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CHARLINE L THUMM, RECORDER  
CEDAR IOWA

Prepared by: Ty Doermann, City Administrator/Clerk, 304 E. Main Street, West Branch, Iowa 52358 Phone 319-643-5888

### RESOLUTION NO. 723

**A RESOLUTION OF THE CITY COUNCIL OF WEST BRANCH, IOWA  
APPROVING AN AMENDMENT TO NEW JOBS AND INCOME PROGRAM AGREEMENT  
#2002-05 WITH PROCTER AND GAMBLE HAIR CARE, LLC, FOR THE PURPOSE OF  
RECEIVING ADDITIONAL BENEFITS UNDER 2005 IOWA CODE SECTIONS 15.326-  
15.337  
FOR IMPROVEMENTS IN THE CITY OF WEST BRANCH, IOWA**

WHEREAS, the City of West Branch, Iowa, has received a request by Procter and Gamble Hair Care, LLC to approve an amendment to the Iowa New Jobs and Income Program Agreement Number 2002-05.

WHEREAS, 2005 Iowa Code, Sections 15.326-15.337, the New Jobs and Income Program was established to promote economic development in the State of Iowa; and

WHEREAS, the City Council supports activities which promote and facilitate economic development within the City; and

WHEREAS, one of the benefits provided under the New Jobs and Income Program is the commitment by a City to exempt from taxation all or a portion of the actual value added by improvements to real property directly related to new job creation by the location of an eligible business under the program with those new jobs being directly involved in the operations of the eligible business at that location; and

WHEREAS, contingent upon entry into an amendment with the Iowa Department of Economic Development and Procter and Gamble Hair Care, LLC, pursuant to Iowa Code Section 15.332, the City of West Branch will allow for a ten (10) year schedule of exemption from property taxes on the value added by improvements to the additional, new facilities as described in the request for amendment as follows:

Year 1 through 5 – no exemptions from property taxes under the specific provisions of Iowa Code Section 15.332

Year 6 - 75% exemption of actual value added by improvements from the time the property is first assessed.

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Year 7 - 60% exemption  
Year 8 - 45% exemption  
Year 9 - 30% exemption  
Year 10 - 15% exemption

WHEREAS, the City of West Branch has previously declared the following site as an economic development area and has been designated as such by the Iowa Department of Economic Development:

**See attached legal description known as Exhibit "A".**

The total size of this property is approximately 180 acres.

WHEREAS, Procter and Gamble Hair Care, LLC, has indicated they will:

1. Cause to create an additional 40 new jobs for a period of not less than five years and pay a median wage of \$12.00 per hour for new full-time hourly nonmanagement production jobs.
2. Make an additional capital expenditure of at least \$12,000,000 in the building expansion.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of West Branch, Iowa:

a. The City of West Branch approves the expansion of Procter and Gamble Hair Care, LLC, by amending NJIP Agreement # 2002-05 for purposes of receiving additional benefits of the Act authorizing the New Jobs and Income Program.

b. Contingent upon approval by the Iowa Department of Economic Development, and entry into an amendment with the Iowa Department of Economic Development pursuant to Iowa Code Section 15.332, the City of West Branch will allow for a ten (10) year schedule of exemption from property taxes on the value added by improvements to the additional new facilities as follows:

Year 1 through 5 – no exemptions from property taxes under the specific provisions of Iowa Code Section 15.332

Year 6 - 75% exemption of actual value added by improvements from the time the property is first assessed.

Year 7 - 60% exemption

Year 8 - 45% exemption

Year 9 - 30% exemption

Year 10 - 15% exemption

**See attached legal description know as Exhibit "A".**

The total size of this property is approximately 180 acres.

c. The City Clerk shall provide a copy of this Resolution to the Iowa Department of Economic Development and shall file a copy of this resolution with the Iowa County Assessor.

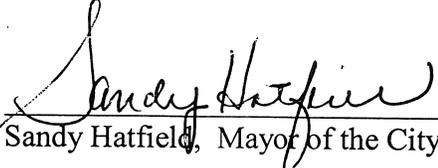
d. Officers of the City are hereby authorized to take such further actions as are deemed necessary in order to carry into effect the provision of this resolution.

e. All Resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

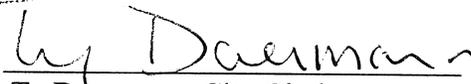
f. That the provisions of this Resolution are hereby declared to be separable and if any section, phrase or provision shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereof.

g. This Resolution shall become effective immediately upon its passage and approval.

PASSED, APPROVED AND ADOPTED this 6th day of June 2005.

  
Sandy Hatfield, Mayor of the City of West Branch

ATTEST:

  
Ty Doermann, City Clerk

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Exhibit "A"

The Northwest Quarter (NW  $\frac{1}{4}$ ) of the Northwest Quarter (NW  $\frac{1}{4}$ ) of Section 17, Township 79 North, Range 4 West of the 5<sup>th</sup> P.M., Cedar County, Iowa; the Northeast Quarter (NE  $\frac{1}{4}$ ) of the Northwest Quarter (NW  $\frac{1}{4}$ ) of Section 17, Township 79 North, Range 4 West of the 5<sup>th</sup> P.M., Cedar County, Iowa; the Southwest Quarter of the Northeast Quarter (SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ) of Section 17, Township 79 North, Range 4, West of the 5<sup>th</sup> P.M., Cedar County, Iowa; and the North Sixty (60) acres in the South Half (S  $\frac{1}{2}$ ) of the Northwest Quarter (NW  $\frac{1}{4}$ ) of Section 17, Township 79 North, Range 4 West of the 5<sup>th</sup> P.M., Cedar County, Iowa.

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Prepared by: Ty Doermann, City Administrator/Clerk, 304 E. Main Street, West Branch, Iowa  
52358 Phone 319-643-5888

CERTIFICATE

STATE OF IOWA                    )  
  ) SS  
COUNTY OF CEDAR            )

I, the undersigned City Clerk of West Branch, Iowa, do hereby certify that the attached is a true and complete copy of the portion of the corporate records of said Municipality showing proceedings of the Council, and the same is a true and complete copy of the action taken by said Council with respect to said 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 (a copy of the face sheet of said agenda being attached hereto) 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 said law and with members of the public in attendance; I further certify that the individuals named herein 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 said proceedings.

WITNESS my hand and the seal of said Municipality hereto affixed this 7 day of JUNE, 2005.

  
\_\_\_\_\_  
City Clerk, West Branch, Iowa  
Ty Doermann

SEAL



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