RESOLUTION 24-354

RESOLUTION APPROVING THE ACQUISITION OF PROPERTY INTERESTS BY EMINENT DOMAIN BY MIDAMERICAN ENERGY COMPANY

WHEREAS, pursuant to Council Bluffs City Ordinance No. 5880, the City Council of Council Bluffs granted to MidAmerican Energy Company a franchise to acquire, construct, operate and maintain in the City of Council Bluffs the necessary facilities for the production, distribution, transmission and sale of electric energy for public and private use and granted to MidAmerican Energy Company the right of eminent domain, subject to City Council approval; and

WHEREAS, MidAmerican Energy Company requires the use of eminent domain to acquire certain interests in property to construct, maintain and operate a 161 kV electric transmission line in the City of Council Bluffs to improve reliability and resiliency for existing and future customers in the City of Council Bluffs (the "Transmission Line Project"); and

WHEREAS, by Order issued on September 10, 2024, the Iowa Utilities Commission found, in accordance with Iowa Code § 478.4, that the Transmission Line Project is necessary to serve a public use and represents a reasonable relationship to an overall plan of transmitting electricity in the public interest; and

WHEREAS, under the provisions of 6B.2D of the Iowa Code, an acquiring agency is required to give notice of a proposed resolution, motion, or other document authorizing acquisition of property by eminent domain to each property owner, contract purchaser of record and any tenant known to be occupying the property prior to the date of the meeting at which such proposed authorization will be considered; and

WHEREAS, a public hearing was held on December 16, 2024 at 7:00 p.m. at which time persons holding interests in the properties described and depicted on the Exhibits hereto were afforded opportunity to present their views and objections regarding the proposed acquisition of property interests for the Transmission Line Project by eminent domain; and

WHEREAS, due notice of the proposed resolution approving the acquisition of property interests by the use of eminent domain by MidAmerican Energy Company for purposes of the Transmission Line Project was provided to the required parties; and

WHEREAS, the City Council has held the public meeting in accordance with the notice to receive and consider input regarding the acquisition of property interests for the Transmission Line Project by eminent domain by MidAmerican Energy Company; and

WHEREAS, those interested in the Transmission Line Project have been given an opportunity to be heard with respect thereto by the Council Bluffs City Council.

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

That MidAmerican Energy Company shall be authorized to use eminent domain (condemnation) for purposes of obtaining the interests required for the Transmission Line Project as reflected on the Exhibits hereto; and

BE IT FURTHER RESOLVED

That the route of the Transmission Line Project depicted on the Exhibits hereto is hereby approved; and

BE IT FURTHER RESOLVED

That there is a reasonable expectation MidAmerican Energy Company will be able to achieve its public purpose, comply with all applicable standards, and obtain the necessary permits for the Transmission Line Project.

ADOPTED
AND
APPROVED December 16, 2024

_____
Matthew J. Walsh Mayor

ATTEST: _____
Jodi Quakenbush City Clerk