



**Study Session Agenda  
City of Council Bluffs, Iowa  
February 25, 2019, 3:45 PM  
Council Chambers, 2nd Floor, City Hall  
209 Pearl Street**

**STUDY SESSION AGENDA**

- A. Review Agenda
- B. City Council Rules & Procedures Discussion



**Council Agenda, City of Council Bluffs, Iowa  
Regular Meeting February 25, 2019, 7:00 PM  
Council Chambers, 2nd Floor, City Hall  
209 Pearl Street**

**AGENDA**

**1. PLEDGE OF ALLEGIANCE**

**2. CALL TO ORDER**

**3. CONSENT AGENDA**

- A. Approval of Agenda & tape recordings of these proceedings to be incorporated into the official minutes.
- B. Reading, correction and approval of the February 7, 2019 and February 11, 2019 City Council Meeting Minutes.
- C. Ordinance 6381  
Ordinance to amend the zoning map and setting a Public Hearing for March 11, 2019 at 7:00 pm as adopted by reference in Section 15.02.070 of the 2015 Municipal Code, by rezoning properties legally described Lots 1 through 16, Block 12, Bryant and Clark's Subdivision and the vacated alley adjacent, from R-3/Low Density Multi-Family Residential District to R-4/High Density Multifamily Residential District as defined in Chapter 15.11. ZC-19-001.
- D. Resolution 19-37  
Resolution setting a public hearing for 7:00 p.m. on March 11, 2019, for granting an electric easement in connection with the installation of electrical facilities by MidAmerican Energy Company.
- E. Resolution 19-38  
Resolution of intent to vacate and setting a Public Hearing for March 11, 2019 at 7:00 p.m. for the West north/south alley in Block 10, Burns Addition, lying East of Indian Creek and West of South 13th Street between 21st and 22nd Avenues. SAV-19-002
- F. Resolution 19-39  
Resolution of intent to vacate and setting a Public Hearing for March 11, 2019 at 7:00 p.m. for the east/west alley in Block 5, Fleming and Davis Addition, lying West of S. 17th St between 9th & 10th Ave. SAV-19-003



G. Resolution 19-40

Resolution Ratifying, Confirming and Approving Publication of Notice and setting Public Hearing for March 11, 2019 at 7:00 p.m. for the issuance of not to exceed \$6,680,000 General Obligation Bonds.

H. Resolution 19-41

Resolution Ratifying, Confirming and Approving Publication of Notice and setting Public Hearing for March 11, 2019 at 7:00 p.m. for the issuance of not to exceed \$700,000 General Obligation Bonds.

I. Resolution 19-42

Resolution Ratifying, Confirming and Approving Publication of Notice and setting Public Hearing for March 11, 2019 at 7:00 p.m. for the issuance of not to exceed \$160,000 General Obligation Bonds.

J. Resolution 19-43

Resolution Ratifying, Confirming and Approving Publication of Notice and setting Public Hearing for March 11, 2019 at 7:00 p.m. for the issuance of not to exceed \$260,000 General Obligation Bonds.

K. January FY19 Financial Reports

L. Notice of Right of Redemption

M. Offer to Buy

N. Claims

O. Mayor's Appointments

- 1) Civil Service Commission
- 2) Council Bluffs Airport Authority
- 3) Zoning Board of Adjustment

**4. MAYORS PROCLAMATIONS**

A. Iowa Honey Bee Day

**5. PUBLIC HEARINGS**

A. Resolution 19-44

Resolution authorizing the Mayor to apply for FY2020 State Transit Assistance through the Iowa Department of Transportation.

B. Resolution 19-45

Resolution to amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying all properties located between 1st Avenue and 2nd Avenue from South 27th Street to South 35th Street from a combination of High Density Residential and Low Density Residential, and Local Commercial to Multi-family/Mixed-Use (legally described as being Blocks 6 and 13, Ferry's Addition; Blocks 7 and 8, Bryant and Clark's Subdivision and the vacated street right-of-way adjacent; Block 9, Bryant and Clark's Subdivision; Blocks 10 and 11, Bryant and Clark's Subdivision and vacated street right-of-way adjacent; Block 12, Bryant and Clark's Subdivision; and Block 2, Twin City Subdivision); and to reclassify certain properties located between West Broadway and 1st Avenue from South 27th Street and South 31st Street from a combination of Local Commercial and High Density Residential to Multi-family/Mixed-Use (legally described as Lots 8 through 17, Block 1, Twin City Place; Blocks 2 and 3, Bryant and Clark's Subdivision and the vacated street right-of-way adjacent); and to reclassify certain properties located at the southeast corner of the intersection of West Broadway and South 34th Street from High Density Residential to Local Commercial (legally described as Lots 1 through 5, Block 5, Ferry Addition and the vacated alleys adjacent; and Lots 1 through 6, Block 6, Bryant and Clark's Addition and the West 33 feet of vacated 33rd Street right-of-way adjacent along with all vacated alleys adjacent). Case #CP-19-001

C. Resolution 19-46

Resolution to amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying 44.47 acres of land located at the southwest corner of the intersection of South 24th Street and Richard Downing Avenue from a combination of Office/Industrial and High Density Residential to Regional Commercial (legally described as being part of N1/2 SE1/4 of Section 10-74-44 and part of the NW1/4 SW1/4 of Section 11-74-44, City of Council Bluffs, Pottawattamie County, Iowa, being more particularly described on Attachment 'A'. Case #CP-19-002

D. Resolution 19-47

Resolution granting final plat approval for a five-lot residential subdivision (including two outlots) to be known as Stella Burk Subdivision, legally described as being a replat of the North 112.5 Feet of Block 59, except the West 78 Feet thereof, including vacated alleyways which abut, and the vacated 26th Avenue right-of-way located West of South 13th Street, all in Railroad Addition. SUB-19-004

E. Resolution 19-48

Resolution approving the plans and specifications for the Eastern Hills Drive Segment D, Highway 92 to the Intersection of Eastern Hills Drive and State Orchard Road. Project # PW18-16B & PW19-16A

F. Resolution 19-49

Resolution terminating the Mid-City Corridor Urban Renewal Plan (2004); determining an area of the City to be a 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 2019 Mid-City Corridor Urban Renewal Plan

## **6. ORDINANCES ON 1ST READING**

A. Ordinance 6382

Ordinance providing that general property taxes levied and collected each year on all property located within the Mid-City Corridor Urban Renewal Area, in the City of Council Bluffs, County of Pottawattamie, State of Iowa, by and for the benefit of the State of Iowa, City of Council Bluffs, County of Pottawattamie, Council Bluffs Community School District, and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the city in connection with the Mid-City Corridor Urban Renewal Area (the 2019 mid-city corridor urban renewal plan)

## **7. RESOLUTIONS**

A. Resolution 19-50

Resolution approving the amendments to the articles of incorporation and bylaws of Advance Southwest Iowa Corporation.

B. Resolution 19-51

Resolution determining the necessity and setting dates of a consultation and a public hearing on March 25, 2019 at 7:00 p.m. on a proposed 24 Park Place Urban Renewal Plan for a proposed Urban Renewal Area. Generally located at South 24th Street and Richard Downing Avenue

C. Resolution 19-52

Resolution certifying the FY2019 Water, Sewer, and Refuse Collection lien schedule for nonpayment to the County Treasurer to be assessed against the owner's property.

D. Resolution 19-53

Urban Revitalization Application for the 2019 Tax Assessment Year (2018 calendar year) URV-19-001: PHS Council Bluffs, Inc.

- E. Resolution 19-54  
Urban Revitalization Application for the 2019 Tax Assessment Year  
(2018 calendar year) URV-19-002: Bernard L. Glenn Trust.
- F. Resolution 19-55  
Urban Revitalization Application for the 2019 Tax Assessment Year  
(2018 calendar year) URV-19-003: Future Foam, Inc.
- G. Resolution 19-56  
Urban Revitalization Application for the 2019 Tax Assessment Year  
(2018 calendar year) URV-19-004: Lake Creek Properties LLC
- H. Resolution 19-57  
Urban Revitalization Application for the 2019 Tax Assessment Year  
(2018 calendar year) URV-19-005: 7 South 4th Street, LLC
- I. Resolution 19-58  
Resolution accepting the bid of ScoreVision, LLC in the amount of  
\$582,345.11 for the Mid America Center Score Board Replacement  
Project. Project No. BM19-03
- J. Resolution 19-59  
Resolution making changes to the positions assigned to the Parks &  
Recreation Department.

## **8. APPLICATIONS FOR PERMITS AND CANCELLATIONS**

- A. Liquor Licenses
  - 1) The Barrel, 144 West Broadway (New Application)
  - 2) Lansky's, 1131 North Broadway
  - 3) Saint Albert's Catholic Schools, 400 Gleason Avenue (14 day License)
  - 4) Soppes Southend Bar & Grill, 2327 South 24th Street (New Application)
  - 5) Super Saver, 1141 North Broadway

## **9. CITIZENS REQUEST TO BE HEARD**

## **10. OTHER BUSINESS**

## **11. ADJOURNMENT**

### **DISCLAIMER:**

*If you plan on attending this meeting and require assistance please notify the City Clerk's office at (712) 890-5261, by 5:00 p.m., three days prior to the meeting.*



## **City Council Special Meeting Minutes February 7, 2019**

### **CALL TO ORDER**

A special meeting was called to order by Mayor Matthew J. Walsh on Thursday February 7, 2019 at 6:00 p.m.

Council Members Present: Melissa Head, Nate Watson, Sharon White and Mike Wolf. Via Telephone: Roger Sandau.

Staff Present: Jodi Quakenbush and Richard Wade.

### **APPLICATIONS FOR PERMITS AND CANCELLATIONS**

Liquor License Renewal

1) Cube Ultra Lounge, 162 W. Broadway

Held Administrative Hearing regarding the liquor license for The Cube Ultra Lounge, 162 West Broadway. Attorney, Graham Jura representing the City of Council Bluffs and Attorney Deborah Peterson representing The Cube Ultra Lounge.

Heard opening statement from Graham Jura, followed by Deborah Peterson.

Motion to receive and file Cube Exhibit #1, by Head, seconded by Watson, Unanimous.

Heard from Corey Woodard, Police Sergeant.

Motion to receive and file City Exhibit 1, A-N, by Watston, seconded by Head. Unanimous.

Heard from Alice Johnson, owner of Beauty Operators.

Heard from Timothy Carmody, Police Chief.

Heard from Chad Geer, Police Lieutenant.

Heard from Marty Lynch, 160 West Broadway.

Heard from Zach Aughe, The Cube Ultra Lounge Manager, 162 West Broadway.

Motion to receive and file Cube Exhibit #2, by Head, seconded by Watson, Unanimous.

Heard from John Wear, 1415 South 35th Street.

Heard from Terri Garrett, 156 West Broadway.

Heard from Michaela Morrissey, 116 West Broadway.  
Heard from Sheryl Garst, 149 West Broadway.  
Heard from Ron Johnson, no address given.  
Heard from Gary Bartel, 125 & 123 West Broadway.  
Heard closing arguments from Graham Jura, followed by Deborah Peterson.  
Dick informed the Council of the specific law relating to denying a liquor license.  
Heard from Head, Watson, White, Wolf and Sandau.

Melissa Head and Mike Wolf moved and seconded approval of The Cube Ultra Lounge Liquor License. Voice Vote, 3-2 vote. (Nays: Watson, White)

## **CITIZENS REQUEST TO BE HEARD**

## **OTHER BUSINESS**

## **ADJOURNMENT**

Mayor Walsh adjourned the meeting at 10:45 p.m.

The tape recording of this proceeding, though not transcribed, is part of the record of each respective action of the City Council. The tape recording of this proceeding is incorporated into these official minutes of this Council meeting as if they were transcribed herein.

Matthew J. Walsh, Mayor  
Attest: Jodi Quakenbush, City Clerk



## **City Council Meeting Minutes February 11, 2019**

### **CALL TO ORDER**

A regular meeting was called to order by Mayor Matthew J. Walsh on Monday February 11, 2019 at 7:00 p.m.  
Council Members Present: Melissa Head, Roger Sandau, Nate Watson, Sharon White and Mike Wolf.  
Staff Present: Jodi Quakenbush and Richard Wade.

### **CONSENT AGENDA**

Approval of Agenda & tape recordings of these proceedings to be incorporated into the official minutes.  
Reading, correction and approval of the January 28, 2019 City Council Meeting Minutes.  
Resolution 19-29

Resolution setting a public hearing for February 25, 2019 at 7:00 p.m. for the Eastern Hills Drive Segment D, Highway 92 to the Intersection of Eastern Hills Drive and State Orchard Road. Project #PW18-16B & #PW19-16A

Notice of Right of Redemption  
Offer to Buy  
Claims

Roger Sandau and Melissa Head moved and seconded approval of Consent Agenda. Unanimous, 5-0 vote.

### **PUBLIC HEARINGS**

Resolution 19-30

Resolution approving the City of Council Bluffs Budget for Fiscal Year Ending June 30, 2020.

Heard from Robert Fairchild, 2412 South 19th Street  
Roger Sandau and Sharon White moved and seconded approval of Resolution 19-30. Unanimous, 5-0 vote.

Resolution 19-31

Resolution granting final plat approval for a 25-lot residential subdivision to be known as Hills of Cedar Creek East, Phase 2, legally described as being a portion of the SE1/4 SE1/4 of Section 34-75-43. Location: East of Eastern Hills Drive. SUB-19-003

Melissa Head and Nate Watson moved and seconded approval of Resolution 19-31. Voice Vote, 4-0 vote. (Abstain: White)

Resolution 19-32

Resolution to dispose of that portion of 24th Avenue lying between the west right-of-way line of South 18th Street and the east right-of-way line of South 19th Street, and abutting Blocks 21 and 36, Railroad Addition, and Lot 6, Wyatt 2nd Subdivision. SAV-19-001

Heard from Robert Fairchild, 2412 South 19th Street

Mike Wolf and Nate Watson moved and seconded approval of Resolution 19-32. Unanimous, 5-0 vote.

Resolution 19-33

Resolution granting final plat approval for a two lot residential subdivision to be known as Moreno Addition, legally described as being a replat of Lots 1 through 6, 23 and 24, and the North 33 feet of Lots 11 and 12, and portions of the vacated alleys adjoining, all in Block 26, Railroad Addition, and a portion of the South 1/2 of vacated 24th Avenue adjoining. Location: Generally lying East of South 19th Street between 23rd and 25th Avenues. SUB-19-001

Melissa Head and Mike Wolf moved and seconded approval of Resolution 19-33. Unanimous, 5-0 vote.

## **RESOLUTIONS**

Resolution 19-34

Resolution approving the Fiscal Years 2020 through 2024 Capital Improvement Program.

Sharon White and Roger Sandau moved and seconded approval of Resolution 19-34. Unanimous, 5-0 vote.

Resolution 19-35

Resolution authorizing the Mayor to execute an agreement with Ehrhart Griffin & Associates for engineering services in connection with the East Manawa Sewer Rehab, Phase VIII. Project # PW20-09

Melissa Head and Mike Wolf moved and seconded approval of Resolution 19-35. Voice Vote, 4-0 vote.  
(Abstain: White)



#### Resolution 19-36

Resolution authorizing the Mayor and City Clerk to execute an agreement with HGM Associates Inc. for engineering services in connection with the West Broadway Reconstruction, Segment 4. Project # PW20-20.

Sharon White and Mike Wolf moved and seconded approval of Resolution 19-36. Unanimous, 5-0 vote.

### **APPLICATIONS FOR PERMITS AND CANCELLATIONS**

#### Liquor Licenses

- 1) 3rd Base Bar & Grill, 800 North 8th Street (New Owner Application)
  - 2) The BLK Squirrel, 154 West Broadway
  - 3) Cellar 19, 928 Valley View Village
  - 4) Holiday Inn Hotel & Suites, 2202 River Road
  - 5) Lighthouse Bar & Grill, 401 Veteran's Memorial Hwy. (New Owner Application)
  - 6) Sugar's Restaurant & Lounge, 2725 Kanseville Blvd.
- Special Event Liquor License Application
- 1) Shamrock Shuffle, March 16, 2019

Melissa Head and Nate Watson moved and seconded approval of Liquor Licenses 6A1 & 6A3-6. Unanimous, 5-0 vote.

Mike Wolf and Sharon White moved and seconded approval of Liquor Licenses 6A2. Passed, 4-1 vote.  
(Nays: Watson)

### **CITIZENS REQUEST TO BE HEARD**

Heard from Robert Fairchild, 2412 South 19th Street, in regards to Broadway Medians

### **ADJOURNMENT**

Mayor Walsh adjourned the meeting at 7:20 p.m.

The tape recording of this proceeding, though not transcribed, is part of the record of each respective action of the City Council. The tape recording of this proceeding is incorporated into these official minutes of this Council meeting as if they were transcribed herein.

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Matthew J. Walsh, Mayor

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Attest: Jodi Quakenbush, City Clerk

## Council Communication

Department: Community  
Development

Case/Project No.: Case #ZC-19-  
001

Submitted by: Chris Meeks,  
Planner

Ordinance 6381  
ITEM 3.C.

Council Action: 2/25/2019

### Description

Ordinance to amend the zoning map and setting a Public Hearing for March 11, 2019 at 7:00 pm as adopted by reference in Section 15.02.070 of the 2015 Municipal Code, by rezoning properties legally described Lots 1 through 16, Block 12, Bryant and Clark's Subdivision and the vacated alley adjacent, from R-3/Low Density Multi-Family Residential District to R-4/High Density Multifamily Residential District as defined in Chapter 15.11. ZC-19-001.

### Background/Discussion

See attachments

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Case #ZC-19-001 Staff Report	Other	2/13/2019
Case #ZC-19-001 Public Hearing Notice	Other	2/13/2019
Case #ZC-19-001 Attachment A	Map	2/13/2019
Ordinance 6381	Ordinance	2/19/2019

### Council Communication

Department: Community Development  CASE # ZC-19-001  Applicant/Property Owner: City of Council Bluffs Community Development Department	Ordinance No. _____	City Council: 2/25/19  Planning Commission: 2/12/2019
<b>Subject/Title</b> <b>Request:</b> Public hearing on the request of the City of Council Bluffs to rezone property legally described as Lots 1 through 16, Block 12, Bryant and Clark's Subdivision and the vacated alley adjacent from R-3/Low Density Multifamily Residential to R-4/High Density Multifamily Residential District.  <b>Location:</b> Between 1 <sup>st</sup> and 2 <sup>nd</sup> Avenues from South 28 <sup>th</sup> Street to South 29 <sup>th</sup> Street, and formerly addressed as 110 South 28 <sup>th</sup> Street		
<b>Background</b> The Community Development Department is proposing to rezone property legally described as Lots 1-16, Block 12, Bryant and Clark's Subdivision, and the vacated alley adjacent, from R-3/Low Density Multifamily Residential District to R-4/High Density Multifamily Residential district. The property is approximately 2.54 acres in size, and is currently owned by the City of Council Bluffs. The property also had a PR/Planned Residential Overlay District appended by Resolution Number 16-250 on September 26, 2016.  The property was the subject of a Request for Proposals by the Community Development Department, and was awarded to a development company for redevelopment. Construction never commenced on the property, and acceptance of the proposal expired. A new Request For Proposal will be submitted following the resolution of this proposed rezoning case. As the property was acquired by the City of Council Bluffs using U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) program, fifty-one percent (51%) of the units must be for low and moderate income persons, with income at or below 80% of the median family income.  The rezoning request is proposed by the City of Council Bluffs to allow future developers greater flexibility in regards to the density of units on the site than would be allowed in the R-3/Low Density Multifamily Residential District. Currently, the 2.54 (110,642 square feet) acre parcel would be allowed a maximum of 55 units, per the Site Development Regulations of the R-3 District, which require 9,000 square foot lot for the first 5 units, plus an addition 2,000 square feet for each additional unit. In the R-4/High Density Multifamily Residential District, a maximum of 140 units would be allowed, as the Site Development Regulations require 9,000 square foot lot for the first 5 units, plus an addition 750 square feet for each additional unit.		

Land Use and Zoning

The following zoning districts and land uses surround the subject properties:

North: A commercial retail building that is in the C-2/Commercial District.

South: Residential structures that are in the R-3/Low Density Multifamily Residential District.

East: A combination of undeveloped property and commercial and industrial uses that are zoned in the I-1/Industrial District and C-2/Commercial District.

West: A commercial property and undeveloped property that is located in the C-2/Commercial District and R-3/Low Density Multifamily Residential District.

The future land use plan of the Bluffs Tomorrow 2030 (comprehensive Plan) designates the North half of the subject property as High-Density Residential, and the South half of the subject property as Low-Density Residential. CASE #CP-19-001 proposes to reclassify the entirety of the property as Multi-Family/Mixed-Use.

Public notices were mailed to all property owners within 200 feet of the request. No formal comments were received for the request.

All City Departments and local utilities were notified of the proposed rezoning. The following comments were received:

- The Public Works Department stated they have no comments regarding the rezoning request.
- Black Hills Energy stated they have no concerns regarding the request.
- Council Bluffs Water Works stated they have no comments on the request.
- Cox Communications stated they have network in the right-of-way on the North side of 2<sup>nd</sup> Avenue, and on the East side of 29<sup>th</sup> Street, though has no issues with the request.
- MidAmerican Energy stated they have no objections to the request.

The following attachments are included with the case staff report:

Attachment A: Location/zoning map

**Discussion**

1. Adequate utilities (e.g., water, sanitary sewer, electric, etc.) are available to accommodate the uses permitted in the R-4/High Density Multifamily Residential District.
2. The rezoning of the property will allow greater flexibility to allow a potential developer to construct a cost effective building that will benefit families in the City of Council Bluffs. A developer would not be required to construct the maximum 140 residential units.
3. Following the rezoning, Request for Proposal will be distributed by the Community Development Department. A developer would be required to submit a proposal which would be approved by the City Council, and awarded the right to purchase the property and construct the approved design.
4. The property will retain a PR/Planned Residential Overlay District which was adopted by a previous developer. A new developer will be required to adhere to the adopted design standards, or will be required to apply for an amendment to the adopted development plan, which will required the approval of the City Council.

**Recommendation**

The Community Development Department recommends approval of the request to rezone property legally described as Lots 1 through 16, Block 12, Bryant and Clark's Subdivision and the vacated alley adjacent from R-3/Low Density Multifamily Residential to R-4/High Density Multifamily Residential District, based on reasons stated above.

**Public Hearing**

Staff speaker on behalf of request:

1. Chris Meeks, Planner, Community Development Department, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503.

Speakers in favor: None

Speakers against: None

**Planning Commission Recommendation**

The Planning Commission recommends approval to rezone property legally described as Lots 1 through 16, Block 12, Bryant and Clark's Subdivision and the vacated alley adjacent from R-3/Low Density Multifamily Residential to R-4/High Density Multifamily Residential District, based on reasons stated above.

VOTE: AYE 10   NAY 0   ABSTAIN 0   ABSENT 0   VACANT 1   Motion: Carried

**Attachments**

Attachment A: Location/zoning map

Prepared by: Chris Meeks, Planner

## **NOTICE OF PUBLIC HEARING**

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a Public Hearing on an ordinance to amend the zoning map as adopted by reference in Section 15.02.070, by rezoning property legally described as Lots 1 through 16, Block 12, Bryant and Clark's Subdivision and the vacated alley adjacent from R-3/Low Density Multifamily Residential to R-4/High Density Multifamily Residential District.

You are further notified that the Public Hearing on said matters will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 11<sup>th</sup> day of March, 2019, in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

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Jodi Quakenbush, City Clerk




# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION

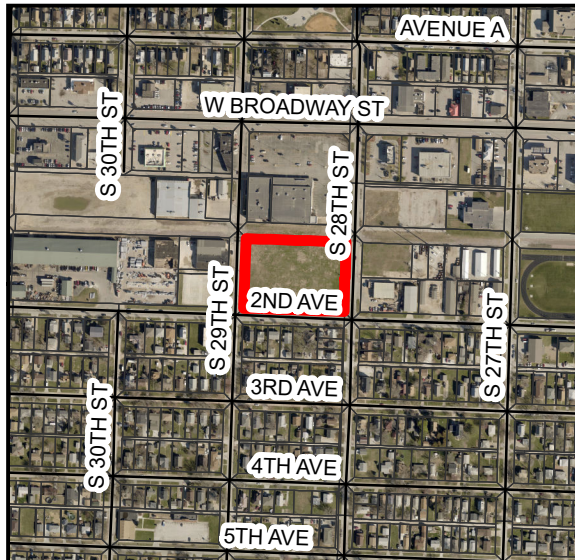
## CASE #ZC-19-001 LOCATION/ZONING MAP

**Map Legend**

 Subject Property

 Parcels

0 137.5 275  
1 Inch = 278 Feet

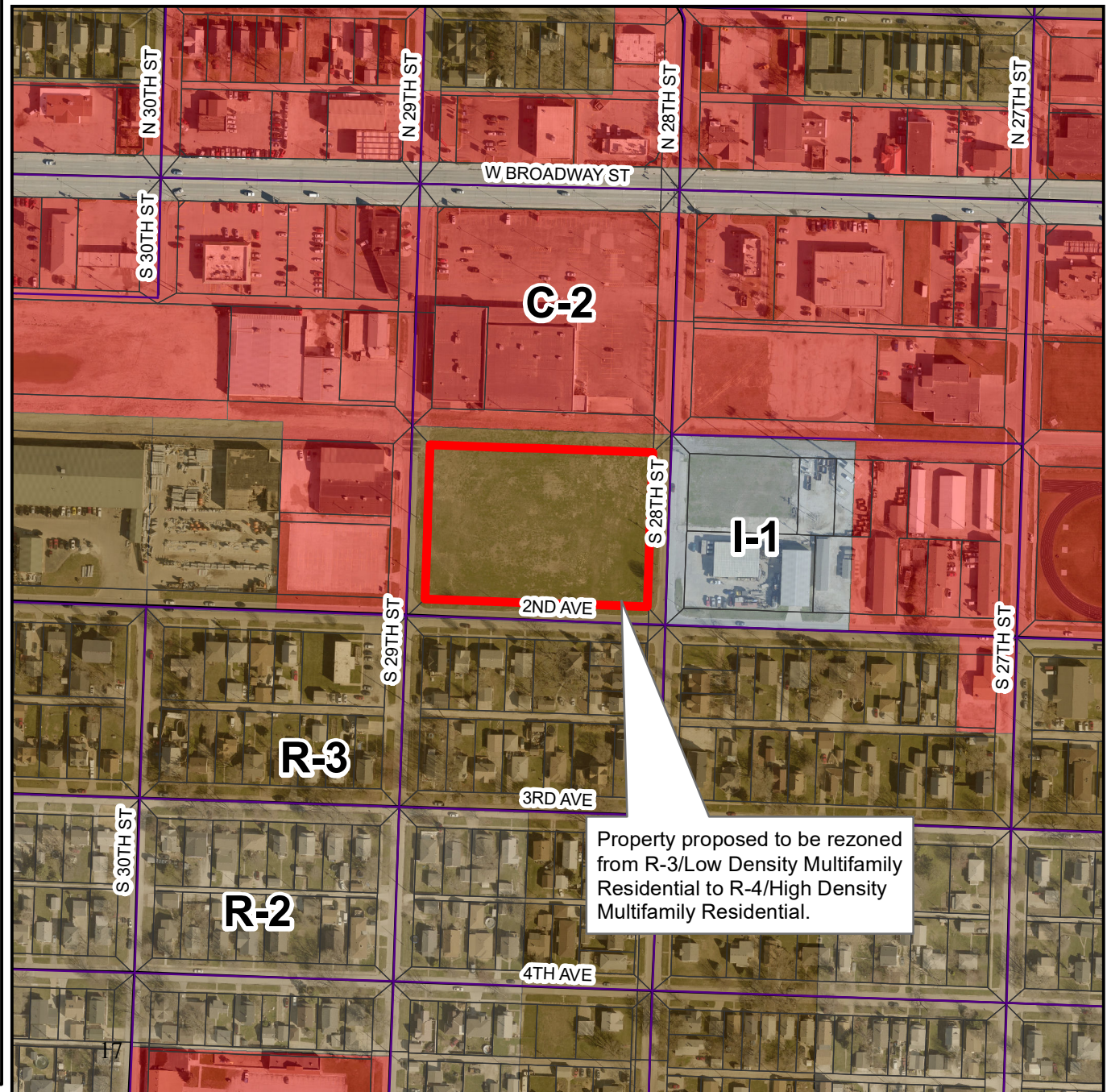


Last Amended: 1/22/19



Council Bluffs Community  
Development Department  
209 Pearl Street  
Council Bluffs, IA 51503  
Telephone: (712) 328.4629

**DISCLAIMER**  
This map is prepared and compiled from City documents, plans and other public records data. Users of this map are hereby notified that the City expressly denies any and all responsibilities for errors, if any, in the information contained on this map of the misuse of the same by the user or anyone else. The user should verify the accuracy of information/data contained on this map before using it. The City assumes no legal responsibility for the information contained on this map.



