

TIF Ordinance

MINUTES PROVIDING FOR PASSAGE
OF AN ORDINANCE ESTABLISHING
THE 2010 ADDITION TO THE NORTH
LIBERTY URBAN RENEWAL AREA
TAX INCREMENT FINANCING
DISTRICT

North Liberty Urban Renewal Area

421433-42 - Ordinance

(Initial Consideration)

North Liberty, Iowa

October 11, 2011

The City Council of the City of North Liberty, in Johnson County, Iowa, met on October 11, 2011, at 7 o'clock p.m., at the Council Chambers.

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

Present: Chipman, Donahue, Hoffman, Kuhl, Wayson

Absent: None.

Council Member Hoffman introduced an ordinance entitled "Ordinance No. 11-15. An Ordinance providing for the division of taxes levied on taxable property in the 2010 Addition to the North Liberty Urban Renewal Area of the City of North Liberty, Iowa, pursuant to Section 403.19 of the Code of Iowa."

It was moved by Council Member Hoffman and seconded by Council Member Chipman that the aforementioned ordinance be given its first consideration and that it be adopted.

The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Kuhl, Chipman, Donahue, Wayson, Hoffman;

Nays: None.

Whereupon, the Mayor declared the motion duly carried and declared that said 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.

CITY OF NORTH LIBERTY

By: _____
Thomas A. Salm, Mayor

ATTEST:

Tracey Mulcahey, City Clerk

ORDINANCE NO.11-15

AN ORDINANCE PROVIDING FOR THE DIVISION OF TAXES LEVIED ON TAXABLE PROPERTY IN THE 2010 ADDITION TO THE NORTH LIBERTY URBAN RENEWAL AREA, PURSUANT TO SECTION 403.19 OF THE CODE OF IOWA

WHEREAS, the City Council previously enacted an ordinance entitled “An Ordinance Providing For The Division Of Taxes Levied On Taxable Property In The North Liberty Urban Renewal Area of the City of North Liberty, Iowa, Pursuant To Section 403.19 of the Code of Iowa”; and

WHEREAS, pursuant to that ordinance, the North Liberty Urban Renewal Area in the City of North Liberty was designated a “tax increment district”; and

WHEREAS, the City Council now desires to increase the size of the “tax increment district” by adding additional property;

BE IT ENACTED by the Council of the City of North Liberty, Iowa:

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the 2010 Addition to the North Liberty Urban Renewal Area of the City of North Liberty, Iowa, 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 City of North Liberty to finance projects in the such area.

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

“City” shall mean the City of North Liberty, Iowa.

“County” shall mean Johnson County, Iowa.

“Urban Renewal Area” shall mean the entirety of the North Liberty Urban Renewal Area as amended on December 14, 2010.

“Urban Renewal Area Amendment” shall mean the 2010 Addition to the North Liberty Urban Renewal Area of the City of North Liberty, Iowa, the boundaries of which are set out below, approved by the City Council by resolution adopted on the 14th day of December, 2010.

Certain real property in the City of North Liberty, County of Johnson, State of Iowa more particularly described as follows:

LOTS 1 AND 2, THE VILLAS AT LIBERTY EXECUTIVE PARK – PART ONE, NORTH LIBERTY, JOHNSON COUNTY, IOWA, ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK 52, PAGE 187, PLAT RECORDS OF JOHNSON COUNTY, IOWA;

AND

LOTS 3 AND 4, THE VILLAS AT LIBERTY EXECUTIVE PARK – PART TWO, NORTH LIBERTY, JOHNSON COUNTY, IOWA, ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK 52, PAGE 188, PLAT RECORDS OF JOHNSON COUNTY, IOWA;

AND

LOTS 5, 6 AND 7, THE VILLAS AT LIBERTY EXECUTIVE PARK – PART THREE, NORTH LIBERTY, JOHNSON COUNTY, IOWA, ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK 52, PAGE 189, PLAT RECORDS OF JOHNSON COUNTY, IOWA;

AND

LOTS 8, 9 AND 10, BOTH INCLUSIVE, THE VILLAS AT LIBERTY EXECUTIVE PARK – PART FOUR, NORTH LIBERTY, JOHNSON COUNTY, IOWA, ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK 52, PAGE 190, PLAT RECORDS OF JOHNSON COUNTY, IOWA.

Section 3. Provisions for Division of Taxes Levied on Taxable Property in the Urban Renewal Area Amendment. After the effective date of this ordinance, the taxes levied on the taxable property in the Urban Renewal Area Amendment each year by and for the benefit of the State of Iowa, the City, the County and any school district or other taxing district in which the Urban Renewal Area Amendment 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 Urban Renewal Area Amendment, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City 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 Urban Renewal Area Amendment 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 Urban Renewal Area Amendment 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 City 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 City 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, 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 Urban Renewal Area Amendment 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 Urban Renewal Area Amendment 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 Amendment 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 City 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 City 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.

