING DISTRICTS, BE PAID TO A SPE-
CIAL FUND FOR PAYMENT OF PRINCIPAL
AND INTEREST ON LOANS, MON-
IES ADVANCED TO AND INDEBTED-
NESS, INCLUDING BONDS ISSUED OR
TO BE ISSUED, INCURRED BY THE
CITY IN CONNECTION WITH THE I-80
URBAN RENEWAL AREA (BETTPLEX
PROPERTY)

WHEREAS, the City Council of the City of Bettendorf, State of Iowa, after public notice and hearing as prescribed by law and pursuant to Resolution No. 85-17, passed and approved on the 4th day of April, 2017, adopted the Urban Renewal Plan (the "Plan") for an urban renewal area known as the I-80 Urban Renewal Area (the "Urban Renewal Area"); and WHEREAS, the Urban Renewal Area, includes the lots and parcels located within the Area legally described as follows ("BettPlex Property"):

Parcel 1:
The East Half of the Northwest Quarter of Section 2, Township 78 North, Range 4 East of the 5th P.M., in Scott County, Iowa, excepting 10 acres lying along the East side of said 1/4 Quarter section extending the whole length thereof, and excepting public road.
Excepting that portion thereof conveyed to Marvin F.P. Springer and Mary A. Springer, husband and wife, by Warranty Deeds dated July 16, 1962, July 21, 1962 and July 22, 1962, and recorded respectively in Book 264 of Deeds at pages 26, 27 and 28, records of the Office of the Recorder of Scott County, Iowa.
Also excepting therefrom that portion thereof conveyed to the State of Iowa by Warranty Deed dated July 20, 1962, and recorded in Book 266 of Deeds at page 325, records of the Office of the Recorder of Scott County, Iowa.

Parcel 2:
The West one-half of the Northeast Quarter of Section 2, Township 78 North, Range 4 East of the 5th P.M., Scott County, Iowa, and also 10 acres having an equal width and extending the whole length along the East side of the East one-half of the Northwest Quarter of Section 2, Township 78 North, Range 4 East of the 5th P.M., Scott County, Iowa, subject to existing highways and further subject to existing highways and road easements.

WHEREAS, expenditures and indebtedness are anticipated to be incurred by the City of Bettendorf, State of Iowa, to finance urban renewal project activities carried out in furtherance of the objectives of the Urban Renewal Plan; and WHEREAS, the City Council of the City of Bettendorf, State of Iowa, desires to provide for the division of revenue from taxation on the BettPlex Property in the Urban Renewal Area, as above described, in accordance with the provisions of Section 403.19 of the Code of Iowa, as amended. [Note: The BettPlex Property is the only portion of the Urban Renewal Area that will be included in this TIF Ordinance.

The City anticipates that as other parcels develop (increase in value) in the future, the City will adopt a separate TIF ordinance(s) on other parcels/areas within the Urban Renewal Area. Therefore, it is likely that the various TIF ordinances in this Urban Renewal Area will have different frozen bases and different expiration dates.]

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BETTENDORF, STATE OF IOWA:

Section 1. That the taxes levied on the taxable property in the BettPlex Property of the Urban Renewal Area legally described in the preamble hereof, by and for the benefit of the State of Iowa, City of Bettendorf, County of Scott, North Scott Community School District, Pleasant Valley Community School District and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 2. That portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the BettPlex Property of the Urban Renewal Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar

calendar year preceding the first calendar year in which the City of Bettendorf, State of Iowa, certifies to the Auditor of Scott County, Iowa the amount of loans, advances, indebtedness, or bonds payable from the division of property tax revenue described herein, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for the taxing district into which all other property taxes are paid.

Section 3. That portion of the taxes each year in excess of the base period taxes determined as provided in Section 2 of this Ordinance shall be allocated to and when collected be paid into a special tax increment fund of the City of Bettendorf, State of Iowa, hereby established, to pay the principal of and interest on loans, monies advanced to, indebtedness, whether funded, refunded, assumed or otherwise, including bonds or obligations issued under the authority of Section 403.9 or 403.12 of the Code of Iowa, as amended, incurred by the City of Bettendorf, State of Iowa, to finance or refinance, in whole or in part, urban renewal projects undertaken anywhere within the Urban Renewal Area pursuant to the Urban Renewal Plan, except that

(i) taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Iowa Code Section 298.2 and taxes for the instructional support program of a school district imposed pursuant to Iowa Code Section 257.19 (but in each case only to the extent required under Iowa Code Section 403.19(2)); (ii) taxes for the payment of bonds and interest of each taxing district; (iii) taxes imposed under Iowa Code Section 346.27(22) related to joint county-city buildings; and (iv) any other exceptions in effect under Iowa Code Section 403.19 as of the adoption date of this Ordinance shall be collected against all taxable property within the BettPlex Property of the Urban Renewal Area without any limitation as hereinabove provided.

Section 4. Unless or until the total assessed valuation of the taxable property in the BettPlex Property of the Urban Renewal Area exceeds the total assessed value of the taxable property in the BettPlex Property of the Urban Renewal Area as shown by the assessment roll referred to in Section 2 of this Ordinance, all of the taxes levied and collected upon the taxable property in the BettPlex Property of the Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for the taxing districts in the same manner as all other property taxes.

Section 5. At such time as the loans, advances, indebtedness, bonds and interest thereon of the City of Bettendorf, State of Iowa, referred to in Section 3 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the BettPlex Property of the Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 6. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The

provisions of this Ordinance are intended and shall be construed so as to fully implement the provisions of Section 403.19 of the Code of Iowa, as amended, with respect to the division of taxes from property within the BettPlex Property of the Urban Renewal Area as described above. In the event that any provision of this Ordinance shall be determined to be contrary to law, it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19 of the Code of Iowa with reference to the BettPlex Property of the Urban Renewal Area and the territory contained therein.

Section 7. This Ordinance shall be in effect after its final passage, approval and publication as provided by law. PASSED AND APPROVED this 6th day of June, 2017.