**ORDINANCE NO. 6381**

**AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.02.070 OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPERTY LEGALLY DESCRIBED AS LOTS 1 THROUGH 16, BLOCK 12, BRYANT AND CLARK'S SUBDIVISION AND THE VACATED ALLEY ADJACENT FROM R-3/LOW DENSITY MULTIFAMILY RESIDENTIAL TO R-4/HIGH DENSITY MULTIFAMILY RESIDENTIAL DISTRICT AS DEFINED IN CHAPTER 15.11 OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA.**

**BE IT ORDAINED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA**

**SECTION 1.** That the Zoning Map of the City of Council Bluffs, Iowa, as adopted by reference in Section 15.02.070 of the 2015 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended to rezone property legally described as Lots 1 through 16, Block 12, Bryant and Clark's Subdivision and the vacated alley adjacent from R-3/Low Density Multifamily Residential to R-4/High Density Multifamily Residential District as defined in Chapter 15.11 of the Municipal Code of Council Bluffs, Iowa.

**SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 3. SEVERABILITY CLAUSE.** If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

**SECTION 4. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

ADOPTED  
AND  
APPROVED

March 11, 2019.

\_\_\_\_\_  
MATTHEW J. WALSH

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH

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

First Consideration: 2-25-19  
Second Consideration: 3-11-19  
Public Hearing: 3-11-19  
Third Consideration: \_\_\_\_\_  
Planning Case No. #ZC-19-001



## Council Communication

Department: Public Works Admin  
Case/Project No.:  
Submitted by: Matthew Cox, City  
Engineer

Resolution 19-37  
ITEM 3.D.

Council Action: 2/25/2019

### Description

Resolution setting a public hearing for 7:00 p.m. on March 11, 2019, for granting an electric easement in connection with the installation of electrical facilities by MidAmerican Energy Company.

### Background/Discussion

MidAmerican Energy Company is planning to install a new electric supply line to feed existing residential properties along 4<sup>th</sup> Avenue, located north of the Dodge Park Golf Course and west of Interstate 29. The installation is required because existing facilities are in conflict with the proposed Interstate improvements, and must be relocated.

MidAmerican Energy Company is proposing to install their new line to the south of the 38<sup>th</sup> Street and 4<sup>th</sup> Avenue right-of-ways, near the maintenance shop for the golf course. The City owns the parcel within this portion of the project.

The perpetual, non-exclusive electric easement allows MidAmerican Energy Company to construct, reconstruct, operate, maintain, replace or remove electric supply line(s), underground conduit, wires and cables for the transmission and distribution of electric energy and for communication and electrical controls.

The easement is located in the North 100 feet of the East 20 feet of Lot 3, Dodge Park Subdivision.

### Recommendation

Approval of this resolution.

### ATTACHMENTS:

Description	Type	Upload Date
Notice of Public Hearing	Other	2/14/2019
MEC Easement	Map	2/14/2019
Electric Easement	Other	2/14/2019
Resolution 19-37	Resolution	2/19/2019

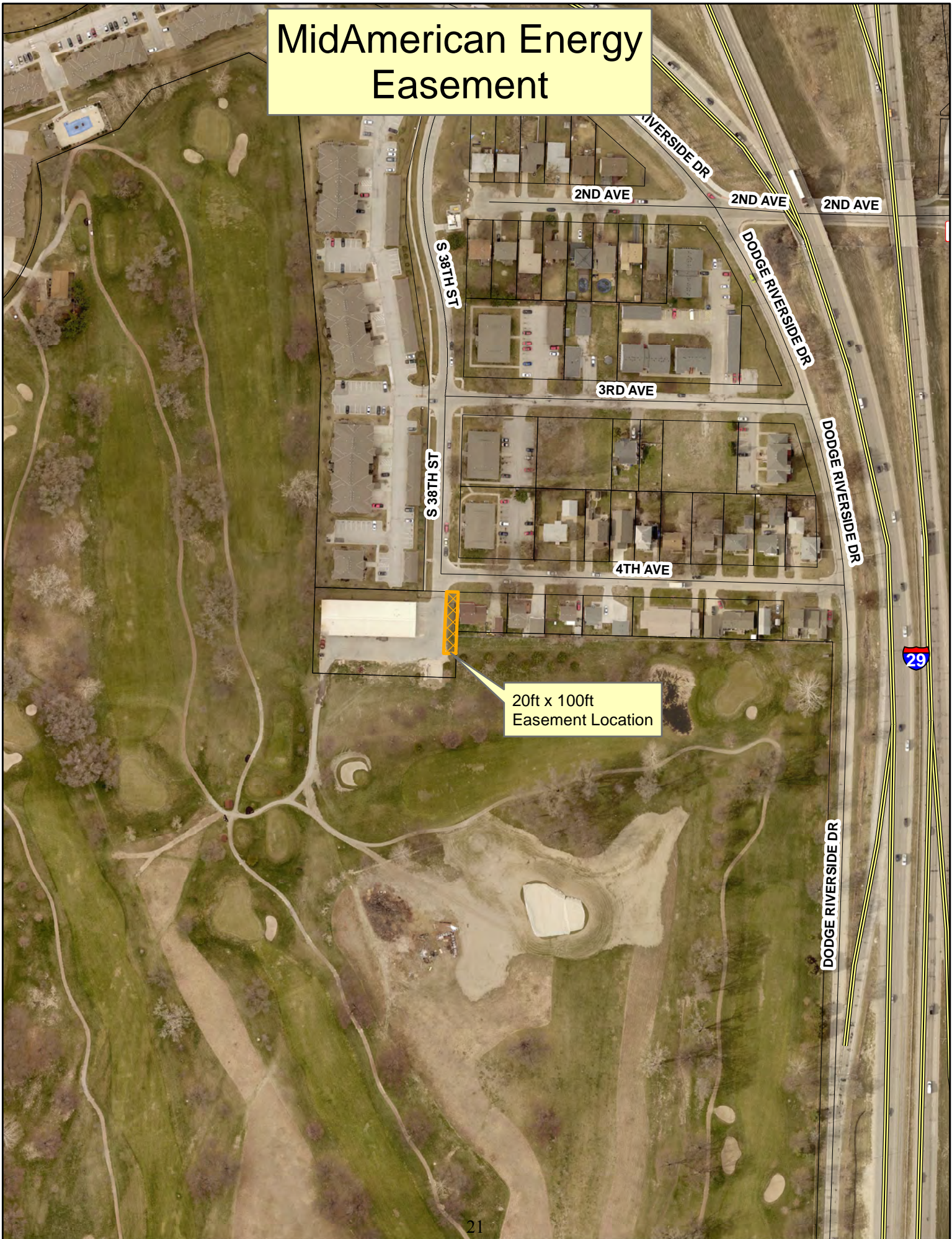
Notice of Public Hearing  
for  
Granting an Overhead and Underground Electrical Easement  
In connection with Installation of  
Electrical Facilities by MidAmerican Energy Company

A public hearing will be held on March 11, 2019, at 7:00 p.m. in the council chambers of City Hall, 209 Pearl Street, Council Bluffs, Iowa, for granting an overhead and underground electric easement to MidAmerican Energy Company. At said hearing, any interested person may appear and file objections to such plans.

By Order of the City Council  
of the  
City of Council Bluffs, Iowa  
Jodi Quakenbush, City Clerk



# MidAmerican Energy Easement





Prepared by and return to: Colby Hannasch 712-277-7581  
MIDAMERICAN ENERGY ATTN: RIGHT-OF-WAY SERVICES 401 Douglas Street, Sioux City, Iowa 51101

**MIDAMERICAN ENERGY COMPANY  
OVERHEAD AND UNDERGROUND ELECTRIC EASEMENT**

Folder No.	<u>2019-6736</u>	State of	<u>Iowa</u>
Work Req. No.	<u>2019-2691624</u>	County of	<u>Pottawattamie</u>
Project No.	<u>NA</u>	Section	<u>33</u>
		Township	<u>75</u> North
		Range	<u>44</u> West of the 5 <sup>th</sup> P.M.

1. For and in consideration of the sum of One and no/100-----Dollar (\$1.00), and other valuable consideration, in hand paid by MIDAMERICAN ENERGY COMPANY, an Iowa corporation, receipt of which is hereby acknowledged, the undersigned owners(s) **City of Council Bluffs, Pottawattamie County, Iowa**, an Iowa municipal corporation, its successors and assigns ("Grantor"), does hereby grant to MIDAMERICAN ENERGY COMPANY, its successors and assigns ("Grantee"), a perpetual, non-exclusive easement to construct, reconstruct, operate, maintain, replace or remove electric supply line(s), underground conduit, wires and cables for the transmission and distribution of electric energy and for communication and electrical controls, including other necessary poles, wires, guys, guy stubs, anchors, including other reasonably necessary equipment incident thereto (collectively "Facilities") under and on the surface of the ground and upon, over, along, through and across certain property described below, together with the right of ingress and egress to and from the same, and all the rights and privileges incident and necessary to the enjoyment of this easement ("Easement Area").

**DESCRIPTION OF PROPERTY CONTAINING EASEMENT AREA:**

**LOT THREE (3), DODGE PARK SUBDIVISION TO THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.**

**EASEMENT AREA:**

An overhead and underground electric easement described as follows:

**THE NORTH ONE HUNDRED (100) FEET OF THE EAST TWENTY (20) FEET OF LOT THREE (3). SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.**

2. Additionally, Grantee shall have the right to remove from the Easement Area described above, any obstructions, including but not limited to, trees, plants undergrowth, buildings, fences and structures that interfere with the proper maintenance of said Facilities and equipment.

3. Grantor agrees that it will not construct or place any permanent or temporary buildings, structures, fences, trees, plants, or other objects on the Easement Area described above, or make any changes in ground elevation without written permission from Grantee indicating that said construction or ground elevation changes will not result in inadequate or excessive ground cover, or otherwise interfere with the Grantee's right to operate and maintain its Facilities, and that no act shall be performed which violates the clearance requirements of the National Electrical Safety Code and/or the rules of the state utility regulatory authority where the Facilities are located.
4. In consideration of such grant, Grantee agrees that it will repair or pay for any damage which may be caused to crops, fences, or other property, real or personal, of the Grantor by the construction, reconstruction, maintenance, operation, replacement or removal of the Facilities (except for damage to property placed subsequent to the granting of this easement) that Grantee determines interferes with the operation and maintenance of the Facilities and associated equipment. The cutting, recutting, trimming and removal of trees, branches, saplings, brush or other vegetation on or adjacent to the Easement Area is expected and not considered damage to the Grantor.
5. Additionally, when Grantor provides or installs duct/conduit for said Facilities, this grant shall cover and include all Facilities as part of the Easement Area.
6. Grantor certifies that it is not acting, directly or indirectly, for or on behalf of any person, group, entity or nation named by any Executive Order or the United States Treasury Department as a terrorist, "Specially Designated National and Blocked Person" or any other banned or blocked person, entity, nation or transaction pursuant to any law, order, rule or regulation that is enforced or administered by the Office of Foreign Assets Control; and are not engaged in this transaction, directly or indirectly on behalf of, any such person, group, entity or nation. Grantor hereby agrees to defend, indemnify and hold harmless Grantee from and against any and all claims, damages, losses, risks, liabilities and expenses (including attorney's fees and costs) arising from or related to any breach of the foregoing certification.
7. Each of the provisions of this easement shall be enforceable independently of any other provision of this easement and independent of any other claim or cause of action. In the event of any matter or dispute arising out of or related to this easement, it is agreed between the parties that the law of the jurisdiction and location where this easement is recorded (including statute of limitation provisions) will govern the interpretation, validity and effect of this easement without regard to the place of execution or place of performance thereof, or any conflicts or law provisions. TO THE FULLEST EXTENT PERMITTED BY LAW, EACH OF THE PARTIES HERETO WAIVES ANY RIGHT IT MAY HAVE TO A TRIAL BY JURY IN RESPECT OF LITIGATION DIRECTLY OR INDIRECTLY ARISING OUT OF, UNDER OR IN CONNECTION WITH THIS EASEMENT. EACH PARTY FURTHER WAIVES ANY RIGHT TO CONSOLIDATE ANY ACTION IN WHICH A JURY TRIAL HAS BEEN WAIVED WITH ANY OTHER ACTION IN WHICH A JURY TRIAL CANNOT BE OR HAS NOT BEEN WAIVED.
8. Grantor hereby relinquishes all rights of dower, homestead and distributive share in and to the property and waives all rights of exemption as to any of the property. Grantor understands that homestead property is in many cases protected from the claims of creditors and exempt from judicial sale; and that by signing this easement, voluntarily gives up any right to this protection for this property with respect to claims based upon this easement.
9. Grantor warrants to Grantee that Grantor holds title to the Easement Area in fee simple and Grantor has good and lawful authority to grant the rights provided in this easement.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2019

City of Council Bluffs, Pottawattamie County, Iowa

By: \_\_\_\_\_

Its: \_\_\_\_\_  
Printed Name of Mayor

Attest:

By: \_\_\_\_\_

Its: \_\_\_\_\_  
Printed Name of City Clerk

#### ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss

On this \_\_\_\_ day of \_\_\_\_\_, 2019, before me, the undersigned, a Notary Public in and for the State of Iowa personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Council Bluffs, Pottawattamie County, Iowa, a municipal corporation; that the seal affixed to the foregoing instrument is the corporate seal of the corporation and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Resolution No. \_\_\_\_\_ of the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2019; and \_\_\_\_\_ and \_\_\_\_\_ acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

\_\_\_\_\_  
Notary Public in and for said State

(Notarial Seal)



# EXHIBIT "A"

## Legend

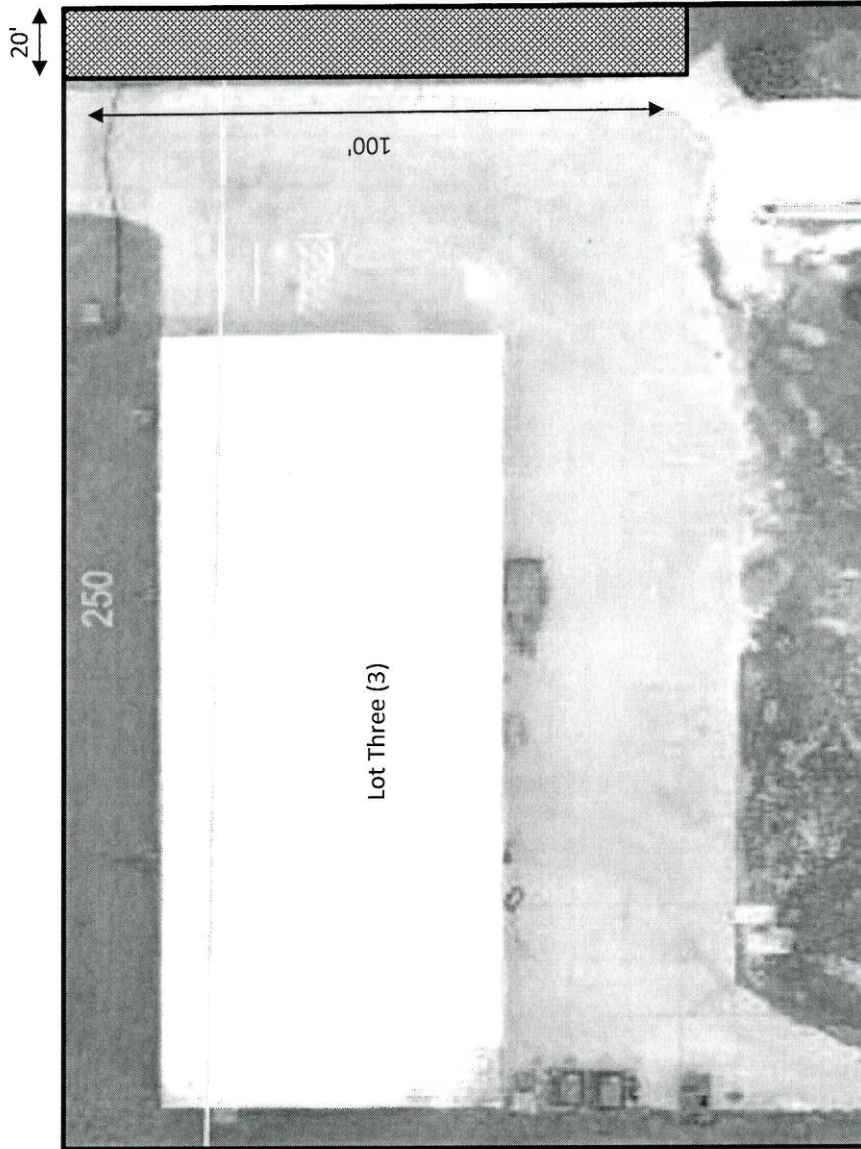
- - Subject Property Line & ROW
-  - Easement

## Parcel Legal Description:

LOT THREE (3), DODGE PARK SUBDIVISION  
TO THE CITY OF COUNCIL BLUFFS,  
POTTAWATTAMIE COUNTY, IOWA

## Easement Area:

THE NORTH ONE HUNDRED FEET (100') OF THE  
EAST TWENTY FEET (20') OF LOT THREE (3).



Customer: City of Council Bluffs, Pottawattamie County, Iowa

Address: 420 S 38th St

City: Council Bluffs State: Iowa

Scale: Not to Scale

Parcel: 754433126004

Date: February 1, 2019

Sec 33, T 75 N, R 44 W



Job Desc: Install new underground and overhead electric supply

**RESOLUTION**  
**NO 19-37**

**RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE  
AND SETTING A PUBLIC HEARING FOR  
GRANTING AN ELECTRIC EASEMENT  
IN CONNECTION WITH THE INSTALLATION OF  
ELECTRIC FACILITIES  
BY MIDAMERICAN ENERGY COMPANY**

WHEREAS, MidAmerican Energy Company wishes to acquire an overhead and underground electric easement to install electrical facilities within the city, as therein described; and

WHEREAS, Mid American Energy Company has submitted an overhead and underground easement for said improvements and the acquisition documents are on file in the office of the City Clerk.

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

That the City Clerk is hereby ordered to set a public hearing for granting an overhead and underground electric easement in connection with the installation of electrical facilities setting March 11, 2019, at 7:00 p.m. as the date and time of said hearing.

ADOPTED  
AND  
APPROVED

February 25, 2019

\_\_\_\_\_  
Matthew J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush, City Clerk



## Council Communication

Department: Community  
Development

Case/Project No.: Case #SAV-19-  
002

Submitted by: Moises Monrroy  
Castillo, Planner

Resolution 19-38  
ITEM 3.E.

Council Action: 2/25/2019

### Description

Resolution of intent to vacate and setting a Public Hearing for March 11, 2019 at 7:00 p.m. for the West north/south alley in Block 10, Burns Addition, lying East of Indian Creek and West of South 13th Street between 21st and 22nd Avenues. SAV-19-002

### Background/Discussion

See attachments

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Case #SAV-19-002 Staff Report CC	Other	2/13/2019
Case #SAV-19-002 Public Hearing Notice	Other	2/13/2019
Case #SAV-19-002 Attachment A	Map	2/13/2019
Case #SAV-19-002 Resolution of Intent	Resolution	2/13/2019
Resolution 19-38	Resolution	2/19/2019

### Council Communication

Department: Community Development  Case #SAV-19-002  Property Owner/Applicant: Richard Swanger 1324 22 <sup>nd</sup> Avenue Council Bluffs, IA 51501	Resolution of Intent No. _____  Resolution to Dispose No. _____	Planning Commission: 2/12/19  Set Public Hearing: 2/25/19  Public Hearing: 3/11/19
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### Subject/Title

**Request:** Public hearing on the request of Richard Swanger to vacate and dispose of the West north/south alley platted in Block 10, Burns Addition, lying East of Indian Creek and between 21<sup>st</sup> Avenue and 22<sup>nd</sup> Avenue.

**Location:** West of 1321 21<sup>st</sup> Street.

### Background/Discussion

The Community Development Department has received an application from Richard Swanger to vacate and dispose of the west north/south alley platted in Block 10, Burns Addition. If vacated, the applicant wishes to acquire the entire alley to expand his residential lots.

The subject north/south alley measures 12 feet wide by 330 feet long and is unimproved. A single-family detached dwelling, an accessory structure and a fence located at 1321 21<sup>st</sup> Avenue and a single-family detached dwelling located at 1324 22<sup>nd</sup> Avenue, all owned by Mr. Swanger, encroach the subject alley. The request would bring these structures into conformance with the City's Municipal Code.

Mr. Swanger also expressed interest in acquiring the east north/south alley platted in Block 10, Burns Addition. As per Ordinance No. 4723, the east north/south alley was vacated by City Council on December 22, 1986. An easement was retained over the alley for utility access and maintenance purposes. Only the portion of the east north/south alley abutting the property addressed as 2118 South 13<sup>th</sup> Street was disposed of by City Council. The portion of said alley adjoining property owned by the applicant is available for acquisition upon request.

On August 25, 2003 the City Council amended the adopted *Policy and Procedures for Alley, Street and Right-of-way Vacations*. The objectives of the amended Policy are as follows:

1. *To provide due process and citizen participation in the application and review process for vacations.*  
The applicant owns all of the land which abuts the subject north/south alley. The Community Development Department mailed Mr. Swanger petitions asking if he was in favor of/opposed to the vacation request and if he was willing to/not willing to acquire the north/south alley, if vacated. The response to this petition is summarized in Comment #10 below.
2. *To ensure that no property owner is deprived of required and reasonable access.*  
All abutting properties have frontage on either 21<sup>st</sup> Avenue or 22<sup>nd</sup> Avenue and will not be landlocked or have their access negatively impacted if the subject north/south alley is vacated.
3. *To discourage the creation and eliminate or reduce existing dead-end alleys, streets or other rights-of-way.*  
This request will not create a dead-end right-of-way, as the request is to vacate the entirety of the west north/south alley located west of South 13<sup>th</sup> Street, between 21<sup>st</sup> Avenue and 22<sup>nd</sup> Avenue.

4. *To reduce or eliminate hazardous and dangerous traffic conditions.*

The subject north/south alley is unimproved and is not used for vehicular and/or pedestrian traffic.

5. *To protect all existing and proposed public utilities located in the right-of-way and to maintain necessary utility easements.*

All City Departments and utilities were notified of the request. The following responses were received:

- Cox Communications stated they had no issues with the vacation. They noted they had network on the MidAmerican power poles erected on the east north/south alley, but none in the subject north/south alley.
- The Permits and Inspections Division stated they have no comments on the vacation.
- The Fire Department stated they have no comments on the vacation.
- Black Hills Energy stated they have no concerns with the vacation.
- MidAmerican Energy Company stated they have no conflict with the vacation.
- The Public Works Department stated they have no infrastructure within the subject north/south alley and have no comments concerning the vacation.
- Council Bluffs Water Works stated they do not have comments on the vacation and have no public facilities located within the north/south alley to be vacated.

6. *To maintain appropriate right-of-way width to ensure that an adequate pedestrian and vehicular circulation system is retained.*

Not applicable.

7. *To discourage the vacation of a portion of an existing alley, street or other right-of-way.*

The request is to vacate the entirety of the west north/south alley platted in Block 10, Burns Addition.

8. *To assist in the implementation of the goals and objectives of the Comprehensive Plan.*

The request is consistent with the local access and circulation objectives stated in Chapter 6, Transportation of the Bluffs Tomorrow: 2030 Plan (comprehensive plan).

9. *To reduce the City's maintenance liability on previously vacated right-of-way parcels from public improvement projects and various lots acquired through delinquent taxes or assessments.*

Not applicable.

10. *To establish an equitable price for surplus public property.*

The Community Development Department mailed the applicant petitions to sign stating if he was in favor of/opposed to the vacation request and if he is willing to/not willing to acquire the north/south alley at no cost. Mr. Swanger stated he is in favor of the request and willing to acquire the north/south alley adjacent to his properties at no cost.

**Recommendation**

The Community Development Department recommends approval to vacate and dispose of the West north/south alley platted in Block 10, Burns Addition, lying East of Indian Creek and between 21<sup>st</sup> Avenue and 22<sup>nd</sup> Avenue.

**Public Hearing**

Staff speaker for the request:

1. Moises Monrroy Castillo, Planner, Community Development Department, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA

Speakers in favor: None

Speakers against: None

**Planning Commission Recommendation**

The Planning Commission recommends approval to vacate and dispose of the West north/south alley in Block 10, Burns Addition, lying East of Indian Creek and between 21<sup>st</sup> and 22<sup>nd</sup> Avenues.

VOTE: AYE 10    NAY 0    ABSTAIN 0    ABSENT 0    VACANT 1    Motion: Carried

**Attachment**

Attachment A: Location and Zoning Map

Prepared by: Moises Monrroy, Planner, Community Development Department

**NOTICE OF PUBLIC HEARING  
ON INTENT TO VACATE CITY PROPERTY**

TO WHOM IT MAY CONCERN:


You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on the request of Richard Swanger to vacate and dispose of the West north/south alley in Block 10, Burns Addition, lying East of Indian Creek and West of South 13<sup>th</sup> Street, between 21<sup>st</sup> and 22<sup>nd</sup> Avenues.

You are further notified that a public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 11<sup>th</sup> day of March, 2019 in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

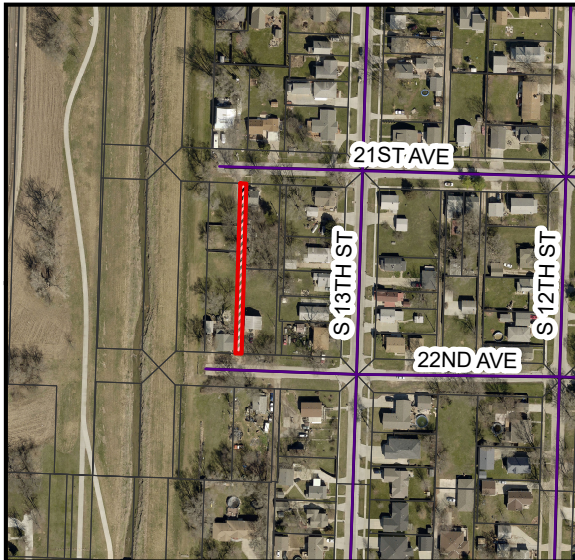
# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION

## CASE #SAV-19-002 LOCATION/ZONING MAP

### Map Legend

 Subject right-of-way

0 30 60  
1 Inch = 63 Feet



Last Amended: 11/19/18

Council Bluffs Community  
Development Department  
209 Pearl Street  
Council Bluffs, IA 51503  
Telephone: (712) 328.4629

#### DISCLAIMER

This map is prepared and compiled from City documents, plans and other public records data. Users of this map are hereby notified that the City expressly denies any and all responsibilities for errors, if any, in the information contained on this map of the misuse of the same by the user or anyone else. The user should verify the accuracy of information/data contained on this map before using it. The City assumes no legal responsibility for the information contained on this map.



Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 328-4629  
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 328-4616

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF INTENT TO VACATE THE WEST NORTH/SOUTH ALLEY IN BLOCK 10, BURNS ADDITION, LYING EAST OF INDIAN CREEK AND WEST OF SOUTH 13<sup>TH</sup> STREET BETWEEN 21<sup>ST</sup> AND 22<sup>ND</sup> AVENUES, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, Richard Swanger requests the vacation of the west north/south alley platted in Block 10, Burns Addition, lying east of Indian Creek and West of South 13<sup>th</sup> Street, between 21<sup>st</sup> and 22<sup>nd</sup> Avenues; and

WHEREAS, this City Council hereby declares its intent to consider disposition of this City right-of-way by conveying and quitclaiming all of its right, title and interest in it to the abutting property owner(s).

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

That this City Council hereby declares its intent to consider disposition of the above described City property; and

BE IT FURTHER RESOLVED

That a public hearing on the City's intent to dispose of this property is hereby set for March 11, 2019.

ADOPTED  
AND  
APPROVED: \_\_\_\_\_, 2019

\_\_\_\_\_  
Matthew J. Walsh, Mayor

ATTEST: \_\_\_\_\_  
Jodi Quakenbush, City Clerk

Planning Case #SAV-19-002



Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 328-4629  
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 328-4616

RESOLUTION NO. 19-38

A RESOLUTION OF INTENT TO VACATE THE WEST NORTH/SOUTH ALLEY IN BLOCK 10, BURNS ADDITION, LYING EAST OF INDIAN CREEK AND WEST OF SOUTH 13<sup>TH</sup> STREET BETWEEN 21<sup>ST</sup> AND 22<sup>ND</sup> AVENUES, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, Richard Swanger requests the vacation of the west north/south alley platted in Block 10, Burns Addition, lying east of Indian Creek and West of South 13<sup>th</sup> Street, between 21<sup>st</sup> and 22<sup>nd</sup> Avenues; and

WHEREAS, this City Council hereby declares its intent to consider disposition of this City right-of-way by conveying and quitclaiming all of its right, title and interest in it to the abutting property owner(s).

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

That this City Council hereby declares its intent to consider disposition of the above described City property; and

BE IT FURTHER RESOLVED

That a public hearing on the City's intent to dispose of this property is hereby set for March 11, 2019.

ADOPTED  
AND  
APPROVED: February 25, 2019

\_\_\_\_\_  
Matthew J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush, City Clerk

Planning Case #SAV-19-002



## Council Communication

Department: Community

Development

Case/Project No.: Case #SAV-19-003

Resolution 19-39  
ITEM 3.F.

