

March 14, 2022

The City Council of the City of Hubbard in the State of Iowa, met in regular session, in the Council Chambers, City Hall, 323 East Maple Street, Hubbard, Iowa, at 6:00 P.M., on the above date. There were present Mayor Simmerman, in the chair, and the following named Council Members:

Randy Smuck, Chad Ball, Tracy Below

Absent: Wes Kix, Scott Cross

Vacant: _____

* * * * *

Council Member Smuck then introduced the following proposed Resolution entitled "RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON THE PROPOSAL TO ENTER INTO A DEVELOPMENT AGREEMENT WITH J&T LOGISTICS, INC. AND STATE STREET LAND PARTNERSHIP, LLC, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member Ball seconded the motion to adopt. The roll was called, and the vote was:

AYES: Smuck, Ball, Below

NAYS: _____

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

RESOLUTION NO. 702

RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON
THE PROPOSAL TO ENTER INTO A DEVELOPMENT
AGREEMENT WITH J&T LOGISTICS, INC. AND STATE
STREET LAND PARTNERSHIP, LLC, AND PROVIDING FOR
PUBLICATION OF NOTICE THEREOF

WHEREAS, by Resolution No. 677, adopted October 11, 2021, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the 2021 Urban Renewal Plan (the "Urban Renewal Plan" or "Plan") for the 2021 Urban Renewal District (the "Urban Renewal Area" or "Area") described therein, which Plan is on file in the office of the Recorder of Hardin County; 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 has received a proposal from J&T Logistics, Inc. (the "Developer") and State Street Land Partnership, LLC (the "Landowner"), in the form of a proposed Development Agreement (the "Agreement") by and between the City and the Developer, pursuant to which, among other things, the Developer would agree to construct certain Minimum Improvements (as defined in the Agreement) on certain real property owned by Landowner and located within the Urban Renewal Area as defined and legally described in the Agreement (the "Development Property") and consisting of the construction of a 41,500 square foot building to be used as office space, shop space, and a warehouse, together with all related site improvements, as outlined in the proposed Agreement; and

WHEREAS, the Agreement further proposes that the City will make up to ten (10) consecutive annual payments of Economic Development Grants to Developer consisting of 50% of the Tax Increments pursuant to Section 403.19, Code of Iowa, and generated by the construction of the Minimum Improvements, the cumulative total for all such payments not to exceed the lesser of \$300,000, or the amount accrued under the formula outlined in the proposed Agreement, under the terms and following satisfaction of the conditions set forth in the Agreement; and

WHEREAS, the Agreement obligates to City to construct certain Public Improvements (as defined in the Agreement), consisting of a water main extension on the Development Property, under the terms and following satisfaction of the conditions set forth in the Agreement; and

WHEREAS, the Agreement also proposes that Developer, Landowner, and the City will enter into a Minimum Assessment Agreement with the County setting the minimum actual value of the Minimum Improvements for tax purposes at not less than \$4,500,000; and

WHEREAS, one of the obligations of the Developer relates to employment retention and/or creation; and

WHEREAS, Chapters 15A and 403, Code of Iowa, (the "Urban Renewal Law") authorize cities 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 Chapter, and to levy taxes and assessments for such purposes; and

WHEREAS, the Council has determined that the Agreement is in the best interests of the City and the residents thereof and that the performance by the City 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 Agreement and the City's performance thereunder is in furtherance of appropriate economic development activities and objectives of the City within the meaning of Chapters 15A and 403, Code of Iowa, taking into account the factors set forth therein; and

WHEREAS, neither the Urban Renewal Law nor any other Code provision sets forth any procedural action required to be taken before said economic development activities can occur under the Agreement, and pursuant to Section 364.6, Code of Iowa, it is deemed sufficient if the action hereinafter described be taken and the City Clerk publish notice of the proposal and of the time and place of the meeting at which the Council proposes to take action thereon and to receive oral and/or written objections from any resident or property owner of said City to such action.

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

Section 1. That this Council meet in the Council Chambers, City Hall, 323 East Maple Street, Hubbard, Iowa, at 6:00 P.M. on April 11, 2022, for the purpose of taking action on the matter of the proposal to enter into a Development Agreement with J&T Logistics, Inc. and State Street Land Partnership, LLC.

Section 2. That the City Clerk is hereby directed to cause at least one publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in said City, said publication to be not less than four (4) clear days nor more than twenty (20) days before the date of said public meeting.

Section 3. The notice of the proposed action shall be in substantially the following form:

(One publication required)

NOTICE OF PUBLIC HEARING OF THE CITY COUNCIL OF
THE CITY OF HUBBARD IN THE STATE OF IOWA, ON THE
MATTER OF THE PROPOSAL TO ENTER INTO A
DEVELOPMENT AGREEMENT WITH J&T LOGISTICS, INC.
AND STATE STREET LAND PARTNERSHIP, LLC, AND THE
HEARING THEREON

PUBLIC NOTICE is hereby given that the Council of the City of Hubbard in the State of Iowa, will hold a public hearing on April 11, 2022, at 6:00 P.M. in the Council Chambers, City Hall, 323 East Maple Street, Hubbard, Iowa, at which meeting the Council proposes to take action on the proposal to enter into a Development Agreement (the "Agreement") with J&T Logistics, Inc. (the "Developer") and State Street Land Partnership, LLC (the "Landowner").

The Agreement would obligate the Developer to construct certain Minimum Improvements (as defined in the Agreement) on certain real property owned by Landowner and located within the 2021 Urban Renewal District as defined and legally described in the Agreement (the "Development Property"), consisting of the construction of a 41,500 square foot building to be used as office space, shop space, and a warehouse, together with all related site improvements, under the terms and following satisfaction of the conditions set forth in the Agreement. One of the obligations of Developer relates to employment retention and/or creation.

The Agreement would further obligate the City to construct certain Public Improvements (as defined in the Agreement), to include a water main extension on the Development Property, under the terms and following satisfaction of the conditions set forth in the Agreement.

The Agreement propose that the City will make up to ten (10) consecutive annual payments of Economic Development Grants to Developer consisting of 50% of the Tax Increments pursuant to Section 403.19, Code of Iowa, and generated by the construction of the Minimum Improvements, the cumulative total for all such payments not to exceed the lesser of \$300,000, or the amount accrued under the formula outlined in the proposed Agreement, under the terms and following satisfaction of the conditions set forth in the Agreement.


The Agreement also proposes that Developer, Landowner, and the City will enter into a Minimum Assessment Agreement with the County setting the minimum actual value of the Minimum Improvements for tax purposes at not less than \$4,500,000.

A copy of the Agreement is on file for public inspection during regular business hours in the office of the City Clerk, City Hall, City of Hubbard, Iowa.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of said City, to the proposal to enter into the Agreement with the Developer and the Landowner. After all objections have been received and considered, the Council will at this meeting or at any adjournment thereof, take additional action on the proposal or will abandon the proposal to authorize said Agreement.

This notice is given by order of the City Council of the City of Hubbard in the State of Iowa, as provided by Section 364.6, Code of Iowa.

Dated this 14th day of March, 2022.



City Clerk, City of Hubbard in the State of Iowa

(End of Notice)

PASSED AND APPROVED this 14th day of March, 2022.



Mayor

ATTEST:



City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF HARDIN)

I, the undersigned City Clerk of the City of Hubbard, 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 15th day of March, 2022.



Marie Hubauer
City Clerk, City of Hubbard, State of Iowa