Resolution 23-276

ITEMS TO INCLUDE ON AGENDA

CITY OF COUNCIL BLUFFS, IOWA
October 9, 2023
7:00 P.M.

Playland Park Urban Renewal Plan

- Public hearing on the proposed Amendment No. 6 to the Playland Park Urban Renewal Plan

- Resolution determining an area of the City to be blighted area, and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for urban renewal projects; and adopting the Amendment No. 6 to the Playland Park Urban Renewal Plan

IMPORTANT INFORMATION

1. The above agenda items should be included, along with any other agenda items, in the meeting agenda. The agenda should be 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 body holding the meeting. If no such office exists, the notice must be posted at the building in which the meeting is to be held.
2. If you do not now have a bulletin board designated as above mentioned, designate one and establish a uniform policy of posting your notices of meeting and tentative agenda.
3. Notice and tentative agenda must be posted at least 24 hours prior to the commencement of the meeting.

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

October 9, 2023

The City Council of the City of Council Bluffs, State of Iowa, met in Regular session, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 7:00 P.M., on the above date. There were present Mayor Pro Tem Chad M. Hannan, in the chair, and the following named Council Members:

_____

Absent: _____

Vacant: _____

* * * * * * * * *

This being the time and place fixed for a public hearing on the matter of the adoption of the proposed Amendment No. 6 to the Playland Park Urban Renewal Plan, the Mayor first asked for the report of the Director of Community Development, or her delegate, with respect to the consultation held with the affected taxing entities to discuss the proposed Amendment. The Council was informed that the consultation was duly held as ordered by the Council, and that _____ written recommendations were received from affected taxing entities. The report of the Director of Community Development, or her delegate, with respect to the consultation was placed on file for consideration by the Council.

The Mayor then asked the City Clerk whether any written comments had been filed with respect to the proposed Amendment, and the City Clerk reported that _____ written comments thereto had been filed. The Mayor then called for any oral comments to the adoption of the Amendment No. 6 to the Playland Park Urban Renewal Plan and _____ were made. The public hearing was then closed.

{Attach summary of comments here,
or include summary of comments in meeting minutes}

Council Member _____ then introduced the following Resolution entitled "RESOLUTION DETERMINING AN AREA OF THE CITY TO BE BLIGHTED AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 6 TO THE PLAYLAND PARK URBAN RENEWAL PLAN" and moved:

☐ that the Resolution be adopted.

☐ to defer action on the Resolution and the proposal to the meeting to be held at _____ _____.M. on the _____ day of _____, 2023, at this place.

Council Member _____ seconded the motion. The roll was called, and the vote was:

AYES: _____

_____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

RESOLUTION NO. 23-276

RESOLUTION DETERMINING AN AREA OF THE CITY TO BE BLIGHTED AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 6 TO THE PLAYLAND PARK URBAN RENEWAL PLAN

WHEREAS, by Resolution No. 03-138, adopted June 23, 2003, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Playland Park Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the Playland Park Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which Plan, as amended, is on file in the office of the Recorder of Pottawattamie County; and

WHEREAS, the Plan has subsequently been amended five times, lastly by the adoption of Amendment No. 5 to the Plan, adopted by Resolution No. 19-278 on December 16, 2019; and

WHEREAS, this Urban Renewal Area currently includes and consists of:

ORIGINAL AREA (2003)

Lots 174 through 185 in Twin City Gardens an addition to Council Bluffs, Iowa, part of Government Lot 3 and accretions thereto in the SW ¼ SW ¼ of Section 28 and in the SE ¼ SE ¼ of Section 29 and part of Government Lot 1 and accretions thereto in the NE ¼ NE ¼ of Section 32 and in the NW ¼ NW ¼ and, NE ¼ NW ¼ of Section 33, all in Township 75 North Range 44 West of the 5th Principal Meridian, City of Council Bluffs, Pottawattamie County, Iowa more particularly described as follows:

Begin at the intersection of the West right-of-way line of North 40th Street with the centerline of Avenue B; thence West along the centerline of Avenue B approximately 2,500 feet to the Bulkhead line of the left (Easterly) shoreline of the Missouri River; thence Southerly along said line approximately 1,750 feet to the Southerly right-of-way line of Interstate Route I-480 being the Northerly right-of-way line of Old West Broadway; thence Easterly and Northeasterly along said line approximately 2,000 feet to the Northerly prolongation of the Easterly right-of-way line of 41st Street; thence Southerly along said prolongation and along the Westerly line of the parcel owned by Frito Lay Inc. 298 feet more or less to the South corner of said parcel; thence Northeasterly along the Southeasterly line of Frito Lay parcel 280 feet more or less; thence Southwesterly along the Frito Lay parcel 50 feet; thence Northeasterly along the Frito Lay parcel 670 feet to the East corner of the Frito Lay parcel; and to the Southerly right-of-way line of 37th Street Extension;

thence Northwesterly/Westerly, and Southwesterly along said right-of-way line 340 feet more or less to the Southerly prolongation of the West right-of-way line of North 40th Street; thence North along said prolongation and along said line 1,100 feet more or less to the centerline of Avenue B and the point of beginning. Said Urban Renewal tract contains 87.0 acres more or less.