Council Action: 2/25/2019

Submitted by: Moises Monrroy  
Castillo, Planner

### Description

Resolution of intent to vacate and setting a Public Hearing for March 11, 2019 at 7:00 p.m. for the east/west alley in Block 5, Fleming and Davis Addition, lying West of S. 17th St between 9th & 10th Ave. SAV-19-003

### Background/Discussion

See attachments

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Case #SAV-19-003 Staff Report	Other	2/13/2019
Case #SAV-19-003 Public Hearing Notice	Other	2/13/2019
Case #SAV-19-003 Attachment A	Map	2/13/2019
Resolution 19-39	Resolution	2/19/2019

## Council Communication

Department: Community Development  Case #SAV-19-003  Property Owner/Applicant: Christopher Brokman 2403 South 17 <sup>th</sup> Street Council Bluffs, IA 51501	Resolution of Intent No. _____  Resolution to Dispose No. _____	Planning Commission: 2/12/19  Set Public Hearing: 2/25/19  Public Hearing: 3/11/19
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### Subject/Title

**Request:** Public hearing on the request of Christopher Brokman to vacate and dispose of the east/west alley platted in Block 5, Fleming and Davis Addition, lying West of South 17<sup>th</sup> Street and between 9<sup>th</sup> Avenue and 10<sup>th</sup> Avenue.

**Location:** North of 920 South 17<sup>th</sup> Street.

### Background/Discussion

The Community Development Department has received an application from Christopher Brokman to vacate and dispose of the east/west alley platted in Block 5, Fleming and Davis Addition. The subject east/west alley is unimproved and measures 16 feet in width by 180 feet in length. If vacated, the applicant intends to acquire the entire alley to expand his industrial operation, Advanced Machine, LLC, located at 920 South 17<sup>th</sup> Street.

On August 25, 2003 the City Council amended the adopted *Policy and Procedures for Alley, Street and Right-of-way Vacations*. The objectives of the amended Policy are as follows:

1. *To provide due process and citizen participation in the application and review process for vacations.*  
The applicant owns both parcels of land which abut the subject east/west alley. The Community Development Department mailed Mr. Brokman a petition asking if he was in favor of/opposed to the vacation request and if he was willing to/not willing to acquire the east/west alley, if vacated. The response to this petition is summarized in Comment #10 below.
2. *To ensure that no property owner is deprived of required and reasonable access.*  
Both abutting properties have frontage on South 17<sup>th</sup> Street and will not be landlocked or have their access negatively impacted if the subject east/west alley is vacated.
3. *To discourage the creation and eliminate or reduce existing dead-end alleys, streets or other rights-of-way.*  
This request will not create a dead-end right-of-way, as the request is to vacate the entirety of the east/west alley located west of South 17<sup>th</sup> Street, between 9<sup>th</sup> and 10<sup>th</sup> Avenue.
4. *To reduce or eliminate hazardous and dangerous traffic conditions.*  
The subject right-of-way is unimproved and is not used for vehicular and/or pedestrian traffic.
5. *To protect all existing and proposed public utilities located in the right-of-way and to maintain necessary utility easements.*  
All City Departments and utilities were notified of the request. The following responses were received:
  - Cox Communications stated they have no issues with the vacation. They noted they have no network in the alley.
  - The Fire Department stated they have no comments on the vacation.
  - MidAmerican Energy Company stated they do not object to the vacation.

- Council Bluffs Water Works stated they have no comments on the vacation. They noted they have no public facilities located within the subject east/west alley.
- The Public Works Department stated they have no concerns with the vacation.

6. *To maintain appropriate right-of-way width to ensure that an adequate pedestrian and vehicular circulation system is retained.*

Not applicable.

7. *To discourage the vacation of a portion of an existing alley, street or other right-of-way.*

The request is to vacate the entirety of the east/west alley platted in Block 5, Burns Addition.

8. *To assist in the implementation of the goals and objectives of the Comprehensive Plan.*

The request is consistent with the local access and circulation objectives stated in Chapter 6, Transportation of the Bluffs Tomorrow: 2030 Plan (comprehensive plan).

9. *To reduce the City's maintenance liability on previously vacated right-of-way parcels from public improvement projects and various lots acquired through delinquent taxes or assessments.*

Not applicable.

10. *To establish an equitable price for surplus public property.*

The Community Development Department mailed the applicant a petition to sign stating if he was in favor of/opposed to the vacation request and if he is willing to/not willing to acquire the east/west alley at no cost. Mr. Brokman stated he is in favor of the request and willing to acquire the east/west alley adjacent to his properties at no cost.

#### **Recommendation**

The Community Development Department recommends approval to vacate and dispose of the east/west alley platted in Block 5, Fleming and Davis Addition, lying West of South 17<sup>th</sup> Street and between 9<sup>th</sup> Avenue and 10<sup>th</sup> Avenue.

#### **Public Hearing**

Staff speaker for the request:

1. Moises Monrroy Castillo, Planner, Community Development Department, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA

Speakers in favor: None

Speakers against: None

#### **Planning Commission Recommendation**

The Planning Commission recommends approval to vacate and dispose of the east/west alley platted in Block 5, Fleming and Davis Addition, lying West of South 17<sup>th</sup> Street and between 9<sup>th</sup> Avenue and 10<sup>th</sup> Avenue.

VOTE: AYE 10    NAY 0    ABSTAIN 0    ABSENT 0    VACANT 1    Motion: Carried

#### **Attachments**

Attachment A: Location and Zoning Map

Prepared by: Moises Monrroy, Planner, Community Development Department

**NOTICE OF PUBLIC HEARING  
ON INTENT TO VACATE CITY PROPERTY**


TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on the request of Christopher Brokman to vacate and dispose of the east/west alley platted in Block 5, Fleming and Davis Addition, lying west of South 17<sup>th</sup> Street and between 9<sup>th</sup> Avenue and 10<sup>th</sup> Avenue.

You are further notified that a public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 11<sup>th</sup> day of March, 2019 in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASE #SAV-19-003 LOCATION/ZONING MAP

## Map Legend

 Subject right-of-way

0 25 50  
1 Inch = 53 Feet



Last Amended: 11/19/18

Council Bluffs Community  
Development Department  
209 Pearl Street  
Council Bluffs, IA 51503  
Telephone: (712) 328.4629

**DISCLAIMER**  
This map is prepared and compiled from  
City documents, plans and other public  
records data. Users of this map are  
hereby notified that the City expressly  
disclaims any and all responsibilities for errors,  
if any, in the information contained on this  
map of the nature of the same by the user  
or anyone else. The user should verify the  
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this map before using it. The City assumes  
no legal responsibility for the information  
contained on this map.





Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 328-4629  
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 328-4616

RESOLUTION NO. 19-39

A RESOLUTION OF INTENT TO VACATE THE EAST/WEST ALLEY PLATTED IN BLOCK 5, FLEMING AND DAVIS ADDITION, LYING WEST OF SOUTH 17<sup>TH</sup> STREET AND BETWEEN 9<sup>TH</sup> AVENUE AND 10<sup>TH</sup> AVENUE, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, Christopher Brokman requests the vacation of the east/west alley platted in Block 5, Fleming and Davis Addition, lying west of South 17<sup>th</sup> Street and between 9<sup>th</sup> Avenue and 10<sup>th</sup> Avenue; and

WHEREAS, this City Council hereby declares its intent to consider disposition of this City right-of-way by conveying and quitclaiming all of its right, title and interest in it to the abutting property owner(s).

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

That this City Council hereby declares its intent to consider disposition of the above described City property; and

BE IT FURTHER RESOLVED

That a public hearing on the City's intent to dispose of this property is hereby set for March 11, 2019.

ADOPTED  
AND  
APPROVED: February 25, 2019

\_\_\_\_\_  
Matthew J. Walsh, Mayor

ATTEST: \_\_\_\_\_  
Jodi Quakenbush, City Clerk

Planning Case #SAV-19-003

## Council Communication

Department: Finance  
Case/Project No.:  
Submitted by: Kathryn Knott

Resolution 19-40  
ITEM 3.G.

Council Action: 2/25/2019

### Description

Resolution Ratifying, Confirming and Approving Publication of Notice and setting Public Hearing for March 11, 2019 at 7:00 p.m. for the issuance of not to exceed \$6,680,000 General Obligation Bonds.

### Background/Discussion

The purpose of the not to exceed \$6,680,000 General Obligation Bonds, is to provide funding for the FY20 CIP improvements classified for bonding purposes as essential corporate purpose bonds. The bond amount allows for the costs related to issuing the bonds.

### Recommendation

Adoption of the resolution is recommended.

### ATTACHMENTS:

Description	Type	Upload Date
FY20 CIP	Resolution	2/15/2019
Resolution 19-40	Resolution	2/19/2019

FY 19-20

PROJECT #	PROJECT TITLE	DESCRIPTION	Current Year Funding Sources									Current Year Project Cost	Notes/Further information	
			Federal	State	Sales	Road Use	GO	Gen Fund	Iowa West Grant	Other Grant	Donations			Other
<b>Building Maintenance</b>			\$0	\$0	\$0	\$0	\$125,000	\$1,406,000	\$0	\$0	\$0	\$250,000	\$1,781,000	
BM-20-01	MAC Parking Lots Rehab - Phase II	Replacement of city owned lots					\$125,000	\$700,000					\$825,000	Gaming
BM-20-02	MAC Renovations - Restroom Rehab	Restroom Upgrade/Remodel						\$168,000					\$168,000	Gaming
BM-20-03	MAC Renovations	Replace HVAC software and systems						\$338,000					\$338,000	Gaming
BM-20-04	UP Museum HVAC Rehab	Chiller and Boiler						\$200,000					\$200,000	Gaming
BM-20-05	Library LED Lights	Library lights replacement									\$250,000	\$250,000	Other = Library Foundation	
<b>Community Development Department</b>			\$300,000	\$0	\$0	\$0	\$1,150,000	\$0	\$300,000	\$0	\$0	\$0	\$1,750,000	
CD-20-01	River's Edge Avenue B & Piazza Parking	Construction					\$700,000						\$700,000	
CD-20-02	S. 19th Street Reconstruction	Construction	\$250,000				\$100,000						\$350,000	CDBG
CD-20-03	Mid City	Property Improvements	\$50,000				\$50,000						\$100,000	Other Grant Funds
CD-20-04	FIRST AVE Program (Furthering Interconnections, Revitalization, Streetscapes, Transportation, and Aesthetics for a Vibrant Economy)	Acquisitions/demolition/trail/infrastructure/studies					\$300,000		\$300,000				\$600,000	
<b>Fire Department</b>			\$0	\$0	\$0	\$0	\$1,250,000	\$0	\$0	\$0	\$0	\$0	\$1,250,000	
FD-20-01	Quint 32 Replacement	Replacement Quint 32					\$1,250,000						\$1,250,000	
													\$0	
<b>Parks, Recreation and Public Property Department</b>			\$0	\$0	\$0	\$0	\$275,000	\$100,000	\$100,000	\$0	\$0	\$0	\$475,000	
PR-20-01	City County Trail Connector	Received additional funding from State, need to add for our 20% match					\$25,000						\$25,000	
PR-20-02	East side Park	New neighborhood park on the East side of Council Bluffs						\$100,000	\$100,000				\$200,000	General Fund
PR-20-03	Golf Course Irrigation Rehabilitation	The existing irrigation system is 20 years old. High iron content in the water increased system deterioration. Controllers, lines and wiring needs replacement. Project would be phased over two years.					\$250,000						\$250,000	
<b>IT</b>			\$0	\$0	\$0	\$0	\$700,000	\$0	\$0	\$0	\$0	\$0	\$700,000	
IT-20-01	IT Software and Hardware	Computer Equipment					\$700,000						\$700,000	
<b>Public Works Department</b>			\$1,288,000	\$6,200,000	\$5,801,000	\$1,750,000	\$4,000,000	\$0	\$6,825,000	\$0	\$0	\$30,356,000	\$56,220,000	
PW-20-01	Infrastructure Maintenance	Citywide street and sidewalk repairs											\$0	Moved to Streets Operating Budget
PW-20-02	Infrastructure Maintenance	Citywide sewer repairs			\$200,000								\$200,000	
PW-20-03	Infrastructure Maintenance	Wastewater plant repairs			\$200,000								\$200,000	
PW-20-04	Infrastructure Management	Evaluation study / analysis TBD			\$125,000								\$125,000	
PW-20-05	NPDES PH II Program Management	Citywide MS4 permit			\$125,000								\$125,000	
PW-20-06	Levee Certification Projects	Missouri River, Indian Creek and Mosquito Creek repair/rehab												
	Program Management										\$150,000	\$150,000		
	Geotech MR_4 & MR_5 (FY15-06C)			\$2,200,000							\$6,550,000	\$8,750,000		
	Geotech MR_3 (PW17-06C)										\$2,800,000	\$2,800,000		
	Drainage IC_2 & IC_3										\$275,000	\$275,000		
	Freeboard IC_1										\$2,220,000	\$2,220,000		
	Geotech MR_6 (PW18-06D)										\$17,700,000	\$17,700,000		
PW-20-09	E Manawa Sewer Rehab - Phase VIII	Pavement, sewer					\$1,500,000						\$1,500,000	Moved to Go to fund ER projects with LOST
PW-20-10	Avenue G Road Extension	River side of levee, part of Riverfront Rvitalization							\$5,500,000				\$5,500,000	Funding from Iowa West with future payback
PW-20-11	28th Street Storm Sewer Rehab, Phase II	Pavement, sewer					\$1,500,000						\$1,500,000	Moved to Go to fund ER projects with LOST
PW-20-12	1st St Neighborhood Rehab - Phase X	Pavement, sewer			\$1,000,000								\$1,000,000	
PW-20-13	Richard Downing Ave Rehab	Pavement, storm sewer - S. 24th St to west				\$750,000							\$750,000	
PW-20-14	Pump Station Rehab	6th Ave P.S. Trash Rack			\$600,000								\$600,000	
PW-20-15	Oakland Drive Rehab	Pavement, sewer - Lincoln Monument to north			\$500,000	\$1,000,000							\$1,500,000	
PW-20-16	E Beltway - Segment E	Greenview Road - East	\$1,288,000		\$161,000						\$161,000	\$1,610,000		Pott Co



PW-20-19	WPCP Effluent Pumping Pad											\$500,000	\$500,000	Other=Sewer Fund
PW-20-20	West Broadway Reconstruction - Segment 4	24th St to 20th St		\$4,000,000	\$1,490,000		\$1,000,000		\$1,325,000				\$7,815,000	
PW-20-21	IDOT Payment for N. 28th St Storm	Payment 1 of 3			\$900,000								\$900,000	
PW-20-22	IDOT Payment for UPRR Bridge	Payment 1 of 5			\$500,000								\$500,000	
<b>Total</b>				<b>\$1,588,000</b>	<b>\$6,200,000</b>	<b>\$5,801,000</b>	<b>\$1,750,000</b>	<b>\$7,500,000</b>	<b>\$1,506,000</b>	<b>\$7,225,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$30,606,000</b>	<b>\$62,176,000</b>

**RESOLUTION 19-40**

**ITEMS TO INCLUDE ON AGENDA FOR FEBRUARY 25, 2019**

**CITY OF COUNCIL BLUFFS, IOWA**

Not to Exceed \$6,680,000 General Obligation Bonds.

- Resolution Ratifying, Confirming and Approving Publication of Notice of Public Hearing.

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

February 25, 2019

The City Council of the City of Council Bluffs, State of Iowa, met in \_\_\_\_\_ session, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at \_\_\_\_\_ .M., on the above date. There were present Mayor \_\_\_\_\_, in the chair, and the following named Council Members:

\_\_\_\_\_

Absent: \_\_\_\_\_

Vacant: \_\_\_\_\_

\* \* \* \* \*

Council Member \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION RATIFYING, CONFIRMING AND APPROVING PUBLICATION OF NOTICE OF PUBLIC HEARING FOR THE ISSUANCE OF NOT TO EXCEED \$6,680,000 GENERAL OBLIGATION BONDS", and moved that the same be adopted. Council Member \_\_\_\_\_ seconded the motion to adopt. The roll was called and the vote was,

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Mayor declared the following Resolution duly adopted:

RESOLUTION 19-40

RESOLUTION RATIFYING, CONFIRMING AND  
APPROVING PUBLICATION OF NOTICE OF PUBLIC  
HEARING FOR THE ISSUANCE OF NOT TO EXCEED  
\$6,680,000 GENERAL OBLIGATION BONDS

WHEREAS, the City of Council Bluffs, State of Iowa, is in need of funds to carry out the purpose of providing funds to pay the costs of:

- a) opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys and public grounds, and market places, and the removal and replacement of dead or diseased trees thereon; the construction, reconstruction, and repairing of any street improvements, bridges, grade crossing separations and approaches; the acquisition, installation, and repair of sidewalks, culverts, retaining walls, storm sewers, sanitary sewers, water service lines, street lighting, and traffic control devices; and the acquisition of any real estate needed for any of the foregoing purposes;
- b) acquisition, construction, reconstruction, and improvement of real and personal property, useful for the reclamation of property situated within the corporate limits of cities from floods or high waters, including the construction of levees, embankments, structures, impounding reservoirs, or conduits, and the development and beautification of the banks and other areas adjacent to flood control improvements;
- c) equipping of the fire department;
- d) rehabilitation and improvement of parks already owned, and facilities, equipment, and improvements commonly found in city parks; and

e) acquisition, restoration, or demolition of abandoned, dilapidated, or dangerous buildings, structures or properties or the abatement of a nuisance;

and

WHEREAS, it is deemed necessary and advisable that the City of Council Bluffs, State of Iowa, should issue General Obligation Bonds, to the amount of not to exceed \$6,680,000, as authorized by Section 384.25, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential corporate purpose projects; and

WHEREAS, before said Bonds may be issued, it is necessary to publish a notice of the proposal to issue such Bonds and of the time and place of the meeting at which it is proposed to take action for the issuance of the Bonds and to receive oral and/or written objections from any resident or property owner to such action; and

WHEREAS, the notice of above meeting has been published as required by Section 384.25 of the Code of Iowa, as amended, and the following action is now considered to be in the best interests of the City and its residents.

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

Section 1. That the action of the Clerk setting a public hearing before the City Council to meet in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 7:00 P.M., the 11th day of March, 2019, for the purpose of taking action on the matter of the issuance of not to exceed \$6,680,000 General Obligation Bonds, for essential corporate purpose projects, the proceeds of which will be used to provide funds to pay the costs of:

a) opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys and public grounds, and market places, and the removal and replacement of dead or diseased trees thereon; the construction, reconstruction, and repairing of any street improvements, bridges, grade crossing separations and approaches; the acquisition, installation, and repair of sidewalks, culverts, retaining walls, storm sewers, sanitary sewers, water service lines, street lighting, and traffic control devices; and the acquisition of any real estate needed for any of the foregoing purposes;

b) acquisition, construction, reconstruction, and improvement of real and personal property, useful for the reclamation of property situated within the corporate limits of cities from floods or high waters, including the construction of levees, embankments, structures, impounding reservoirs, or conduits, and the development and beautification of the banks and other areas adjacent to flood control improvements;

c) equipping of the fire department;

d) rehabilitation and improvement of parks already owned, and facilities, equipment, and improvements commonly found in city parks; and

e) acquisition, restoration, or demolition of abandoned, dilapidated, or dangerous buildings, structures or properties or the abatement of a nuisance,

is hereby ratified, confirmed and approved.

Section 2. That the Clerk has caused publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City, said publication to be not less than four (4) nor more than twenty (20) clear days before the date of the public meeting on the issuance of the Bonds.

Section 3. That the form of notice of public hearing is hereby ratified, confirmed and approved.

PASSED AND APPROVED this 25th day of February, 2019.

---

Mayor

ATTEST:

---

City Clerk

STATE OF IOWA )  
 ) SS  
COUNTY OF POTTAWATTAMIE )

WITNESS my hand and the seal of the Council hereto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

(SEAL)

CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF POTTAWATTAMIE )

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Clerk of the City of Council Bluffs, in the County of Pottawattamie, State of Iowa, and that as such Clerk and by full authority from the Council of the City, I have caused a

NOTICE OF PUBLIC HEARING  
(Not to Exceed \$6,680,000 General Obligation Bonds)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the "Daily Nonpareil", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:

\_\_\_\_\_, 2019.

WITNESS my official signature this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
City Clerk, City of Council Bluffs, State of  
Iowa

(SEAL)

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## Council Communication

Department: Finance  
Case/Project No.:  
Submitted by: Kathryn Knott

Resolution 19-41  
ITEM 3.H.

Council Action: 2/25/2019

### Description

Resolution Ratifying, Confirming and Approving Publication of Notice and setting Public Hearing for March 11, 2019 at 7:00 p.m. for the issuance of not to exceed \$700,000 General Obligation Bonds.

### Background/Discussion

The purpose of the not to exceed \$700,000 General Obligation Bonds, is for the Information Technology upgrades per the FY20 CIP classified for bonding purposes as essential corporate purpose. The bond amount allows for the costs related to issuing the bonds.

### Recommendation

Adoption of the resolution is recommended.

### ATTACHMENTS:

Description	Type	Upload Date
FY20 CIP	Resolution	2/15/2019
Resolution 19-41	Resolution	2/19/2019

FY 19-20

PROJECT #	PROJECT TITLE	DESCRIPTION	Current Year Funding Sources									Current Year Project Cost	Notes/Further information	
			Federal	State	Sales	Road Use	GO	Gen Fund	Iowa West Grant	Other Grant	Donations			Other
<b>Building Maintenance</b>			\$0	\$0	\$0	\$0	\$125,000	\$1,406,000	\$0	\$0	\$0	\$250,000	\$1,781,000	
BM-20-01	MAC Parking Lots Rehab - Phase II	Replacement of city owned lots					\$125,000	\$700,000					\$825,000	Gaming
BM-20-02	MAC Renovations - Restroom Rehab	Restroom Upgrade/Remodel						\$168,000					\$168,000	Gaming
BM-20-03	MAC Renovations	Replace HVAC software and systems						\$338,000					\$338,000	Gaming
BM-20-04	UP Museum HVAC Rehab	Chiller and Boiler						\$200,000					\$200,000	Gaming
BM-20-05	Library LED Lights	Library lights replacement									\$250,000		\$250,000	Other = Library Foundation
<b>Community Development Department</b>			\$300,000	\$0	\$0	\$0	\$1,150,000	\$0	\$300,000	\$0	\$0	\$0	\$1,750,000	
CD-20-01	River's Edge Avenue B & Piazza Parking	Construction					\$700,000						\$700,000	
CD-20-02	S. 19th Street Reconstruction	Construction	\$250,000				\$100,000						\$350,000	CDBG
CD-20-03	Mid City	Property Improvements	\$50,000				\$50,000						\$100,000	Other Grant Funds
CD-20-04	FIRST AVE Program (Furthering Interconnections, Revitalization, Streetscapes, Transportation, and Aesthetics for a Vibrant Economy)	Acquisitions/demolition/trail/infrastructure/studies					\$300,000		\$300,000				\$600,000	
<b>Fire Department</b>			\$0	\$0	\$0	\$0	\$1,250,000	\$0	\$0	\$0	\$0	\$0	\$1,250,000	
FD-20-01	Quint 32 Replacement	Replacement Quint 32					\$1,250,000						\$1,250,000	
													\$0	
<b>Parks, Recreation and Public Property Department</b>			\$0	\$0	\$0	\$0	\$275,000	\$100,000	\$100,000	\$0	\$0	\$0	\$475,000	
PR-20-01	City County Trail Connector	Received additional funding from State, need to add for our 20% match					\$25,000						\$25,000	
PR-20-02	East side Park	New neighborhood park on the East side of Council Bluffs						\$100,000	\$100,000				\$200,000	General Fund
PR-20-03	Golf Course Irrigation Rehabilitation	The existing irrigation system is 20 years old. High iron content in the water increased system deterioration. Controllers, lines and wiring needs replacement. Project would be phased over two years.					\$250,000						\$250,000	
<b>IT</b>			\$0	\$0	\$0	\$0	\$700,000	\$0	\$0	\$0	\$0	\$0	\$700,000	
IT-20-01	IT Software and Hardware	Computer Equipment					\$700,000						\$700,000	
<b>Public Works Department</b>			\$1,288,000	\$6,200,000	\$5,801,000	\$1,750,000	\$4,000,000	\$0	\$6,825,000	\$0	\$0	\$30,356,000	\$56,220,000	
PW-20-01	Infrastructure Maintenance	Citywide street and sidewalk repairs											\$0	Moved to Streets Operating Budget
PW-20-02	Infrastructure Maintenance	Citywide sewer repairs			\$200,000								\$200,000	
PW-20-03	Infrastructure Maintenance	Wastewater plant repairs			\$200,000								\$200,000	
PW-20-04	Infrastructure Management	Evaluation study / analysis TBD			\$125,000								\$125,000	
PW-20-05	NPDES PH II Program Management	Citywide MS4 permit			\$125,000								\$125,000	
PW-20-06	Levee Certification Projects	Missouri River, Indian Creek and Mosquito Creek repair/rehab												
	Program Management										\$150,000		\$150,000	
	Geotech MR_4 & MR_5 (FY15-06C)			\$2,200,000							\$6,550,000		\$8,750,000	
	Geotech MR_3 (PW17-06C)										\$2,800,000		\$2,800,000	
	Drainage IC_2 & IC_3										\$275,000		\$275,000	
	Freeboard IC_1										\$2,220,000		\$2,220,000	
	Geotech MR_6 (PW18-06D)										\$17,700,000		\$17,700,000	
PW-20-09	E Manawa Sewer Rehab - Phase VIII	Pavement, sewer					\$1,500,000						\$1,500,000	Moved to Go to fund ER projects with LOST
PW-20-10	Avenue G Road Extension	River side of levee, part of Riverfront Rvitalization							\$5,500,000				\$5,500,000	Funding from Iowa West with future payback
PW-20-11	28th Street Storm Sewer Rehab, Phase II	Pavement, sewer					\$1,500,000						\$1,500,000	Moved to Go to fund ER projects with LOST
PW-20-12	1st St Neighborhood Rehab - Phase X	Pavement, sewer			\$1,000,000								\$1,000,000	
PW-20-13	Richard Downing Ave Rehab	Pavement, storm sewer - S. 24th St to west				\$750,000							\$750,000	
PW-20-14	Pump Station Rehab	6th Ave P.S. Trash Rack			\$600,000								\$600,000	
PW-20-15	Oakland Drive Rehab	Pavement, sewer - Lincoln Monument to north			\$500,000	\$1,000,000							\$1,500,000	
PW-20-16	E Beltway - Segment E	Greenview Road - East	\$1,288,000		\$161,000						\$161,000		\$1,610,000	Pott Co

PW-20-19	WPCP Effluent Pumping Pad											\$500,000	\$500,000	Other=Sewer Fund
PW-20-20	West Broadway Reconstruction - Segment 4	24th St to 20th St		\$4,000,000	\$1,490,000		\$1,000,000		\$1,325,000				\$7,815,000	
PW-20-21	IDOT Payment for N. 28th St Storm	Payment 1 of 3			\$900,000								\$900,000	
PW-20-22	IDOT Payment for UPRR Bridge	Payment 1 of 5			\$500,000								\$500,000	
<b>Total</b>				<b>\$1,588,000</b>	<b>\$6,200,000</b>	<b>\$5,801,000</b>	<b>\$1,750,000</b>	<b>\$7,500,000</b>	<b>\$1,506,000</b>	<b>\$7,225,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$30,606,000</b>	<b>\$62,176,000</b>

**RESOLUTION 19-41**

**ITEMS TO INCLUDE ON AGENDA FOR FEBRUARY 25, 2019**

**CITY OF COUNCIL BLUFFS, IOWA**

Not to Exceed \$700,000 General Obligation Bonds.

- Resolution Ratifying, Confirming and Approving Publication of Notice of Public Hearing.

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

February 25, 2019

The City Council of the City of Council Bluffs, State of Iowa, met in \_\_\_\_\_ session, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at \_\_\_\_\_ .M., on the above date. There were present Mayor \_\_\_\_\_, in the chair, and the following named Council Members:

\_\_\_\_\_

Absent: \_\_\_\_\_

Vacant: \_\_\_\_\_

\* \* \* \* \*

Council Member \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION RATIFYING, CONFIRMING AND APPROVING PUBLICATION OF NOTICE OF PUBLIC HEARING FOR THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION BONDS", and moved that the same be adopted. Council Member \_\_\_\_\_ seconded the motion to adopt. The roll was called and the vote was,

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Mayor declared the following Resolution duly adopted:

RESOLUTION 19-41

RESOLUTION RATIFYING, CONFIRMING AND  
APPROVING PUBLICATION OF NOTICE OF PUBLIC  
HEARING FOR THE ISSUANCE OF NOT TO EXCEED  
\$700,000 GENERAL OBLIGATION BONDS

WHEREAS, the City of Council Bluffs, State of Iowa, is in need of funds to carry out the purpose of providing funds to pay the costs of acquisition, construction, reconstruction, enlargement, improvement, and equipping, including information technology hardware and software, of city buildings; and

WHEREAS, it is deemed necessary and advisable that the City of Council Bluffs, State of Iowa, should issue General Obligation Bonds, to the amount of not to exceed \$700,000, as authorized by Section 384.26, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general corporate purpose projects; and

WHEREAS, the Issuer has a population of more than 5,000 but not more than 75,000, and the Bonds for these purposes do not exceed \$700,000; and

WHEREAS, before the Bonds may be issued, it is necessary to comply with the provisions of Chapter 384 of the Code of Iowa, and to publish a notice of the proposal to issue such Bonds to receive oral and/or written objections from any resident or property owner to such action, and the right to petition for an election; and

WHEREAS, the notice of above meeting has been published as required by Section 384.26 of the Code of Iowa, as amended, and the following action is now considered to be in the best interests of the City and its residents.



