

ORDINANCE NO. 1027 (2022/2023)

An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the July, 2022 Addition to the Nevada Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

WHEREAS, the City Council of the City of Nevada, Iowa (the “City”) previously enacted an ordinance entitled “An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Nevada Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa”; and

WHEREAS, pursuant to that ordinance, certain taxable property within the Nevada Urban Renewal Area in the City 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 Nevada, Iowa:

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the July, 2022 Addition to the Nevada Urban Renewal Area of the City of Nevada, 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 Nevada to finance projects in such area.

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

“City” shall mean the City of Nevada, Iowa.

“County” shall mean Story County, Iowa.

“Urban Renewal Area Addition” shall mean the July, 2022 Addition to the Nevada Urban Renewal Area of the City, the legal description of which is set out below, approved by the City Council by resolution adopted on July 25, 2022:

Certain real property in the City of Nevada, Story County, State of Iowa, bearing Story County Property Tax Parcel Identification Numbers 1004400110, 1004200310, 1004200400, 1004200110, and 1004200200, more particularly described as follows:

The East Three-Fourths of the Northwest Quarter of the Northeast Quarter (E3/4 NW1/4 NE1/4); Northeast Quarter of the Northeast Fractional Quarter (NE1/4 NE Fr.1/4); East Three-Fourths of the Southwest Quarter of the Northeast Quarter (E3/4 SW1/4 NE1/4); Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4); Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4) North of the RR; East Three-Fourths of the Northwest Quarter of the Southeast Quarter (NW1/4 SE1/4) North of the RR, all in Section Four (4), Township Eighty-three (83) North, Range Twenty-three (23),

West of the 5th P.M., Story County, Iowa. Said parcel to contract 103 acres, more or less.

Area as amended from time to time.

Section 3. Provisions for Division of Taxes Levied on Taxable Property in the Urban Renewal Area Addition. After the effective date of this ordinance, the taxes levied on the taxable property in the Urban Renewal Area Addition 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 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 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 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 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 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 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, 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 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 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 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 City Council of the City of Nevada, Iowa, on the 25th day of July, 2022.

First consideration: July 25, 2022

Waived Second and Third Consideration: July 25, 2022



Brett Barker, Mayor

Attest:



Kerin Wright, City Clerk

MINUTES PROVIDING FOR WAIVING
SECOND & FINAL CONSIDERATION OF
AN ORDINANCE ESTABLISHING A
TAX INCREMENT FINANCING
DISTRICT FOR THE JULY, 2022
ADDITION TO THE NEVADA URBAN
RENEWAL AREA

420131-112

(Second and Final Consideration)

Nevada, Iowa

July 25, 2022

The City Council of the City of Nevada, Iowa, met on July 25, 2022 at 6:00 p.m., at City Hall, in the City of Nevada.

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

Present: Brian Hanson, Barb Mittman, Dane Nealson, Jason Sampson, Steve Skaggs, Sandy Ehrig

Absent: None.

The Mayor announced that, on July 25, 2022, the Council had given its initial consideration and had adopted an ordinance entitled “Ordinance No. 1027 (2022/2023)”. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the July, 2022 Addition to the Nevada Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa.”

It was moved by Council Member Steve Skaggs and seconded by Council Member Dane Nealson that the second and final consideration be waived for the aforementioned ordinance 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: Skaggs, Nealson, Sampson, Ehrig, Hanson, Mittman

Nays: None.

Whereupon, the Mayor declared the motion duly carried and declared that said ordinance had been given its second and final consideration and has been adopted.

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



Brett Barker, Mayor

Attest:



Kerin Wright, City Clerk

STATE OF IOWA
STORY COUNTY
CITY OF NEVADA

SS:

I, the undersigned, City Clerk of the City of Nevada, State of Iowa, do hereby certify that I caused to be published “Ordinance No. 1027 (2022/2023). An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the July, 2022 Addition to the Nevada Urban Renewal Area, 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 HAND this 8th day of August, 2022.


