

SET DATE FOR HEARING ON  
DEVELOPMENT AGREEMENT AND  
TAX INCREMENT PAYMENTS

(Musco Sports Lighting, LLC)

421464-59

Muscatine, Iowa

November 7, 2019

A meeting of the City Council of the City of Muscatine, Iowa, was held at \_\_\_\_\_ o'clock  
\_\_\_\_.m., on November 7, 2019, at the \_\_\_\_\_, Muscatine, Iowa, pursuant to the rules  
of the Council.

The Mayor presided and the roll was called, showing members present and absent as  
follows:

Present: \_\_\_\_\_

Absent: \_\_\_\_\_.

Council Member \_\_\_\_\_ introduced the resolution next hereinafter  
set out and moved its adoption, seconded by Council Member \_\_\_\_\_; and  
after due consideration thereof by the Council, the Mayor put the question upon the adoption of  
said resolution, and the roll being called, the following named Council Members voted:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_.

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

RESOLUTION NO. \_\_\_\_\_

Resolution Setting a Date of Meeting at Which it is Proposed to Approve a Development Agreement with Musco Sports Lighting, LLC Including Annual Appropriation Tax Increment Payments

WHEREAS, the City of Muscatine, Iowa (the “City”), pursuant to and in strict compliance with all laws applicable to the City, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the Consolidated Muscatine Urban Renewal Area (the “Urban Renewal Area”); and

WHEREAS, this City Council has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa, which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the City for the payment of the principal of and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, the City proposes to enter into an agreement (the “Development Agreement”) with Musco Sports Lighting, LLC (the “Company”) in connection with the expansion of existing facilities located at 2107 Stewart Road in the Urban Renewal Area; and

WHEREAS, the Development Agreement would provide financial incentives to the Company in the form of annual appropriation incremental property tax payments in an amount not to exceed \$515,000 under the authority of Section 403.9(1) of the Code of Iowa; and

WHEREAS, it is necessary to set a date for a public hearing on the Development Agreement, pursuant to Section 403.9 of the Code of Iowa;

NOW THEREFORE, IT IS RESOLVED by the City Council of the City of Muscatine, Iowa, as follows:

Section 1. This Council shall meet on the November 21, 2019, at 7:00 o’clock p.m., at the City Hall Council Chambers, in the City, at which time and place proceedings will be instituted and action taken to approve the Development Agreement and to authorize the annual appropriation incremental property tax payments.

Section 2. The City Clerk is hereby directed to give notice of the proposed action, the time when and place where said meeting will be held, by publication at least once not less than four (4) days and not more than twenty (20) days before the date of said meeting in a legal newspaper of general circulation in the City. Said notice shall be in substantially the following form:

NOTICE OF MEETING FOR APPROVAL OF DEVELOPMENT AGREEMENT  
WITH MUSCO SPORTS LIGHTING, LLC AND AUTHORIZATION OF  
ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS

The City Council of the City of Muscatine, Iowa (the “City”), will meet at the City Hall Council Chambers, on November 21, 2019, at 7:00 o’clock p.m., at which time and place proceedings will be instituted and action taken to approve a Development Agreement between the City and Musco Sports Lighting, LLC (the “Company”) in connection with the expansion of existing facilities located at 2107 Stewart Road in the Consolidated Muscatine Urban Renewal Area, which Agreement provides for certain financial incentives in the form of annual appropriation incremental property tax payments to the Company in a total amount not exceeding \$515,000, as authorized by Section 403.9 of the Code of Iowa.

The Agreement to make annual appropriation incremental property tax payments to the Company will not be a general obligation of the City, but will be payable solely and only from incremental property tax revenues generated within the Consolidated Muscatine Urban Renewal Area. Payments under the Development Agreement will be subject to annual appropriation by the City Council.

At the meeting, the City Council will receive oral or written objections from any resident or Company of the City. Thereafter, the City Council may, at the meeting or at an adjournment thereof, take additional action to approve the Development Agreement or may abandon the proposal.

This notice is given by order of the City Council of Muscatine, Iowa, in accordance with Section 403.9 of the Code of Iowa.

Nancy A. Lueck  
Acting City Clerk

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Passed and approved November 7, 2019.

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Mayor

Attest:

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Acting City Clerk

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On motion and vote the meeting adjourned.

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Mayor

Attest:

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Acting City Clerk

STATE OF IOWA  
COUNTY OF MUSCATINE           SS:  
CITY OF MUSCATINE

I, the undersigned, Acting City Clerk of the City of Muscatine, hereby certify that the foregoing is a true and correct copy of the minutes of the City Council of the City relating to the adoption of a resolution to fix a date of meeting at which it is proposed to take action to approve a Development Agreement.

I do further certify that the notice of hearing, to which the printed slip attached to the publisher's original affidavit hereto attached is a true and complete copy, was published on the date and in the newspaper specified in such affidavit, which newspaper has a general circulation in the City.

WITNESS MY HAND this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Acting City Clerk

**(Attach here the publisher's original affidavit with clipping of the notice as published.)**

**(PLEASE NOTE: Do not sign and date this certificate until you have checked a copy of the published notice and have verified that it was published on the date indicated in the publisher's affidavit.)**



November 1, 2019

**VIA EMAIL**

Gregg Mandsager  
City Administrator/City Hall  
Muscatine, IA

Re: Musco Sports Lighting, LLC Development Agreement  
File No. 421464-59

Dear Gregg:

Attached are copies of proceedings to enable the City Council to act on November 7<sup>th</sup> to set November 21<sup>st</sup> as the date for a public hearing on the proposed Development Agreement with Musco Sports Lighting, LLC, including the proposal for tax increment payments.

The notice of public hearing on the Agreement must be published once, not less than four (4) and not more than twenty (20) days prior to the City Council meeting at which the hearing will be held. The last date on which the notice can effectively be published is November 17, 2019. Please print an extra copy of the notice for delivery to the newspaper. Please insert the time and place of the hearing in both the resolution and the notice and email a copy of the published notice to [lemke.susan@dorsey.com](mailto:lemke.susan@dorsey.com).

We will prepare and forward to you in time for the November 21<sup>st</sup> meeting the necessary proceedings to approve the Agreement. We would appreciate receiving one fully executed copy of these proceedings as soon as they are available. Please contact John Danos or me if you have questions.

Kind regards,

Amy Bjork

Attachments

cc: Nancy Lueck