Mayor Robert S. Gallagher
ATTEST:
City Clerk Decker P. Pioehr

ORDINANCE NO. 09-17

AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON **CERTAIN PROPERTY** LOCATED WITHIN THE I-80 URBAN RENEWAL AREA, IN THE CITY OF BETTENDORF, COUNTY OF SCOTT, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF BETTENDORF, COUNTY OF SCOTT, PLEASANT VALLEY COMMUNITY SCHOOL DISTRICT AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE I-80 URBAN RENEWAL AREA (**BETTPLEX PROPERTY**)

WHEREAS, the City Council of the City of Bettendorf, State of Iowa, after public notice and hearing as prescribed by law and pursuant to Resolution No. 85-17, passed and approved on the 4th day of April, 2017, adopted the Urban Renewal Plan (the "Plan") for an urban renewal area known as the I-80 Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, the Urban Renewal Area, includes the lots and parcels located within the Area legally described as follows ("**BettPlex Property**"):

Parcel 1:

The East Half of the Northwest Quarter of Section 2, Township 78 North, Range 4 East of the 5th P.M., in Scott County, Iowa, excepting 10 acres lying along the East side of said ½ Quarter section extending the whole length thereof, and excepting public road.

Excepting that portion thereof conveyed to Marvin F.P. Springer and Mary A. Springer, husband and wife, by Warranty Deeds dated July 16, 1962, July 21, 1962 and July 22, 1962, and recorded respectively in Book 264 of Deeds at pages 26, 27 and 28, records of the Office of the Recorder of Scott County, Iowa.

Also excepting therefrom that portion thereof conveyed to the State of Iowa by Warranty Deed dated July 20, 1962, and recorded in Book 266 of Deeds at page 325, records of the Office of the Recorder of Scott County, Iowa.

Parcel 2:

The West one-half of the Northeast Quarter of Section 2, Township 78 North, Range 4 East of the 5th P.M., Scott County, Iowa, and also 10 acres having an

equal width and extending the whole length along the East side of the East one-half of the Northwest Quarter of Section 2, Township 78 North, Range 4 East of the 5th P.M., Scott County, Iowa, subject to existing highways and further subject to existing highways and road easements.

WHEREAS, expenditures and indebtedness are anticipated to be incurred by the City of Bettendorf, State of Iowa, to finance urban renewal project activities carried out in furtherance of the objectives of the Urban Renewal Plan; and

WHEREAS, the City Council of the City of Bettendorf, State of Iowa, desires to provide for the division of revenue from taxation on the **BettPlex Property** in the Urban Renewal Area, as above described, in accordance with the provisions of Section 403.19 of the Code of Iowa, as amended. [Note: The **BettPlex Property** is the only portion of the Urban Renewal Area that will be included in this TIF Ordinance. The City anticipates that as other parcels develop (increase in value) in the future, the City will adopt a separate TIF ordinance(s) on other parcels/areas within the Urban Renewal Area. Therefore, it is likely that the various TIF ordinances in this Urban Renewal Area will have different frozen bases and different expiration dates.]

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BETTENDORF, STATE OF IOWA:

Section 1. That the taxes levied on the taxable property in the **BettPlex Property** of the Urban Renewal Area legally described in the preamble hereof, by and for the benefit of the State of Iowa, City of Bettendorf, County of Scott, North Scott Community School District, Pleasant Valley Community School District and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 2. That portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the **BettPlex Property** of the Urban Renewal Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City of Bettendorf, State of Iowa, certifies to the Auditor of Scott County, Iowa the amount of loans, advances, indebtedness, or bonds payable from the division of property tax revenue described herein, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for the taxing district into which all other property taxes are paid.

Section 3. That portion of the taxes each year in excess of the base period taxes determined as provided in Section 2 of this Ordinance shall be allocated to and when collected be paid into a special tax increment fund of the City of Bettendorf, State of Iowa, hereby established, to pay the principal of and interest on loans, monies advanced to, indebtedness, whether funded, refunded, assumed or otherwise, including bonds or obligations issued under the authority of Section 403.9 or 403.12 of the Code of Iowa, as amended, incurred by the City of Bettendorf, State of Iowa, to finance or refinance, in whole or in part, urban renewal projects undertaken anywhere within the Urban Renewal Area pursuant to the Urban Renewal Plan, except that (i) taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Iowa Code Section 298.2 and taxes for the instructional

support program of a school district imposed pursuant to Iowa Code Section 257.19 (but in each case only to the extent required under Iowa Code Section 403.19(2)); (ii) taxes for the payment of bonds and interest of each taxing district; (iii) taxes imposed under Iowa Code Section 346.27(22) related to joint county-city buildings; and (iv) any other exceptions in effect under Iowa Code Section 403.19 as of the adoption date of this Ordinance shall be collected against all taxable property within the **BettPlex Property** of the Urban Renewal Area without any limitation as hereinabove provided.

Section 4. Unless or until the total assessed valuation of the taxable property in the **BettPlex Property** of the Urban Renewal Area exceeds the total assessed value of the taxable property in the **BettPlex Property** of the Urban Renewal Area as shown by the assessment roll referred to in Section 2 of this Ordinance, all of the taxes levied and collected upon the taxable property in the **BettPlex Property** of the Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for the taxing districts in the same manner as all other property taxes.

Section 5. At such time as the loans, advances, indebtedness, bonds and interest thereon of the City of Bettendorf, State of Iowa, referred to in Section 3 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the **BettPlex Property** of the Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 6. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to fully implement the provisions of Section 403.19 of the Code of Iowa, as amended, with respect to the division of taxes from property within the **BettPlex Property** of the Urban Renewal Area as described above. In the event that any provision of this Ordinance shall be determined to be contrary to law, it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19 of the Code of Iowa with reference to the **BettPlex Property** of the Urban Renewal Area and the territory contained therein.

Section 7. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this 6th day of June, 2017.

rs. S. Mayhew
Mayor

ATTEST:

Debra P. Plesch
City Clerk

Read First Time: May 2, 2017

Read Second Time: May 16, 2017

Read Third Time: June 6, 2017

PASSED AND APPROVED: June 6, 2017.

I, DECKER P. PLOEHN, City Clerk of the City of Bettendorf, State of Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. 09-17 passed and approved by the City Council of the City at a meeting held June 6, 2017, signed by the Mayor on June 6, 2017, and published in the Quad-City Times on June 15, 2017.

Decker P. Ploehn

City Clerk, City of Bettendorf, State of Iowa



01352346-1\10216-072

COPY OF NOTICE
EXHIBIT "A"

AFFIDAVIT OF PUBLICATION

STATE OF IOWA }
SCOTT COUNTY, } ss.