AMENDMENT #1 AREA (2005)

A PARCEL OF LAND BEING A PORTION OF DODGE PARK SUBDIVISION AND VACATED SOUTH 41st STREET RIGHT-OF-WAY, IN GOVERNMENT LOT 1 IN THE NORTHWEST QUARTER OF SECTION 33, ALL IN TOWNSHIP 75 NORTH, RANGE 44 WEST OF THE 5th PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID DODGE PARK SUBDIVISION;

THENCE ALONG THE BOUNDARY OF SAID DODGE PARK SUBDIVISION THE FOLLOWING 10 COURSES:

1. NORTH 88 DEGREES 22 MINUTES 48 SECONDS WEST, 250.00 FEET;
2. NORTH 01 DEGREE 19 MINUTES 16 SECONDS EAST, 520.29 FEET;
3. NORTH 05 DEGREES 13 MINUTES 49 SECONDS WEST, 519.59 FEET;
4. NORTH 60 DEGREES 02 MINUTES 45 SECONDS WEST, 94.09 FEET;
5. SOUTH 68 DEGREES 57 MINUTES 04 SECONDS WEST, 183.39 FEET;
6. SOUTH 38 DEGREES 46 MINUTES 11 SECONDS WEST, 87.56 FEET;
7. SOUTH 66 DEGREES 45 MINUTES 41 SECONDS WEST, 156.25 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, TO WHICH POINT A RADIAL LINE BEARS NORTH 75 DEGREES 46 MINUTES 17 SECONDS EAST, 257.12 FEET;
8. SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 96 DEGREES 06 MINUTES 50 SECONDS, 431.31 FEET;
9. SOUTH 81 DEGREES 39 MINUTES 00 SECONDS WEST, 62.63 FEET;
10. NORTH 23 DEGREES 10 MINUTES 57 SECONDS WEST, 303.68 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF VACATED SOUTH 41st STREET.

THENCE CONTINUING NORTHERLY ALONG SAID WEST RIGHT-OF-WAY LINE, NORTH 23 DEGREES 10 MINUTES 57 SECONDS WEST, 165.63 FEET;

THENCE NORTH 44 DEGREES 21 MINUTES 06 SECONDS EAST, 86.70 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF VACATED SOUTH 41st STREET;

THENCE SOUTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE, SOUTH 23 DEGREES 07 MINUTES 58 SECONDS EAST, 198.93 FEET;

THENCE NORTH 66 DEGREES 55 MINUTES 59 SECONDS EAST, 279.49 FEET;

THENCE SOUTH 23 DEGREES 04 MINUTES 01 SECONDS EAST, 50.00 FEET;

THENCE NORTH 66 DEGREES 55 MINUTES 59 SECONDS EAST, 570.40 FEET;

THENCE NORTH 23 DEGREES 04 MINUTES 01 SECONDS EAST, 50.00 FEET;

THENCE NORTH 67 DEGREES 03 MINUTES 35 SECONDS EAST, 30.04 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF 37th AVENUE AND THE NORTHEASTERLY BOUNDARY OF DODGE PARK SUBDIVISION;

THENCE EASTERLY AND SOUTHERLY ALONG SAID DODGE PARK SUBDIVISION BOUNDARY THE FOLLOWING TWO COURSES:

1. SOUTH 64 DEGREES 39 MINUTES 33 SECONDS EAST, 301.93 FEET;
2. SOUTH 01 DEGREE 19 MINUTES 16 SECONDS WEST, 1095.20 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 10.55 ACRES, MORE OR LESS.

AND

A PARCEL OF LAND BEING A PORTION OF THE WEST HALF OF THE SOUTHWEST QUARTER (W1/2, SW1/4) IN SECTION 28 AND A PORTION OF THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2, SE1/4) OF SECTION 29, INCLUDING A PORTION OF TWIN CITY GARDENS SUBDIVISION, ALL IN TOWNSHIP 75 NORTH, RANGE 44 WEST OF THE 5th PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

THE NORTH HALF OF THE AVENUE B RIGHT-OF-WAY FROM THE EAST HIGH BANK OF THE MISSOURI RIVER TO THE WEST RIGHT-OF-WAY LINE OF NORTH 40th STREET.

SAID PARCEL CONTAINS AN AREA OF 1.44 ACRES, MORE OR LESS.