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

Section 1. That the action of the Clerk setting a public hearing before the City Council to meet in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 7:00 P.M., the 11th day of March, 2019, for the purpose of taking action on the matter of the issuance of not to exceed \$700,000 General Obligation Bonds, for general corporate purpose projects, the proceeds of which will be used to provide funds to pay the costs of acquisition, construction, reconstruction, enlargement, improvement, and equipping, including information technology hardware and software, of city buildings, is hereby ratified, confirmed and approved.

Section 2. That the Clerk has caused publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City, said publication to be not less than ten (10) nor more than twenty (20) clear days before the date of the public meeting on the issuance of the Bonds.

Section 3. That the form of notice of public hearing is hereby ratified, confirmed and approved.

PASSED AND APPROVED this 25th day of February, 2019.

---

Mayor

ATTEST:

---

City Clerk

STATE OF IOWA )  
 ) SS  
COUNTY OF POTTAWATTAMIE )

WITNESS my hand and the seal of the Council hereto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

(SEAL)

58

STATE OF IOWA )  
 ) SS  
COUNTY OF POTTAWATTAMIE )

**NOTICE OF PUBLIC HEARING**  
**(Not to Exceed \$700,000 General Obligation Bonds)**

\_\_\_\_\_, 2019.

WITNESS my official signature this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

(SEAL)

## Council Communication

Department: Finance  
Case/Project No.:  
Submitted by: Kathryn Knott

Resolution 19-42  
ITEM 3.I.

Council Action: 2/25/2019

### Description

Resolution Ratifying, Confirming and Approving Publication of Notice and setting Public Hearing for March 11, 2019 at 7:00 p.m. for the issuance of not to exceed \$160,000 General Obligation Bonds.

### Background/Discussion

The purpose of the not to exceed \$160,000 General Obligation Bonds, is for the Mid-America Center parking lot improvement and for the City County Trail Connector per the FY20 CIP classified for bonding purposes as essential corporate purpose. The bond amount allows for the costs related to issuing the bonds.

### Recommendation

Adoption of the resolution is recommended.

### ATTACHMENTS:

Description	Type	Upload Date
FY20 CIP	Resolution	2/15/2019
Resolution 19-42	Resolution	2/19/2019

FY 19-20

PROJECT #	PROJECT TITLE	DESCRIPTION	Current Year Funding Sources									Current Year Project Cost	Notes/Further information	
			Federal	State	Sales	Road Use	GO	Gen Fund	Iowa West Grant	Other Grant	Donations			Other
<b><u>Building Maintenance</u></b>			\$0	\$0	\$0	\$0	\$125,000	\$1,406,000	\$0	\$0	\$0	\$250,000	\$1,781,000	
BM-20-01	MAC Parking Lots Rehab - Phase II	Replacement of city owned lots					\$125,000	\$700,000					\$825,000	Gaming
BM-20-02	MAC Renovations - Restroom Rehab	Restroom Upgrade/Remodel						\$168,000					\$168,000	Gaming
BM-20-03	MAC Renovations	Replace HVAC software and systems						\$338,000					\$338,000	Gaming
BM-20-04	UP Museum HVAC Rehab	Chiller and Boiler						\$200,000					\$200,000	Gaming
BM-20-05	Library LED Lights	Library lights replacement									\$250,000		\$250,000	Other = Library Foundation
<b><u>Community Development Department</u></b>			\$300,000	\$0	\$0	\$0	\$1,150,000	\$0	\$300,000	\$0	\$0	\$0	\$1,750,000	
CD-20-01	River's Edge Avenue B & Piazza Parking	Construction					\$700,000						\$700,000	
CD-20-02	S. 19th Street Reconstruction	Construction	\$250,000				\$100,000						\$350,000	CDBG
CD-20-03	Mid City	Property Improvements	\$50,000				\$50,000						\$100,000	Other Grant Funds
CD-20-04	FIRST AVE Program (Furthering Interconnections, Revitalization, Streetscapes, Transportation, and Aesthetics for a Vibrant Economy)	Acquisitions/demolition/trail/infrastructure/studies					\$300,000		\$300,000				\$600,000	
<b><u>Fire Department</u></b>			\$0	\$0	\$0	\$0	\$1,250,000	\$0	\$0	\$0	\$0	\$0	\$1,250,000	
FD-20-01	Quint 32 Replacement	Replacement Quint 32					\$1,250,000						\$1,250,000	
													\$0	
<b><u>Parks, Recreation and Public Property Department</u></b>			\$0	\$0	\$0	\$0	\$275,000	\$100,000	\$100,000	\$0	\$0	\$0	\$475,000	
PR-20-01	City County Trail Connector	Received additional funding from State, need to add for our 20% match					\$25,000						\$25,000	
PR-20-02	East side Park	New neighborhood park on the East side of Council Bluffs						\$100,000	\$100,000				\$200,000	General Fund
PR-20-03	Golf Course Irrigation Rehabilitation	The existing irrigation system is 20 years old. High iron content in the water increased system deterioration. Controllers, lines and wiring needs replacement. Project would be phased over two years.					\$250,000						\$250,000	
<b><u>IT</u></b>			\$0	\$0	\$0	\$0	\$700,000	\$0	\$0	\$0	\$0	\$0	\$700,000	
IT-20-01	IT Software and Hardware	Computer Equipment					\$700,000						\$700,000	
<b><u>Public Works Department</u></b>			\$1,288,000	\$6,200,000	\$5,801,000	\$1,750,000	\$4,000,000	\$0	\$6,825,000	\$0	\$0	\$30,356,000	\$56,220,000	
PW-20-01	Infrastructure Maintenance	Citywide street and sidewalk repairs											\$0	Moved to Streets Operating Budget
PW-20-02	Infrastructure Maintenance	Citywide sewer repairs			\$200,000								\$200,000	
PW-20-03	Infrastructure Maintenance	Wastewater plant repairs			\$200,000								\$200,000	
PW-20-04	Infrastructure Management	Evaluation study / analysis TBD			\$125,000								\$125,000	
PW-20-05	NPDES PH II Program Management	Citywide MS4 permit			\$125,000								\$125,000	
PW-20-06	Levee Certification Projects	Missouri River, Indian Creek and Mosquito Creek repair/rehab												
	Program Management										\$150,000		\$150,000	
	Geotech MR_4 & MR_5 (FY15-06C)			\$2,200,000							\$6,550,000		\$8,750,000	
	Geotech MR_3 (PW17-06C)										\$2,800,000		\$2,800,000	
	Drainage IC_2 & IC_3										\$275,000		\$275,000	
	Freeboard IC_1										\$2,220,000		\$2,220,000	
	Geotech MR_6 (PW18-06D)										\$17,700,000		\$17,700,000	
PW-20-09	E Manawa Sewer Rehab - Phase VIII	Pavement, sewer					\$1,500,000						\$1,500,000	Moved to Go to fund ER projects with LOST
PW-20-10	Avenue G Road Extension	River side of levee, part of Riverfront Rvitalization							\$5,500,000				\$5,500,000	Funding from Iowa West with future payback
PW-20-11	28th Street Storm Sewer Rehab, Phase II	Pavement, sewer					\$1,500,000						\$1,500,000	Moved to Go to fund ER projects with LOST
PW-20-12	1st St Neighborhood Rehab - Phase X	Pavement, sewer			\$1,000,000								\$1,000,000	
PW-20-13	Richard Downing Ave Rehab	Pavement, storm sewer - S. 24th St to west				\$750,000							\$750,000	
PW-20-14	Pump Station Rehab	6th Ave P.S. Trash Rack			\$600,000								\$600,000	
PW-20-15	Oakland Drive Rehab	Pavement, sewer - Lincoln Monument to north			\$500,000	\$1,000,000							\$1,500,000	
PW-20-16	E Beltway - Segment E	Greenview Road - East	\$1,288,000		\$161,000						\$161,000		\$1,610,000	Pott Co

PW-20-19	WPCP Effluent Pumping Pad											\$500,000	\$500,000	Other=Sewer Fund
PW-20-20	West Broadway Reconstruction - Segment 4	24th St to 20th St		\$4,000,000	\$1,490,000		\$1,000,000		\$1,325,000				\$7,815,000	
PW-20-21	IDOT Payment for N. 28th St Storm	Payment 1 of 3			\$900,000								\$900,000	
PW-20-22	IDOT Payment for UPRR Bridge	Payment 1 of 5			\$500,000								\$500,000	
<b>Total</b>				<b>\$1,588,000</b>	<b>\$6,200,000</b>	<b>\$5,801,000</b>	<b>\$1,750,000</b>	<b>\$7,500,000</b>	<b>\$1,506,000</b>	<b>\$7,225,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$30,606,000</b>	<b>\$62,176,000</b>

**RESOLUTION 19-42**

**ITEMS TO INCLUDE ON AGENDA FOR FEBRUARY 25, 2019**

**CITY OF COUNCIL BLUFFS, IOWA**

Not to Exceed \$160,000 General Obligation Bonds.

- Resolution Ratifying, Confirming and Approving Publication of Notice of Public Hearing.

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



February 25, 2019

The City Council of the City of Council Bluffs, State of Iowa, met in \_\_\_\_\_ session, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at \_\_\_\_\_ .M., on the above date. There were present Mayor \_\_\_\_\_, in the chair, and the following named Council Members:

\_\_\_\_\_

Absent: \_\_\_\_\_

Vacant: \_\_\_\_\_

\* \* \* \* \*

Council Member \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION RATIFYING, CONFIRMING AND APPROVING PUBLICATION OF NOTICE OF PUBLIC HEARING FOR THE ISSUANCE OF NOT TO EXCEED \$160,000 GENERAL OBLIGATION BONDS", and moved that the same be adopted. Council Member \_\_\_\_\_ seconded the motion to adopt. The roll was called and the vote was,

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Mayor declared the following Resolution duly adopted:

RESOLUTION 19-42

RESOLUTION RATIFYING, CONFIRMING AND  
APPROVING PUBLICATION OF NOTICE OF PUBLIC  
HEARING FOR THE ISSUANCE OF NOT TO EXCEED  
\$160,000 GENERAL OBLIGATION BONDS

WHEREAS, the City of Council Bluffs, State of Iowa, is in need of funds to carry out the purpose of providing funds to pay the costs of:

- a) construction, reconstruction, enlargement, improvement, and equipping of recreation grounds and trails, recreation buildings, and recreation centers; and
- b) acquisition, construction, reconstruction, extension, improvement of city enterprises, and public improvements as defined in section 384.37, other than those which are essential corporate purposes;

and

WHEREAS, it is deemed necessary and advisable that the City of Council Bluffs, State of Iowa, should issue General Obligation Bonds, to the amount of not to exceed \$160,000, as authorized by Section 384.26, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general corporate purpose projects; and

WHEREAS, the Issuer has a population of more than 5,000 but not more than 75,000, and the Bonds for these purposes do not exceed \$700,000; and

WHEREAS, before the Bonds may be issued, it is necessary to comply with the provisions of Chapter 384 of the Code of Iowa, and to publish a notice of the proposal to issue

such Bonds to receive oral and/or written objections from any resident or property owner to such action, and the right to petition for an election; and

WHEREAS, the notice of above meeting has been published as required by Section 384.26 of the Code of Iowa, as amended, and the following action is now considered to be in the best interests of the City and its residents.

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

Section 1. That the action of the Clerk setting a public hearing before the City Council to meet in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 7:00 P.M., the 11th day of March, 2019, for the purpose of taking action on the matter of the issuance of not to exceed \$160,000 General Obligation Bonds, for general corporate purpose projects, the proceeds of which will be used to provide funds to pay the costs of:

- a) construction, reconstruction, enlargement, improvement, and equipping of recreation grounds and trails, recreation buildings, and recreation centers; and
- b) acquisition, construction, reconstruction, extension, improvement of city enterprises, and public improvements as defined in section 384.37, other than those which are essential corporate purposes,

is hereby ratified, confirmed and approved.

Section 2. That the Clerk has caused publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City, said publication to be not less than ten (10) nor more than twenty (20) clear days before the date of the public meeting on the issuance of the Bonds.

Section 3. That the form of notice of public hearing is hereby ratified, confirmed and approved.

PASSED AND APPROVED this 25th day of February, 2019.

---

Mayor

ATTEST:

---

City Clerk

STATE OF IOWA )  
 ) SS  
COUNTY OF POTTAWATTAMIE )

WITNESS my hand and the seal of the Council hereto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

(SEAL)

67

STATE OF IOWA )  
 ) SS  
COUNTY OF POTTAWATTAMIE )

**NOTICE OF PUBLIC HEARING**  
**(Not to Exceed \$160,000 General Obligation Bonds)**

\_\_\_\_\_, 2019.

WITNESS my official signature this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

(SEAL)

## Council Communication

Department: Finance  
Case/Project No.:  
Submitted by: Kathryn Knott

Resolution 19-43  
ITEM 3.J.

Council Action: 2/25/2019

### Description

Resolution Ratifying, Confirming and Approving Publication of Notice and setting Public Hearing for March 11, 2019 at 7:00 p.m. for the issuance of not to exceed \$260,000 General Obligation Bonds.

### Background/Discussion

The purpose of the not to exceed \$260,000 General Obligation Bonds, is for the golf course irrigation rehabilitation per the FY20 CIP classified for bonding purposes as essential corporate purpose. The bond amount allows for the costs related to issuing the bonds.

### Recommendation

Adoption of the resolution is recommended

### ATTACHMENTS:

Description	Type	Upload Date
FY20 CIP	Resolution	2/15/2019
Resolution 19-43	Resolution	2/19/2019

FY 19-20

PROJECT #	PROJECT TITLE	DESCRIPTION	Current Year Funding Sources									Current Year Project Cost	Notes/Further information	
			Federal	State	Sales	Road Use	GO	Gen Fund	Iowa West Grant	Other Grant	Donations			Other
<b><u>Building Maintenance</u></b>			\$0	\$0	\$0	\$0	\$125,000	\$1,406,000	\$0	\$0	\$0	\$250,000	\$1,781,000	
BM-20-01	MAC Parking Lots Rehab - Phase II	Replacement of city owned lots					\$125,000	\$700,000					\$825,000	Gaming
BM-20-02	MAC Renovations - Restroom Rehab	Restroom Upgrade/Remodel						\$168,000					\$168,000	Gaming
BM-20-03	MAC Renovations	Replace HVAC software and systems						\$338,000					\$338,000	Gaming
BM-20-04	UP Museum HVAC Rehab	Chiller and Boiler						\$200,000					\$200,000	Gaming
BM-20-05	Library LED Lights	Library lights replacement									\$250,000		\$250,000	Other = Library Foundation
<b><u>Community Development Department</u></b>			\$300,000	\$0	\$0	\$0	\$1,150,000	\$0	\$300,000	\$0	\$0	\$0	\$1,750,000	
CD-20-01	River's Edge Avenue B & Piazza Parking	Construction					\$700,000						\$700,000	
CD-20-02	S. 19th Street Reconstruction	Construction	\$250,000				\$100,000						\$350,000	CDBG
CD-20-03	Mid City	Property Improvements	\$50,000				\$50,000						\$100,000	Other Grant Funds
CD-20-04	FIRST AVE Program (Furthering Interconnections, Revitalization, Streetscapes, Transportation, and Aesthetics for a Vibrant Economy)	Acquisitions/demolition/trail/infrastructure/studies					\$300,000		\$300,000				\$600,000	
<b><u>Fire Department</u></b>			\$0	\$0	\$0	\$0	\$1,250,000	\$0	\$0	\$0	\$0	\$0	\$1,250,000	
FD-20-01	Quint 32 Replacement	Replacement Quint 32					\$1,250,000						\$1,250,000	
													\$0	
<b><u>Parks, Recreation and Public Property Department</u></b>			\$0	\$0	\$0	\$0	\$275,000	\$100,000	\$100,000	\$0	\$0	\$0	\$475,000	
PR-20-01	City County Trail Connector	Received additional funding from State, need to add for our 20% match					\$25,000						\$25,000	
PR-20-02	East side Park	New neighborhood park on the East side of Council Bluffs						\$100,000	\$100,000				\$200,000	General Fund
PR-20-03	Golf Course Irrigation Rehabilitation	The existing irrigation system is 20 years old. High iron content in the water increased system deterioration. Controllers, lines and wiring needs replacement. Project would be phased over two years.					\$250,000						\$250,000	
<b><u>IT</u></b>			\$0	\$0	\$0	\$0	\$700,000	\$0	\$0	\$0	\$0	\$0	\$700,000	
IT-20-01	IT Software and Hardware	Computer Equipment					\$700,000						\$700,000	
<b><u>Public Works Department</u></b>			\$1,288,000	\$6,200,000	\$5,801,000	\$1,750,000	\$4,000,000	\$0	\$6,825,000	\$0	\$0	\$30,356,000	\$56,220,000	
PW-20-01	Infrastructure Maintenance	Citywide street and sidewalk repairs											\$0	Moved to Streets Operating Budget
PW-20-02	Infrastructure Maintenance	Citywide sewer repairs			\$200,000								\$200,000	
PW-20-03	Infrastructure Maintenance	Wastewater plant repairs			\$200,000								\$200,000	
PW-20-04	Infrastructure Management	Evaluation study / analysis TBD			\$125,000								\$125,000	
PW-20-05	NPDES PH II Program Management	Citywide MS4 permit			\$125,000								\$125,000	
PW-20-06	Levee Certification Projects	Missouri River, Indian Creek and Mosquito Creek repair/rehab												
	Program Management										\$150,000		\$150,000	
	Geotech MR_4 & MR_5 (FY15-06C)			\$2,200,000							\$6,550,000		\$8,750,000	
	Geotech MR_3 (PW17-06C)										\$2,800,000		\$2,800,000	
	Drainage IC_2 & IC_3										\$275,000		\$275,000	
	Freeboard IC_1										\$2,220,000		\$2,220,000	
	Geotech MR_6 (PW18-06D)										\$17,700,000		\$17,700,000	
PW-20-09	E Manawa Sewer Rehab - Phase VIII	Pavement, sewer					\$1,500,000						\$1,500,000	Moved to Go to fund ER projects with LOST
PW-20-10	Avenue G Road Extension	River side of levee, part of Riverfront Rvitalization							\$5,500,000				\$5,500,000	Funding from Iowa West with future payback
PW-20-11	28th Street Storm Sewer Rehab, Phase II	Pavement, sewer					\$1,500,000						\$1,500,000	Moved to Go to fund ER projects with LOST
PW-20-12	1st St Neighborhood Rehab - Phase X	Pavement, sewer			\$1,000,000								\$1,000,000	
PW-20-13	Richard Downing Ave Rehab	Pavement, storm sewer - S. 24th St to west				\$750,000							\$750,000	
PW-20-14	Pump Station Rehab	6th Ave P.S. Trash Rack			\$600,000								\$600,000	
PW-20-15	Oakland Drive Rehab	Pavement, sewer - Lincoln Monument to north			\$500,000	\$1,000,000							\$1,500,000	
PW-20-16	E Beltway - Segment E	Greenview Road - East	\$1,288,000		\$161,000						\$161,000		\$1,610,000	Pott Co



PW-20-19	WPCP Effluent Pumping Pad											\$500,000	\$500,000	Other=Sewer Fund
PW-20-20	West Broadway Reconstruction - Segment 4	24th St to 20th St		\$4,000,000	\$1,490,000		\$1,000,000		\$1,325,000				\$7,815,000	
PW-20-21	IDOT Payment for N. 28th St Storm	Payment 1 of 3			\$900,000								\$900,000	
PW-20-22	IDOT Payment for UPRR Bridge	Payment 1 of 5			\$500,000								\$500,000	
<b>Total</b>				<b>\$1,588,000</b>	<b>\$6,200,000</b>	<b>\$5,801,000</b>	<b>\$1,750,000</b>	<b>\$7,500,000</b>	<b>\$1,506,000</b>	<b>\$7,225,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$30,606,000</b>	<b>\$62,176,000</b>

**RESOLUTION 19-43**

**ITEMS TO INCLUDE ON AGENDA FOR FEBRUARY 25, 2019**

**CITY OF COUNCIL BLUFFS, IOWA**

Not to Exceed \$260,000 General Obligation Bonds.

- Resolution Ratifying, Confirming and Approving Publication of Notice of Public Hearing.

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

February 25, 2019

The City Council of the City of Council Bluffs, State of Iowa, met in \_\_\_\_\_ session, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at \_\_\_\_\_ .M., on the above date. There were present Mayor \_\_\_\_\_, in the chair, and the following named Council Members:

\_\_\_\_\_

Absent: \_\_\_\_\_

Vacant: \_\_\_\_\_

\* \* \* \* \*

Council Member \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION RATIFYING, CONFIRMING AND APPROVING PUBLICATION OF NOTICE OF PUBLIC HEARING FOR THE ISSUANCE OF NOT TO EXCEED \$260,000 GENERAL OBLIGATION BONDS", and moved that the same be adopted. Council Member \_\_\_\_\_ seconded the motion to adopt. The roll was called and the vote was,

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Mayor declared the following Resolution duly adopted:

RESOLUTION 19-43

RESOLUTION RATIFYING, CONFIRMING AND  
APPROVING PUBLICATION OF NOTICE OF PUBLIC  
HEARING FOR THE ISSUANCE OF NOT TO EXCEED  
\$260,000 GENERAL OBLIGATION BONDS

WHEREAS, the City of Council Bluffs, State of Iowa, is in need of funds to carry out the purpose of providing funds to pay the costs of construction, reconstruction, enlargement, improvement, and equipping of the golf course; and

WHEREAS, it is deemed necessary and advisable that the City of Council Bluffs, State of Iowa, should issue General Obligation Bonds, to the amount of not to exceed \$260,000, as authorized by Section 384.26, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general corporate purpose projects; and

WHEREAS, the Issuer has a population of more than 5,000 but not more than 75,000, and the Bonds for these purposes do not exceed \$700,000; and

WHEREAS, before the Bonds may be issued, it is necessary to comply with the provisions of Chapter 384 of the Code of Iowa, and to publish a notice of the proposal to issue such Bonds to receive oral and/or written objections from any resident or property owner to such action, and the right to petition for an election; and

WHEREAS, the notice of above meeting has been published as required by Section 384.26 of the Code of Iowa, as amended, and the following action is now considered to be in the best interests of the City and its residents.

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

Section 1. That the action of the Clerk setting a public hearing before the City Council to meet in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 7:00 P.M., the 11th day of March, 2019, for the purpose of taking action on the matter of the issuance of not to exceed \$260,000 General Obligation Bonds, for general corporate purpose projects, the proceeds of which will be used to provide funds to pay the costs of construction, reconstruction, enlargement, improvement, and equipping of the golf course, is hereby ratified, confirmed and approved.

Section 2. That the Clerk has caused publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City, said publication to be not less than ten (10) nor more than twenty (20) clear days before the date of the public meeting on the issuance of the Bonds.

Section 3. That the form of notice of public hearing is hereby ratified, confirmed and approved.

PASSED AND APPROVED this 25th day of February, 2019.

---

Mayor

ATTEST:

---

City Clerk

STATE OF IOWA )  
 ) SS  
COUNTY OF POTTAWATTAMIE )

WITNESS my hand and the seal of the Council hereto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

(SEAL)

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CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF POTTAWATTAMIE )

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Clerk of the City of Council Bluffs, in the County of Pottawattamie, State of Iowa, and that as such Clerk and by full authority from the Council of the City, I have caused a

NOTICE OF PUBLIC HEARING  
(Not to Exceed \$260,000 General Obligation Bonds)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the "Daily Nonpareil", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:

\_\_\_\_\_, 2019.

WITNESS my official signature this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
City Clerk, City of Council Bluffs, State of  
Iowa

(SEAL)

01564939-1\10342-151\#4

## Council Communication

Department: Finance  
Case/Project No.:  
Submitted by:

January FY19 Financial Reports  
ITEM 3.K.

Council Action: 2/25/2019

### Description

### Background/Discussion

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Expenditures by Amount	Resolution	2/15/2019
Expenditures by Payee	Resolution	2/15/2019
Receipts & Expenditures by Fund	Resolution	2/15/2019



**CITY OF COUNCIL BLUFFS**  
**EXPENDITURES**  
**January, FY19**  
**(\$'S)**

PAYEE	AMOUNT	BUSINESS PURPOSE
PAYROLL	\$1,807,912.36	CITY EMPLOYEE PAYROLL
SILVERSTONE GROUP INC.	\$1,084,659.37	INSURANCE
EFTPS	\$503,349.93	EMPLOYEE TAXES
MFPRSI	\$465,761.27	RETIREMENT
VALLEY CORPORATION	\$390,626.05	CONSTRUCTION
BLUFFS PAVING & UTILITY INC	\$215,524.92	CONSTRUCTION
ERIKSEN CONSTRUCTION CO INC	\$213,750.00	CONSTRUCTION
RED RIVER WASTE SOLUTIONS LP	\$212,354.58	REFUSE COLLECTION
IPERS	\$207,272.65	RETIREMENT
HGM ASSOCIATES INC	\$199,012.60	PROFESSIONAL SVCS
CAESARS ENTERTAINMENT	\$192,389.65	MAC OPERATING EXPENDITURE
TITAN MACHINERY INC	\$186,697.00	EQUIPMENT/PARTS
COUNCIL BLUFFS CONVENTION & VISITORS BUREAU	\$156,250.00	CONTRACTURAL SVC
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$135,243.85	EMPLOYEE CONTRIB
TELAMON TECHNOLOGIES CORP	\$134,349.24	EQUIPMENT/PARTS
ANDERSON EXCAVATING CO. INC.	\$129,213.40	CONTRACTURAL SVC
PAYROLL	\$121,938.21	MAC OPERATING EXPENDITURE
IOWA DEPT OF REVENUE	\$117,445.00	EMPLOYEE TAXES
MIDAMERICAN ENERGY	\$113,445.84	ELECTRICITY
US BANK	\$108,751.09	CREDIT CARD PURCHASES
SAMPSON CONSTRUCTION CO INC	\$104,203.00	CONSTRUCTION
STUDIO 15 COMMERCIAL INTERIORS INC	\$86,926.27	CONTRACT LABOR
TYLER TECHNOLOGIES INC	\$78,360.56	HARDWARE/SOFTWARE
SECURITY EQUIPMENT INCORPORATED	\$75,195.23	CONTRACTURAL SVC
TRANSIT AUTHORITY OF THE CITY OF OMAHA	\$64,082.00	BUS SERVICE
NATIONWIDE RETIREMENT SOLUTIONS INC	\$61,799.22	EMPLOYEE CONTRIB
HANOVER PREST-PAVING CO	\$51,940.44	LANDSCAPING SUPPLIES
DOSTALS CONSTRUCTION CO INC	\$48,465.00	CONSTRUCTION
PROJECT ADVOCATES	\$46,686.08	CONTRACTURAL SVC
CENTRAL SALT LLC	\$44,097.21	STREET MAINTENANCE SUPPLS
IOWA WASTE SERVICES LLC	\$37,705.76	SOLID WASTE DISPOSAL
ANDERSEN CONSTRUCTION	\$37,021.71	CONSTRUCTION
PETROLEUM TRADERS CORPORATION	\$35,520.95	FUEL
SNYDER & ASSOCIATES INC	\$34,849.86	PROFESSIONAL SVCS
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$34,560.00	EMPLOYEE CONTRIB
DODGE PAYROLL	\$33,810.41	DODGE OPERATING EXPENITURE
JEO CONSULTING GROUP INC	\$31,765.95	CONSULTANT
NEW VISIONS HOMELESS SERVICES	\$31,307.99	GRANT REIMBURSEMENT
ADVANCE SOUTHWEST IOWA	\$31,250.00	CONTRACTURAL SVC
JUDDS BROS CONSTRUCTION CO	\$30,236.12	CONSTRUCTION
COUNCIL BLUFFS AREA WIFI CONSORTIUM	\$28,286.65	GRANT REIMBURSEMENT
EHRHART GRIFFIN & ASSOCIATES INC	\$26,876.75	PROFESSIONAL SVCS
POTTAWATTAMIE COUNTY DEVELOPMENT	\$26,168.00	TIF REBATE
EIDE BAILLY LLP	\$25,770.00	AUDIT