ORDINANCE NO. 09-17
AN ORDINANCE PROVIDING THAT
GENERAL PROPERTY TAXES LEVIED
AND COLLECTED EACH YEAR ON
CERTAIN PROPERTY LOCATED
WITHIN THE I-80 URBAN RENEWAL
AREA, IN THE CITY OF BETTENDORF,
COUNTY OF SCOTT, STATE OF IOWA,
BY AND FOR THE BENEFIT OF THE
STATE OF IOWA, CITY OF
BETTENDORF, COUNTY OF SCOTT,
PLEASANT VALLEY COMMUNITY
SCHOOL DISTRICT AND OTHER TAX-
ING DISTRICTS, BE PAID TO A SPE-
CIAL FUND FOR PAYMENT OF PRINCIPAL
AND INTEREST ON LOANS, MON-
IES ADVANCED TO AND INDEBTED-
NESS, INCLUDING BONDS ISSUED OR
TO BE ISSUED, INCURRED BY THE
CITY IN CONNECTION WITH THE I-80
URBAN RENEWAL AREA (BETTPLEX
PROPERTY)

WHEREAS, the City Council of the City of
Bettendorf, State of Iowa, after public no-
tice and hearing as prescribed by law and
pursuant to Resolution No. 85-17, passed
and approved on the 4th day of April,
2017, adopted the Urban Renewal Plan
(the "Plan") for an urban renewal area
known as the I-80 Urban Renewal Area
(the "Urban Renewal Area"); and
WHEREAS, the Urban Renewal Area, in-
cludes the lots and parcels located within
the Area legally described as follows
("Bettplex Property"):

Parcel 1:
The East Half of the Northwest Quarter of
Section 2, Township 78 North, Range 4
East of the 5th P.M., in Scott County,
Iowa, excepting 10 acres lying along the
East side of said 1/4 Quarter section ex-
tending the whole length thereof, and ex-
cepting public road.

Excepting that portion thereof conveyed
to Marvin F.P. Springer and Mary A.
Springer, husband and wife, by Warranty
Deeds dated July 16, 1962, July 21, 1962
and July 22, 1962, and recorded respec-
tively in Book 264 of Deeds at pages 26,
27 and 28, records of the Office of the
Recorder of Scott County, Iowa.

Also excepting therefrom that portion
thereof conveyed to the State of Iowa by
Warranty Deed dated July 20, 1962, and
recorded in Book 266 of Deeds at page
325, records of the Office of the Recorder
of Scott County, Iowa.

Parcel 2:
The West one-half of the Northeast Quar-
ter of Section 2, Township 78 North,
Range 4 East of the 5th P.M., Scott
County, Iowa, and also 10 acres having
an equal width and extending the whole
length along the East side of the East
one-half of the Northwest Quarter of
Section 2, Township 78 North, Range 4
East of the 5th P.M., Scott County, Iowa,
subject to existing highways and further
subject to existing highways and road
easements.

WHEREAS, expenditures and indebted-
ness are anticipated to be incurred by the
City of Bettendorf, State of Iowa, to fi-
nance urban renewal project activities
carried out in furtherance of the objec-
tives of the Urban Renewal Plan; and
WHEREAS, the City Council of the City of
Bettendorf, State of Iowa, desires to pro-
vide for the division of revenue from taxa-
tion on the Bettplex Property in the Urban
Renewal Area, as above described, in ac-
cordance with the provisions of Section
403.19 of the Code of Iowa, as amended.
[Note: The Bettplex Property is the only
portion of the Urban Renewal Area that
will be included in the TIF Ordinance.
The City anticipates that as other parcels
develop (increase in value) in the future,
the City will adopt a separate TIF
ordinance(s) on other parcels/areas
within the Urban Renewal Area. There-
fore, it is likely that the various TIF ordi-
nances in this Urban Renewal Area will
have different frozen bases and different
expiration dates.]

NOW, THEREFORE, BE IT ORDAINED
BY THE CITY COUNCIL OF THE CITY
OF BETTENDORF, STATE OF IOWA:

Section 1. That the taxes levied on the
taxable property in the Bettplex Property
of the Urban Renewal Area legally de-
scribed in the preamble hereto, by and for
the benefit of the State of Iowa, City of
Bettendorf, County of Scott, North Scott
Community School District, Pleasant Val-
ley Community School District and all
other taxing districts from and after the ef-
fective date of this Ordinance shall be di-
vided as hereinafter in this Ordinance
provided.

Section 2. That portion of the taxes which
would be produced by the rate at which
the tax is levied each year by or for each
of the taxing districts upon the total sum
of the assessed value of the taxable
property in the Bettplex Property of the
Urban Renewal Area, as shown on the
assessment roll as of January 1 of the
calendar year preceding the first calendar

calendar year preceding the first calendar
year in which the City of Bettendorf, State
of Iowa, certifies to the Auditor of Scott
County, Iowa the amount of loans, ad-
vances, indebtedness, or bonds payable
from the division of property tax revenue
described herein, shall be allocated to
and when collected be paid into the fund
for the respective taxing district as taxes
by or for the taxing district into which all
other property taxes are paid.

Section 3. That portion of the taxes each
year in excess of the base period taxes
determined as provided in Section 2 of
this Ordinance shall be allocated to and
when collected be paid into a special tax
increment fund of the City of Bettendorf,
State of Iowa, hereby established, to pay
the principal of and interest on loans,
monies advanced to, indebtedness,
whether funded, refunded, assumed or
otherwise, including bonds or obligations
issued under the authority of Section
403.9 or 403.12 of the Code of Iowa, as
amended, incurred by the City of
Bettendorf, State of Iowa, to finance or
refinance, in whole or in part, urban re-
newal projects undertaken anywhere
within the Urban Renewal Area pursuant
to the Urban Renewal Plan, except that
(i) taxes for the regular and
voter-approved physical plant and equip-
ment levy of a school district imposed
pursuant to Iowa Code Section 298.2 and
taxes for the instructional
support program of a school district im-
posed pursuant to Iowa Code Section
257.19 (but in each case only to the ex-
tent required under Iowa Code Section
403.19(2)); (ii) taxes for the payment of
bonds and interest of each taxing district;
(iii) taxes imposed under Iowa Code Sec-
tion 346.27(22) related to joint county-city
buildings; and (iv) any other exceptions in
effect under Iowa Code Section 403.19
as of the adoption date of this Ordinance
shall be collected against all taxable prop-
erty within the Bettplex Property of the
Urban Renewal Area without any limita-
tion as hereinabove provided.

Section 4. Unless or until the total as-
sessed valuation of the taxable property
in the Bettplex Property of the Urban Re-
newal Area exceeds the total assessed
value of the taxable property in the
Bettplex Property of the Urban Renewal
Area as shown by the assessment roll re-
ferred to in Section 2 of this Ordinance,
all of the taxes levied and collected upon
the taxable property in the Bettplex Prop-
erty of the Urban Renewal Area shall be
paid into the funds for the respective tax-
ing districts as taxes by or for the taxing
districts in the same manner as all other
property taxes.

