

ORDINANCE NO. 2023-12

An Ordinance Amending Ordinance No. 2021-09 Providing for the Division of Taxes Levied on Taxable Property in the August, 2021 Addition to the Van Meter Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

WHEREAS, the City Council of the City of Van Meter, Iowa (the "City"), on August 9, 2021, enacted Ordinance No. 2021-09 providing for the division of taxes levied on taxable property in the August, 2021 addition to the Van Meter Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa; and

WHEREAS, it is now necessary to amend Ordinance No. 2021-09 to correct the legal description of the Urban Renewal Area Addition (as herein defined);

BE IT ENACTED by the City Council of Van Meter, Iowa that Ordinance No. 2021-09 approved by the City Council on August 9, 2021 be amended as follows:

BE IT ENACTED by the Council of the City of Van Meter, Iowa:

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the August, 2021 Addition to the Van Meter Urban Renewal Area of the City of Van Meter, 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 Van Meter to finance projects in such area.

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

"City" shall mean the City of Van Meter, Iowa.

"County" shall mean Dallas County, Iowa.

"Urban Renewal Area Addition" shall mean the August, 2021 Addition to the Van Meter Urban Renewal Area of the City of Van Meter, Iowa, the legal description of which is set out below:

Lots 1 through 30, Outlot Z, and Lots A & B (Streets), Trindle Ridge Plat 1, an Official Plat, now included in and forming a part of the City of Van Meter, Dallas County, Iowa.

"Urban Renewal Area" shall mean the entirety of the Van Meter Urban Renewal 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

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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, including Ordinance No. 2021-09, 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 posting as provided by law.

Passed by the Council of the City of Van Meter, Iowa, the 27th day of November, 2023.

DocuSigned by:  
*Allen B. Adams*  
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\_\_\_\_\_  
Mayor

Attest:

DocuSigned by:  
*Jessica Drake*  
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\_\_\_\_\_  
City Clerk

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STATE OF IOWA

SS:

DALLAS COUNTY

I, the undersigned, County Auditor of Dallas County, in the State of Iowa, do hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 2023, the City Clerk of the City of Van Meter, 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 27<sup>th</sup> day of November, 2023, entitled: "An Ordinance Amending Ordinance No. 2021-09 Providing for the Division of Taxes Levied on Taxable Property in the August, 2021 Addition to the Van Meter 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 \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
County Auditor