HOEFER WYSOCKI ARCHITECTS, LLC	\$25,421.74	PROFESSIONAL SVCS
SAPP BROTHERS INC	\$24,261.36	FUEL
PAYLESS OFFICE PRODUCTS INC	\$23,933.78	SUPPLIES
SOUTHWEST IOWA PLANNING COUNCIL	\$23,359.42	CONTRACTURAL SVC
MMC MECHANICAL CONTRACTORS, INC.	\$20,556.00	CONTRACTURAL SVC
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$20,491.75	EMPLOYEE CONTRIB
COX MEDIA, LLC	\$20,474.45	PHONE/INTERNET SVC
GL ANKENY FORD, LLC	\$20,415.00	VEHICLES
MORPHO USA INC	\$20,353.00	HARDWARE/SOFTWARE
BLACK HILLS UTILITY HOLDINGS, INC.	\$18,596.72	NATURAL GAS
GENERAL TRAFFIC CONTROLS INC	\$18,077.00	CONTRACTURAL SVC
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$18,000.00	EMPLOYEE CONTRIB
DAVID GOODMAN	\$17,380.00	PROPERTY ACQUISITION
HDR ENGINEERING INC	\$15,737.39	PROFESSIONAL SVCS
SUEZ TREATMENT SOLUTIONS INC	\$15,300.00	EQUIPMENT/PARTS
ARROWHEAD FORENSICS	\$13,811.57	EQUIPMENT/PARTS
NEBRASKA FURNITURE MART INC	\$13,660.16	FURNITURE
JONES AUTOMOTIVE	\$13,221.08	EQUIPMENT/PARTS
BRAVIUM LLC	\$12,000.00	PROFESSIONAL SVCS
POTTAWATTAMIE COUNTY SHERIFF	\$11,390.00	INMATE COST
NEBRASKA IOWA SUPPLY CO INC	\$10,950.80	FUEL
ICMA RETIREMENT TRUST - 457	\$10,814.30	EMPLOYEE CONTRIB
MILLS COUNTY SHERIFF'S DEPARTMENT	\$10,794.00	GRANT REIMBURSEMENT
ROAD BUILDERS MACH & SUPPLY CO INC	\$10,500.00	EQUIPMENT/PARTS
MIDLANDS HUMANE SOCIETY	\$10,328.17	CONTRACTURAL SVC
CITY OF OMAHA	\$10,000.00	CONTRACTURAL SVC
COLLECTION SERVICES CENTER	\$9,806.22	GARNISHMENT
JAMES E HALL	\$9,749.00	CONTRACTURAL SVC
JIM HAWK TRUCK TRAILERS INC.	\$9,749.00	EQUIPMENT/PARTS
BRUNSWICK CORPORATION	\$9,713.53	EQUIPMENT/PARTS
ARROW TOWING	\$9,685.68	TOWING/STORAGE/AUCTION
BLUFFS ELECTRIC INC	\$9,625.00	ELECTRICAL REPAIR
CITY OF COUNCIL BLUFFS-FLEX	\$9,381.40	EMPLOYEE CONTRIB
KELTEK, INCORPORATED	\$9,278.06	EQUIPMENT/PARTS
INTERSTATE POWER SYSTEMS INC	\$8,537.68	EQUIPMENT/PARTS
JEREDITH BRANDS LLC	\$8,156.50	JANITORIAL SERVICE
LYMAN RICHEY CORPORATION	\$7,700.50	STREET MAINTENANCE SUPPLS
COUNCIL BLUFFS WATER WORKS	\$7,608.80	WATER
IOWA DEPARTMENT OF NATURAL RESOURCE	\$7,500.00	FEES
CHALLENGER CONSTRUCTION INC	\$7,450.00	CONTRACTURAL SVC
HEARTLAND TIRES & TREADS INC	\$7,180.27	TIRE REPLACEMENT/REPAIR
LINKEDLN CORP	\$7,000.00	DUES/MEMBERSHIP
VOYA RETIREMENT INSURANCE & ANNUITY COMPANY	\$6,930.00	EMPLOYEE CONTRIB
I GO VAN AND STORAGE CO	\$6,685.50	SERVICE LABOR
OMAHA DOOR & WINDOW INC	\$6,562.29	MAC OPERATING EXPENDITURE
VALUE LINE PUBLISHING INC	\$6,390.00	SUBSCRIPTION
BOBCAT OF OMAHA	\$6,231.99	EQUIPMENT/PARTS
IOWA DEPARTMENT OF REVENUE	\$6,201.00	MAC OPERATING EXPENDITURE
BAKER & TAYLOR INC	\$6,192.92	BOOKS/PERIODICALS/SUB
GEORGE BUTLER ASSOCIATES, INC.	\$5,956.30	CONTRACTURAL SVC
DAILY NONPAREIL	\$5,841.21	ADVERTISEMENT
RTG BUILDING SERVICES, INC.	\$5,772.49	JANITORIAL SERVICE

ADPI EMS BILLING INC	\$5,589.42	AMBULANCE BILLING FEE
COUNCIL BLUFFS AIRPORT AUTHORITY	\$5,539.01	AIRPORT AUTH TAX
CITY OF COUNCIL BLUFFS-DEPENDENT	\$5,491.60	EMPLOYEE CONTRIB
DOG & PONY PRODUCTIONS INC	\$5,245.00	MAC OPERATING EXPENDITURE
DIVE RESCUE, INC.	\$5,168.16	TRAINING
CHROMA DESIGN	\$5,000.00	CONSULTANT
VERIZON WIRELESS SERVICES LLC	\$4,931.18	CELL PHONE
FIRST NATIONAL BANK OF OMAHA	\$4,926.35	FEES
TREASURER STATE OF IOWA/SALES TAX	\$4,855.00	SALES TAX
MIDWEST TAPE	\$4,642.27	DVD/AUDIO/CD
DAVID'S ELECTRIC INC	\$4,638.46	CONTRACTURAL SVC
WORKMAN PRECAST CORP	\$4,611.00	SUPPLIES
GALLS PARENT HOLDING, LLC	\$4,596.72	EQUIPMENT/PARTS
POTTAWATTAMIE COUNTY AUDITOR	\$4,529.67	LAW ENFORCEMENT COMPLEX
ADVANCE SERVICES, INC	\$4,528.92	CONTRACT LABOR
CORRPRO COMPANIES, INC.	\$4,450.00	REPAIRS
RECORDED BOOKS LLC	\$4,408.73	DVD/AUDIO/CD
DANKO EMERGENCY EQUIPMENT CO	\$4,298.10	SUPPLIES
FAMOUS DAVES	\$4,159.77	MAC OPERATING EXPENDITURE
BARTON SOLVENTS INC	\$4,079.86	SUPPLIES
GOVDEALS INC	\$3,982.65	ONLINE PAYMENT FEES
INNOVATIVE INTERFACES INC	\$3,870.80	TRAINING
ELAVON INC	\$3,600.56	FEES
KRONOS INCORPORATED	\$3,600.00	HARDWARE/SOFTWARE
CHAMPLIN TIRE RECYCLING INC	\$3,540.00	TIRE DISPOSAL
ALLIED ELECTRONICS INCORPORATED	\$3,535.03	SUPPLIES
ARNOLD MOTOR SUPPLY, LLP	\$3,488.07	EQUIPMENT/PARTS
MARCO TECHNOLOGIES LLC	\$3,434.77	COPY/PRINTER MAINTANCE
MICHAEL M SALES	\$3,401.49	PRINTING/BINDING
DONALD W MATHEWS	\$3,401.17	VEHICLE REPAIR
GREAT PLAINS UNIFORMS	\$3,350.99	UNIFORMS
PRG AMERICAS LLC	\$3,349.89	DODGE OPERATING EXPENITURE
MTM ENTERPRISES INC.	\$3,344.00	CONTRACTURAL SVC
AHLERS & COONEY P.C	\$3,249.50	ATTORNEY FEES
FRATERNAL ORDER OF POLICE	\$3,115.00	EMPLOYEE CONTRIB
THE OFFICE CLEANERS	\$3,102.05	JANITORIAL SERVICE
DELL MARKETING L P	\$3,032.34	HARDWARE/SOFTWARE
ROSE EQUIPMENT INC	\$3,021.00	EQUIPMENT/PARTS
PITNEY BOWES CORPORATION	\$3,000.00	POSTAGE & LEASE COST
GENUINE PARTS COMPANY, INC.	\$2,965.45	EQUIPMENT/PARTS
M & R WELDING	\$2,900.00	WELDING SUPPLIES/SERVICE
IMPACT7G INC	\$2,800.00	CONTRACTURAL SVC
LANDSCAPES UNLIMITED	\$2,790.70	DODGE OPERATING EXPENITURE
PROQUEST	\$2,776.80	SUBSCRIPTION
ABC ELECTRIC INC.	\$2,685.30	REPAIRS
PAPILLION SANITATION	\$2,556.64	SOLID WASTE DISPOSAL
WINDSTREAM CORPORATION	\$2,507.16	TELEPHONE
ACUSHNET COMPANY	\$2,349.22	DODGE OPERATING EXPENITURE
CHI HEALTH CLINIC	\$2,318.00	PROFESSIONAL SVCS
ALLIED BUSINESS SOLUTIONS	\$2,300.00	TREE WORK
FUNNEL CCAKE	\$2,261.46	MAC OPERATING EXPENDITURE
NEWSBANK INC	\$2,129.40	HARDWARE/SOFTWARE

UNITED STATES POSTAL SERVICE	\$2,122.05	FREIGHT/POSTAGE
EDWARDS CHEVROLET-CADILLAC INC	\$2,071.59	EQUIPMENT/PARTS
W.W. GRAINGER, INC.	\$2,070.67	EQUIPMENT/PARTS
MOBOTREX INC	\$2,032.60	SUPPLIES
COUNCIL BLUFFS COMMUNITY SCHOOLS	\$2,000.00	MAC OPERATING EXPENDITURE
SIEMENS INDUSTRY INC	\$1,947.50	EQUIPMENT/PARTS
CITY OF COUNCIL BLUFFS	\$1,947.44	DODGE OPERATING EXPENITURE
KELLY'S CARPET - COUNCIL BLUFFS	\$1,900.00	SUPPLIES
LARRY LARSON	\$1,885.87	CONSTRUCTION
MATHESON TRI GAS INC.	\$1,841.38	WELDING SUPPLIES/SERVICE
CANON SOLUTIONS AMERICA INC	\$1,839.16	COPY/PRINTER MAINTANCE
TOYNE INC	\$1,817.57	EQUIPMENT/PARTS
RDG GEOSCIENCE & ENGINEERING INC	\$1,807.25	PROFESSIONAL SVCS
MICHAEL O'BRADOVICH	\$1,800.00	CONSULTANT
PASSPORT LABS INC	\$1,751.75	PARK FEES
AFSCME IOWA PUBLIC COUNCIL 61	\$1,679.40	DUES EMPLOYEE
MIDWEST TURF & IRRIGATION	\$1,615.27	EQUIPMENT/PARTS
CONSOLIDATED ELECTRICAL DISTR, INC	\$1,614.37	SUPPLIES
YMCA OF GREATER OMAHA	\$1,600.00	CONTRACTURAL SVC
LAWSON PRODUCTS INCORPORATED	\$1,570.91	SUPPLIES
BEST CARE EMPLOYEE ASSISTANCE PROGRAM	\$1,510.52	CONSULTANT
ABSTRACT PAINTING & DECORATING INC	\$1,500.00	CONTRACTURAL SVC
ALLDATA LLC	\$1,500.00	EQUIPMENT/PARTS
PITNEY BOWES GLOBAL FINANCIAL LLC	\$1,484.82	POSTAGE & LEASE COST
CUMMINS INC.	\$1,473.21	EQUIPMENT/PARTS
KONICA MINOLTA BUSINESS SOLUTIONS USA	\$1,440.26	LEASE
FACTORY MOTOR PARTS	\$1,391.44	SUPPLIES
SWAGIT PRODUCTIONS LLC	\$1,375.00	CONTRACTURAL SVC
MID-AMERICA CLEANING SYSTEMS INC	\$1,364.88	EQUIPMENT/PARTS
DONS PIONEER UNIFORMS	\$1,359.11	UNIFORMS
OVERDRIVE INC	\$1,243.33	BOOKS/PERIODICALS/SUB
MACQUEEN EQUIPMENT, INC.	\$1,235.71	EQUIPMENT/PARTS
LARSEN SUPPLY COMPANY INC	\$1,235.69	SUPPLIES
AUTO-OWNERS INSURANCE COMPANY	\$1,230.34	INSURANCE
OCLC INC	\$1,210.47	SUBSCRIPTION
CFI TIRE SERVICE	\$1,200.00	TIRE REPLACEMENT/REPAIR
BOFA	\$1,183.74	MAC OPERATING EXPENDITURE
SARAH BUTLER AND CONRAD BUTLER	\$1,140.00	LEGAL CLAIM
MICHAEL TODD AND COMPANY INC	\$1,131.28	EQUIPMENT/PARTS
IOWA PRISON INDUSTRIES	\$1,125.40	SUPPLIES
OREGON DEPARTMENT OF JUSTICE	\$1,108.62	EMPLOYEE CONTRIB
NEBRASKA AIR FILTER INC	\$1,084.08	SUPPLIES
DATA POWER TECHNOLOGY LLC	\$1,077.00	REPAIRS
H-T-M SALES INC	\$1,075.50	EQUIPMENT/PARTS
STATE OF IOWA DEPARTMENT OF	\$1,075.00	MAC OPERATING EXPENDITURE
RIVERSIDE BUILDING MAINTENANCE INC	\$1,071.00	JANITORIAL SERVICE
CITY OF COUNCIL BLUFFS2	\$1,020.84	MAC OPERATING EXPENDITURE
CENTURYLINK	\$1,001.46	TELEPHONE
EMORY UNIVERSITY	\$1,000.00	SUBSCRIPTION
TERRACON CONSULTANTS OF NEB INC	\$1,000.00	PROFESSIONAL SVCS
CENGAGE LEARNING INC	\$964.10	BOOKS/PERIODICALS/SUB
HACH COMPANY	\$952.51	EQUIPMENT/PARTS

MONROE TRUCK EQUIPMENT	\$950.97	EQUIPMENT/PARTS
FIRST NATIONAL BANK P CARDS ACH	\$946.81	DODGE OPERATING EXPENITURE
REBECCA J WEHRMAN-ANDERSEN	\$930.00	TRAINING
ADWEB PTY LTD	\$850.00	HARDWARE/SOFTWARE
KONECRANES, INC.	\$845.00	CONTRACTURAL SVC
AGRIVISION EQUIPMENT GROUP	\$843.73	EQUIPMENT/PARTS
BLUFFS TAXI & COURIER	\$834.75	TRANSIT SERVICES
CONTROL SERVICES INC	\$827.50	MAC OPERATING EXPENDITURE
OLSSON	\$800.00	CONSULTANT
MAX I WALKER UNIFORM & APPAREL	\$799.85	UNIFORMS
TRANS-ALARM, INC.	\$792.00	CONTRACTURAL SVC
DOLL DISTRIBUTING INC	\$782.40	MAC OPERATING EXPENDITURE
UNITED HEALTHCARE	\$740.29	REFUND
STATE FARM	\$726.00	REFUND
AMERICAN PLANNING ASSOCIATION	\$719.00	DUES/MEMBERSHIP
BOUND TO STAY BOUND BOOKS INC	\$715.69	BOOKS/PERIODICALS/SUB
DAVID W WOODY	\$710.00	SUPPLIES
C & J INDUSTRIAL SUPPLY	\$708.40	JANITORIAL SERVICE
RESPOND FIRST AID SYSTEMS	\$697.15	MEDICAL SUPPLIES
ENTERPRISE FM TRUST	\$689.74	RENTAL EXPS
MURPHY TRACTOR & EQUIPMENT CO CORP	\$687.82	SUPPLIES
THOMSON REUTERS	\$675.21	SUBSCRIPTION
SYSCO - LINCOLN	\$660.72	DODGE OPERATING EXPENITURE
COUNCIL BLUFFS FIRE DEPT	\$660.00	MAC OPERATING EXPENDITURE
DIAMOND OIL COMPANY	\$660.00	EQUIPMENT/PARTS
ABM	\$652.00	JANITORIAL SERVICE
FELSBURG HOLT & ULLEVIG INC	\$649.11	PROFESSIONAL SVCS
ECOSOLUTIONS LLC	\$633.75	SUPPLIES
NEBRASKA MACHINERY CO	\$631.07	MAC OPERATING EXPENDITURE
J & R LIQUOR	\$601.83	MAC OPERATING EXPENDITURE
BLACKBURN MANUFACTURING COMPANY	\$594.16	SUPPLIES
MCMULLEN FORD INC	\$588.19	EQUIPMENT/PARTS
STEPP MANUFACTURING CO INC	\$586.47	EQUIPMENT/PARTS
COUNCIL BLUFFS WINSUPPLY	\$580.86	SUPPLIES
STATE INDUSTRIAL PROUCTS	\$579.02	SUPPLIES
BOUND TREE MEDICAL LLC	\$573.34	MEDICAL SUPPLIES
BUCK'S INC.	\$570.00	VEHICLE WASH
EMSPACE INC	\$552.50	CONSULTANT
CERTIFIED POWER INC	\$551.76	EQUIPMENT/PARTS
INLAND TRUCK PARTS COMPANY INC	\$534.71	EQUIPMENT/PARTS
CHILD SUPPORT SERVICES DIVISION	\$514.32	GARNISHMENT
SAFETY KLEEN CORPORATION	\$513.55	CONTRACTURAL SVC
BACKSTAGE LIBRARY WORKS	\$506.92	SUBSCRIPTION
ZOLL MEDICAL CORP	\$506.12	MEDICAL SUPPLIES
AQUA-CHEM INCORPORATED	\$504.00	SUPPLIES
GERALD GLAZA	\$500.00	MAC OPERATING EXPENDITURE
PETERSEN CLOVERLEAF FARMS INC	\$500.00	RENTAL EXPS
RED CREDIT SOLUTIONS LLC	\$500.00	PROFESSIONAL SVCS
NEBRASKA CHILD SUPPORT PAYMENT CTR	\$496.62	GARNISHMENT
O'REILLY AUTOMOTIVE INC	\$494.62	SUPPLIES
MICHAEL P O'CONNELL	\$484.10	REFUND
LOGAN CONTRACTORS SUPPLY INC	\$481.39	SUPPLIES

CORNHUSKER INTERNATIONAL TRUCKS	\$480.09	EQUIPMENT/PARTS
ALLIED OIL & TIRE COMPANY	\$475.58	SUPPLIES
ECHO GROUP	\$437.92	SUPPLIES
ROSANNA M THURMAN	\$430.00	CONSULTANT
ARROW INTERNATIONAL	\$429.66	EQUIPMENT/PARTS
MATTHEW KUHLMANN	\$420.00	MAC OPERATING EXPENDITURE
LYMAN-RICHEY SAND & GRAVEL CO	\$417.61	DODGE OPERATING EXPENITURE
CORNERSTONE PRINTING & IMAGING	\$410.10	PRINTING/BINDING
TECHMASTERS	\$380.95	DODGE OPERATING EXPENITURE
D&K PRODUCTS	\$380.80	DODGE OPERATING EXPENITURE
BOMGAARS SUPPLY INC	\$378.32	SUPPLIES
NEBRASKA DISTRIBUTING	\$377.15	MAC OPERATING EXPENDITURE
HUBER CHEVROLET CO INC	\$376.90	EQUIPMENT/PARTS
INFOSAFE SHREDDING LLC	\$375.00	CONTRACTURAL SVC
WAYNE PETERSON	\$372.00	MOWING/GROUNDS MAINT
AETNA U S HEALTHCARE	\$359.55	REFUND
KEVIN KLOCKE	\$356.62	VEHICLES
THERMO KING CHRISTENSEN	\$351.34	SUPPLIES
GALE LAVIGNE	\$350.00	REPAIRS
WOODHOUSE AUTO FAMILY	\$336.17	EQUIPMENT/PARTS
BANK & CR CARD FEES	\$323.56	DODGE OPERATING EXPENITURE
CB SEPTIC & PUMPING INC	\$319.00	DODGE OPERATING EXPENITURE
RESOURCE RENTAL CENTER	\$312.00	DODGE OPERATING EXPENITURE
GREAT AMERICA FINANCIAL SERV	\$309.96	DODGE OPERATING EXPENITURE
CAROLINA SOFTWARE INC	\$300.00	HARDWARE/SOFTWARE
BGNE INC.	\$296.68	SUPPLIES
THERMAL SERVICES	\$289.00	REPAIRS
MIDWEST TURF, INC	\$288.19	DODGE OPERATING EXPENITURE
DANA SCHOTT	\$280.00	MAC OPERATING EXPENDITURE
BURTON PLUMBING	\$276.50	EQUIPMENT/PARTS
WEST BROADWAY CLINIC P C	\$275.00	CONSULTANT
WILLIAM E CARPENTER JR	\$273.59	TRAVEL REIMBURSEMENT
TURFWERKS	\$265.32	EQUIPMENT/PARTS
PHYLLIS REMINGTON	\$265.00	REFUND
ECHO ELECTRIC SUPPLY	\$258.66	MAC OPERATING EXPENDITURE
TAPCO	\$257.68	HARDWARE/SOFTWARE
HD SUPPLY FAC MAINTENANCE LTD	\$252.23	SUPPLIES
UNITYPOINT CLINIC	\$252.00	CONSULTANT
TWO RIVERS INSURANCE COMPANY, INC.	\$250.00	HEALTH INSURANCE
ATHLETICO EXCEL NEBRASKA LLC	\$242.00	PROFESSIONAL SVCS
PAUL E DAMROW	\$240.01	TRAVEL REIMBURSEMENT
JOSHUA T PORTER	\$240.00	MAC OPERATING EXPENDITURE
MARY LEWIS	\$237.00	REFUND
TREASURER STATE OF IOWA	\$228.98	PROFESSIONAL SVCS
VOICE & DATA SYSTEMS INC	\$228.00	TELEPHONE
LANDSCAPES MGNT COMPANY	\$225.03	DODGE OPERATING EXPENITURE
DAVID O ALDRICH SR	\$225.00	REFUND
INTERSTATE INDUSTRIAL INSTR., INC.	\$225.00	SUPPLIES
PROTECH COMMERCIAL VEHICLE OUTFITTERS INC	\$215.98	EQUIPMENT/PARTS
PARAMOUNT LINEN & UNIFORMS	\$215.34	DODGE OPERATING EXPENITURE
THE WALMAN OPTICAL COMPANY	\$210.40	SAFETY EQUIPMENT
HEARTLAND TOXICOLOGY	\$210.00	CONTRACTURAL SVC

PREMIER MIDWEST BEVERAGE CO	\$209.40	DODGE OPERATING EXPENITURE
3M COMPANY	\$204.55	SUPPLIES
RONALD DUANE ZIKA	\$200.00	MAC OPERATING EXPENDITURE
RANDALL SCHROEDER	\$191.50	REIMBURSEMENT-EMPLOYEE EXPENSE
CAVENDISH SQUARE PUBLISHING LLC	\$190.50	BOOKS/PERIODICALS/SUB
GEORGE S MEGARD	\$190.00	REFUND
GIBBS RENTAL & SALES	\$188.74	RENTAL EXPS
ELBA E CERA	\$187.50	PROFESSIONAL SVCS
POTTAWATTAMIE COUNTY RECORDER	\$187.00	FEES
EAGLE SERVICES	\$183.12	DODGE OPERATING EXPENITURE
TRAVIS BRADLEY	\$169.14	REFUND
RICHARD WADE	\$165.56	REIMBURSEMENT-EMPLOYEE EXPENSE
OMAHA DOOR & WINDOW CO INC	\$164.15	REPAIRS
GRP & ASSOCIATES	\$160.00	PROFESSIONAL SVCS
L.A. AUTO SALES, INC	\$160.00	LEGAL CLAIM
CALLAWAY	\$158.05	DODGE OPERATING EXPENITURE
CB PRF FIRE FIGHTERS #15	\$158.00	DUES EMPLOYEE
J & L SERVICES	\$155.82	RENTAL EXPS
DULTMEIER SALES LLC	\$154.25	SUPPLIES
CHAVIS MICHAEL WISE	\$153.50	SUPPLIES
KYLE KRONBERG	\$145.00	REIMBURSEMENT-EMPLOYEE EXPENSE
IOWA ASSOCIATION OF PROFESSIONAL FIRE CHIEFS	\$140.00	DUES/MEMBERSHIP
INTERLINE BRANDS	\$134.76	SAFETY EQUIPMENT
AMERICAN CLASSIFIEDS	\$125.00	ADVERTISEMENT
LARRY MCGLADE	\$125.00	REFUND
AMERIGROUP IOWA INC	\$124.74	REFUND
JEREMY RYAN SMITH	\$120.00	CONSULTANT
COVENTRY HEALTHCARE	\$117.65	REFUND
COX BUSINESS	\$116.20	DODGE OPERATING EXPENITURE
HUMANA	\$114.40	REFUND
RADIATOR DEPOT	\$113.00	EQUIPMENT/PARTS
CENTER POINT LARGE PRINT	\$112.65	SUPPLIES
AMERICAN NATIONAL BANK	\$108.00	BANK SERVICES
HEARTLAND CO-OP	\$106.00	FUEL
CAROLYN S DURRANT	\$98.93	REFUND
COREY SHEPLEY	\$98.00	REIMBURSEMENT-EMPLOYEE EXPENSE
MARTIN PRODUCT SALES LLC	\$92.50	SUPPLIES
HELEN ZALOUDEK	\$87.78	REFUND
BILL'S WATER CONDITIONING	\$87.22	SUPPLIES
ROBERT E RUSSELL	\$86.75	REFUND
THOMAS E DANAHY	\$85.86	REFUND
EST OF DORIS L POTEET	\$83.80	REFUND
WELLMARK	\$83.50	REFUND
EDMUND MCGINN	\$82.62	REFUND
NICOLE MARIE GUILD	\$78.60	REFUND
KIMBERLY K RIEBE	\$77.94	REIMBURSEMENT-EMPLOYEE EXPENSE
CLEAR TITLE & ABSTRACT LLC	\$75.00	PROFESSIONAL SVCS
ABLE LOCKSMITHS	\$67.50	CONTRACTURAL SVC
BLUE CROSS BLUE SHIELD OF NEBRASKA	\$66.02	REFUND
RICOH USA INC	\$62.72	CONTRACTURAL SVC
COUNCIL HITCH & TRUCK ACCESSORIES	\$60.00	EQUIPMENT/PARTS
LINDA M CONNER	\$60.00	CONSULTANT

SPRINT SOLUTIONS INC	\$58.38	CELL PHONE
MID STATES BANK	\$57.10	MAC OPERATING EXPENDITURE
TED'S MOWER SALES & SERVICE INC	\$56.96	EQUIPMENT/PARTS
EDNA M MORGAN	\$50.00	REFUND
HAWKEYE TRUCK EQUIPMENT	\$46.00	EQUIPMENT/PARTS
GENIE SERVICE LLC	\$45.00	PEST CONTROL
WENDY K SCHULTZ	\$41.69	REIMBURSEMENT-EMPLOYEE EXPENSE
DEX MEDIA, INC.	\$41.50	ADVERTISEMENT
BOBBY V PARISH	\$40.61	REFUND
SUSAN ACKERMAN	\$39.00	REFUND
RELIANT FIRE APPARATUS INC	\$37.64	EQUIPMENT/PARTS
GENIE PEST CONTROL	\$37.45	DODGE OPERATING EXPENITURE
CHRISTINE D ANDERSON	\$35.97	REIMBURSEMENT-EMPLOYEE EXPENSE
THE J P COOKE COMPANY	\$35.70	SUPPLIES
LORETTA GOESCHEL	\$34.34	REIMBURSEMENT-EMPLOYEE EXPENSE
THERESA CANNON DEWITT	\$26.16	REIMBURSEMENT-EMPLOYEE EXPENSE
DEBORAH WHITE	\$25.00	FEES
IOWA CHAPTER OF IAPMO	\$25.00	DUES/MEMBERSHIP
PAYPAL INC	\$19.95	CONTRACTURAL SVC
MARY ANEY	\$19.13	REIMBURSEMENT-EMPLOYEE EXPENSE
CYNTHIA LYNN GOODIN	\$18.00	REFUND
MANGOLD ENVIRONMENTAL TESTING INC	\$15.00	CONSULTANT
AMERICAN MESSAGING SERVICES LLC	\$13.26	TELEPHONE
JAMIE N RUPPERT	\$11.17	REIMBURSEMENT-EMPLOYEE EXPENSE
DISCOVER	\$10.14	MAC OPERATING EXPENDITURE
THE CENTER	\$10.00	FEES
MARLYS LIEN	\$8.72	REIMBURSEMENT-EMPLOYEE EXPENSE
TRISHA D ALFERS	\$7.09	REIMBURSEMENT-EMPLOYEE EXPENSE
LINDA SCOTT	\$4.00	REFUND
UNION BANK & TRUST FSA	\$3.50	DODGE OPERATING EXPENITURE
UNION BANK & TRUST	\$2.00	DODGE OPERATING EXPENITURE
RED RIVER WASTE SOLUTIONS LP	\$0.79	DODGE OPERATING EXPENITURE
HYDRONIC ENERGY INC	\$0.00	MAC OPERATING EXPENDITURE
MIDSTATES BANK, NA	(\$567.16)	BANK SERVICES
VOIDED CHECKS	(\$29,247.72)	TIF/LEGAL SETTLEMENT
	<b>\$8,733,872.39</b>	