Section 5. At such time as the loans, ad-
vances, indebtedness, bonds and interest
thereon of the City of Bettendorf, State of
Iowa, referred to in Section 3 hereof have
been paid, all monies thereafter received
from taxes upon the taxable property in
the Bettplex Property of the Urban Re-
newal Area shall be paid into the funds
for the respective taxing districts in the
same manner as taxes on all other prop-
erty.

Section 6. All ordinances or parts of ordi-
nances in conflict with the provisions of
this Ordinance are hereby repealed. The

provisions of this Ordinance are intended
and shall be construed so as to fully im-
plement the provisions of Section 403.19
of the Code of Iowa, as amended, with
respect to the division of taxes from prop-
erty within the Bettplex Property of the
Urban Renewal Area as described above.
In the event that any provision of this Or-
dinance shall be determined to be con-
trary to law, it shall not affect other provi-
sions or application of this Ordinance
which shall at all times be construed to
fully invoke the provisions of Section
403.19 of the Code of Iowa with refer-
ence to the Bettplex Property of the Ur-
ban Renewal Area and the territory con-
tained therein.

Section 7. This Ordinance shall be in ef-
fect after its final passage, approval and
publication as provided by law.
PASSED AND APPROVED this 6th day
of June, 2017.

Mayor Robert S. Gallagher
ATTEST:
City Clerk Decker P. Pioch



STEPHEN H. THOR
Commission Number 168839
My Commission Expires
3-24-18

Notary Public in and for Scott County, Iowa

URBAN RENEWAL PLAN

for the

I-80

URBAN RENEWAL AREA

CITY OF BETTENDORF, IOWA

April 4, 2017

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**Urban Renewal Plan
For
I-80 Urban Renewal Area
City of Bettendorf, Iowa**

A. INTRODUCTION

This Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the I-80 Urban Renewal Area ("Area" or "Urban Renewal Area") has been developed to help local officials promote economic development in the City of Bettendorf. The primary goal of the Plan is to stimulate, through public involvement and commitment, private investment in new commercial and industrial development.

In order to achieve this objective, Bettendorf (the "City") 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 I-80 Urban Renewal Area is described in Exhibit A and illustrated in Exhibit B.

The City reserves the right to modify the boundaries of the Area at some future date.

C. AREA DESIGNATION

With the adoption of this Plan, the City of Bettendorf 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 I-80 Urban Renewal Area is legally established, a Tax Increment Financing (TIF) Ordinance is adopted and debt is certified prior to December 1, 2017, the taxable valuation within the area included in the TIF Ordinance as of January 1, 2016 will be considered the frozen "base valuation." If debt is not certified until a later date or if a TIF ordinance is not adopted until later, the "base value" will be the assessed value of the taxable property within the TIF Ordinance area as of January 1 of the calendar year preceding the calendar year in which the City first certifies the amount of any debt on the Area.

E. DEVELOPMENT PLAN/ZONING

Bettendorf has a general plan for the physical development of the City as a whole outlined in the Premiering Bettendorf Comprehensive Plan adopted October 6, 2015. The goals and objectives of this Urban Renewal Plan, including the urban renewal projects, are in conformity with the Premiering Bettendorf Comprehensive Plan.

The Urban Renewal Area is zoned R-1, A-1, C-3, I-2 and PUD. This Urban Renewal Plan does not in any way replace or modify the City's current land use planning or zoning regulation process.

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 amended. As the Area develops, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

F. PLAN OBJECTIVES

Renewal activities are designed to provide opportunities, incentives, and sites for new and existing economic development within the Area. More specific objectives for the development, redevelopment and rehabilitation within the I-80 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 works and facilities including, but not limited to, water, sanitary sewer and other public improvements, which contribute to the revitalization of the area and to the sound development of the entire City.
4. To encourage commercial and industrial growth and expansion through governmental policies which make it economically feasible to do business.
5. To provide a more marketable and attractive investment climate through the use of various federal, state and local incentives.
6. To stimulate, through public action and commitment, private investment in new and existing commercial and/or industrial development.
7. To improve the conditions and opportunities for economic development (commercial and industrial).
8. To help develop a sound economic base that will serve as the foundation for future growth and development.
9. To improve recreational, tourism, cultural, and educational opportunities.

10. To enhance the Bettendorf community by fostering an entrepreneurial climate, diversifying the local economy, encouraging opportunities for new businesses, and supporting retention of existing businesses.

G. TYPES OF RENEWAL ACTIVITIES

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

- New rehabilitated, converted, or expanded industrial uses within the Area.
- New, rehabilitated, converted, or expanded commercial uses within the Area.

General development activities in the I-80 Urban Renewal Area 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, tax rebate payments or other types of economic development grants or incentives to private persons, local development organizations, or businesses for economic development purposes on such terms as may be determined by the City Council.
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 undertake the demolition and clearance of existing development.
9. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Plan or specific urban renewal projects.
10. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City of Bettendorf.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City 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 PROJECT(S)

1. Public Improvements

Urban Renewal Project Description	Estimated Time Period	Estimated Cost To Be Reimbursed By Tax Increment Financing	Rationale (why economic development is promoted)
Entry roads to sports complex (grading, rock base, curb & gutter, concrete paving & lighting)	2017-2018	\$500,000	These improvements will provide the necessary infrastructure to access and develop the site. The complex will provide jobs, and act as a quality of life amenity which will assist with talent retention and attraction to the region.
Asphalt access walk	2017-2018	\$310,000	Same as above.
Off-site sewer main & manholes	2017-2018	\$700,000	Same as above.
On-site sewer gravity main, manholes & laterals.	2017-2018	\$210,000	Same as above.
On-site sanitary sewer pump station	2017-2018	\$250,000	Same as above.
On-site sanitary sewer force main	2017-2018	\$130,000	Same as above.
On-site storm sewer improvements	2017-2018	\$1,000,000	Same as above.
Total estimated costs to be reimbursed by tax increment financing for infrastructure identified above to support sports complex project:		\$3,100,000	
Recreation and park development	2017-2027	The use of TIF dollars is not contemplated for this public improvement. The City may utilize urban renewal powers to bond for the estimated \$12,000,000 in	Project will act as a quality of life amenity which will assist with talent retention and attraction to the region.

		improvements for the park development.	
--	--	--	--

Note: It may be that the above costs will be reduced by the application of state and/or federal grants or programs; cost-sharing agreements with other entities; or other available sources of funds.