AMENDMENT NO. 2 AREA (2009)

A PARCEL OF LAND BEING A PORTION OF THE WEST HALF OF THE SOUTHWEST QUARTER (W1/2 SW1/4) IN SECTION 28 AND A PORTION OF THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2 SE1/4) OF SECTION 29, ALL IN TOWNSHIP 75 NORTH, RANGE 44 WEST OF THE 5th PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF AVENUE "B" AND THE EAST RIGHT-OF-WAY LINE OF THE COUNCIL BLUFFS MISSOURI RIVER LEVEE;

THENCE ALONG THE WESTERLY PROLONGATION OF SAID NORTH RIGHT-OF-WAY LINE, 895 FEET (MORE OR LESS) TO A POINT ON THE EAST HIGH BANK OF THE MISSOURI RIVER;

THENCE NORTHERLY, ALONG SAID EAST HIGH BANK, 1666 FEET (MORE OR LESS) TO A POINT ON THE WESTERLY PROLONGATION OF THE NORTH RIGHT-OF-WAY LINE OF AVENUE "G";

THENCE ALONG SAID WESTERLY PROLONGATION, SOUTH 88 DEGREES 34 MINUTES 53 SECONDS EAST, 1369 FEET (MORE OR LESS) TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID COUNCIL BLUFFS MISSOURI RIVER LEVEE;

THENCE SOUTHWESTERLY, ALONG SAID EAST RIGHT-OF-WAY LINE, 1793 FEET (MORE OR LESS) TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 45.87 ACRES, MORE OR LESS.

AND

A PARCEL OF LAND BEING A PORTION OF THE ACCRETIONS TO GOVERNMENT LOTS 1, 2 AND 3, TOGETHER WITH RIPARIAN RIGHTS IN SECTION 33, TOWNSHIP 75 NORTH, RANGE 44 WEST OF THE 5th PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF WEST BROADWAY (I-480) AND THE EAST RIGHT-OF-WAY LINE OF THE COUNCIL BLUFFS MISSOURI RIVER LEVEE;

THENCE SOUTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE, 2739 FEET (MORE OR LESS) TO A POINT ON THE EASTERLY PROLONGATION OF THE SOUTH BACK-OF-CURB LINE OF HARRAH'S CASINO NORTH PARKING LOT;

THENCE ALONG SAID EASTERLY PROLONGATION, ALONG SAID SOUTHERLY BACK-OF-CURB AND ALONG IT'S WESTERLY PROLONGATION, SOUTH 64 DEGREES 10 MINUTES 04 SECONDS WEST, 564 FEET (MORE OR LESS) TO A POINT ON THE EAST HIGH BANK OF THE MISSOURI RIVER;

THENCE NORTHERLY, ALONG SAID EAST HIGH BANK, 2516 FEET (MORE OR LESS) TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE OF WEST BROADWAY (I-480);

THENCE EASTERLY, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 675 FEET (MORE OR LESS) TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 25.6 ACRES, MORE OR LESS.

AMENDMENT #3 AREA (2014)

A PARCEL OF LAND BEING ALL OF LOTS 194 THROUGH 201, PORTIONS OF AVENUE B AND NORTH 40th STREET RIGHTS-OF-WAY, ALL OF THE ALLEY VACATED TO LOTS 194 THROUGH 198, AND ALL OF THE ALLEY BETWEEN LOTS 99 THROUGH 201 AND LOTS 288 THROUGH 290, ALL IN TWIN CITY GARDENS, AN ADDITION TO THE CITY OF COUNCIL BLUFFS, A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28 IN TOWNSHIP 75 NORTH, RANGE 44 WEST OF THE 5th PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 173 IN SAID TWIN CITY GARDENS SUBDIVISION;

THENCE EASTERLY ACROSS THE NORTH 40th STREET RIGHT-OF-WAY AND ALONG THE NORTH RIGHT-OF-WAY LINE OF AVENUE B TO THE SOUTHWEST CORNER OF LOT 202;

THENCE CONTINUING EASTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND ALONG THE SOUTH LINE OF SAID LOT 202 AND

ACROSS THE ALLEY BETWEEN LOTS 202 AND 240 TO THE SOUTHWEST CORNER OF SAID LOT 240;

THENCE SOUTHERLY ACROSS SAID AVENUE B RIGHT-OF-WAY TO THE NORTHWEST CORNER OF LOT 290;

THENCE CONTINUING SOUTHERLY ALONG THE WEST LINES OF LOTS 290 THROUGH 288 TO THE SOUTHWEST CORNER OF SAID LOT 288;

THENCE WESTERLY TO THE CENTERLINE OF THE ALLEY BETWEEN SAID LOT 288 AND LOT 99, WHICH HAS BEEN VACATED SOUTH OF THIS POINT;