**CITY OF COUNCIL BLUFFS****EXPENDITURES****January, FY19****(\$'S)**

<b>PAYEE</b>	<b>AMOUNT</b>	<b>BUSINESS PURPOSE</b>
3M COMPANY	\$204.55	SUPPLIES
ABC ELECTRIC INC.	\$2,685.30	REPAIRS
ABLE LOCKSMITHS	\$67.50	CONTRACTURAL SVC
ABM	\$652.00	JANITORIAL SERVICE
ABSTRACT PAINTING & DECORATING INC	\$1,500.00	CONTRACTURAL SVC
ACUSHNET COMPANY	\$2,349.22	DODGE OPERATING EXPENITURE
ADPI EMS BILLING INC	\$5,589.42	AMBULANCE BILLING FEE
ADVANCE SERVICES, INC	\$4,528.92	CONTRACT LABOR
ADVANCE SOUTHWEST IOWA	\$31,250.00	CONTRACTURAL SVC
ADWEB PTY LTD	\$850.00	HARDWARE/SOFTWARE
AETNA U S HEALTHCARE	\$359.55	REFUND
AFSCME IOWA PUBLIC COUNCIL 61	\$1,679.40	DUES EMPLOYEE
AGRIVISION EQUIPMENT GROUP	\$843.73	EQUIPMENT/PARTS
AHLERS & COONEY P.C	\$3,249.50	ATTORNEY FEES
ALLDATA LLC	\$1,500.00	EQUIPMENT/PARTS
ALLIED BUSINESS SOLUTIONS	\$2,300.00	TREE WORK
ALLIED ELECTRONICS INCORPORATED	\$3,535.03	SUPPLIES
ALLIED OIL & TIRE COMPANY	\$475.58	SUPPLIES
AMERICAN CLASSIFIEDS	\$125.00	ADVERTISEMENT
AMERICAN MESSAGING SERVICES LLC	\$13.26	TELEPHONE
AMERICAN NATIONAL BANK	\$108.00	BANK SERVICES
AMERICAN PLANNING ASSOCIATION	\$719.00	DUES/MEMBERSHIP
AMERIGROUP IOWA INC	\$124.74	REFUND
ANDERSEN CONSTRUCTION	\$37,021.71	CONSTRUCTION
ANDERSON EXCAVATING CO. INC.	\$129,213.40	CONTRACTURAL SVC
AQUA-CHEM INCORPORATED	\$504.00	SUPPLIES
ARNOLD MOTOR SUPPLY, LLP	\$3,488.07	EQUIPMENT/PARTS
ARROW INTERNATIONAL	\$429.66	EQUIPMENT/PARTS
ARROW TOWING	\$9,685.68	TOWING/STORAGE/AUCTION
ARROWHEAD FORENSICS	\$13,811.57	EQUIPMENT/PARTS
ATHLETICO EXCEL NEBRASKA LLC	\$242.00	PROFESSIONAL SVCS
AUTO-OWNERS INSURANCE COMPANY	\$1,230.34	INSURANCE
BACKSTAGE LIBRARY WORKS	\$506.92	SUBSCRIPTION
BAKER & TAYLOR INC	\$6,192.92	BOOKS/PERIODICALS/SUB
BANK & CR CARD FEES	\$323.56	DODGE OPERATING EXPENITURE
BARTON SOLVENTS INC	\$4,079.86	SUPPLIES
BEST CARE EMPLOYEE ASSISTANCE PROGRAM	\$1,510.52	CONSULTANT
BGNE INC.	\$296.68	SUPPLIES
BILL'S WATER CONDITIONING	\$87.22	SUPPLIES
BLACK HILLS UTILITY HOLDINGS, INC.	\$18,596.72	NATURAL GAS
BLACKBURN MANUFACTURING COMPANY	\$594.16	SUPPLIES
BLUE CROSS BLUE SHIELD OF NEBRASKA	\$66.02	REFUND
BLUFFS ELECTRIC INC	\$9,625.00	ELECTRICAL REPAIR

BLUFFS PAVING & UTILITY INC	\$215,524.92	CONSTRUCTION
BLUFFS TAXI & COURIER	\$834.75	TRANSIT SERVICES
BOBBY V PARISH	\$40.61	REFUND
BOBCAT OF OMAHA	\$6,231.99	EQUIPMENT/PARTS
BOFA	\$1,183.74	MAC OPERATING EXPENDITURE
BOMGAARS SUPPLY INC	\$378.32	SUPPLIES
BOUND TO STAY BOUND BOOKS INC	\$715.69	BOOKS/PERIODICALS/SUB
BOUND TREE MEDICAL LLC	\$573.34	MEDICAL SUPPLIES
BRAVIUM LLC	\$12,000.00	PROFESSIONAL SVCS
BRUNSWICK CORPORATION	\$9,713.53	EQUIPMENT/PARTS
BUCK'S INC.	\$570.00	VEHICLE WASH
BURTON PLUMBING	\$276.50	EQUIPMENT/PARTS
C & J INDUSTRIAL SUPPLY	\$708.40	JANITORIAL SERVICE
CAESARS ENTERTAINMENT	\$192,389.65	MAC OPERATING EXPENDITURE
CALLAWAY	\$158.05	DODGE OPERATING EXPENITURE
CANON SOLUTIONS AMERICA INC	\$1,839.16	COPY/PRINTER MAINTANCE
CAROLINA SOFTWARE INC	\$300.00	HARDWARE/SOFTWARE
CAROLYN S DURRANT	\$98.93	REFUND
CAVENDISH SQUARE PUBLISHING LLC	\$190.50	BOOKS/PERIODICALS/SUB
CB PRF FIRE FIGHTERS #15	\$158.00	DUES EMPLOYEE
CB SEPTIC & PUMPING INC	\$319.00	DODGE OPERATING EXPENITURE
CENGAGE LEARNING INC	\$964.10	BOOKS/PERIODICALS/SUB
CENTER POINT LARGE PRINT	\$112.65	SUPPLIES
CENTRAL SALT LLC	\$44,097.21	STREET MAINTENANCE SUPLS
CENTURYLINK	\$1,001.46	TELEPHONE
CERTIFIED POWER INC	\$551.76	EQUIPMENT/PARTS
CFI TIRE SERVICE	\$1,200.00	TIRE REPLACEMENT/REPAIR
CHALLENGER CONSTRUCTION INC	\$7,450.00	CONTRACTURAL SVC
CHAMPLIN TIRE RECYCLING INC	\$3,540.00	TIRE DISPOSAL
CHAVIS MICHAEL WISE	\$153.50	SUPPLIES
CHI HEALTH CLINIC	\$2,318.00	PROFESSIONAL SVCS
CHILD SUPPORT SERVICES DIVISION	\$514.32	GARNISHMENT
CHRISTINE D ANDERSON	\$35.97	REIMBURSEMENT-EMPLOYEE EXPENSE
CHROMA DESIGN	\$5,000.00	CONSULTANT
CITY OF COUNCIL BLUFFS	\$1,947.44	DODGE OPERATING EXPENITURE
CITY OF COUNCIL BLUFFS2	\$1,020.84	MAC OPERATING EXPENDITURE
CITY OF COUNCIL BLUFFS-DEPENDENT	\$5,491.60	EMPLOYEE CONTRIB
CITY OF COUNCIL BLUFFS-FLEX	\$9,381.40	EMPLOYEE CONTRIB
CITY OF OMAHA	\$10,000.00	CONTRACTURAL SVC
CLEAR TITLE & ABSTRACT LLC	\$75.00	PROFESSIONAL SVCS
COLLECTION SERVICES CENTER	\$9,806.22	GARNISHMENT
CONSOLIDATED ELECTRICAL DISTR, INC	\$1,614.37	SUPPLIES
CONTROL SERVICES INC	\$827.50	MAC OPERATING EXPENDITURE
COREY SHEPLEY	\$98.00	REIMBURSEMENT-EMPLOYEE EXPENSE
CORNERSTONE PRINTING & IMAGING	\$410.10	PRINTING/BINDING
CORNHUSKER INTERNATIONAL TRUCKS	\$480.09	EQUIPMENT/PARTS
CORRPRO COMPANIES, INC.	\$4,450.00	REPAIRS
COUNCIL BLUFFS AIRPORT AUTHORITY	\$5,539.01	AIRPORT AUTH TAX
COUNCIL BLUFFS AREA WIFI CONSORTIUM	\$28,286.65	GRANT REIMBURSEMENT
COUNCIL BLUFFS COMMUNITY SCHOOLS	\$2,000.00	MAC OPERATING EXPENDITURE
COUNCIL BLUFFS CONVENTION & VISITORS BUREAU	\$156,250.00	CONTRACTURAL SVC

COUNCIL BLUFFS FIRE DEPT	\$660.00	MAC OPERATING EXPENDITURE
COUNCIL BLUFFS WATER WORKS	\$7,608.80	WATER
COUNCIL BLUFFS WINSUPPLY	\$580.86	SUPPLIES
COUNCIL HITCH & TRUCK ACCESSORIES	\$60.00	EQUIPMENT/PARTS
COVENTRY HEALTHCARE	\$117.65	REFUND
COX BUSINESS	\$116.20	DODGE OPERATING EXPENITURE
COX MEDIA, LLC	\$20,474.45	PHONE/INTERNET SVC
CUMMINS INC.	\$1,473.21	EQUIPMENT/PARTS
CYNTHIA LYNN GOODIN	\$18.00	REFUND
D&K PRODUCTS	\$380.80	DODGE OPERATING EXPENITURE
DAILY NONPAREIL	\$5,841.21	ADVERTISEMENT
DANA SCHOTT	\$280.00	MAC OPERATING EXPENDITURE
DANKO EMERGENCY EQUIPMENT CO	\$4,298.10	SUPPLIES
DATA POWER TECHNOLOGY LLC	\$1,077.00	REPAIRS
DAVID GOODMAN	\$17,380.00	PROPERTY ACQUISITION
DAVID O ALDRICH SR	\$225.00	REFUND
DAVID W WOODY	\$710.00	SUPPLIES
DAVID'S ELECTRIC INC	\$4,638.46	CONTRACTURAL SVC
DEBORAH WHITE	\$25.00	FEES
DELL MARKETING L P	\$3,032.34	HARDWARE/SOFTWARE
DEX MEDIA, INC.	\$41.50	ADVERTISEMENT
DIAMOND OIL COMPANY	\$660.00	EQUIPMENT/PARTS
DISCOVER	\$10.14	MAC OPERATING EXPENDITURE
DIVE RESCUE, INC.	\$5,168.16	TRAINING
DODGE PAYROLL	\$33,810.41	DODGE OPERATING EXPENITURE
DOG & PONY PRODUCTIONS INC	\$5,245.00	MAC OPERATING EXPENDITURE
DOLL DISTRIBUTING INC	\$782.40	MAC OPERATING EXPENDITURE
DONALD W MATHEWS	\$3,401.17	VEHICLE REPAIR
DONS PIONEER UNIFORMS	\$1,359.11	UNIFORMS
DOSTALS CONSTRUCTION CO INC	\$48,465.00	CONSTRUCTION
DULTMEIER SALES LLC	\$154.25	SUPPLIES
EAGLE SERVICES	\$183.12	DODGE OPERATING EXPENITURE
ECHO ELECTRIC SUPPLY	\$258.66	MAC OPERATING EXPENDITURE
ECHO GROUP	\$437.92	SUPPLIES
ECOSOLUTIONS LLC	\$633.75	SUPPLIES
EDMUND MCGINN	\$82.62	REFUND
EDNA M MORGAN	\$50.00	REFUND
EDWARDS CHEVROLET-CADILLAC INC	\$2,071.59	EQUIPMENT/PARTS
EFTPS	\$503,349.93	EMPLOYEE TAXES
EHRHART GRIFFIN & ASSOCIATES INC	\$26,876.75	PROFESSIONAL SVCS
EIDE BAILLY LLP	\$25,770.00	AUDIT
ELAVON INC	\$3,600.56	FEES
ELBA E CERA	\$187.50	PROFESSIONAL SVCS
EMORY UNIVERSITY	\$1,000.00	SUBSCRIPTION
EMSPACE INC	\$552.50	CONSULTANT
ENTERPRISE FM TRUST	\$689.74	RENTAL EXPS
ERIKSEN CONSTRUCTION CO INC	\$213,750.00	CONSTRUCTION
EST OF DORIS L POTEET	\$83.80	REFUND
FACTORY MOTOR PARTS	\$1,391.44	SUPPLIES
FAMOUS DAVES	\$4,159.77	MAC OPERATING EXPENDITURE
FELSBURG HOLT & ULLEVIG INC	\$649.11	PROFESSIONAL SVCS

FIRST NATIONAL BANK OF OMAHA	\$4,926.35	FEES
FIRST NATIONAL BANK P CARDS ACH	\$946.81	DODGE OPERATING EXPENITURE
FRATERNAL ORDER OF POLICE	\$3,115.00	EMPLOYEE CONTRIB
FUNNEL CCAKE	\$2,261.46	MAC OPERATING EXPENDITURE
GALE LAVIGNE	\$350.00	REPAIRS
GALLS PARENT HOLDING, LLC	\$4,596.72	EQUIPMENT/PARTS
GENERAL TRAFFIC CONTROLS INC	\$18,077.00	CONTRACTURAL SVC
GENIE PEST CONTROL	\$37.45	DODGE OPERATING EXPENITURE
GENIE SERVICE LLC	\$45.00	PEST CONTROL
GENUINE PARTS COMPANY, INC.	\$2,965.45	EQUIPMENT/PARTS
GEORGE BUTLER ASSOCIATES, INC.	\$5,956.30	CONTRACTURAL SVC
GEORGE S MEGARD	\$190.00	REFUND
GERALD GLAZA	\$500.00	MAC OPERATING EXPENDITURE
GIBBS RENTAL & SALES	\$188.74	RENTAL EXPS
GL ANKENY FORD, LLC	\$20,415.00	VEHICLES
GOVDEALS INC	\$3,982.65	ONLINE PAYMENT FEES
GREAT AMERICA FINANCIAL SERV	\$309.96	DODGE OPERATING EXPENITURE
GREAT PLAINS UNIFORMS	\$3,350.99	UNIFORMS
GRP & ASSOCIATES	\$160.00	PROFESSIONAL SVCS
HACH COMPANY	\$952.51	EQUIPMENT/PARTS
HANOVER PREST-PAVING CO	\$51,940.44	LANDSCAPING SUPPLIES
HAWKEYE TRUCK EQUIPMENT	\$46.00	EQUIPMENT/PARTS
HD SUPPLY FAC MAINTENANCE LTD	\$252.23	SUPPLIES
HDR ENGINEERING INC	\$15,737.39	PROFESSIONAL SVCS
HEARTLAND CO-OP	\$106.00	FUEL
HEARTLAND TIRES & TREADS INC	\$7,180.27	TIRE REPLACEMENT/REPAIR
HEARTLAND TOXICOLOGY	\$210.00	CONTRACTURAL SVC
HELEN ZALOUDEK	\$87.78	REFUND
HGM ASSOCIATES INC	\$199,012.60	PROFESSIONAL SVCS
HOEFER WYSOCKI ARCHITECTS, LLC	\$25,421.74	PROFESSIONAL SVCS
H-T-M SALES INC	\$1,075.50	EQUIPMENT/PARTS
HUBER CHEVROLET CO INC	\$376.90	EQUIPMENT/PARTS
HUMANA	\$114.40	REFUND
HYDRONIC ENERGY INC	\$0.00	MAC OPERATING EXPENDITURE
I GO VAN AND STORAGE CO	\$6,685.50	SERVICE LABOR
ICMA RETIREMENT TRUST - 457	\$10,814.30	EMPLOYEE CONTRIB
IMPACT7G INC	\$2,800.00	CONTRACTURAL SVC
INFOSAFE SHREDDING LLC	\$375.00	CONTRACTURAL SVC
INLAND TRUCK PARTS COMPANY INC	\$534.71	EQUIPMENT/PARTS
INNOVATIVE INTERFACES INC	\$3,870.80	TRAINING
INTERLINE BRANDS	\$134.76	SAFETY EQUIPMENT
INTERSTATE INDUSTRIAL INSTR., INC.	\$225.00	SUPPLIES
INTERSTATE POWER SYSTEMS INC	\$8,537.68	EQUIPMENT/PARTS
IOWA ASSOCIATION OF PROFESSIONAL FIRE CHIEFS	\$140.00	DUES/MEMBERSHIP
IOWA CHAPTER OF IAPMO	\$25.00	DUES/MEMBERSHIP
IOWA DEPARMENT OF REVENUE	\$6,201.00	MAC OPERATING EXPENDITURE
IOWA DEPARTMENT OF NATURAL RESOURCE	\$7,500.00	FEES
IOWA DEPT OF REVENUE	\$117,445.00	EMPLOYEE TAXES
IOWA PRISON INDUSTRIES	\$1,125.40	SUPPLIES
IOWA WASTE SERVICES LLC	\$37,705.76	SOLID WASTE DISPOSAL
IPERS	\$207,272.65	RETIREMENT

J & L SERVICES	\$155.82	RENTAL EXPS
J & R LIQUOR	\$601.83	MAC OPERATING EXPENDITURE
JAMES E HALL	\$9,749.00	CONTRACTURAL SVC
JAMIE N RUPPERT	\$11.17	REIMBURSEMENT-EMPLOYEE EXPENSE
JEO CONSULTING GROUP INC	\$31,765.95	CONSULTANT
JEREDITH BRANDS LLC	\$8,156.50	JANITORIAL SERVICE
JEREMY RYAN SMITH	\$120.00	CONSULTANT
JIM HAWK TRUCK TRAILERS INC.	\$9,749.00	EQUIPMENT/PARTS
JONES AUTOMOTIVE	\$13,221.08	EQUIPMENT/PARTS
JOSHUA T PORTER	\$240.00	MAC OPERATING EXPENDITURE
JUDDS BROS CONSTRUCTION CO	\$30,236.12	CONSTRUCTION
KELLY'S CARPET - COUNCIL BLUFFS	\$1,900.00	SUPPLIES
KELTEK, INCORPORATED	\$9,278.06	EQUIPMENT/PARTS
KEVIN KLOCKE	\$356.62	VEHICLES
KIMBERLY K RIEBE	\$77.94	REIMBURSEMENT-EMPLOYEE EXPENSE
KONECRANES, INC.	\$845.00	CONTRACTURAL SVC
KONICA MINOLTA BUSINESS SOLUTIONS USA	\$1,440.26	LEASE
KRONOS INCORPORATED	\$3,600.00	HARDWARE/SOFTWARE
KYLE KRONBERG	\$145.00	REIMBURSEMENT-EMPLOYEE EXPENSE
L.A. AUTO SALES, INC	\$160.00	LEGAL CLAIM
LANDSCAPES MGNT COMPANY	\$225.03	DODGE OPERATING EXPENITURE
LANDSCAPES UNLIMITED	\$2,790.70	DODGE OPERATING EXPENITURE
LARRY LARSON	\$1,885.87	CONSTRUCTION
LARRY MCGLADE	\$125.00	REFUND
LARSEN SUPPLY COMPANY INC	\$1,235.69	SUPPLIES
LAWSON PRODUCTS INCORPORATED	\$1,570.91	SUPPLIES
LINDA M CONNER	\$60.00	CONSULTANT
LINDA SCOTT	\$4.00	REFUND
LINKEDLN CORP	\$7,000.00	DUES/MEMBERSHIP
LOGAN CONTRACTORS SUPPLY INC	\$481.39	SUPPLIES
LORETTA GOESCHEL	\$34.34	REIMBURSEMENT-EMPLOYEE EXPENSE
LSNB AS TRUSTEE FOR POST EMPLY HLTH PLAN	\$135,243.85	EMPLOYEE CONTRIB
LSNB AS TRUSTEE FOR POST EMPLY HLTH PLAN	\$20,491.75	EMPLOYEE CONTRIB
LSNB AS TRUSTEE FOR POST EMPLY HLTH PLAN	\$34,560.00	EMPLOYEE CONTRIB
LSNB AS TRUSTEE FOR POST EMPLY HLTH PLAN	\$18,000.00	EMPLOYEE CONTRIB
LYMAN RICHEY CORPORATION	\$7,700.50	STREET MAINTENANCE SUPLS
LYMAN-RICHEY SAND & GRAVEL CO	\$417.61	DODGE OPERATING EXPENITURE
M & R WELDING	\$2,900.00	WELDING SUPPLIES/SERVICE
MACQUEEN EQUIPMENT, INC.	\$1,235.71	EQUIPMENT/PARTS
MANGOLD ENVIRONMENTAL TESTING INC	\$15.00	CONSULTANT
MARCO TECHNOLOGIES LLC	\$3,434.77	COPY/PRINTER MAINTANCE
MARLYS LIEN	\$8.72	REIMBURSEMENT-EMPLOYEE EXPENSE
MARTIN PRODUCT SALES LLC	\$92.50	SUPPLIES
MARY ANEY	\$19.13	REIMBURSEMENT-EMPLOYEE EXPENSE
MARY LEWIS	\$237.00	REFUND
MATHESON TRI GAS INC.	\$1,841.38	WELDING SUPPLIES/SERVICE
MATTHEW KUHLMANN	\$420.00	MAC OPERATING EXPENDITURE
MAX I WALKER UNIFORM & APPAREL	\$799.85	UNIFORMS
MCMULLEN FORD INC	\$588.19	EQUIPMENT/PARTS
MFPRSI	\$465,761.27	RETIREMENT
MICHAEL M SALES	\$3,401.49	PRINTING/BINDING

MICHAEL O'BRADOVICH	\$1,800.00	CONSULTANT
MICHAEL P O'CONNELL	\$484.10	REFUND
MICHAEL TODD AND COMPANY INC	\$1,131.28	EQUIPMENT/PARTS
MID STATES BANK	\$57.10	MAC OPERATING EXPENDITURE
MID-AMERICA CLEANING SYSTEMS INC	\$1,364.88	EQUIPMENT/PARTS
MIDAMERICAN ENERGY	\$113,445.84	ELECTRICITY
MIDLANDS HUMANE SOCIETY	\$10,328.17	CONTRACTURAL SVC
MIDSTATES BANK, NA	(\$567.16)	BANK SERVICES
MIDWEST TAPE	\$4,642.27	DVD/AUDIO/CD
MIDWEST TURF & IRRIGATION	\$1,615.27	EQUIPMENT/PARTS
MIDWEST TURF, INC	\$288.19	DODGE OPERATING EXPENITURE
MILLS COUNTY SHERIFF'S DEPARTMENT	\$10,794.00	GRANT REIMBURSEMENT
MMC MECHANICAL CONTRACTORS, INC.	\$20,556.00	CONTRACTURAL SVC
MOBOTREX INC	\$2,032.60	SUPPLIES
MONROE TRUCK EQUIPMENT	\$950.97	EQUIPMENT/PARTS
MORPHO USA INC	\$20,353.00	HARDWARE/SOFTWARE
MTM ENTERPRISES INC.	\$3,344.00	CONTRACTURAL SVC
MURPHY TRACTOR & EQUIPMENT CO CORP	\$687.82	SUPPLIES
NATIONWIDE RETIREMENT SOLUTIONS INC	\$61,799.22	EMPLOYEE CONTRIB
NEBRASKA AIR FILTER INC	\$1,084.08	SUPPLIES
NEBRASKA CHILD SUPPORT PAYMENT CTR	\$496.62	GARNISHMENT
NEBRASKA DISTRIBUTING	\$377.15	MAC OPERATING EXPENDITURE
NEBRASKA FURNITURE MART INC	\$13,660.16	FURNITURE
NEBRASKA IOWA SUPPLY CO INC	\$10,950.80	FUEL
NEBRASKA MACHINERY CO	\$631.07	MAC OPERATING EXPENDITURE
NEW VISIONS HOMELESS SERVICES	\$31,307.99	GRANT REIMBURSEMENT
NEWSBANK INC	\$2,129.40	HARDWARE/SOFTWARE
NICOLE MARIE GUILD	\$78.60	REFUND
OCLC INC	\$1,210.47	SUBSCRIPTION
OLSSON	\$800.00	CONSULTANT
OMAHA DOOR & WINDOW CO INC	\$164.15	REPAIRS
OMAHA DOOR & WINDOW INC	\$6,562.29	MAC OPERATING EXPENDITURE
OREGON DEPARTMENT OF JUSTICE	\$1,108.62	EMPLOYEE CONTRIB
O'REILLY AUTOMOTIVE INC	\$494.62	SUPPLIES
OVERDRIVE INC	\$1,243.33	BOOKS/PERIODICALS/SUB
PAPILLION SANITATION	\$2,556.64	SOLID WASTE DISPOSAL
PARAMOUNT LINEN & UNIFORMS	\$215.34	DODGE OPERATING EXPENITURE
PASSPORT LABS INC	\$1,751.75	PARK FEES
PAUL E DAMROW	\$240.01	TRAVEL REIMBURSEMENT
PAYLESS OFFICE PRODUCTS INC	\$23,933.78	SUPPLIES
PAYPAL INC	\$19.95	CONTRACTURAL SVC
PAYROLL	\$1,807,912.36	CITY EMPLOYEE PAYROLL
PAYROLL	\$121,938.21	MAC OPERATING EXPENDITURE
PETERSEN CLOVERLEAF FARMS INC	\$500.00	RENTAL EXPS
PETROLEUM TRADERS CORPORATION	\$35,520.95	FUEL
PHYLLIS REMINGTON	\$265.00	REFUND
PITNEY BOWES CORPORATION	\$3,000.00	POSTAGE & LEASE COST
PITNEY BOWES GLOBAL FINANCIAL LLC	\$1,484.82	POSTAGE & LEASE COST
POTTAWATTAMIE COUNTY AUDITOR	\$4,529.67	LAW ENFORCEMENT COMPLEX
POTTAWATTAMIE COUNTY DEVELOPMENT	\$26,168.00	TIF REBATE
POTTAWATTAMIE COUNTY RECORDER	\$187.00	FEES

POTTAWATTAMIE COUNTY SHERIFF	\$11,390.00	INMATE COST
PREMIER MIDWEST BEVERAGE CO	\$209.40	DODGE OPERATING EXPENITURE
PRG AMERICAS LLC	\$3,349.89	DODGE OPERATING EXPENITURE
PROJECT ADVOCATES	\$46,686.08	CONTRACTURAL SVC
PROQUEST	\$2,776.80	SUBSCRIPTION
PROTECH COMMERCIAL VEHICLE OUTFITTERS INC	\$215.98	EQUIPMENT/PARTS
RADIATOR DEPOT	\$113.00	EQUIPMENT/PARTS
RANDALL SCHROEDER	\$191.50	REIMBURSEMENT-EMPLOYEE EXPENSE
RDG GEOSCIENCE & ENGINEERING INC	\$1,807.25	PROFESSIONAL SVCS
REBECCA J WEHRMAN-ANDERSEN	\$930.00	TRAINING
RECORDED BOOKS LLC	\$4,408.73	DVD/AUDIO/CD
RED CREDIT SOLUTIONS LLC	\$500.00	PROFESSIONAL SVCS
RED RIVER WASTE SOLUTIONS LP	\$212,354.58	REFUSE COLLECTION
RED RIVER WASTE SOLUTIONS LP	\$0.79	DODGE OPERATING EXPENITURE
RELIANT FIRE APPARATUS INC	\$37.64	EQUIPMENT/PARTS
RESOURCE RENTAL CENTER	\$312.00	DODGE OPERATING EXPENITURE
RESPOND FIRST AID SYSTEMS	\$697.15	MEDICAL SUPPLIES
RICHARD WADE	\$165.56	REIMBURSEMENT-EMPLOYEE EXPENSE
RICOH USA INC	\$62.72	CONTRACTURAL SVC
RIVERSIDE BUILDING MAINTENANCE INC	\$1,071.00	JANITORIAL SERVICE
ROAD BUILDERS MACH & SUPPLY CO INC	\$10,500.00	EQUIPMENT/PARTS
ROBERT E RUSSELL	\$86.75	REFUND
RONALD DUANE ZIKA	\$200.00	MAC OPERATING EXPENDITURE
ROSANNA M THURMAN	\$430.00	CONSULTANT
ROSE EQUIPMENT INC	\$3,021.00	EQUIPMENT/PARTS
RTG BUILDING SERVICES, INC.	\$5,772.49	JANITORIAL SERVICE
SAFETY KLEEN CORPORATION	\$513.55	CONTRACTURAL SVC
SAMPSON CONSTRUCTION CO INC	\$104,203.00	CONSTRUCTION
SAPP BROTHERS INC	\$24,261.36	FUEL
SARAH BUTLER AND CONRAD BUTLER	\$1,140.00	LEGAL CLAIM
SECURITY EQUIPMENT INCORPORATED	\$75,195.23	CONTRACTURAL SVC
SIEMENS INDUSTRY INC	\$1,947.50	EQUIPMENT/PARTS
SILVERSTONE GROUP INC.	\$1,084,659.37	INSURANCE
SNYDER & ASSOCIATES INC	\$34,849.86	PROFESSIONAL SVCS
SOUTHWEST IOWA PLANNING COUNCIL	\$23,359.42	CONTRACTURAL SVC
SPRINT SOLUTIONS INC	\$58.38	CELL PHONE
STATE FARM	\$726.00	REFUND
STATE INDUSTRIAL PROUCTS	\$579.02	SUPPLIES
STATE OF IOWA DEPARTMENT OF	\$1,075.00	MAC OPERATING EXPENDITURE
STEPP MANUFACTURING CO INC	\$586.47	EQUIPMENT/PARTS
STUDIO 15 COMMERCIAL INTERIORS INC	\$86,926.27	CONTRACT LABOR
SUEZ TREATMENT SOLUTIONS INC	\$15,300.00	EQUIPMENT/PARTS
SUSAN ACKERMAN	\$39.00	REFUND
SWAGIT PRODUCTIONS LLC	\$1,375.00	CONTRACTURAL SVC
SYSCO - LINCOLN	\$660.72	DODGE OPERATING EXPENITURE
TAPCO	\$257.68	HARDWARE/SOFTWARE
TECHMASTERS	\$380.95	DODGE OPERATING EXPENITURE
TED'S MOWER SALES & SERVICE INC	\$56.96	EQUIPMENT/PARTS
TELAMON TECHNOLOGIES CORP	\$134,349.24	EQUIPMENT/PARTS
TERRACON CONSULTANTS OF NEB INC	\$1,000.00	PROFESSIONAL SVCS
THE CENTER	\$10.00	FEES