2. Tax Rebate or other Development Agreements

A. Pending Development Agreement for construction of Sportsplex: A developer plans to construct a regional indoor/outdoor Sports Complex at an expense of roughly \$50,000,000. The development project will include a six acre indoor facility, consisting of a turf soccer field, hardwood basketball/volleyball courts, sand volleyball, tiki lounge, restaurant/retail, batting cages, fun center, bowling lanes, physical therapy, etc. The outdoor complex will include parking, walking paths, synthetic turf baseball fields and turf soccer fields, all with field lighting for night-time activities. Construction of the project is anticipated to begin in 2017 with completion by 2018 or 2019. The parties anticipate agreeing to a Minimum Assessment Agreement which would require the completed project to be assessed at no less than \$27,000,000. City expects to support the project by constructing public improvements such as roadways, and storm and sanitary sewers, anticipated to cost approximately \$3,100,000 and described in detail above. The City also plans to acquire property from the developer in the Area for approximately \$2,000,000 to be used for future development projects. Finally, the City plans to approve an economic development grant in support of the project in an amount estimated to be \$4,900,000, a portion of which may be financed by the tax increment financing generated by the project. The total investment by the City is estimated to be \$10,000,000.

B. Development Agreements: The City expects to consider requests for Development Agreements for projects that are consistent with this Plan, in the City's sole discretion. Such Agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including but not limited to land, loans, grants, tax rebates, infrastructure assistance and other incentives. The costs of such Development Agreements will not exceed \$10,000,000.

3. 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	\$100,000

I. FINANCIAL DATA

1.	July 1, 2016 constitutional debt limit:	\$174,343,212
2.	Current outstanding general obligation debt:	\$112,000,000
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 City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City'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 will be approximately as stated in the next column:	\$32,100,000 This total does not include financing costs related to debt issuance, which will be incurred over the life of the Area.

J. AGREEMENT TO INCLUDE AGRICULTURAL LAND

Because some of the land being added to the I-80 Urban Renewal Area contains land that is defined as "agricultural land" by Iowa Code Section 403.17(3), the City and agricultural land owners have entered into agreements in which the agricultural land owners agree to allow the City to include real property defined as "Agricultural Land" in the Urban Renewal Area. Copies of the agreements are attached as Exhibit C. The original signed agreements are on file at the City Clerk's office.

K. URBAN RENEWAL FINANCING

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

A. Tax Increment Financing

Under Section 403.19 of the Iowa Code, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements or economic development incentives associated with redevelopment 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 City to pay costs of the eligible urban renewal projects. The increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City. Tax increments may be used to abate General Obligation Bonds or Notes, secure Tax Increment Revenue Obligations, or fund direct incentives, for projects in furtherance of this Plan.

B. General Obligation Bonds

Under Division III of Chapter 384 and Chapter 403 of the Iowa Code, the City has the authority to issue and sell general obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area 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 City of Bettendorf. It may be the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates or other incentives to developers in connection with urban renewal projects for commercial or industrial development or other urban renewal projects. In addition, the City 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 Areas. Alternatively, the City may determine to use available funds for making such loans or grants for urban renewal projects. In any event, the City may determine to use tax increment financing to reimburse the City for any obligations or advances.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City 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.

L. PROPERTY ACQUISITION/DISPOSITION

If property acquisition/disposition by the City becomes necessary to accomplish the objectives of the Plan, such acquisition/disposition will be carried out, without limitation, in accordance with the Iowa Code.

M. RELOCATION

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

N. STATE AND LOCAL REQUIREMENTS

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

O. URBAN RENEWAL PLAN AMENDMENTS

This Urban Renewal Plan may be amended from time to time for a variety of reasons, including but not limited to, change in the area, to add or change land use controls and regulations, to modify goals or types of renewal activities, to add or change urban renewal projects, or to amend property acquisition and disposition provisions. The City Council may amend this Plan in accordance with applicable state law.

P. EFFECTIVE PERIOD

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

With respect to the property included within the I-80 Urban Renewal Area, which is also included in an ordinance which designates that property as a tax increment area, 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, shall continue for the maximum period allowed by law.

It is also anticipated that separate TIF ordinances for separate parcel(s) may be adopted as development in the Area warrants. In this case, each separate TIF ordinance may have a separate base and separate sunset.

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 City for activities carried out under the Urban Renewal Plan shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

Q. REPEALER AND SEVERABILITY CLAUSE

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

EXHIBIT A

LEGAL DESCRIPTION OF AREA

The I-80 Urban Renewal Area is described as follows:

COMMENCING AT THE POINT OF BEGINNING, DESCRIBED AS THE NORTHWEST CORNER OF SECTION 2, TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5TH P.M.;

THENCE SOUTH ALONG THE WEST LINE OF SAID SECTION 2 TO THE SOUTH RIGHT OF WAY LINE OF FOREST GROVE DRIVE;

THENCE EASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF FOREST GROVE DRIVE TO THE CENTERLINE OF SPRING CREEK DRIVE, SAID DRIVE BEING LOCATED IN HUNTINGTON MEADOWS FIRST ADDITION TO THE CITY OF BETTENDORF;

THENCE NORTH ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF FOREST GROVE PARK ADDITION AND ALONG SAID EAST LINE TO THE NORTHEASTERLY CORNER OF SAID FOREST GROVE PARK ADDITION;

THENCE WEST ALONG THE NORTH LINE OF SAID FOREST GROVE PARK ADDITION TO A POINT, SAID POINT BEING ON THE SOUTHERLY EXTENSION OF THE WEST LINE OF SPENCER HOLLOW FIRST ADDITION OUTLOT D;

THENCE NORTH ALONG SAID SOUTHERLY EXTENSION, THRU SAID WEST LINE OF SAID OUTLOT D AND ALONG THE NORTHERLY EXTENSION OF SAID OUTLOT D TO A POINT ON THE SOUTH LINE OF A PARCEL OF LAND DESCRIBED IN DOCUMENT 2010-00005515, AT THE SCOTT COUNTY IOWA RECORDERS OFFICE, RECORDED ON MARCH 1, 2010, SAID PARCEL ALSO KNOWN BY PARCEL ID #840105001;

THENCE EASTERLY ALONG THE SOUTH LINE OF SAID PARCEL ID #840105001 TO THE SOUTHEAST CORNER OF SAID PARCEL;

THENCE EASTERLY ALONG THE SOUTH LINE OF A PARCEL OF LAND DESCRIBED IN DOCUMENT 2011-00036619, AT THE SCOTT COUNTY IOWA RECORDERS OFFICE, RECORDED ON DECEMBER 22, 2011, SAID PARCEL ALSO KNOWN BY PARCEL ID #840107004;

