

RESOLUTION _____

Obligating funds from the Performance Rehab Subfund of the City's Central Urban Renewal Area Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation economic development tax increment payments due to be paid in the next succeeding fiscal year for Performance Rehab

WHEREAS, the City Council of the City of Oelwein, Iowa (the "City"), pursuant to and in strict compliance with all laws applicable to the City, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the City's Central Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, the City Council has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa (the "Central Urban Renewal Area Urban Renewal Tax Revenue Fund"), which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the City for the payment of the principal and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, the City Council has approved a Development Agreement (the "Agreement") with Performance Rehab (the "Company"), pursuant to which the City has agreed to make annual economic development tax increment payments to the Company, subject to annual appropriation by the City Council; and

WHEREAS, in the resolution approving the Agreement, the City Council created a subfund of the Central Urban Renewal Area Urban Renewal Tax Revenue Fund to be used to account for payments to be made under the Agreement (the "Performance Rehab Subfund"); and

WHEREAS, payments under the Agreement are scheduled to be made from the Performance Rehab Subfund during the fiscal year that will begin July 1, 2023, in an amount equal to 50% of the incremental property tax payments made by the Company in that fiscal year (the "Payments"); and

WHEREAS, it is now necessary for the City Council to obligate for appropriation to the Payments, funds anticipated to be received in the Performance Rehab Subfund in the fiscal year that will begin July 1, 2023;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Oelwein, Iowa, as follows:

Section 1. There is hereby obligated for appropriation from the Performance Rehab Subfund the approximate amount of \$4,000.00, which is estimated to be an amount equal to 50% of the incremental property tax revenues that are expected to be received by the City in such Subfund from the Fayette County Treasurer in the fiscal year that will begin July 1, 2023.

Section 2. The City Clerk is hereby directed to certify to the Fayette County Auditor, no later than December 1, 2022, the amount obligated for appropriation in Section 1 above as part of the City's 2024 certification of debt payable from the Central Urban Renewal Area Urban Renewal Tax Revenue Fund and to reflect such estimated amount in the City's budget for the fiscal year that will begin July 1, 2023.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Passed and approved November 14, 2022.

Mayor

Attest:

City Administrator

It was moved by _____ and seconded by _____ that the
Resolution as read be adopted, and upon roll call there were:
AYES NAYS ABSENT ABSTAIN

Stewart
Weber
Lenz
Garrigus
Seeders
Payne