THE J P COOKE COMPANY	\$35.70	SUPPLIES
THE OFFICE CLEANERS	\$3,102.05	JANITORIAL SERVICE
THE WALMAN OPTICAL COMPANY	\$210.40	SAFETY EQUIPMENT
THERESA CANNON DEWITT	\$26.16	REIMBURSEMENT-EMPLOYEE EXPENSE
THERMAL SERVICES	\$289.00	REPAIRS
THERMO KING CHRISTENSEN	\$351.34	SUPPLIES
THOMAS E DANAHY	\$85.86	REFUND
THOMSON REUTERS	\$675.21	SUBSCRIPTION
TITAN MACHINERY INC	\$186,697.00	EQUIPMENT/PARTS
TOYNE INC	\$1,817.57	EQUIPMENT/PARTS
TRANS-ALARM, INC.	\$792.00	CONTRACTURAL SVC
TRANSIT AUTHORITY OF THE CITY OF OMAHA	\$64,082.00	BUS SERVICE
TRAVIS BRADLEY	\$169.14	REFUND
TREASURER STATE OF IOWA	\$228.98	PROFESSIONAL SVCS
TREASURER STATE OF IOWA/SALES TAX	\$4,855.00	SALES TAX
TRISHA D ALFERS	\$7.09	REIMBURSEMENT-EMPLOYEE EXPENSE
TURFWERKS	\$265.32	EQUIPMENT/PARTS
TWO RIVERS INSURANCE COMPANY, INC.	\$250.00	HEALTH INSURANCE
TYLER TECHNOLOGIES INC	\$78,360.56	HARDWARE/SOFTWARE
UNION BANK & TRUST	\$2.00	DODGE OPERATING EXPENITURE
UNION BANK & TRUST FSA	\$3.50	DODGE OPERATING EXPENITURE
UNITED HEALTHCARE	\$740.29	REFUND
UNITED STATES POSTAL SERVICE	\$2,122.05	FREIGHT/POSTAGE
UNITYPOINT CLINIC	\$252.00	CONSULTANT
US BANK	\$108,751.09	CREDIT CARD PURCHASES
VALLEY CORPORATION	\$390,626.05	CONSTRUCTION
VALUE LINE PUBLISHING INC	\$6,390.00	SUBSCRIPTION
VERIZON WIRELESS SERVICES LLC	\$4,931.18	CELL PHONE
VOICE & DATA SYSTEMS INC	\$228.00	TELEPHONE
VOIDED CHECKS	(\$29,247.72)	TIF/LEGAL SETTLEMENT
VOYA RETIREMENT INSURANCE & ANNUITY COMPANY	\$6,930.00	EMPLOYEE CONTRIB
W.W. GRAINGER, INC.	\$2,070.67	EQUIPMENT/PARTS
WAYNE PETERSON	\$372.00	MOWING/GROUNDS MAINT
WELLMARK	\$83.50	REFUND
WENDY K SCHULTZ	\$41.69	REIMBURSEMENT-EMPLOYEE EXPENSE
WEST BROADWAY CLINIC P C	\$275.00	CONSULTANT
WILLIAM E CARPENTER JR	\$273.59	TRAVEL REIMBURSEMENT
WINDSTREAM CORPORATION	\$2,507.16	TELEPHONE
WOODHOUSE AUTO FAMILY	\$336.17	EQUIPMENT/PARTS
WORKMAN PRECAST CORP	\$4,611.00	SUPPLIES
YMCA OF GREATER OMAHA	\$1,600.00	CONTRACTURAL SVC
ZOLL MEDICAL CORP	\$506.12	MEDICAL SUPPLIES
	<b>\$8,733,872.39</b>	



## City of Council Bluffs

### Receipts by Fund For the Month of January FY19

General Fund	3,529,403.88
Special Revenue	2,319,124.75
Debt Service	65,745.19
Capital Project	198,058.55
Enterprise	1,225,403.06
<b>Total Receipts</b>	<b><u>7,337,735.43</u></b>

### Expenditures by Fund For the Month of January FY19

General Fund	5,790,716.76
Special Revenue	979,735.52
Debt Service	0.00
Capital Project	1,218,735.94
Enterprise	744,684.17
<b>Total Expenditures</b>	<b><u>8,733,872.39</u></b>

### Transfer from City Operating Accounts

to Mid America Center	0.00
to Dodge Riverside	10,586.00
<b>Total Transfers</b>	<b><u>10,586.00</u></b>

February 8<sup>th</sup> 2019  
DATE

I acknowledge receiving a Notice of Expiration of Right of Redemption from Tax Sale for the property assessed to Deborah A. Warneke and located at 1119 Harrison Street, Council Bluffs, Iowa 51503 and legally described as:

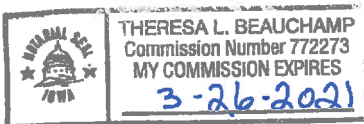
The North 44 feet of Lot 1 and the North 44 feet of the West 20 feet of Lot 2, in Block 14, Galesburg Addition to Council Bluffs, Pottawattamie County, Iowa,

which Notice is dated February 7, 2019 and signed by Curtis J. Heithoff as the attorney for G62, the party giving the Notice of Expiration of Right of Redemption from Tax Sale.

*Allyl Neel*  
COUNCIL BLUFFS CITY CLERK  
*administrative secretary*

Subscribed in my presence and sworn  
to before me this 8<sup>th</sup> day of  
February, 2019.

*Theresa L. Beauchamp*  
NOTARY PUBLIC



AM10:27

8 FEB 19

CLERK ROAD

**NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION FROM TAX SALE**

TO: Deborah A. Warneke  
228 Harrison Street #3A  
Council Bluffs, IA 51503

The Persons in whose Name  
the Following Described  
Property is Assessed

TO: Deborah A. Warneke and Occupants  
1119 Harrison Street  
Council Bluffs, IA 51503

The Persons in Possession  
of the Following Described  
Property

You, and each of you, are notified that on the 20<sup>th</sup> day of June, 2016, the following described property, situated in Pottawattamie County, Iowa, to-wit:


The North 44 feet of Lot 1 and the North 44 feet of the West 20 feet of Lot 2, in  
Block 14, Galesburg Addition to Council Bluffs, Pottawattamie County, Iowa,

with a street address of 1119 Harrison Street, Council Bluffs, Iowa 51503, and Tax Parcel No. 754424452001, was sold by the County Treasurer of Pottawattamie County, Iowa, for the then delinquent real estate taxes against said property to G62, and a Certificate of Purchase at Tax Sale, Certificate No. 16-0264, was duly issued to G62 by the County Treasurer of Pottawattamie County, Iowa, pursuant to said sale, which Certificate is now lawfully held and owned by G62 and that the right of redemption will expire and a Deed for said property will be executed and delivered unless redemption from said sale is made within ninety (90) days from the completed service of this Notice.

DATED this 2<sup>th</sup> day of February, 2019.

G62

BY: \_\_\_\_\_

  
Curtis J. Heithoff #2248  
508 South 8<sup>th</sup> Street  
Council Bluffs, Iowa 51501  
Telephone: 712-325-0888  
Email: cjheithoffcb@gmail.com  
ITS ATTORNEY

RETURN TO: CITY OF COUNCIL BLUFFS, IOWA  
ATTN: CITY LEGAL DEPARTMENT  
OR CITY CLERK  
209 PEARL STREET  
COUNCIL BLUFFS, IA 51503

CITY CLAIM NO. 19-PW-1943

## NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Amber Osbahr

DAY PHONE: 402-250-3747

ADDRESS: 2530 Lockwood Pl, Council Bluffs, IA 51503

DOB: 7/06/1977

DATE & TIME OF LOSS/ACCIDENT: Monday 2/11/19, time unknown

LOCATION OF LOSS/ACCIDENT: 2530 Lockwood Pl, Council Bluffs, IA 51503

DESCRIPTION OF LOSS/ACCIDENT: decorative block retaining wall surrounding mailbox was hit by grader/plow during snow removal

(USE BACK OF FORM, IF NECESSARY)

TOTAL DAMAGES CLAIMED: \$ \$200

WITNESS(ES) (Name(s), Address(es), Phone No(s)): n/a

WAS POLICE REPORT FILED YES ☒ NO

IF MEDICAL ATTENTION WAS REQUIRED, PLEASE PROVIDE NAME, ADDRESS, AND TELEPHONE NO. OF TREATING PHYSICIAN AND FACILITY:

n/a

HAVE YOU RESUMED NORMAL ACTIVITIES? ☒ YES NO

IF YOU INCURRED PROPERTY DAMAGE, PLEASE DESCRIBE AND PROVIDE COPIES OF ESTIMATES, INVOICES, PHOTOGRAPHS, AND ANY OTHER RELEVANT INFORMATION: damage to decorative block retaining wall

LIST INSURANCE PROVIDER AND COVERAGE:

I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IN SUPPORT OF MY CLAIM IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

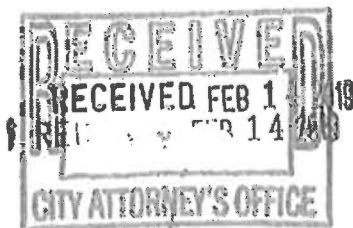
NOTE: IT IS A FRAUDULENT PRACTICE PUNISHABLE BY FINE OR IMPRISONMENT TO KNOWINGLY MAKE A FALSE CLAIM (SECTION 714.8(3) CODE OF IOWA)

CLERK ROUD

15 FEB'19

PM3:00

2/13/19  
DATE



Amber Osbahr  
CLAIMANT'S SIGNATURE

# City of Council Bluffs Iowa

## Office of the Mayor

### Proclamation

- WHEREAS,** honey bees and native insects are important as pollinators for a third of the food we eat and honey bees are vital in production of over 90 crops grown across the nation, many of which are in Iowa. Honey bees contribute to a healthy Iowa environment by assuring availability of fruits, vegetables, nuts and flowers for wildlife and all Iowans; and
- WHEREAS,** Iowa's 45,000 or more honey bee hives produce about 4 million pounds of honey valued at over \$8 million and honey bees provide an estimated \$92 million economic value to Iowa crops from their pollination; and
- WHEREAS,** Iowa has over 4,500 beekeepers representing hobbyists, sideliners as part time businesses and full time commercial beekeepers. Hobby beekeepers have as few as one hive to commercial operations with thousands of hives; and
- WHEREAS,** traditionally beekeeping occurred in rural areas of Iowa. Now beekeeping increasingly occurs in urban areas with the rising interest of hobby beekeepers for keeping beehives in Iowa cities and towns; and
- WHEREAS,** the State of Iowa has an active apiary inspection program to protect honey bees and beekeepers from introduction and spread of apiary diseases and pests; and
- WHEREAS,** honey bees face serious threats from invasive pest, decreasing bee friendly forage, variable climate and increasing pesticide and herbicide pressure.

**NOW, THEREFORE, I,**

**Matthew J. Walsh, Mayor  
of the  
City of Council Bluffs, Iowa  
do hereby proclaim**

**February 27, 2019**

**As**

### **IOWA HONEY BEE DAY**

in the City of Council Bluffs, Iowa and encourage all citizens, residents and visitors to join in observing this day and focusing on the importance of honey bees to our state economy, to enjoy the honey and other products of honey bees, to recognize the honey bees' role in maintaining our Iowa environment, and to assist in reducing the threats to honey bee survival in our state.



**IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Council Bluffs, Iowa to be affixed this 25th day of February, in the year Two Thousand Nineteen.**

  
**Matthew J. Walsh, Mayor**

## Council Communication

Department: Public Works Admin  
Case/Project No.:  
Submitted by: Greg Reeder, Public  
Works Director

Resolution 19-44  
ITEM 5.A.

Council Action: 2/25/2019

### Description

Resolution authorizing the Mayor to apply for FY2020 State Transit Assistance through the Iowa Department of Transportation.

### Background/Discussion

Every year the City of Council Bluffs is required to submit an Authorizing Resolution for State Transit Assistance (STA) for transit operations with the Iowa Department of Transportation's Joint Participation Agreement to provide Transit Assistance to Iowa's public transit systems.

Prior to receiving the funding, the City is required to submit to the Iowa DOT Office of Public Transit a notice of public hearing on the use of STA funds for the City's public transit systems, the Authorizing Resolution for Transit Assistance with the Iowa Department of Transportation, and a copy of city council minutes of the meeting where the public hearing is held.

The State Transit Assistance formula is based on ridership, revenue miles, operating expense and local match.

The Iowa Department of Transportation has indicated that the City will be eligible for an estimated \$219,867 in STA payments for FY2020. Currently the 2019 STA payments are anticipated to total approximately \$229,000 which was estimated last year at this time to be \$215,583. Application for the assistance has been prepared by city staff and must be submitted to the Iowa DOT.

### Recommendation

Approval of this resolution.

### ATTACHMENTS:

Description	Type	Upload Date
Resolution 19-44	Resolution	2/19/2019



R E S O L U T I O N  
NO. 19-44

RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION  
FOR FY2020 STATE TRANSIT ASSISTANCE.

WHEREAS, the City of Council Bluffs will be eligible for an estimated amount of \$219,867 in State Transit Assistance for use in operating its transit system during FY2020; and

WHEREAS, a public hearing notice was published as required by law, and the Public Hearing was held on February 25, 2019; and

WHEREAS, the City Council of the City of Council Bluffs believes that it is in the best interest of the City to submit an Authorizing Resolution for State Transit Assistance to the Iowa DOT; and

.

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

That the Mayor is hereby authorized and directed to submit an Authorizing Resolution for FY2020 State Transit Assistance and to enter into any necessary related contracts with the Iowa DOT.

ADOPTED  
AND  
APPROVED

February 25, 2019

\_\_\_\_\_  
Matthew J Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush, City Clerk



## Council Communication

Department: Community

Development

Case/Project No.: Case #CP-19-001

Submitted by: Chris Meeks,  
Planner

Resolution 19-45  
ITEM 5.B.

Council Action: 2/25/2019

### Description

Resolution to amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying all properties located between 1st Avenue and 2nd Avenue from South 27th Street to South 35th Street from a combination of High Density Residential and Low Density Residential, and Local Commercial to Multi-family/Mixed-Use (legally described as being Blocks 6 and 13, Ferry's Addition; Blocks 7 and 8, Bryant and Clark's Subdivision and the vacated street right-of-way adjacent; Block 9, Bryant and Clark's Subdivision; Blocks 10 and 11, Bryant and Clark's Subdivision and vacated street right-of-way adjacent; Block 12, Bryant and Clark's Subdivision; and Block 2, Twin City Subdivision); and to reclassify certain properties located between West Broadway and 1st Avenue from South 27th Street and South 31st Street from a combination of Local Commercial and High Density Residential to Multi-family/Mixed-Use (legally described as Lots 8 through 17, Block 1, Twin City Place; Blocks 2 and 3, Bryant and Clark's Subdivision and the vacated street right-of-way adjacent); and to reclassify certain properties located at the southeast corner of the intersection of West Broadway and South 34th Street from High Density Residential to Local Commercial (legally described as Lots 1 through 5, Block 5, Ferry Addition and the vacated alleys adjacent; and Lots 1 through 6, Block 6, Bryant and Clark's Addition and the West 33 feet of vacated 33rd Street right-of-way adjacent along with all vacated alleys adjacent). Case #CP-19-001

### Background/Discussion

See attachments

### Recommendation

### **ATTACHMENTS:**

Description	Type	Upload Date
Case #CP-19-001 Staff Report	Other	2/13/2019
Case #CP-19-001 Attachment A	Map	2/13/2019
Case #CP-19-001 Attachment B	Map	2/13/2019
Case #CP-19-001 Attachment C	Map	2/13/2019
Resolution 19-45	Resolution	2/19/2019

## Council Communication

Department: Community Development  CASE #CP-19-001  Owner/Applicant: Community Development Department City of Council Bluffs	Resolution No. _____	Planning Commission: 2/12/19  Public Hearing: 2/25/19
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### Subject/Title

Public hearing on the request of the City of Council Bluffs to amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying all properties located between 1<sup>st</sup> Avenue and 2<sup>nd</sup> Avenue from South 27<sup>th</sup> Street to South 35<sup>th</sup> Street from a combination of High Density Residential and Low Density Residential, and Local Commercial to Multi-family/Mixed-Use (legally described as being Blocks 6 and 13, Ferry's Addition; Blocks 7 and 8, Bryant and Clark's Subdivision and the vacated street right-of-way adjacent; Block 9, Bryant and Clark's Subdivision; Blocks 10 and 11, Bryant and Clark's Subdivision and vacated street right-of-way adjacent; Block 12, Bryant and Clark's Subdivision; and Block 2, Twin City Subdivision); and to reclassify certain properties located between West Broadway and 1<sup>st</sup> Avenue from South 27<sup>th</sup> Street and South 31<sup>st</sup> Street from a combination of Local Commercial and High Density Residential to Multi-family/Mixed-Use (legally described as Lots 8 through 17, Block 1, Twin City Place; Blocks 2 and 3, Bryant and Clark's Subdivision and the vacated street right-of-way adjacent); and to reclassify certain properties located at the southeast corner of the intersection of West Broadway and South 34<sup>th</sup> Street from High Density Residential to Local Commercial (legally described as Lots 1 through 5, Block 5, Ferry Addition and the vacated alleys adjacent; and Lots 1 through 6, Block 6, Bryant and Clark's Addition and the West 33 feet of vacated 33<sup>rd</sup> Street right-of-way adjacent along with all vacated alleys adjacent).

**Location:** Generally between West Broadway and 2<sup>nd</sup> Avenue from South 27<sup>th</sup> Street to South 35<sup>th</sup> Street.

### Background/Discussion

The Community Development Department is proposing to amend the Future Land Use Plan of the Bluffs Tomorrow: 2030 Comprehensive Plan by reclassifying multiple properties located between West Broadway and 2<sup>nd</sup> Avenue to the North and South, and South 27<sup>th</sup> Street and South 35<sup>th</sup> Street to the East and West, from a combination of Local Commercial, Low Density Residential, and High Density Residential to a combination of Mixed-Use/Multi-Family and Local Commercial (see Attachment A). The purpose of the amendment is to accommodate new development along the West Broadway Corridor that would be consistent with the West Broadway Corridor Plan that was adopted in 2015, while also allowing flexibility for future development in the area. The proposed amendment will not change which zoning district of subject properties, and will not effect on the conformity or nonconformity of current uses.

The amendments proposed are as follows:

- Properties between 1st Avenue and 2nd Avenue between South 35th Street and South 27th Street from a combination of Local Commercial, Low Density Residential, and High Density Residential to Multi-Family/Mixed-Use.
- Property located between West Broadway and 1st Avenue, and West of South 34th Street (Legally described as Lots 1-5, Block 5, Ferry Addition, and Lots 1-6, Block 6, Bryant and Clarks Addition) from High-Density Residential to Local Commercial.
- Property located between the platted 1st Avenue right-of-way and 1st Avenue (legally described as Lots 1-8, Block 2, and Lots 1-8, Block 3, Bryant and Clarks Subdivision) from Local Commercial to Multi-Family/Mixed-Use.

- Properties located East of South 28th Street, North of 1st Avenue (Legally Described as Lots 8-17, Block 1, Twin City Place) from High Density Residential to Multi-Family/Mixed Use.

### Comments

1. The subject properties are currently zoned as a combination of C-2/Commercial District, R-3/Low Density Multifamily Residential District, and I-1/Industrial District (See Attachment A). Land uses include vacant lots, residential properties, and commercial and industrial uses. Surrounding land uses include residential to the South, commercial to the North, Thomas Jefferson High School to the East, and multifamily residential structures to the West.
2. The City of Council Bluffs owns 22.17 acres of the 30.97 acres (excluding right-of-way) proposed to be reclassified with this report.
3. Per Chapter 5, Land Use Plan of the Bluffs Tomorrow: 2030 Comprehensive Plan, Multi-Family/Mixed-Use designated areas are intended to be distinct from typical multifamily areas and downtown mixed use area. In the Multi-family/Mixed-Use area, buildings may include ground-floor commercial uses, though not all buildings are anticipated to have commercial components, and the predominant use will be residential.
4. Per Chapter 5, Land Use Plan of the Bluffs Tomorrow: 2030 Comprehensive Plan, Local Commercially designated area are intended towards goods and services that meet the demand of Council Bluffs Residents. These would include grocery stores, convenience stores, pharmacies, banks, auto services, and small offices. Local Commercial areas are typically located along visible corridors (such as West Broadway) and may configured as multi-tenant shopping centers or individual developments on smaller lots.
5. The West Broadway Corridor Plan was adopted as Amendment #1 to the Bluffs Tomorrow: 2030 Comprehensive Plan on July 27, 2015 with Resolution No. 15-204. The West Broadway Corridor Plan is a long range plan that includes recommendations on street configurations, landscaping and streetscape improvements, transit and bicycle/pedestrian trail opportunities, redevelopment and job creation opportunities, and suggestions for land uses. The proposed amendments to the Future Land Use Plan would be more representative of the goals and objectives of the West Broadway Corridor Plan than what is currently shown on the Future Land Use Plan.
6. No changes are proposed to the current zoning of any of the subject properties with the exception of CASE #ZC-19-001, which will rezone Lots 1-16 and the vacated alley adjacent, Block 12, Bryant and Clark's Subdivision from R-3/Low Density Multifamily Residential to R-4/High Density Multifamily Residential. The subject property of CASE #ZC-19-001 is owned by the City of Council Bluffs. The proposed rezoning would be in harmony with the proposed reclassification of the parcel.
7. The appropriate City departments and utilities have reviewed the proposed request. Comments received are as follows:
  - The Council Bluffs Fire Marshall had no comments.
  - Council Bluffs Water Works stated they have no concerns regarding the amendment.
  - Black Hills Energy stated they have no concerns regarding the amendment.
8. All affected property owners were notified of the reclassification of their properties. Staff received two calls from affected property owners with questions regarding the reclassification of the properties, where it was reiterated to them that the reclassification of their properties would have no impact on the current zoning of their property. No formal comments in support or in opposition were received.
9. Currently, there are Metro Bus routes that run along the West Broadway (or 2<sup>nd</sup> Avenue during road construction). The proximity of location to public transportation makes it appropriate for higher-density residential development. In the West Broadway Corridor Plan, the 1<sup>st</sup> Avenue Corridor is proposed to be used as a bicycle/pedestrian trail, or multimodal transit corridor, which would further support higher density development and transit oriented development. The bicycle/pedestrian path in the 1<sup>st</sup> Avenue Corridor is currently being designed.

### Recommendation

The Community Development Department recommends approval of the amendment to the Future Land Use Plan of the Bluffs Tomorrow: 2030 Comprehensive Plan by adopting the following classifications:

- All properties between 1st and 2nd Avenue from South 27<sup>th</sup> Street to South 35<sup>th</sup> will be classified as

**Multi-Family/Mixed-Use.**

- Property located the Southeast corner of the intersection of West Broadway and South 34<sup>th</sup> Street (legally described as Lots 1-5, Block 5, Ferry Addition, and Lots 1-6, Block 6, Bryant and Clarks Addition, and all vacated alleys and right-of-way adjacent) will be classified as Local Commercial.
- Property located North of 1<sup>st</sup> Avenue right-of-way between South 29<sup>th</sup> and South 31<sup>st</sup> Streets (legally described as Lots 1-8, Block 2, and Lots 1-8, Block 3, Bryant and Clarks Subdivision, and the vacated South 30<sup>th</sup> Street right-of-way adjacent) will be classified as Multi-Family/Mixed-Use.
- Properties located East of South 28th Street and North of 1st Avenue right-of-way (legally described as Lots 8-17, Block 1, Twin City Place) will be classified as Multi-Family/Mixed Use.

**Public Hearing**

Staff speakers on behalf of request:

1. Chris Meeks, Planner, Community Development Department, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503.
2. Brandon Garrett, Director, Community Development Department, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503.
3. Christopher Gibbons, Planning Coordinator, Community Development Department, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503.

Speakers in favor: None

Speakers against: None

**Planning Commission Recommendation**

The Planning Commission recommends approval of the amendment to the Future Land Use Plan of the Bluffs Tomorrow: 2030 Comprehensive Plan by adopting the following classifications:

- All properties between 1st and 2nd Avenue from South 27<sup>th</sup> Street to South 35<sup>th</sup> will be classified as Multi-Family/Mixed-Use.
- Property located the Southeast corner of the intersection of West Broadway and South 34<sup>th</sup> Street (legally described as Lots 1-5, Block 5, Ferry Addition, and Lots 1-6, Block 6, Bryant and Clarks Addition, and all vacated alleys and right-of-way adjacent) will be classified as Local Commercial.
- Property located North of 1<sup>st</sup> Avenue right-of-way between South 29<sup>th</sup> and South 31<sup>st</sup> Streets (legally described as Lots 1-8, Block 2, and Lots 1-8, Block 3, Bryant and Clarks Subdivision, and the vacated South 30<sup>th</sup> Street right-of-way adjacent) will be classified as Multi-Family/Mixed-Use.
- Properties located East of South 28th Street and North of 1st Avenue right-of-way (legally described as Lots 8-17, Block 1, Twin City Place) will be classified as Multi-Family/Mixed Use.

