

MINUTES PROVIDING FOR PASSAGE  
OF AN ORDINANCE REPEALING TIF  
ORDINANCE FOR THE 128<sup>TH</sup> STREET  
ADDITION TO THE CLIVE URBAN  
RENEWAL AREA

421346-86

Clive, Iowa

August 10, 2023

The City Council of the City of Clive, Iowa, met on August 10, 2023 at 6:00 p.m., at the City Hall, in the City.

The Mayor presided and the roll was called showing members present and absent, as follows:

Present: John Edwards (Mayor), Susan Judkins, Eric Klein (via Zoom), Michael McCoy, Srikanth Mikkilineni, Ted Weaver.

Absent: None.

Mayor Edwards introduced an ordinance entitled "Ordinance No. 1138. An Ordinance Repealing Ordinance No. 775 Providing for the Division of Taxes Levied on Taxable Property in the 128<sup>th</sup> Street Addition to the Clive Urban Renewal Area."

It was moved by Council Member McCoy and seconded by Council Member Weaver that the statutory rule requiring an ordinance to be considered and voted on for passage at two City Council meetings prior to the meeting at which it is to be finally passed be suspended. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Judkins, Klein, McCoy, Mikkilineni, Weaver.

Nays: None.

Whereupon, the Mayor declared the motion duly carried.

It was moved by Council Member McCoy and seconded by Council Member Weaver that the ordinance entitled "Ordinance No. 1138. An Ordinance Repealing Ordinance No. 775 Providing for the Division of Taxes Levied on Taxable Property in the 128<sup>th</sup> Street Addition to the Clive Urban Renewal Area," now be put upon its final consideration and adoption. The Mayor put the question on the final consideration and adoption of the ordinance and the roll being called, the following named Council Members voted:

Ayes: Judkins, Klein, McCoy, Mikkilineni, Weaver.

Nays: None.

Whereupon, the Mayor declared the motion duly carried and the ordinance duly adopted, as follows:

ORDINANCE NO. 1138

An Ordinance Repealing Ordinance No. 775 Providing for the Division of Taxes Levied on Taxable Property in the 128<sup>th</sup> Street Addition to the Clive Urban Renewal Area

WHEREAS, the City Council (the "Council") of Clive, Iowa (the "City") previously enacted Ordinance No. 775 (the "Ordinance") providing for the division of taxes levied on Taxable Property in the 128<sup>th</sup> Street Addition to the Clive Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa; and

WHEREAS, it is now necessary for the Council to take action to repeal the Ordinance;

BE IT ENACTED by the City Council of the City of Clive, Iowa:


Section 1. Purpose. The Ordinance is hereby repealed as of July 1, 2024, and the City's ability to collect incremental property tax revenues (the "TIF Revenues") from the 128<sup>th</sup> Street Addition to the Urban Renewal Area is hereby terminated as of July 1, 2024. The City will continue to collect TIF Revenues from the 128<sup>th</sup> Street Addition to the Urban Renewal Area through the end of the City's 2023-2024 fiscal year.

Section 2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.


Section 3. 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 4. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed and approved by the City Council of the City of Clive, Iowa, on August 10, 2023.

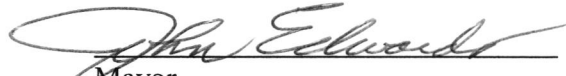
  
Mayor

Attest:

  
City Clerk

• • • • •

There being no further business to come before the meeting, it was upon motion adjourned.

  
Mayor

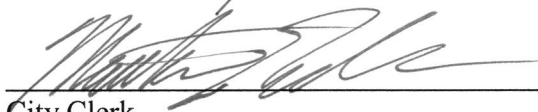
Attest:

  
City Clerk

STATE OF IOWA  
POLK AND DALLAS COUNTIES                      SS:  
CITY OF CLIVE

I, the undersigned, City Clerk of the City of Clive, Iowa, do hereby certify that the attached is a true, correct and complete copy of all the records of the Council of the City relating to the adoption of an ordinance entitled "Ordinance No. 1138. An Ordinance Repealing Ordinance No. 775 Providing for the Division of Taxes Levied on Taxable Property in the 128<sup>th</sup> Street Addition to the Clive Urban Renewal Area."