THENCE NORTHERLY ALONG THE EAST LINE OF SAID PARCEL ID #840107004 TO THE NORTHEASTERLY CORNER OF SAID PARCEL, SAID POINT BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE 80;

THENCE WESTERLY ALONG THE NORTHERN LINE OF SAID PARCEL #840107004, SAID LINE ALSO BEING THE SOUTHERLY LINE OF INTERSTATE 80, TO THE NORTHWESTERLY CORNER OF SAID PARCEL;

THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID PARCEL #840105001, SAID LINE ALSO BEING THE SOUTHERLY LINE OF INTERSTATE 80, TO A POINT ON THE EXTENSION OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 79 NORTH, RANGE 4 EAST OF THE 5TH P.M.;

THENCE ALONG SAID EAST LINE OF SAID SOUTHWEST QUARTER EXTENDED, NORTHERLY TO THE NORTH RIGHT OF WAY LINE OF INDIANA AVENUE;

THENCE WESTERLY ALONG THE NORTH LINE OF SAID INDIANA AVENUE TO THE WEST LINE OF SECTION 35, TOWNSHIP 79 NORTH, RANGE 4 EAST OF THE 5TH P.M.;

THENCE SOUTHERLY ALONG SAID WEST LINE OF SECTION 35 TO THE SOUTHWEST CORNER OF SAID SECTION 35;

THENCE WESTERLY ALONG THE NORTH LINE OF SECTION 2, TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5TH P.M. TO THE POINT OF BEGINNING;

EXCEPTING PARCELS 840103002, 840117001AD, 840201001, 840217005, 943633004, 943635004, 943651001, 943635001AD AND 943635003AD.

The I-80 Urban Renewal Area also includes the full right-of-way of all roads and streets within, adjacent to, or bordering the Area.

The Parcel Numbers include:

840107004
840105001
840103001
8401210031
840121201
8401190021
943537003
840117002
840223001
840207001
840101001
840119003
840205001
840221001AD
840203002
840203001
840219002
840217004AD
9435530021
943553004AD
943537002
943535001
943551001
943533005
943549002
943439003
943539005
943555001
943649003
943633007
943539006

Final

943633008
9435331011
840219001

Exhibit B
Area Map



Exhibit C
Agreements to Include Agricultural Land

AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE I-80 URBAN RENEWAL AREA

WHEREAS, the City of Bettendorf, Iowa, (the "City") has proposed to establish the I-80 Urban Renewal Area (the "Urban Renewal Area" or "Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property which is owned by the Agricultural Land Owner listed below; and

WHEREAS, Section 403.17(3) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that all or a portion of the property within the Area and owned by the Agricultural Land Owner meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain Property contained within the Urban Renewal Area.

2. The Agricultural Land Owner hereby agrees that the City of Bettendorf, Iowa, may include the portion of the property owned by the Agricultural Land Owner in the Urban Renewal Area.

3. The Agricultural Land Owner further authorizes the governing body of the City of Bettendorf, Iowa, to pass any resolution or ordinance necessary to designate said property as an Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 31st day of March, 2017.

Name of Agricultural Land Owner: (signed by Agricultural Land Owner or person authorized to sign on Agricultural Land Owner's behalf)

Parcels owned by Land Owner:

Date: 03.31.2017

840203001 & 840219002

Signature: Michael L. Sampson

Print Name: Michael L. Sampson

Witness: Patricia A. Zimmer
Patricia A. Zimmer

AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE I-80 URBAN RENEWAL AREA

WHEREAS, the City of Bettendorf, Iowa, (the "City") has proposed to establish the I-80 Urban Renewal Area (the "Urban Renewal Area" or "Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property which is owned by the Agricultural Land Owner listed below; and

WHEREAS, Section 403.17(3) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that all or a portion of the property within the Area and owned by the Agricultural Land Owner meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain Property contained within the Urban Renewal Area.
2. The Agricultural Land Owner hereby agrees that the City of Bettendorf, Iowa, may include the portion of the property owned by the Agricultural Land Owner in the Urban Renewal Area.
3. The Agricultural Land Owner further authorizes the governing body of the City of Bettendorf, Iowa, to pass any resolution or ordinance necessary to designate said property as an Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 24th day of March, 2017.

Name of Agricultural Land Owner: (signed by Agricultural Land Owner or person authorized to sign on Agricultural Land Owner's behalf)

Parcels owned by Land Owner: 943553004AD,
943537002, 943535001, 943551001

Date: 3/25/2017

Signature: James A. Criswell

Print Name: James A. Criswell Trust

Witness: James A. Criswell

AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE I-80 URBAN RENEWAL AREA

WHEREAS, the City of Bettendorf, Iowa, (the "City") has proposed to establish the I-80 Urban Renewal Area (the "Urban Renewal Area" or "Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property which is owned by the Agricultural Land Owner listed below; and

WHEREAS, Section 403.17(3) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that all or a portion of the property within the Area and owned by the Agricultural Land Owner meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain Property contained within the Urban Renewal Area.
2. The Agricultural Land Owner hereby agrees that the City of Bettendorf, Iowa, may include the portion of the property owned by the Agricultural Land Owner in the Urban Renewal Area.
3. The Agricultural Land Owner further authorizes the governing body of the City of Bettendorf, Iowa, to pass any resolution or ordinance necessary to designate said property as an Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

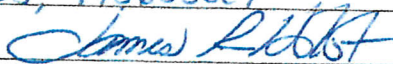
DATED this _____ day of _____, 2017.

Name of Agricultural Land Owner: (signed by Agricultural Land Owner or person authorized to sign on Agricultural Land Owner's behalf)

Parcels owned by Land

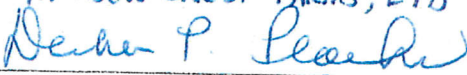
Owner: 943539005, 943555001,

943649003, 943633007

Signature: 

Print Name: JIM HOLST

Meadow Crest Farms, LTD

Witness: 

Date: 3/10/17

AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE I-80 URBAN RENEWAL AREA

WHEREAS, the City of Bettendorf, Iowa, (the "City") has proposed to establish the I-80 Urban Renewal Area (the "Urban Renewal Area" or "Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property which is owned by the Agricultural Land Owner listed below; and

WHEREAS, Section 403.17(3) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that all or a portion of the property within the Area and owned by the Agricultural Land Owner meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain Property contained within the Urban Renewal Area.

2. The Agricultural Land Owner hereby agrees that the City of Bettendorf, Iowa, may include the portion of the property owned by the Agricultural Land Owner in the Urban Renewal Area.

