

ORDINANCE NO. 52

An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2020 Addition to the Mitchell County Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

WHEREAS, the Board of Supervisors of Mitchell County, Iowa (the "County") previously enacted an ordinance entitled "An Ordinance Providing For The Division Of Taxes Levied On Taxable Property In The Mitchell County Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa"; and

WHEREAS, pursuant to that ordinance, certain taxable property within the Mitchell County Urban Renewal Area in the County was designated a "tax increment district"; and

WHEREAS, the Board of Supervisors now desires to increase the size of the "tax increment district" by adding additional property;

BE IT ENACTED by the Board of Supervisors of Mitchell County, Iowa:·

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the 2020 Addition to the Mitchell County Urban Renewal Area of the County, each year by and for the benefit of the state, city, county, school districts or other taxing districts after the effective date of this ordinance in order to create a special fund to pay the principal of and interest on loans, moneys advanced to or indebtedness, including bonds proposed to be issued by the County to finance projects in such Area.

Section 2. Definitions. For use within this ordinance the following terms shall have the following meanings:

"County" shall mean Mitchell County, Iowa.

"2020 Urban Renewal Area Addition" shall mean the 2020 Addition to the Mitchell County Urban Renewal Area of Mitchell County, Iowa, the legal description of which is set out below, approved by the Board of Supervisors by resolution adopted on July 21, 2020:

Certain real property situated in Mitchell County, Iowa bearing the following Mitchell County Property Tax Parcel Identification Numbers:

0630200901	0629400901	0628100901	0628200901	0627100901
0627200901	0626300901	0626200901	0613400901	0613300901
0614400901	0623100901	0622100901	0621100901	0620100901
0618400901	0607200901	0606400901	0609200901	0611400901
0612300901	0234400901	0233300901	0232400901	0232300901
0231300901	0501400901	0229200901	0228100901	0227200901
0226100901	0226200901	0225100901	0330100901	0319200901
0224200901	0214300901	0222200901	0221100901	0216200901
0210200901	0211100901	0211200901	0319100901	0611300901

0221400901	0222100901	0224100901	0217100901	0217200901
0609100901				

“Urban Renewal Area” shall mean the entirety of the Mitchell County Urban Renewal Area as amended from time to time.

Section 3. Provisions for Division of Taxes Levied on Taxable Property in the 2020 Urban Renewal Area Addition. After the effective date of this ordinance, the taxes levied on the taxable property in the 2020 Urban Renewal Area Addition each year by and for the benefit of the State of Iowa, the County and any city, school district or other taxing district in which the 2020 Urban Renewal Area Addition is located, shall be divided as follows:

(a) 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 2020 Urban Renewal Area Addition, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the County certifies to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the special fund referred to in paragraph (b) below, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. For the purpose of allocating taxes levied by or for any taxing district which did not include the territory in the 2020 Urban Renewal Area Addition on the effective date of this ordinance, but to which the territory has been annexed or otherwise included after the effective date, the assessment roll applicable to property in the annexed territory as of January 1 of the calendar year preceding the effective date of the ordinance which amends the plan for the 2020 Urban Renewal Area Addition to include the annexed area, shall be used in determining the assessed valuation of the taxable property in the annexed area.

(b) that portion of the taxes each year in excess of such amounts shall be allocated to and when collected be paid into a special fund of the County to pay the principal of and interest on loans, moneys advanced to or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under the authority of Section 403.9(1), of the Code of Iowa, incurred by the County to finance or refinance, in whole or in part, projects in the Urban Renewal Area , and to provide assistance for low and moderate-income family housing as provided in Section 403.22, except that taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2 of the Code of Iowa, taxes for the instructional support program levy of a school district imposed pursuant to Section 257.19 of the Code of Iowa and taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the taxing district without limitation by the provisions of this ordinance. Unless and until the total assessed valuation of the taxable property in the 2020 Urban Renewal Area Addition exceeds the total assessed value of the taxable property in such area as shown by the assessment roll referred to in subsection (a) of this section, all of the taxes levied and collected upon the taxable property in the 2020 Urban Renewal Area Addition shall be paid into the funds for the respective taxing districts as taxes by or for said taxing districts in the same manner as all other property taxes. When such loans, advances, indebtedness, and bonds, if any, and interest thereon, have been paid, all money thereafter

received from taxes upon the taxable property in the Urban Renewal Area Addition shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

(c) the portion of taxes mentioned in subsection (b) of this section and the special fund into which that portion shall be paid may be irrevocably pledged by the County for the payment of the principal and interest on loans, advances, bonds issued under the authority of Section 403.9(1) of the Code of Iowa, or indebtedness incurred by the County to finance or refinance in whole or in part projects in the Urban Renewal Area.

(d) as used in this section, the word "taxes" includes, but is not limited to, all levies on an ad valorem basis upon land or real property.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Saving Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

First consideration passed by the Board of Supervisors of Mitchell County, Iowa, on July 21, 2020.



Chairperson

Attest:



County Auditor

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Second consideration passed by the Board of Supervisors of Mitchell County, Iowa, the 28th day of July, 2020.

Chairperson

Attest:

Lawell Presch
County Auditor

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Third and final consideration passed by the Board of Supervisors of Mitchell County, Iowa, the 4th day of August, 2020.

Chairperson

Attest:

Rachel Foster
County Auditor
Deputy

MINUTES PROVIDING FOR SECOND
CONSIDERATION OF AN ORDINANCE
ESTABLISHING A TAX INCREMENT
FINANCING DISTRICT FOR THE 2020
ADDITION TO THE MITCHELL
COUNTY URBAN RENEWAL AREA

448848-26

(Second Consideration)

Osage, Iowa

July 28, 2020

The Board of Supervisors of Mitchell County, Iowa, met on the 28th day of July, 2020 at 8:30 o'clock a.m., at the Courthouse, in Osage, Iowa.

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

Present: Francis, Smolik, Walk

Absent: None

The Chairperson announced that, on July 21, 2020, the Council had given its initial consideration and had adopted an ordinance entitled "Ordinance No. _____". An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2020 Addition to the Mitchell County Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa."

It was moved by Council Member Walk and seconded by Council Member Francis that the aforementioned ordinance be given its second consideration and that it be adopted. The Chairperson put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Walk, Francis

Nays: Smolik

Whereupon, the Chairperson declared the motion duly carried and declared that said ordinance had been given its second consideration.

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There being no further business to come before the meeting, it was upon motion adjourned.

Barbara J. Francis
Chairperson

Attest:

Lowell Resch
County Auditor

MINUTES PROVIDING FOR FIRST
CONSIDERATION OF AN ORDINANCE
ESTABLISHING A TAX INCREMENT
FINANCING DISTRICT FOR THE 2020
ADDITION TO THE MITCHELL COUNTY
URBAN RENEWAL AREA

448848-26

Osage, Iowa

July 21, 2020

The Board of Supervisors of Mitchell County, Iowa, met on July 21, 2020, at 8:45 o'clock a.m., at the Mitchell County Courthouse in Osage, Iowa.

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

Present: Francis, Smolik, Walk

Absent: none

Supervisor Francis introduced an ordinance entitled "Ordinance No. 52. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2020 Addition to the Mitchell County Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa."

It was moved by Supervisor Walk and seconded by Supervisor Francis that the ordinance be adopted. The Chairperson put the question on the motion and the roll being called, the following named Supervisors voted:

Ayes: Walk, Francis

Nays: Smolik

Whereupon, the Chairperson declared the motion duly carried and declared that the ordinance had been given its initial consideration.

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There being no further business to come before the meeting, it was upon motion adjourned.



Chairperson

Attest:



County Auditor