WITNESS MY HAND hereto affixed this 10 day of August, 2023.

  
\_\_\_\_\_  
City Clerk

STATE OF IOWA

SS:

POLK COUNTY

I, the undersigned, County Auditor of the aforementioned County, in the State of Iowa, do hereby certify that on the 23 day of August, 2023, the City Clerk of the City of Clive, Iowa, filed in my office a copy of an ordinance of the City shown to have been adopted by the City Council and approved by the Mayor thereof on August 10, 2023, entitled: "Ordinance No. 1138. An Ordinance Repealing Ordinance No. 775 Providing for the Division of Taxes Levied on Taxable Property in the 128<sup>th</sup> Street Addition to the Clive Urban Renewal Area," and that I have duly placed a copy of the ordinance on file in my records.


WITNESS MY HAND affixed this 23 day of August, 2023.

  
County Auditor

STATE OF IOWA  
POLK AND DALLAS COUNTIES                      SS:  
CITY OF CLIVE

I, the undersigned, City Clerk of the City of Clive, Iowa do hereby certify that I caused to be published "Ordinance No. 1138. An Ordinance Repealing Ordinance No. 775 Providing for the Division of Taxes Levied on Taxable Property in the 128<sup>th</sup> Street Addition to the Clive Urban Renewal Area," of which the printed slip attached to the publisher's original affidavit hereto attached is a true and complete copy, on the date and in the newspaper specified in such affidavit, and that such newspaper has a general circulation in the City.

WITNESS MY HAND affixed this 18 day of August, 2023.

  
\_\_\_\_\_  
City Clerk

*(Attach hereto publisher's affidavit of publication with clipping of ordinance as published.)*

***(PLEASE NOTE: Do not sign and date this certificate until you have checked a copy of the published ordinance and have verified that it was published on the date indicated in the publisher's affidavit.)***



CLIVE, CITY OF  
1900 NW 114TH ST

CLIVE IA 503257077

# of Affidavits<sup>1</sup>

**This is not an invoice**

## AFFIDAVIT OF PUBLICATION

**State of Wisconsin**

**County of Brown, ss.:**

The undersigned, being first duly sworn on oath, states that The Des Moines Register and Tribune Company, a corporation duly organized and existing under the laws of the State of Iowa, with its principal place of business in Des Moines, Iowa, the publisher of

### THE DES MOINES REGISTER

newspaper of general circulation printed and published in the City of Des Moines, Polk County, Iowa, and that an advertisement, a printed copy of which is attached as Exhibit "A" and made part of this affidavit, was printed and published in The Des Moines Register in the editions dated:

Ad No.	Start Date:	Editions Dated:	Order Cost:
0005794862	8/14/23	08/14/2023	\$48.96

**Copy of Advertisement  
Exhibit "A"**

Staff member, Register Media

Subscribed and sworn to before me by said affiant this

14 day of August, 2023

Notary Public

1-7-25  
Commission expires

KATHLEEN ALLEN  
Notary Public  
State of Wisconsin

**ORDINANCE NO. 1138**

An Ordinance Repealing Ordinance No. 775 Providing for the Division of Taxes Levied on Taxable Property in the 128th Street Addition to the Clive Urban Renewal Area.

WHEREAS, the City Council (the "Council") of Clive, Iowa (the "City") previously enacted Ordinance No. 775 (the "Ordinance") providing for the division of taxes levied on Taxable Property in the 128th Street Addition to the Clive Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa; and

WHEREAS, it is now necessary for the Council to take action to repeal the Ordinance;

BE IT ENACTED by the City Council of the City of Clive, Iowa:

Section 1. Purpose. The Ordinance is hereby repealed as of July 1, 2024, and the City's ability to collect incremental property tax revenues (the "TIF Revenues") from the 128th Street Addition to the Urban Renewal Area is hereby terminated as of July 1, 2024. The City will continue to collect TIF Revenues from the 128th Street Addition to the Urban Renewal Area through the end of the City's 2023-2024 fiscal year.

Section 2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. 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 4. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed and approved by the City Council of the City of Clive, Iowa, on August 10, 2023.

John Edwards

Mayor

Attest:

Matthew D. Graham

City Clerk