3. The Agricultural Land Owner further authorizes the governing body of the City of Bettendorf, Iowa, to pass any resolution or ordinance necessary to designate said property as an Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 21ST day of FEBRUARY, 2017.

Name of Agricultural Land Owner: (signed by Agricultural Land Owner or person authorized to sign on Agricultural Land Owner's behalf)

Parcels owned by Land

Owner: 840105001, 840103001, 943537003,

Date: 2/21/17

8401210031, 840121200, 8401190021

Signature: R.S. Gallagher

Print Name: ROBERT GALLAGHER JR.
CITY OF BETTENDORF

Witness: Debra P. Seeger

AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE I-80 URBAN RENEWAL AREA

WHEREAS, the City of Bettendorf, Iowa, (the "City") has proposed to establish the I-80 Urban Renewal Area (the "Urban Renewal Area" or "Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property which is owned by the Agricultural Land Owner listed below; and

WHEREAS, Section 403.17(3) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that all or a portion of the property within the Area and owned by the Agricultural Land Owner meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain Property contained within the Urban Renewal Area.
2. The Agricultural Land Owner hereby agrees that the City of Bettendorf, Iowa, may include the portion of the property owned by the Agricultural Land Owner in the Urban Renewal Area.
3. The Agricultural Land Owner further authorizes the governing body of the City of Bettendorf, Iowa, to pass any resolution or ordinance necessary to designate said property as an Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

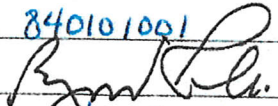
DATED this 9 day of March, 2017.

Name of Agricultural Land Owner: (signed by Agricultural Land Owner or person authorized to sign on Agricultural Land Owner's behalf)

Parcels owned by Land

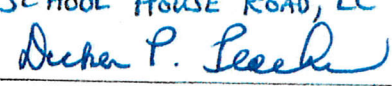
Owner: 840117002, 840223001,

840207001, 840101001

Signature: 

Print Name: BEN VAN RAALTE

SCHOOL HOUSE ROAD, LC

Witness: 

Date: 3/9/2017

AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE I-80 URBAN RENEWAL AREA

WHEREAS, the City of Bettendorf, Iowa, (the "City") has proposed to establish the I-80 Urban Renewal Area (the "Urban Renewal Area" or "Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property which is owned by the Agricultural Land Owner listed below: and

WHEREAS, Section 403.17(3) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that all or a portion of the property within the Area and owned by the Agricultural Land Owner meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain Property contained within the Urban Renewal Area.

2. The Agricultural Land Owner hereby agrees that the City of Bettendorf, Iowa, may include the portion of the property owned by the Agricultural Land Owner in the Urban Renewal Area.

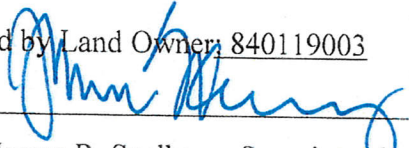
3. The Agricultural Land Owner further authorizes the governing body of the City of Bettendorf, Iowa, to pass any resolution or ordinance necessary to designate said property as an Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 23rd Day of March, 2017.

Name of Agricultural Land Owner: (signed by Agricultural Land Owner or person authorized to sign on Agricultural Land Owner's behalf)

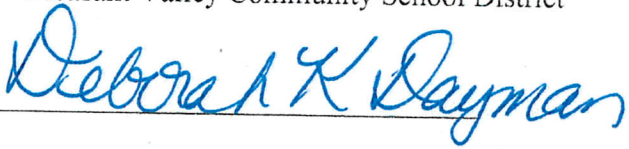
Parcels owned by Land Owner: 840119003

Date: 3-28-17

Signature: 

Print Name: James R. Spelhaug, Superintendent

Pleasant Valley Community School District

Witness: 

AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE I-80 URBAN RENEWAL AREA

WHEREAS, the City of Bettendorf, Iowa, (the "City") has proposed to establish the I-80 Urban Renewal Area (the "Urban Renewal Area" or "Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property which is owned by the Agricultural Land Owner listed below; and

WHEREAS, Section 403.17(3) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that all or a portion of the property within the Area and owned by the Agricultural Land Owner meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain Property contained within the Urban Renewal Area.

2. The Agricultural Land Owner hereby agrees that the City of Bettendorf, Iowa, may include the portion of the property owned by the Agricultural Land Owner in the Urban Renewal Area.

3. The Agricultural Land Owner further authorizes the governing body of the City of Bettendorf, Iowa, to pass any resolution or ordinance necessary to designate said property as an Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 22nd day of FEBRUARY, 2017.

Name of Agricultural Land Owner: (signed by Agricultural Land Owner or person authorized to sign on Agricultural Land Owner's behalf)

Parcels owned by Land
Owner: 840205001, 840221001AD

Date: 2/22/17

Signature: Mike Panther

Print Name: MIKE PANTHER

Witness: Decker P. Pease

CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF SCOTT

)

I, the undersigned City Clerk of the City of Bettendorf, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council 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 Council 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 Council pursuant to the local rules of the Council 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 City offices as indicated therein, that no Council 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 City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 4th day of April, 2017.

Debra P. Peach

City Clerk, City of Bettendorf, State of Iowa





ORIGINAL

URBAN RENEWAL
TRANSCRIPT CERTIFICATE

I, the undersigned, being first duly sworn, do hereby depose and certify that I am the duly appointed, qualified and acting City Clerk of the City of Bettendorf, State of Iowa, and that as such City Clerk I have in my possession or have access to the complete corporate records of the City and of its Council and officials, and that I have carefully compared the transcript hereto attached with the aforesaid corporate records and that the transcript hereto attached is a true and complete copy of all the corporate records in relation to the authorization of the Urban Renewal Plan of the City, and that the transcript hereto attached contains a true and complete statement of all the measures adopted and proceedings, acts and things had, done and performed up to the present time, in relation to the authorization of Urban Renewal Plan, and that the Council consists of a Mayor and six (6) Council Members, and that such offices were duly and lawfully filled by the individuals listed in the attached transcript as of the dates and times referred to therein.

I further certify that the City is and throughout the period of such proceedings has been governed under the Mayor/Council form of municipal government authorized by Chapter 372, City Code of Iowa, under the provisions of its charter as recorded with the Secretary of State.

I further certify that all meetings of the City Council of the City at which action was taken in connection with the Urban Renewal Plan were open to the public at all times in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and was duly given at least twenty-four hours prior to the commencement of the meeting by notification of the communications media having requested such notice and posted on a bulletin board or other prominent place designated for the purpose and easily accessible to the public at the principal office of the Council all pursuant to the provisions and in accordance with the conditions of the local rules of the Council and Chapter 21, Code of Iowa.

