

RESOLUTION NO. 12,470

Approving 2016 Amendment to Agreement Between Woodbury County and the City of Sergeant Bluff

WHEREAS, the Board of Supervisors of Woodbury County, Iowa (the "County") and the City Council of the City of Sergeant Bluff (the "City") previously approved and entered into an agreement (the "Agreement") entitled "Agreement Between Woodbury County and the City of Sergeant Bluff," dated the 12<sup>th</sup> day of May, 2015, related to the construction and financing of a project in the City known as Dogwood Trail (the "Project"); and

WHEREAS, in accordance with the Agreement, the City has constructed the Project and the County has issued its Urban Renewal Tax Increment Revenue Bond in order to provide financing for the Project; and

WHEREAS, the Agreement establishes a relationship between the County and the City with respect to the allocation of incremental property taxes generated in connection with the Project; and

WHEREAS, it has been determined that it would be beneficial to both the County and the City to amend paragraph 15 of the Agreement to more clearly set out the process by which those incremental property taxes will be divided between the County and the City; and

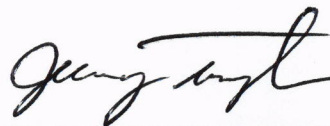
WHEREAS, an amendment to the Agreement has been prepared, which is attached hereto as Exhibit A;

NOW, THEREFORE, It Is Resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

Section 1. The Amendment to the Agreement attached hereto is hereby incorporated into this Resolution and is hereby approved. The language of the Amendment is hereby substituted in place of paragraph 15 of the original Agreement and shall be effective as of the date of this Resolution.

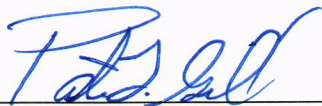
Section 2. All resolutions or parts thereof in conflict with this Resolution are hereby repealed.

Passed and approved December 20, 2016.



Chairperson, Board of Supervisors

Attest:



County Auditor

## EXHIBIT A

### 2016 Amendment to Agreement Between Woodbury County and the City of Sergeant Bluff

The County and the City agree that incremental property tax revenues that are generated from the Project Property should be shared equally between the County and the City throughout the 20-year life of the County/City Urban Renewal Area, or until such time as the County has received reimbursement from the City for the total amount of principal payments made by the County on the Dogwood Trail portion of the TIF Bond, and the City has paid to the County the total amount of interest payments due on the Dogwood Trail portion of the TIF Bond.

Using any funding source they choose, the City agrees to pay the County the total amount of each semi-annual interest payment due on the Dogwood Trail portion of the TIF Bond no later than 10 days prior to each scheduled payment date according to the Dogwood Trail portion of the TIF Bond principal and interest payment schedule (see Dogwood Trail-TIF Bond Principal & Interest Payment Schedule, Exhibit B).

Using the City's available share of the incremental property tax revenues that are projected to become available from the Project Property in a given year, the City agrees to apply their available amount as payment to the County for the annual principal payment due on the Dogwood Trail portion of the TIF Bond no later than 10 days prior to each scheduled payment date according to the Dogwood Trail portion of the TIF Bond principal and interest payment schedule (see Dogwood Trail-TIF Bond Principal & Interest Payment Schedule, Exhibit B).

In the event that no incremental property tax revenues are generated within the Project Property in a given year, or the City's available amount does not cover the total amount of the annual principal payment due on the Dogwood Trail portion of the TIF Bond, the County will pay the applicable annual principal payment amount due; however, the total amount of the annual principal payment not paid by the City will be carried forward to the next annual principal payment date according to the Dogwood Trail portion of the TIF Bond principal and interest payment schedule (see Dogwood Trail-TIF Bond Principal & Interest Payment Schedule, Exhibit B), and that balance of the total principal amount will be owed to the County.

The City agrees that it will not provide tax abatements during the life of the agreement. The City also agrees to certify to the Woodbury County Auditor debt only in the amount of the City's share of the incremental property tax revenues that are projected to become available from the Project Property in a given year to provide property tax rebates for their share of new incremental value under the agreed upon schedules (see City of Sergeant Bluff – Dogwood Trail Tax Rebate Incentive Schedules, Exhibit C).

Nothing shall preclude the City from requesting the County to consider on a case by case basis, deviating from the aforementioned language about tax incentives and debt certification. Should the County and the City come to an agreement on such a deviation, the County and the City shall enter into a separate written agreement and approve such changes by a formal resolution from each respective governmental body.

## EXHIBIT A

The City agrees to work diligently and responsibly and exhaust its best and good faith efforts with respect to all aspects of the sale and development of certain real property within the Project Area throughout the life of this Agreement. In the event that the County has not been fully reimbursed by the City for the total amount of principal paid by the County on the Dogwood Trail portion of the TIF Bond at the end of the 20-year life of the County/City Urban Renewal Area, the County agrees to forgive the City for the remaining principal balance.

## Dogwood Trail's Portion on TIF Revenue Bond

Interest Rate	Fiscal Year	Outstanding Principal	Principal (Dec 1st)	Interest (Jun 1st and Dec 1st)	Principal + Interest
1.50%	17	801,677	-	6,013 6,013 <b>12,026</b>	12,026
1.50%	18	801,677	-	6,013 6,013 <b>12,026</b>	12,026
1.50%	19	801,677	<b>98,700</b>	6,013 6,013 <b>12,026</b>	110,726
1.60%	20	702,977	<b>176,250</b>	5,624 5,624 <b>11,248</b>	187,498
1.80%	21	526,727	<b>176,250</b>	4,740 4,740 <b>9,480</b>	185,730
2.00%	22	350,477	<b>176,250</b>	3,505 3,505 <b>7,010</b>	183,260
2.20%	23	174,227	<b>174,227</b>	1,916 1,916 <b>3,833</b>	178,060
			<b>801,677</b>	<b>67,649</b>	<b>869,326</b>

EXHIBIT C

City of Sergeant Bluff – Dogwood Trail Tax Rebate Incentive Schedules

Option 1: 10 Year Graduated Tax Rebate Incentive Schedule

Year	Tax Rebate Amount
1	80%
2	70%
3	60%
4	50%
5	40%
6	40%
7	30%
8	30%
9	20%
10	20%

Option 2: 3 Year 100% Tax Rebate Schedule

Year	Tax Rebate Amount
1	100%
2	100%
3	100%