Passed and approved by the Council of the City of North Liberty, Iowa, on the 8th day of November, 2011.

CITY OF NORTH LIBERTY

By: _____
Thomas A. Salm, Mayor

ATTEST:

Tracey Mulcahey, City Clerk

MINUTES PROVIDING FOR PASSAGE
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North Liberty Urban Renewal Area

421433-42 - Ordinance

(Second Consideration)

North Liberty, Iowa

October 25, 2011

The City Council of the City of North Liberty, in Johnson County, Iowa, met on the 25th day of October, 2011, at 7 o'clock p.m., at the City Council Chambers, in the City.

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

Present: Chipman, Donahue, Hoffman, Kuhl, Wayson

Absent: None.

The Mayor announced that, on October 11, 2011, the Council had given its initial consideration and had adopted an ordinance entitled "Ordinance No. 11-15 An Ordinance providing for the division of taxes levied on taxable property in the 2010 Addition to the North Liberty Urban Renewal Area of the City of North Liberty, Iowa, pursuant to Section 403.19 of the Code of Iowa".

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

Ayes: Donahue, Chipman, Kuhl, Wayson, Hoffman

Nays: None.

Whereupon, the Mayor 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.

CITY OF NORTH LIBERTY

By: _____
Thomas A. Salm, Mayor

ATTEST:

Tracey Mulcahey, City Clerk

MINUTES PROVIDING FOR PASSAGE
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North Liberty Urban Renewal Area

421433-42 - Ordinance

(Final Consideration and Adoption)

North Liberty, Iowa

November 8, 2011

The City Council of the City of North Liberty, in Johnson County, Iowa, met on the 8th day of November, 2010, at _____ o'clock __.m., at the _____, in the City.

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

Present: _____

Absent: _____.

The Mayor announced that, on October 11, 2011, and on October, 25, 2011, the Council had given initial and second consideration and had adopted an ordinance entitled "Ordinance No. _____. An Ordinance providing for the division of taxes levied on taxable property in the 2010 Addition to the North Liberty Urban Renewal Area of the City of North Liberty, Iowa, pursuant to Section 403.19 of the Code of Iowa".

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

Ayes: _____

Nays: _____.

Whereupon, the Mayor 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.

CITY OF NORTH LIBERTY

By: _____
Thomas A. Salm, Mayor

ATTEST:

Tracey Mulcahey, City Clerk

STATE OF IOWA SS:
COUNTY OF JOHNSON

I, the undersigned, County Auditor of the aforementioned County, in the State of Iowa, do hereby certify that on the ___ day of _____, 2011, the City Clerk of the City of North Liberty, Iowa, filed in my office a copy of an ordinance of such City shown to have been adopted by the Council and approved by the Mayor thereof on the 8th day of November, 2011, entitled: “Ordinance No. _____. An Ordinance providing for the division of taxes levied on taxable property in 2010 Addition to the North Liberty Urban Renewal Area of the City of North Liberty, Iowa, pursuant to Section 403.19 of the Code of Iowa”, and that I have duly placed a copy of the ordinance on file in my records.

WITNESS MY HAND this ___ day of _____, 2011.

County Auditor

STATE OF IOWA
COUNTY OF JOHNSON SS:
CITY OF NORTH LIBERTY

I, the undersigned, City Clerk of the City aforementioned, do hereby certify that I caused to be published "Ordinance No. _____. An Ordinance providing for the division of taxes levied on taxable property in the 2010 Addition to the North Liberty Urban Renewal Area of the City of North Liberty, Iowa, pursuant to Section 403.19 of the Code of Iowa," of which the printed slip attached to the publisher's original affidavit hereto attached is a true and complete copy, on the date and in the newspaper specified in such affidavit, and that such newspaper has a general circulation in said City.

WITNESS MY this ____ day of _____, 2011.

Tracey Mulcahey, City Clerk

(Attach hereto publisher's affidavit of publication with clipping of ordinance as published.)

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

STATE OF IOWA
COUNTY OF JOHNSON SS:
CITY OF NORTH LIBERTY

I, the undersigned, City Clerk of the City aforementioned, do hereby certify that the attached is a true, correct and complete copy of all the records of the Council of such City relating to the adoption of an ordinance entitled "Ordinance No. _____. An Ordinance providing for the division of taxes levied on taxable property in 2010 Addition to the North Liberty Urban Renewal Area of the City of North Liberty, Iowa, pursuant to Section 403.19 of the Code of Iowa."

WITNESS MY HAND this ____ day of _____, 2011.

Tracey Mulcahey, City Clerk