Kerin Wright
Kerin Wright, City Clerk

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

Proof Of Publication in
NEVADA JOURNAL

CITY OF NEVADA
1209 6TH STREET
NEVADA, IA 502010530

STATE OF WISCONSIN, BROWN COUNTY


I, , on oath depose and say
that I am the Legal Clerk of **NEVADA JOURNAL**, a weekly
newspaper, published at ; Ames, Story County, Iowa that the
annexed printed:

CITY OF NEVADA
Ordinance No 1027

was published in said newspaper 1 time(s) in issues dated:

August 04, 2022

the last day of said publication being the
4th day of August, 2022


Legal Clerk


Notary Public, State of Wisconsin, County of Brown

6/30/2025
My commission expires

sworn to before me and subscribed in my presence by this the 4th
day of August, 2022

FEE: \$98.73
AD #: 0001461019
ACCT: 37490

AMY KOKOTT
Notary Public
State of Wisconsin

#1461019
ORDINANCE NO. 1027 (2022/2023)

AN ORDINANCE PROVIDING FOR THE DIVISION OF TAXES LEVIED ON TAXABLE PROPERTY IN THE JULY, 2022 ADDITION TO THE NEVADA URBAN RENEWAL AREA, PURSUANT TO SECTION 403.19 OF THE CODE OF IOWA

WHEREAS, the City Council of the City of Nevada, Iowa (the "City") previously enacted an ordinance entitled "An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Nevada Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa"; and

WHEREAS, pursuant to that ordinance, certain taxable property within the Nevada Urban Renewal Area in the City 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;

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Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4); North-east Quarter of the Southeast Quarter (NE1/4 SE1/4) North of the RR; East Three-Fourths of the Northwest Quarter of the Southeast Quarter (NW1/4 SE1/4) North of the RR, all in Section Four (4), Township Eighty-three (83) North, Range Twenty-three (23), West of the 5th P.M., Story County, Iowa. Said parcel to contract 103 acres, more or less.

Area as amended from time to time.

Section 3. Provisions for Division of Taxes Levied on Taxable Property in the Urban Renewal Area Addition. After the effective date of this ordinance, the taxes levied on the taxable property in the Urban Renewal Area Addition 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 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 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 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 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 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 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, 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 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 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 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 City Council of the City of Nevada, Iowa, on the 25th day of July, 2022. Second and Third reading waived on the 25th day of July, 2022

Brett Barker, Mayor
Attest:
Kerin Wright, City Clerk

Published in the Nevada Journal on August 4, 2022 (1T)

STATE OF IOWA

SS:

STORY COUNTY

I, the undersigned, County Auditor of Story County, in the State of Iowa, do hereby certify that on the 18th day of August, 2022, the City Clerk of the City of Nevada, 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 July 25, 2022, entitled: "Ordinance No. 1027 (2022/2023). An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the July, 2022 Addition to the Nevada Urban Renewal Area, 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 18th day of August, 2022.

Shirley Martin by line
County Auditor

MINUTES PROVIDING FOR FIRST
CONSIDERATION OF AN ORDINANCE
ESTABLISHING A TAX INCREMENT
FINANCING DISTRICT FOR THE JULY,
2022 ADDITION TO THE NEVADA
URBAN RENEWAL AREA

420131-112

Nevada, Iowa

July 25, 2022

The City Council of the City of Nevada, Iowa, met on July 25, 2022, at 6:00 p.m., at the Nevada City Council Chambers, in the City.

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

Present: Brian Hanson, Barb Mittman, Dane Nealson, Jason Sampson, Steve Skaggs,
Sandy Ehrig

Absent: None.

Mayor Brett Barker introduced an ordinance entitled “Ordinance No. 1027. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the July, 2022 Addition to the Nevada Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa.”

It was moved by Council Member Brian Hanson and seconded by Council Member Steve Skaggs that the ordinance be adopted. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Hanson, Skaggs, Ehrig, Mittman, Nealson, Sampson

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.



Brett Barker, Mayor

Attest:



Kerin Wright, City Clerk





July 20, 2022

VIA EMAIL

Jordan Cook
City Administrator/City Hall
Nevada, Iowa

Re: Nevada Urban Renewal Area (July, 2022 Addition)
Our File No. 420131-112

Dear Jordan:

Attached please find the proceedings for use by the City Council at the July 25, 2022 meeting.

The first set of proceedings covers the City Council's action in holding a public hearing on the designation of the expanded urban renewal area and adopting a resolution to approve the amended urban renewal plan for that area. The resolution states that the required consultation session has been held with Story County and the Nevada Community School District. If the consultation session has not been held, please call me immediately.

The second set of proceedings covers the adoption of the tax increment ordinance for the expanded urban renewal area. Once the ordinance has been finally adopted, it must be published and a copy must be filed with the County Auditor of Story County. Please print extra copies of the ordinance for publishing and filing. Certificates are included in the proceedings to attest to each of those acts.

Please return one fully executed set of these proceedings, once all the actions have been taken, and contact John Danos, Erin Regan, Severie Orngard, or me if you have any questions.

Kind regards,

Amy Bjork

Attachments

cc: Kerin Wright