

#13,090

RESOLUTION APPROVING AGREEMENT BY AND AMONG THE CITY OF MOVILLE, THE COUNTY OF WOODBURY, AND WOODBURY CENTRAL COMMUNITY SCHOOL DISTRICT

WHEREAS, the County of Woodbury, hereinafter referred to as the County, is a political subdivision duly incorporated, organized and existing under and by virtue of the Constitution and laws of the State of Iowa; and

WHEREAS, the City of Merville has requested the County (along with the Woodbury Central Community School District) enter into an agreement relating to the extension of the division of revenue under Iowa Code Section 403.19 in MCDAI Addition Urban Renewal Area for the City of Merville, Iowa, for projects involving the provision of public improvements related to housing and residential development from ten (10) fiscal years to a total of fifteen (15) fiscal years of division of revenue (beginning with the second fiscal year after the year of first certification of debt); and

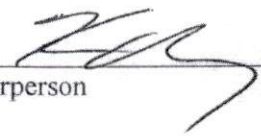
WEREAS, the County is willing to agree to such extension:

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, STATE OF IOWA, AS FOLLOWS:

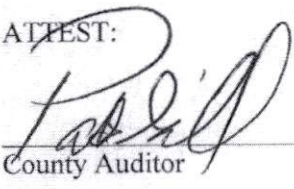
Section 1. The County approves the entry into the **AGREEMENT BY AND AMONG THE CITY OF MOVILLE, THE COUNTY OF WOODBURY, AND WOODBURY CENTRAL COMMUNITY SCHOOL DISTRICT.**

Section 2. The officials designated below shall take any and all action necessary to execute the Agreement.

PASSED AND APPROVED this 10th day of November, 2020.



Chairperson

ATTEST:


County Auditor

AGREEMENT

BY AND AMONG

THE CITY OF MOVILLE

THE COUNTY OF WOODBURY

AND

WOODBURY CENTRAL COMMUNITY SCHOOL DISTRICT

November 2020

WHEREAS, Iowa Code Section 403.22(5) provides that the division of revenue under Iowa Code Section 403.19 may continue for 10 fiscal years (beginning with the second fiscal year after the year of first certification of debt) for housing projects, unless the municipality undertaking the project has a population of under 15,000 and obtains approval from the governing bodies of all Affected Taxing Entities (City, County and School District) to extend the division of revenue for up to five (5) years; and

WHEREAS, the City of Merville has a population of under 15,000; and

WHEREAS, the City will assist GM Acoustics, L.L.C. in development of a 6-lot housing subdivision, MCDAI Addition, to the City of Merville, Woodbury County, Iowa, by funding public improvement costs associated with the development which will include the potential for low and moderate income housing; and

WHEREAS, sufficient incremental tax may not be generated to all the City to fully recoup its investment during the 10 years statutorily allowed for TIF repayment; and

WHEREAS, the City is requesting the Affected Taxing Entities to allow extension of the ability of the City to collect Tax Increment in order to adequately fund the residential projects in the MCDAI Addition Urban Renewal Area for up to a total of 15 years.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

Section 1. Pursuant to Iowa Code Section 403.22(5), all Affected Taxing Entities have, by resolution of their governing bodies, approved the extension of the division of revenue under Iowa Code Section 403.19 in the MCDAI Addition Urban Renewal Area for the City of Merville, Iowa, for projects involving the provision of public improvements related to housing and residential development for a total of fifteen (15) fiscal years of division of revenue (beginning with the second fiscal year after the year of first certification of debt) in connection with housing projects.

Section 2. The City will not request Woodbury Central School District to pass a resolution authorizing the capture of the instructional support program levy for any years that tax increment is collected. Accordingly, there will be no capture of instructional support program levy for any years that tax increment is collected.

Section 3. The undersigned officials affirm they are duly authorized to execute this Agreement on behalf of the party for which they are signing.

Section 4. This Agreement may be executed in any number of counterparts, each of which shall constitute on and the same instrument.

**WOODBURY CENTRAL COMMUNITY
SCHOOL DISTRICT**

President

ATTEST:

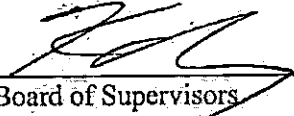
Board Secretary

STATE OF IOWA)
) ss:
COUNTY OF WOODBURY)

On this _____ day of _____, 2020, before me the undersigned, a Notary Public in and for the State of Iowa, personal appeared _____ and _____, to me personally known, who, being duly sworn, did say that they are the individuals who executed the foregoing instrument; and _____ and _____ acknowledged the execution of said instrument to be their voluntary act and deed, voluntarily executed.

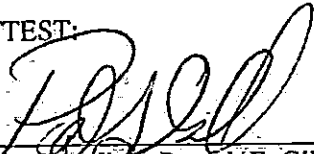
Notary Public in and for the State of Iowa

COUNTY OF WOODBURY
STATE OF IOWA



Chair, Board of Supervisors


ATTEST:



County Auditor, Patrick F. Gill

STATE OF IOWA)
) ss:
COUNTY OF WOODBURY)

On this 10th day of November, 2020, before me the undersigned, a Notary Public in and for the State of Iowa, personal appeared Keith Radig and Patrick F. Gill, to me personally known, who, being duly sworn, did say that they are the individuals who executed the foregoing instrument; and Keith Radig and Patrick F. Gill acknowledged the execution of said instrument to be their voluntary act and deed, voluntarily executed.



Notary Public in and for the State of Iowa



CITY OF MOVILLE

Mayor, James Fisher

ATTEST:

City Clerk, Jodi Peterson

STATE OF IOWA)
) ss:
COUNTY OF WOODBURY)

On this _____ day of _____, 2020, before me the undersigned, a Notary Public in and for the State of Iowa, personal appeared James Fisher and Jodi Peterson, to me personally known, who, being duly sworn, did say that they are the individuals who executed the foregoing instrument; and James Fisher and Jodi Peterson acknowledged the execution of said instrument to be their voluntary act and deed, voluntarily executed.


Notary Public in and for the State of Iowa

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF WOODBURY)

I, the undersigned County Auditor and Secretary of the Board of Supervisors of Woodbury County, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the County showing proceedings of the Board, and the same is a true and complete copy of the action taken by the Board with respect to the 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 Board 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 Board pursuant to the local rules of the Board 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 law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective County offices as indicated therein, that no Board vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the County or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Board hereto affixed this 10th day of November, 2020.



County Auditor for the Board of Supervisors
of Woodbury County, State of Iowa

(SEAL)