I further certify that attached hereto are true and accurate copies of the following:

1. Urban Renewal Plan (You do not need to attach the Plan to this Certificate if you have attached such Plan and all exhibits to the Authorizing Resolution labeled "Exhibit 1".);
2. Minutes of the meeting or other report of the Planning and Zoning Commission with respect to the conformance of the Urban Renewal Plan to the general plan for development of the City as a whole;
3. Report of Economic Development Director, or his delegate, to the City Council with respect to the consultation held with affected taxing entities on the Urban Renewal Plan, with attached copies of any and all written recommendations made with respect thereto and the responses of the City to any such recommendations.
4. Written agreement(s) with owner(s) of agricultural land. (You do not need to attach these if they are included as an exhibit in the Plan that is attached to the Authorizing Resolution.)

WITNESS my hand and the seal of the City hereto attached this 4th day of April, 2017, at Bettendorf, Iowa.

Decker P. Pleach

City Clerk, City of Bettendorf, State of Iowa

(SEAL)

STATE OF IOWA

)
) SS
)

COUNTY OF SCOTT

Subscribed and sworn to before me by City Clerk Decker P. Pleach, on this 4th day of April, 2017.

Michelle M. Spencer

Notary Public in and for Scott County, Iowa

(SEAL)



Attach items listed above to this Transcript Certificate and
send certificate and attachments to Ahlers & Cooney.

01334274-1\10216-072



14. Case 17-022; Proposed I-80 Urban Renewal Area.

Stone presented an urban renewal plan for property generally located at I-80 and Middle Road. She explained that previously the city had established an urban renewal district in that location in 1990-91. She indicated that at that time the city imposed a 20-year sunset on the plan, adding that no projects were ever approved for the area. Stone explained that the city has been approached by a developer with a proposed project within the boundaries of the proposed district. She stated that under the Iowa Code the Planning and Zoning Commission must review the plan and make comments or recommendations before it can be presented to the City Council. Stone indicated that the Plan identifies the purpose, types of projects anticipated, and proposed incentives which are only estimates at this time. She explained that if a specific project is formally approved and incentives awarded, a development agreement and an urban renewal project process would be required. She commented that TIF is often used as an incentive for urban renewal projects.

Wennlund commented that it seems to be a misnomer to label a project on undeveloped ground 'urban renewal.' He added that the description of activity types includes new rehabilitated, converted, or expanded uses which is not necessarily the case in this area. Stone explained that under an urban renewal district the purpose can be to eliminate slum or blight, redevelopment, or an economic development area meant to spur additional growth.

Bert commented that while the previous urban renewal plan expired after 20 years, it appears as though the current plan would be in effect until repealed by the City Council. Stone explained that while the 20 year sunset on the previous plan had been self-imposed, the decision was made to leave the proposed plan open-ended. Bert stated that it seems that the proposed plan is in response to the sports complex. Stone stated that the sports complex project is the only project that has come forward. She added that if other projects are submitted, the Plan can be amended if necessary.

Bert asked if the Plan is not necessarily a general plan for the area but geared specifically toward the sports complex project that is anticipated. Stone explained that the Plan is geared toward the district, adding that it includes details regarding what types of projects are expected for the area.

Kappeler asked if a development agreement would be the next step for the sports complex project to move forward. Stone confirmed this, adding that a corresponding TIF ordinance would be written if those funds are requested to be rebated.

Kappeler asked if the boundaries of the proposed urban renewal district are the same as the previous ones. Stone explained that the parcels south of Forest Grove Drive that were previously included and which are now intended for residential use have been omitted. She indicated that several city-owned parcels on which Forest Grove Park is located are now included which will provide borrowing capacity for improvement projects in the future if necessary.

On motion by Rafferty, seconded by Kappeler, that the proposed I-80 Urban Renewal Area Plan be recommended for approval as submitted.

Kappeler asked if the next step would be to hold a public hearing regarding the proposed plan. Stone explained that a public hearing is scheduled for the April 4 City Council meeting, adding that opportunities to consult with the taxing entities would be held before the public hearing.

ROLL CALL ON MOTION

ALL AYES

Motion carried.

CONSULTATION WITH AFFECTED TAXING ENTITIES

MARCH 17, 2017

10:00AM

BETTENDORF CITY HALL

1609 STATE STREET

BETTENDORF, IA 52722

MEETING MINUTES

ATTENDEES:

TIMOTHY HUEY	-	SCOTT COUNTY PLANNING AND DEVELOPMENT
JOHN MAXWELL	-	NORTH SCOTT SCHOOL BOARD PRESIDENT
JEFF REITER	-	CITY OF BETTENDORF ECONOMIC DEVELOPMENT

PLEASANT VALLEY SCHOOL DISTRICT DID NOT SEND REPRESENTATION

This opportunity to consult meeting was to discuss the establishment of the I-80 Urban Renewal Area (URA) at I-80 and Middle Road in Bettendorf. Generally speaking, the represented taxing entities were supportive of the establishment of said URA.

Mr. Huey questioned if this was directly tied to any specific project. Reiter confirmed that there is ongoing dialogue with a developer for the construction of a potential sports complex. However, this is not tied to a specific project. Only that this is establishing a new URA. And that any future development's that fell within the URA would be individually vetted through a consultation with the affected taxing entities.

Mr. Huey questioned whether or not any TIF districts had previously been formally established within the old Urban Renewal Area at I-80 and Middle. Reiter confirmed that there were none.

Mr. Huey questioned the City of Bettendorf's intent in using TIF increment to support the Forest Grove Park development that was taking shape within the far eastern end of the proposed URA. Reiter confirmed that it was not the City's intent to use any increment for the development of Forest Grove Park.

Mr. Huey commented that generally, the Scott County Board of Supervisors has opposed the use of TIF for general municipal improvements, yet they see the value in supporting sewer and infrastructure improvements when said improvements have a positive economic impact on the region. And thus, they would most likely be supportive of the proposed improvements within this URA.

Mr. Maxwell questioned the type of development that the City anticipated seeing within this URA. Reiter provided Mr. Maxwell with an explanation of the City's new zoning maps and comprehensive plan, which supports professional services and medium intensity commercial developments within this URA.

Mr. Maxwell questioned whether or not there was an anticipation of industrial or manufacturing development occurring within the URA. Reiter stated this is not the intent to do so, and that it is not zoned for such development. Also, that the corridor is likely to develop into commercially zoned uses.