THENCE SOUTHERLY ALONG SAID VACATED ALLEY CENTERLINE TO A POINT BETWEEN THE SOUTHWEST CORNER OF LOT 283 AND THE SOUTHEAST CORNER OF LOT 194;

THENCE WESTERLY TO SAID SOUTHEAST CORNER OF LOT 194;

THENCE CONTINUING WESTERLY ALONG THE SOUTH LINE OF SAID LOT 194 AND ITS WESTERLY PROLONGATION ACROSS THE NORTH 40th STREET RIGHT-OF-WAY TO THE SOUTHEAST CORNER OF LOT 181;

THENCE NORTHERLY ALONG THE WEST RIGHT-OF WAY LINE OF NORTH 40th STREET AND THE EAST LINES OF LOT 181 THROUGH 174 TO THE NORTHEAST CORNER OF SAID LOT 174;

THENCE CONTINUING NORTHERLY ALONG SAID WEST RIGHT-OF-WAY LINE, ACROSS THE AVENUE B RIGHT-OF-WAY TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 1.7 ACRES, MORE OR LESS.

WHEREAS, a proposed Amendment No. 6 to the Plan ("Amendment No. 6" or "Amendment") for the Urban Renewal Area described above has been prepared, which proposed Amendment has been on file in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to authorize additional urban renewal projects to be undertaken within the Urban Renewal Area; and

WHEREAS, it is desirable that the Area be redeveloped as part of the activities described within the proposed Amendment No. 6; and

WHEREAS, this proposed Amendment No. 6 adds no new land to the Urban Renewal Area; and

WHEREAS, by resolution adopted on September 11, 2023, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss

the proposed Amendment No. 6 and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Amendment No. 6 be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the City Council and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of the Director of Community Development, or her delegate, filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by resolution this Council also set a public hearing on the adoption of the proposed Amendment No. 6 for this meeting of the Council, and due and proper notice of the public hearing was given, as provided by law, by timely publication in The Daily Nonpareil, which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Amendment No. 6, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and the public hearing has been closed.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, STATE OF IOWA:

Section 1. That the findings and conclusions set forth or contained in Amendment No. 6 concerning the area of the City of Council Bluffs, State of Iowa, described in the preamble hereof, be and the same are hereby ratified and confirmed in all respects as the findings of this Council for this area.

Section 2. This Council further finds:

a) Although relocation is not expected, a feasible method exists for the relocation of any families who will be displaced from the Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

b) The Plan, as amended, and Amendment No. 6 conform to the general plan for the development of the City as a whole; and

c) Acquisition by the City is not immediately expected, however, as to any areas of open land to be acquired by the City included within the Urban Renewal Area:

i. Residential use is expected and with reference to those portions thereof which are to be developed for residential uses, this City Council hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the City; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

a. That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.

b. That conditions of blight in the municipality and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, or welfare.

c. That the provision of public improvements related to housing and residential development will encourage housing and residential development which is necessary to encourage the retention or relocation of industrial and commercial enterprises in this state and its municipalities.

d. The acquisition of the area is necessary to provide for the construction of housing for low and moderate income families.

ii. Non-residential use is expected and with reference to any portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

Section 3. That the Urban Renewal Area, as amended, continues to be a blighted area within the meaning of Chapter 403, Code of Iowa; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403, Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this City.

Section 4. That Amendment No. 6 to the Playland Park Urban Renewal Plan of the City of Council Bluffs, State of Iowa, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as "Amendment No. 6 to the Playland Park Urban Renewal Plan for the City of Council Bluffs, State of Iowa"; Amendment No. 6, including all of the exhibits attached thereto, is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of Amendment No. 6 with the proceedings of this meeting.

Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, Amendment No. 6 shall be in full force and effect from the date of this Resolution until the Council amends or repeals the Plan. The proposed Amendment No. 6 shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Pottawattamie County, Iowa, to be filed and recorded in the manner provided by law.

Section 6. That all other provisions of the Plan not affected or otherwise revised by the terms of Amendment No. 6, as well as all resolutions previously adopted by this City Council related to the Plan be and the same are hereby ratified, confirmed and approved in all respects.

PASSED AND APPROVED this 9th day of October, 2023.

_____
Mayor Pro Tem

ATTEST:

_____
City Clerk

Label the Amendment as Exhibit 1 (with all exhibits) and attach it to this Resolution.

ATTACH THE AMENDMENT LABELED AS EXHIBIT 1 HERE

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

I, the undersigned City Clerk of the City of Council Bluffs, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council 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 Council 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 Council pursuant to the local rules of the Council 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 city offices as indicated therein, that no Council 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 City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 10th day of October, 2023.

_____
City Clerk, City of Council Bluffs, State of Iowa

(SEAL)

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