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ITEMS TO INCLUDE ON AGENDA FOR OCTOBER 20, 2020

WOODBURY COUNTY, IOWA

Lease Agreement by and between Woodbury County Law Enforcement Center Authority and Woodbury County, Iowa

- Resolution levying a direct annual tax for the payment thereof pursuant to Section 346.27 of the Code of Iowa.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE COUNTY.

October 20, 2020

The Board of Supervisors of Woodbury County, State of Iowa, met in open session, in the Board Room, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at 4:30 P.M., on the above date. There were present Chairperson Matthew Ung, in the chair, and the following named Board Members:

Rocky De Witt, Marty Pottebaum, Keith Radig, Justin Wright

Absent: _____

Vacant: _____

* * * * *

Board Member Rocky De Witt introduced the following Resolution entitled "RESOLUTION LEVYING A DIRECT ANNUAL TAX FOR PAYMENT OF THE BASE RENT AND ADDITIONAL RENT DUE UNDER THE LEASE AGREEMENT BY AND BETWEEN THE WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY AND WOODBURY COUNTY, IOWA, PURSUANT TO SECTION 346.27 OF THE CODE OF IOWA", and moved that the same be adopted. Board Member Marty Pottebaum seconded the motion to adopt. The roll was called and the vote was,

AYES: Matthew Ung, Rocky De Witt, Marty Pottebaum, Keith Radig, Justin Wright

NAYS: _____

Whereupon, the Chairperson declared the Resolution duly adopted as follows:

#13,070 2

RESOLUTION LEVYING A DIRECT ANNUAL TAX FOR PAYMENT OF THE BASE RENT AND ADDITIONAL RENT DUE UNDER THE LEASE AGREEMENT BY AND BETWEEN THE WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY AND WOODBURY COUNTY, IOWA, PURSUANT TO SECTION 346.27 OF THE CODE OF IOWA

WHEREAS, Woodbury County, State of Iowa ("County"), is a political subdivision, organized and existing under the Constitution and laws of the State of Iowa, and is not affected by any special legislation; and

WHEREAS, pursuant to Section 346.27 of the Code of Iowa, the County entered into that certain Lease Agreement dated September 1, 2020 (the "County Lease") with the Woodbury County Law Enforcement Center Authority (the "Authority") for the non-exclusive use of the Facility (as defined in the County Lease); and

WHEREAS, Section 346.27(22) of the Code of Iowa provides that when the County enters into a lease with the Authority, the governing body of the County shall provide by ordinance or resolution for the levy and collection of a direct annual tax sufficient to pay the

annual rent payable under the lease as and when it becomes due and payable. The tax shall be levied and collected in like manner with the other taxes of the County and shall be in addition to all other taxes authorized to be levied by the County. This tax shall not be included within and shall be in addition to any statutory limitation of rate or amount for the County. The taxes realized from the tax levy shall be deposited into an account in the debt service fund of the County for the payment of the annual rent and shall not be disbursed for any other purpose; and

WHEREAS, pursuant to the County Lease, the County agreed to make semi-annual payments of Base Rent and Additional Rent (as those terms are defined in the County Lease) to the Authority; and

WHEREAS, pursuant to the County Lease, the Authority agreed to issue its Law Enforcement Center Facilities Revenue Bonds (the "Bonds") for the purpose of financing the design, construction, equipping, and furnishing of the Facility (as defined in the County Lease), including the acquisition of land for such purposes, for the joint use of the County and City of Sioux City, Iowa (the "City"); and

WHEREAS, the County is now in need of funds to pay the Base Rent and Additional Rent due under the County Lease, and it is deemed necessary and advisable that a direct annual tax be imposed pursuant to Section 346.27 of the Code of Iowa for such purpose; and

WHEREAS, the Board of Supervisors has taken such acts as are necessary to levy and collect the direct annual tax.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, STATE OF IOWA:

Section 1. Authorization. The direct annual tax authorized by Section 346.27 of the Code of Iowa is being specially levied to pay the Base Rent and Additional Rent due under the County Lease. The Base Rent shall be paid to the Authority to finance the design, construction, equipping, and furnishing of the Woodbury County Law Enforcement Center, including the acquisition of land for such purposes, for the joint use of the County and City, and not to finance the general purposes of the County. Subject to Section 3 below, the County shall continue to levy and collect the direct annual tax until such time as the bonds issued by the Authority to finance the Facility have been paid in full.

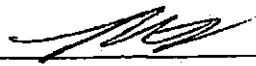
Section 2. Levy of Direct Annual Tax. For the purpose of providing funds to pay the Base Rent and Additional Rent due under the County Lease as required under Section 346.27 of the Code of Iowa, there is levied for each future year the following direct annual tax upon all the taxable property in Woodbury County, State of Iowa, to wit:

AMOUNT	FISCAL YEAR (JULY 1 TO JUNE 30) YEAR OF COLLECTION
\$2,131,028.23	2021/2022
\$2,134,187.20	2022/2023
\$2,133,688.26	2023/2024
\$2,134,952.90	2024/2025
\$2,134,860.70	2025/2026
\$2,130,812.40	2026/2027
\$2,134,710.00	2027/2028
\$2,135,195.26	2028/2029
\$2,133,798.26	2029/2030
\$2,134,950.00	2030/2031
\$2,139,113.26	2031/2032
\$2,131,240.76	2032/2033
\$2,131,384.50	2033/2034
\$2,134,231.00	2034/2035
\$2,134,573.50	2035/2036
\$2,133,532.50	2036/2037
\$2,136,101.00	2037/2038
\$2,132,124.50	2038/2039
\$2,126,757.50	2039/2040

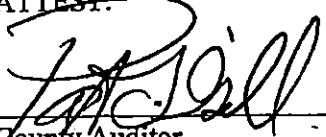
Section 3. Amendment of Levy of Annual Tax. Based upon the terms of the future sale of the Additional Bonds (as defined in the County Lease) to be issued, this Board will file an amendment to this Resolution ("Amended Resolution") with the County Auditor.

Section 4. Filing. A certified copy of this Resolution shall be filed with the County Auditor of Woodbury County, State of Iowa, who shall, pursuant to Sections 76.2 and 346.27 of the Code of Iowa, levy, assess and collect the tax in the same manner as other taxes and, when collected, these taxes shall be used only for the purpose of paying the Base Rent and Additional Rent due under the County Lease.

PASSED AND APPROVED this 20th day of October, 2020.



 Chairperson

ATTEST:


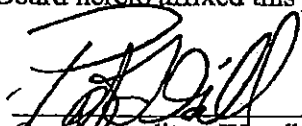
 County Auditor

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF WOODBURY)

I, the undersigned County Auditor 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 20th day of October, 2020.



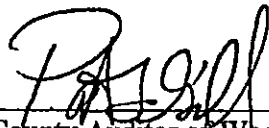
County Auditor, Woodbury County, State of Iowa

(SEAL)

COUNTY AUDITOR'S CERTIFICATE

I, Patrick Gill, County Auditor of Woodbury County, State of Iowa, hereby certify that on the 21st day of October, 2020 there was filed in my office the Resolution of the Board of Supervisors of Woodbury County, State of Iowa, adopted on the 20th day of October, 2020, such Resolution levying a tax for the purpose of paying the Base Rent and Additional Rent due under the Lease Agreement with the Woodbury County Law Enforcement Center Authority pursuant to Section 346.27 of the Code of Iowa.

(COUNTY SEAL)



County Auditor of Woodbury County, State of
Iowa