VOTE: AYE 10   NAY 0   ABSTAIN 0   ABSENT 0   VACANT 1   Motion: Carried

**Attachments**

Attachment A: Location and Current Zoning Map

Attachment B: Proposed Land Use Plan Amendment

Attachment C: Selected Maps from West Broadway Corridor Plan

Attachment D: Affected City Owned Properties




Prepared by: Chris Meeks, Planner



# CITY OF COUNCIL BLUFFS

## CASE #CP-19-001 LOCATION/ZONING MAP

### Map Legend

-  Reclassification to Local Commercial
-  Reclassification to Multi-Family/Mixed-Use
-  Parcels

0 325 650  
1 Inch = 653 Feet



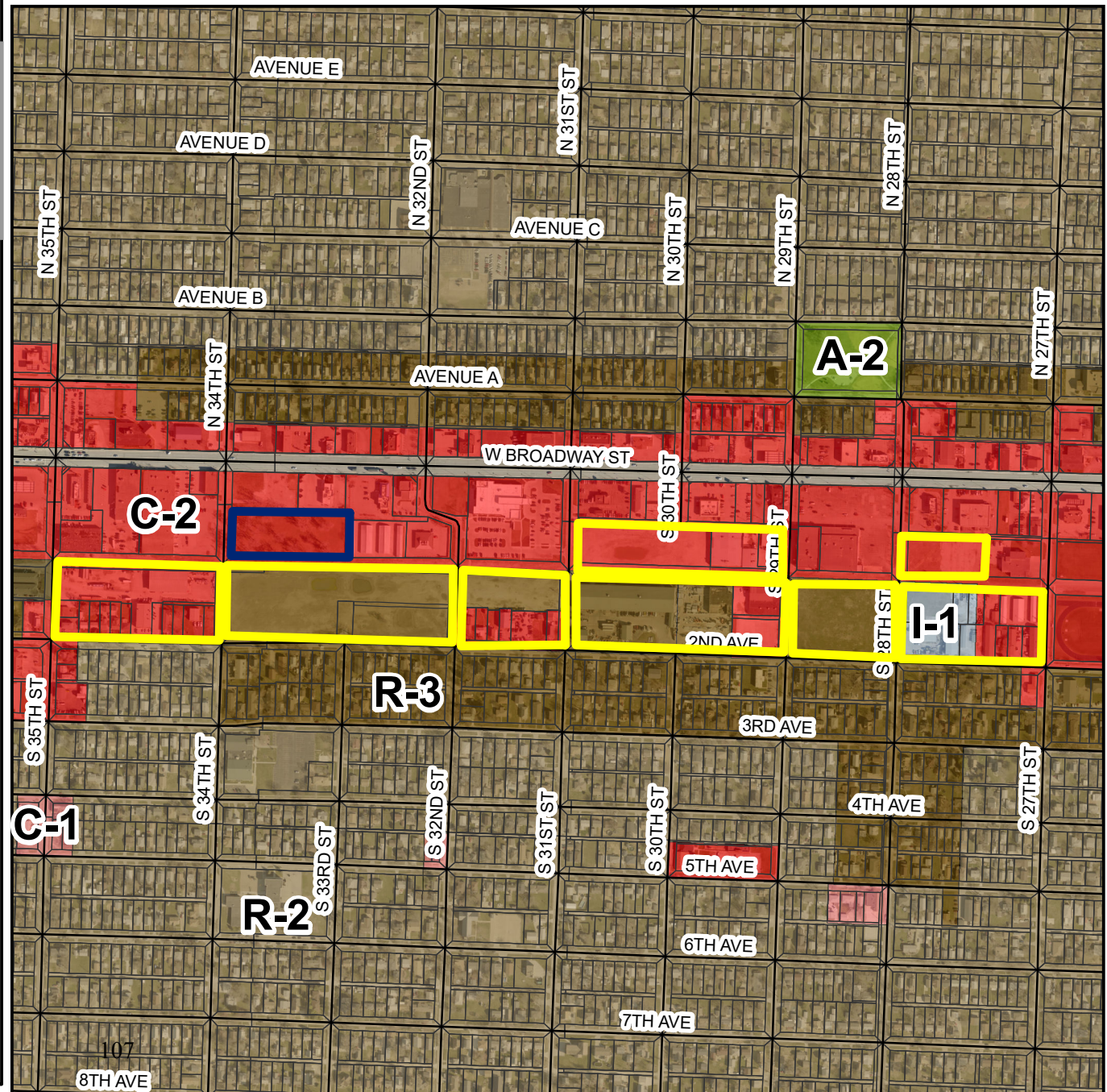
Last Amended: 2/4/19



Council Bluffs Community  
Development Department  
209 Pearl Street  
Council Bluffs, IA 51503  
Telephone: (712) 328.4629

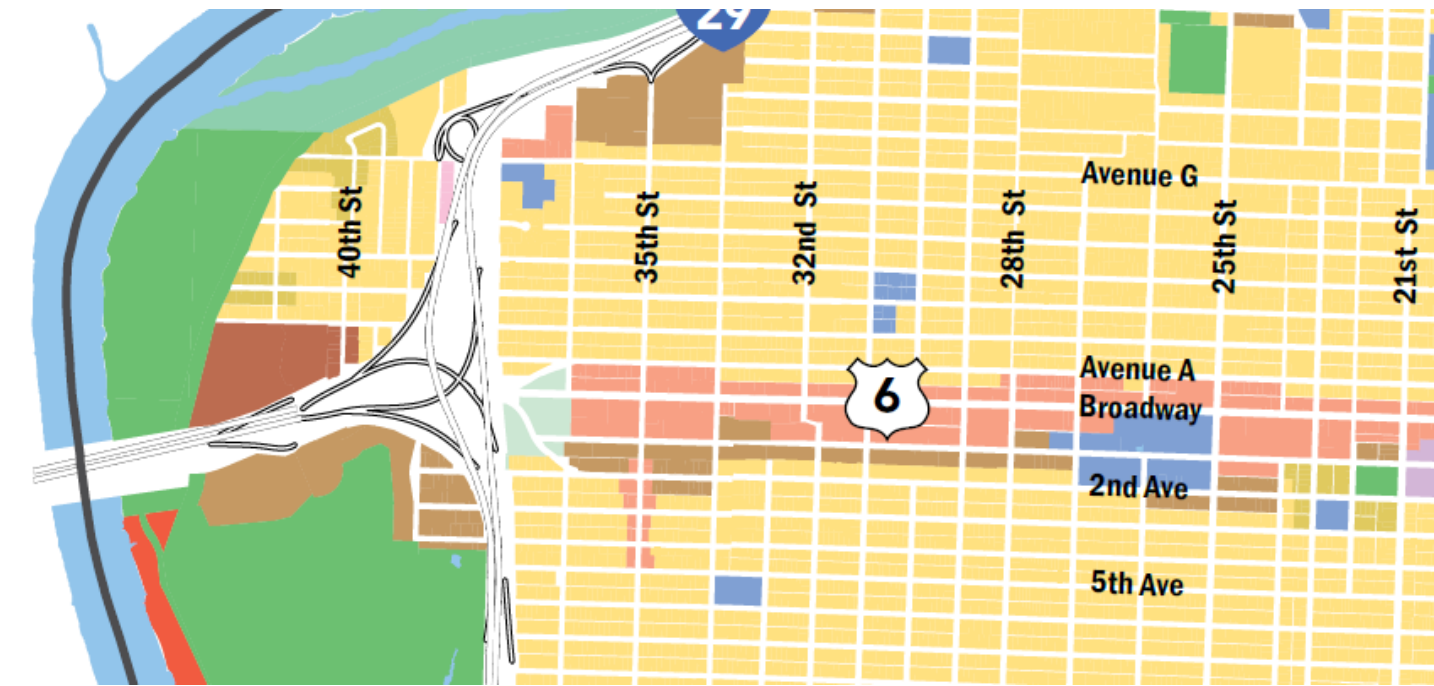
#### DISCLAIMER

This map is prepared and compiled from City documents, plans and other public records data. Users of this map are hereby notified that the City expressly denies any and all responsibilities for errors, if any, in the information contained on this map of the misuse of the same by the user or anyone else. The user should verify the accuracy of information/data contained on this map before using it. The City assumes no legal responsibility for the information contained on this map.

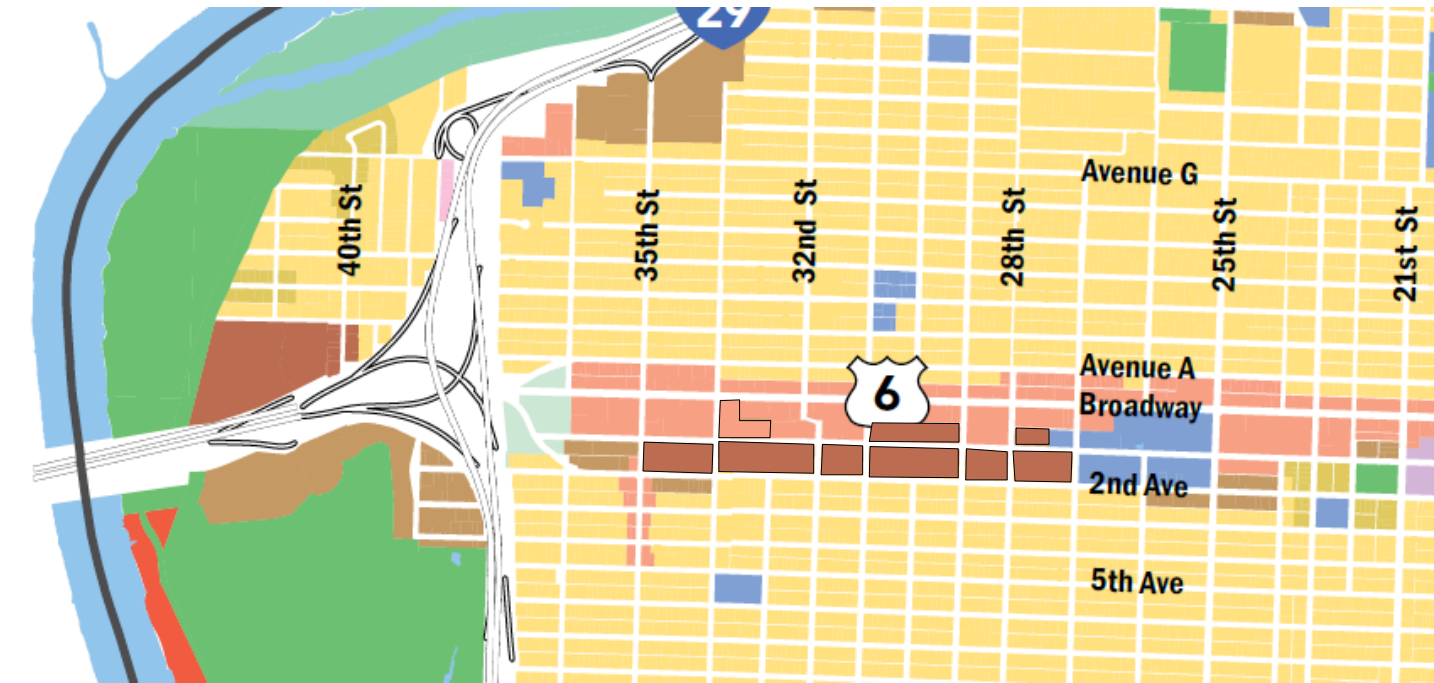




Existing Future Land Use Map



Proposed Future Land Use Map



**Land Use Legend**

**Residential**

- Rural Residential/Agriculture
- Low-Density Residential
- Medium-Density Residential
- High-Density Residential
- Multi-family/Mixed-use

**Commercial**

- Local Commercial
- Regional Commercial
- Downtown/Mixed-use

**Industrial**

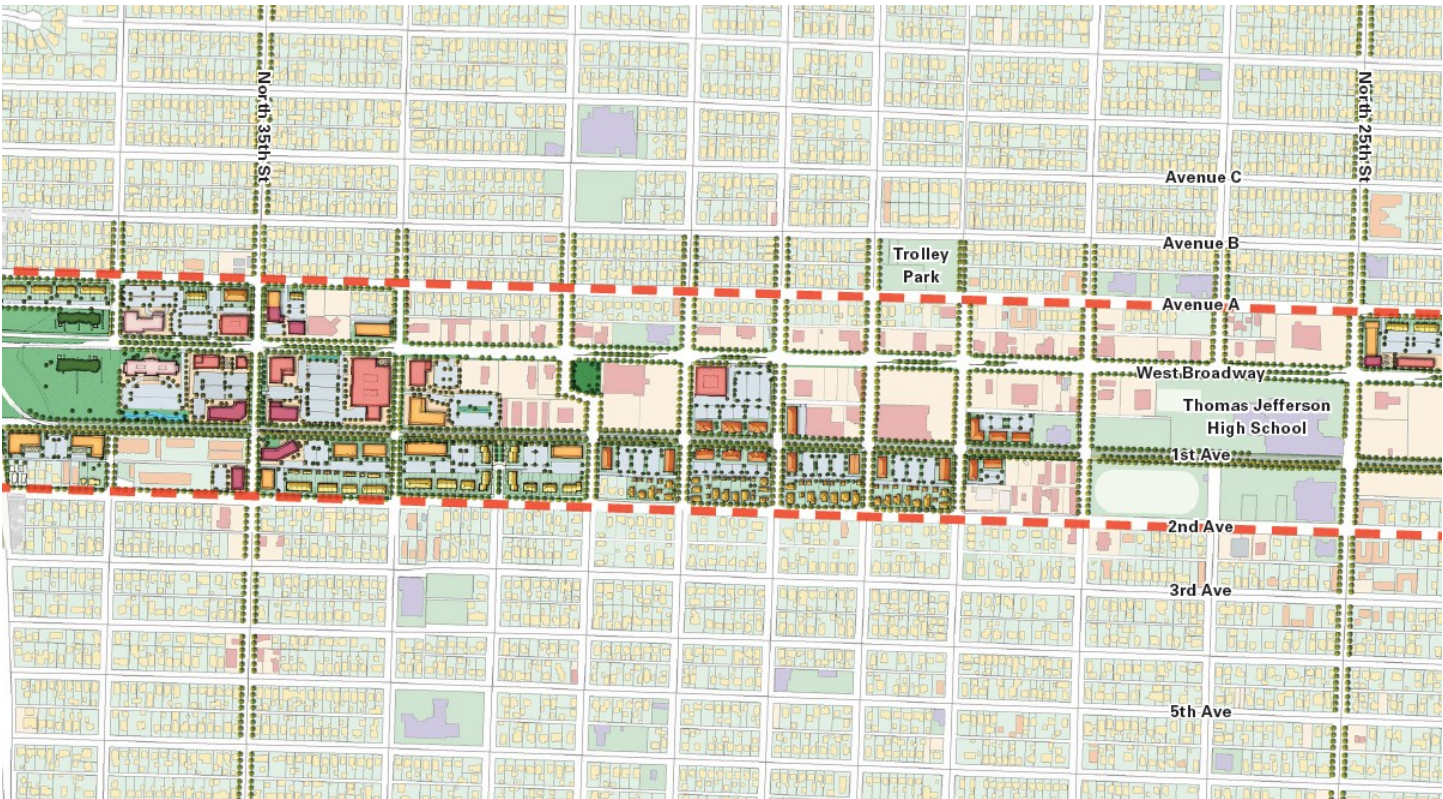
- Office/Industrial
- Light Industrial
- Heavy Industrial

**Public Land Uses**

- Natural Areas
- Public Park
- Public/Semi-public
- Transportation/Utility
- Loess Hills Preservation Area



# Attachment C: West Broadway Corridor Plan Maps



Places in the plan



**1. WESTERN GATEWAY**

- » The Western Gateway helps set the character and impression as people enter Council Bluffs from the east.
- » New development in the blocks around 35th Street should be high quality and urban in character.



**2. BUNGE GRAIN ELEVATOR SITE**

- » South 35th Street is an ideal location for a transit station along the 1st Street transit corridor.
- » Development around the station will include pedestrian-oriented retail and residential lofts immediately adjacent to the stop.



**3. THOMAS JEFFERSON H.S.**

- » The Bunge Gain Elevator site is a large site under City control, allowing transformational development to occur along the 1st Avenue corridor.
- » It is an ideal site for new residential development, including multi-family loft buildings, townhouses, and single-family houses.



**4. COCHRAN PARK**

- » Thomas Jefferson High School is a well recognizable landmark along West Broadway. Many community members have attended or participated at the school.
- » The plan explores several solutions for routing future transit while protecting the school and recreational functions.



**5. COCHRAN PARK**

- » Cochran Park represents an opportunity for a community hub around an enhanced park space.
- » Parcels along West Broadway and adjacent to the park can be redeveloped with new retail, active adult cottages, and other types residential options.



**5. EASTERN GATEWAY**

- » The Eastern Gateway sites present stormwater management and access challenges.
- » Therefore, the Corridor plan recommended flex commercial, open space, and recreational uses.





Illustrative Plan



Illustrative Plan





## RESOLUTION NO. 19-45

**A RESOLUTION TO AMEND THE *BLUFFS TOMORROW: 2030 PLAN (COMPREHENSIVE PLAN)*, SPECIFICALLY BY RECLASSIFYING ALL PROPERTIES LOCATED BETWEEN 1<sup>ST</sup> AVENUE AND 2<sup>ND</sup> AVENUE FROM SOUTH 27<sup>TH</sup> STREET TO SOUTH 35<sup>TH</sup> STREET FROM A COMBINATION OF HIGH DENSITY RESIDENTIAL AND LOW DENSITY RESIDENTIAL, AND LOCAL COMMERCIAL TO MULTIFAMILY/MIXED-USE (LEGALLY DESCRIBED AS BEING BLOCKS 6 AND 13, FERRY'S ADDITION; BLOCKS 7 AND 8, BRYANT AND CLARK'S SUBDIVISION AND THE VACATED STREET RIGHT-OF-WAY ADJACENT; BLOCK 9, BRYANT AND CLARK'S SUBDIVISION; BLOCKS 10 AND 11, BRYANT AND CLARK'S SUBDIVISION AND VACATED STREET RIGHT-OF-WAY ADJACENT; BLOCK 12, BRYANT AND CLARK'S SUBDIVISION; AND BLOCK 2, TWIN CITY SUBDIVISION); AND TO RECLASSIFY CERTAIN PROPERTIES LOCATED BETWEEN WEST BROADWAY AND 1<sup>ST</sup> AVENUE FROM SOUTH 27<sup>TH</sup> STREET AND SOUTH 31<sup>ST</sup> STREET FROM A COMBINATION OF LOCAL COMMERCIAL AND HIGH DENSITY RESIDENTIAL TO MULTI-FAMILY/MIXED-USE (LEGALLY DESCRIBED AS LOTS 8 THROUGH 17, BLOCK 1, TWIN CITY PLACE; BLOCKS 2 AND 3, BRYANT AND CLARK'S SUBDIVISION AND THE VACATED STREET RIGHT-OF-WAY ADJACENT); AND TO RECLASSIFY CERTAIN PROPERTIES LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF WEST BROADWAY AND SOUTH 34<sup>TH</sup> STREET FROM HIGH DENSITY RESIDENTIAL TO LOCAL COMMERCIAL (LEGALLY DESCRIBED AS LOTS 1 THROUGH 5, BLOCK 5, FERRY ADDITION AND THE VACATED ALLEYS ADJACENT; AND LOTS 1 THROUGH 6, BLOCK 6, BRYANT AND CLARK'S ADDITION AND THE WEST 33 FEET OF VACATED 33<sup>RD</sup> STREET RIGHT-OF-WAY ADJACENT ALONG WITH ALL VACATED ALLEYS ADJACENT).**

**WHEREAS,** On September 22, 2014 the Council Bluffs City Council approved Resolution No. 14-254 which adopted the *Bluffs Tomorrow: 2030 Plan* as the City's Comprehensive Plan; and

**WHEREAS,** This proposal consists of multiple properties generally located between West Broadway and 2<sup>nd</sup> Avenue from South 27<sup>th</sup> Street to South 35<sup>th</sup> Street; and

**WHEREAS,** The purpose of the amendment is to accommodate new development along the West Broadway Corridor that is consistent with the West Broadway Corridor Plan that was adopted in 2015 (see Resolution No. 15-204), while also allowing flexibility for future development in the area; and

**WHEREAS,** The proposed amendment will not change the zoning district designation of the subject properties nor effect the existing conformity or nonconformity status of land uses within this request; and

**WHEREAS,** The City of Council Bluffs Community Development Department is requesting and recommending approval of the amendment to the Future Land Use Plan of the Bluffs Tomorrow: 2030 Comprehensive Plan by reclassifying properties as follows:

- Properties between 1st Avenue and 2nd Avenue from South 27th Street South 35th Street will be classified as Multi-Family/Mixed-Use (legally described as being Blocks 6 and 13, Ferry's Addition; Blocks 7 and 8, Bryant and Clark's Subdivision and the vacated street right-of-way adjacent; Block 9, Bryant and Clark's Subdivision; Blocks 10 and 11, Bryant and Clark's Subdivision and vacated street right-of-way adjacent; Block 12, Bryant and Clark's Subdivision; and Block 2, Twin City Subdivision);
- Certain properties located between West Broadway and 1<sup>st</sup> Avenue from South 27th Street and South 31<sup>st</sup> Street will be classified as to Multi-Family/Mixed-Use (legally described as Lots 8 through 17, Block 1, Twin City Place; Blocks 2 and 3, Bryant and Clark's Subdivision and the vacated street right-of-way adjacent)
- Certain properties located at the southeast corner of the intersection of West Broadway and South 34<sup>th</sup> Street from High Density Residential to Local Commercial (legally described as Lots 1 through 5, Block 5, Ferry Addition and the vacated alleys adjacent; and Lots 1 through 6, Block 6, Bryant and Clark's Addition and the West 33 feet of vacated 33<sup>rd</sup> Street right-of-way adjacent along with all vacated alleys adjacent).

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

That the amendment to the *Bluffs Tomorrow: 2030 Plan (Comprehensive Plan)* specifically by reclassifying all properties located between 1<sup>st</sup> Avenue and 2<sup>nd</sup> Avenue from South 27<sup>th</sup> Street to South 35<sup>th</sup> Street from a combination of High Density Residential and Low Density Residential, and Local Commercial to Multi-family/Mixed-Use (legally described as being Blocks 6 and 13, Ferry's Addition; Blocks 7 and 8, Bryant and Clark's Subdivision and the vacated street right-of-way adjacent; Block 9, Bryant and Clark's Subdivision; Blocks 10 and 11, Bryant and Clark's Subdivision and vacated street right-of-way adjacent; Block 12, Bryant and Clark's Subdivision; and Block 2, Twin City Subdivision); and to reclassify certain properties located between West Broadway and 1<sup>st</sup> Avenue from South 27th Street and South 31<sup>st</sup> Street from a combination of Local Commercial and High Density Residential to Multi-family/Mixed-Use (legally described as Lots 8 through 17, Block 1, Twin City Place; Blocks 2 and 3, Bryant and Clark's Subdivision and the vacated street right-of-way adjacent); and to reclassify certain properties located at the southeast corner of the intersection of West Broadway and South 34<sup>th</sup> Street from High Density Residential to Local Commercial (legally described as Lots 1 through 5, Block 5, Ferry Addition and the vacated alleys adjacent; and Lots 1 through 6, Block 6, Bryant and Clark's Addition and the West 33 feet of vacated 33<sup>rd</sup> Street right-of-way adjacent along with all vacated alleys adjacent) is hereby approved and will become effective upon passage and approval by City Council.

ADOPTED  
AND  
APPROVED

February 25, 2019.

---

MATTHEW J. WALSH

Mayor

Attest:

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JODI QUAKENBUSH

City Clerk

## Council Communication

Department: Community

Development

Case/Project No.: Case #CP-19-002

Resolution 19-46  
ITEM 5.C.

Council Action: 2/25/2019

Submitted by: Christopher

Gibbons, Planning Coordinator

### Description

Resolution to amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying 44.47 acres of land located at the southwest corner of the intersection of South 24th Street and Richard Downing Avenue from a combination of Office/Industrial and High Density Residential to Regional Commercial (legally described as being part of N1/2 SE1/4 of Section 10-74-44 and part of the NW1/4 SW1/4 of Section 11-74-44, City of Council Bluffs, Pottawattamie County, Iowa, being more particularly described on Attachment 'A'. Case #CP-19-002

### Background/Discussion

See attachments

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Case #CP-19-002 Staff Report	Other	2/13/2019
Case #CP-19-002 Attachment A	Map	2/13/2019
Case #CP-19-002 Attachment B	Map	2/13/2019
Resolution 19-46	Resolution	2/19/2019

### Council Communication

Department and Applicant: Community Development  Case #CP-19-002	Resolution No. _____	Planning Commission: 2/12/19  Public Hearing: 2/25/19
<b>Subject</b> Request: Amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying 44.47 acres of land located at the southwest corner of the intersection of South 24th Street and Richard Downing Avenue from a combination of Office/Industrial and High Density Residential to Regional Commercial (legally described as being part of N1/2 SE1/4 of Section 10-74-44 and part of the NW1/4 SW1/4 of Section 11-74-44, City of Council Bluffs, Pottawattamie County, Iowa, being more particularly described on Attachment 'A').  Location: Southwest corner of the intersection of South 24 <sup>th</sup> Street and Richard Downing Avenue.		
<b>Background/Discussion</b> In August 2018, the Council Bluffs City Council adopted and approved the following ordinance and resolutions to allow a new commercial shopping center, known as 24 Park Place, to be developed on property located at the southwest corner of the intersection of South 24 <sup>th</sup> Street and Richard Downing Avenue: <ul style="list-style-type: none"><li>• Ordinance No. 6347: Conditionally rezoned the subject property from A-2/Parks, Estates, and Agricultural District to PC/Planned Commercial District. The rezoning will become effective upon execution of a final plat for 24 Park Place Subdivision;</li><li>• Resolution No. 18-55: Granted preliminary plan approval for a commercial subdivision to be known as 24 Park Place; and</li><li>• Resolution No. 18-259: Adopted a planned commercial development plan for 24 Park Place.</li></ul> The developer, Lockwood Development, has proposed to construct a new Fleet Farm store with an associated gas station/convenience store along with several pad sites in 24 Park Place and has requested the City of Council Bluffs provide financial assistance for the project. The City and Lockwood Development have held conversations about providing tax increment financing for the project using the powers granted under Iowa Code Chapter 403/Urban Renewal Law. In order to invoke its urban renewal powers, the City Council must agree to designate the subject property an Urban Renewal Area, adopt an Urban Renewal Plan and negotiate a development agreement with the Developer. State law requires that future land use in the Comprehensive Plan be consistent with the goals of the proposed Urban Renewal Plan. Furthermore, in order for the City to support the creation of an Urban Renewal Area and Plan on the subject property, an amendment to the future land use plan of the Bluffs Tomorrow 2030 Plan (Comprehensive Plan) is needed prior to any urban renewal actions.		
<b>Comments</b> 1. The future land use plan of the Bluffs Tomorrow 2030 Plan (Comprehensive Plan) classifies the subject property as Office/Industrial and High Density Residential. Surrounding land use designations includes Regional Commercial and Public Park to the north; Office/Industrial and Regional Commercial to the east; Office/Industrial and Light Industrial to the South; and High Density Residential to the West. The proposed amendment will result in an extension of the		

- Regional Commercial designation along South 24<sup>th</sup> Street, which is consistent with the plan designations on properties located to the adjacent north and northeast.
2. The City Council adopted Ordinance No. 6347, which conditionally rezoned the subject property from A-2/Parks, Estates, and Agricultural District to PC/Planned Commercial District. Approval of the request will bring consistency between the zoning (PC/Planned Commercial District) and future land use plan designation (Local Commercial) of the subject property.
  3. Chapter 5, Land Use Plan of the Bluffs Tomorrow 2030 Plan defines the High Density Residential land use classification as *“areas in Council Bluffs typically include a series of multi-family structures built as part of the same development. The structures area often arranged around an internal street network or a central courtyard or open space. These developments area often adjacent to neighborhoods, but tend to have their own character”*.
  4. Chapter 5, Land Use Plan of the Bluffs Tomorrow 2030 Plan defines the Office/Industrial land use classification as *“low-impact assembly or distribution activities complemented by employment-intensive, administrative, or professional office functions. In these areas, development should include attractive building and landscaping design, and have an overall character that reflects a professional office environment, and may include open spaces, trails, local commercial or restaurant uses, and other employee-oriented amenities”*.
  5. Chapter 5, Land Use Plan of the Chapter 5, Land Use Plan of the Bluffs Tomorrow 2030 Plan defines the Regional Commercial land use classification as *“areas with significant commercial development in high visibility areas, such as expressway interchanges and major destination centers. Uses in these areas include big-box retailers, casinos, franchise restaurants, and large multi-tenant shopping centers. Often, regional commercial centers are arranged around an internal circulation system with coordinated development”*. The subject property is comprised of 44.47 acres of land along South 24<sup>th</sup> Street, which is classified as a minor arterial roadway, and is located within a short distance from an I-29/I-80 interchange. To the immediate northeast of the subject property is an existing retail commercial shopping center known as Marketplace, anchored by JcPenny’s. The 24 Park Place Subdivision is master planned development with specific standards for architecture, landscaping, off-street parking, signage, stormwater, building setbacks/heights, and lot coverage. The development will be accessed from South 24<sup>th</sup> Street and Richard Downing Avenue and will include two new public streets for internal pedestrian and vehicle circulation. Proposed land uses in the development include a new Fleet Farm store with an associated gas station, an 88,000 square foot multi-tenant retail building, along with several pad sites for commercial/retail uses. The subject property’s size, location along South 24<sup>th</sup> Street, and proximity to Interstates I-29/I-80 and the Marketplace Shopping Center make it more suitable for large-scale retail commercial than high density residential and office/industrial. Furthermore, the proposed 24 Park Place planned for the subject property exemplifies the type of land uses that are developed in accordance with the Regional Commercial classification.
  6. All City Department and local utility providers were notified of the proposed request. Staff received no comments in opposition of the request.
  7. All affected property owners, including Lockwood Development and John Jerkovich (agent), were notified of the proposed request. Staff received one phone call from Mr. Jerkovich who asked general questions about the reclassification. The Community Development Department explained the purpose and intent of the reclassification as well as reiterated that it will not change the current zoning classification of their property nor change the conformance status of any existing land uses on their property. Staff received no formal comments in support or in opposition of the request.

8. As previously stated, the City and Lockwood Development have held conversations about providing tax increment financing for the 24 Park Place project using the powers granted under Iowa Code Chapter 403/Urban Renewal Law. In order to invoke its urban renewal powers, the City Council must agree to designate the subject property an Urban Renewal Area, adopt an Urban Renewal Plan and negotiate a development agreement with the Developer. State law requires that the future land use in the Comprehensive Plan be consistent with the goals of the proposed Urban Renewal Plan.

Approval of the proposed land use amendment will allow the City to move forward with designating the subject property an Urban Renewal Area and preparing an Urban Renewal Plan for 24 Park Place that is consistent with the Regional Commercial classification stated in the Bluffs Tomorrow: 2030 Plan, as required per State law. The 24 Park Place Urban Renewal Plan and associated development agreement will be forwarded to City Council for review and approval upon successful completion of this future land use plan amendment.

#### **Recommendation**

The Community Development Department recommends approval to amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying 44.47 acres of land located at the southwest corner of the intersection of South 24th Street and Richard Downing Avenue from a combination of Office/Industrial and High Density Residential to Regional Commercial (legally described as being part of N1/2 SE1/4 of Section 10-74-44 and part of the NW1/4 SW1/4 of Section 11-74-44, City of Council Bluffs, Pottawattamie County, Iowa, and being more particularly described on Attachment 'A', based on reasons stated above.

#### **Public Hearing**

Staff speaker on behalf of request:

1. Christopher Gibbons, Planning Coordinator, Community Development Department, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503.

Speakers in favor: None

Speakers against: None

#### **Planning Commission Recommendation**

The Planning Commission recommends approval to amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying 44.47 acres of land located at the southwest corner of the intersection of South 24th Street and Richard Downing Avenue from a combination of Office/Industrial and High Density Residential to Regional Commercial (legally described as being part of N1/2 SE1/4 of Section 10-74-44 and part of the NW1/4 SW1/4 of Section 11-74-44, City of Council Bluffs, Pottawattamie County, Iowa, and being more particularly described on Attachment 'A', based on reasons stated above.

VOTE: AYE 10    NAY 0    ABSTAIN 0    ABSENT 0    VACANT 1    Motion: Carried

#### **Attachments**

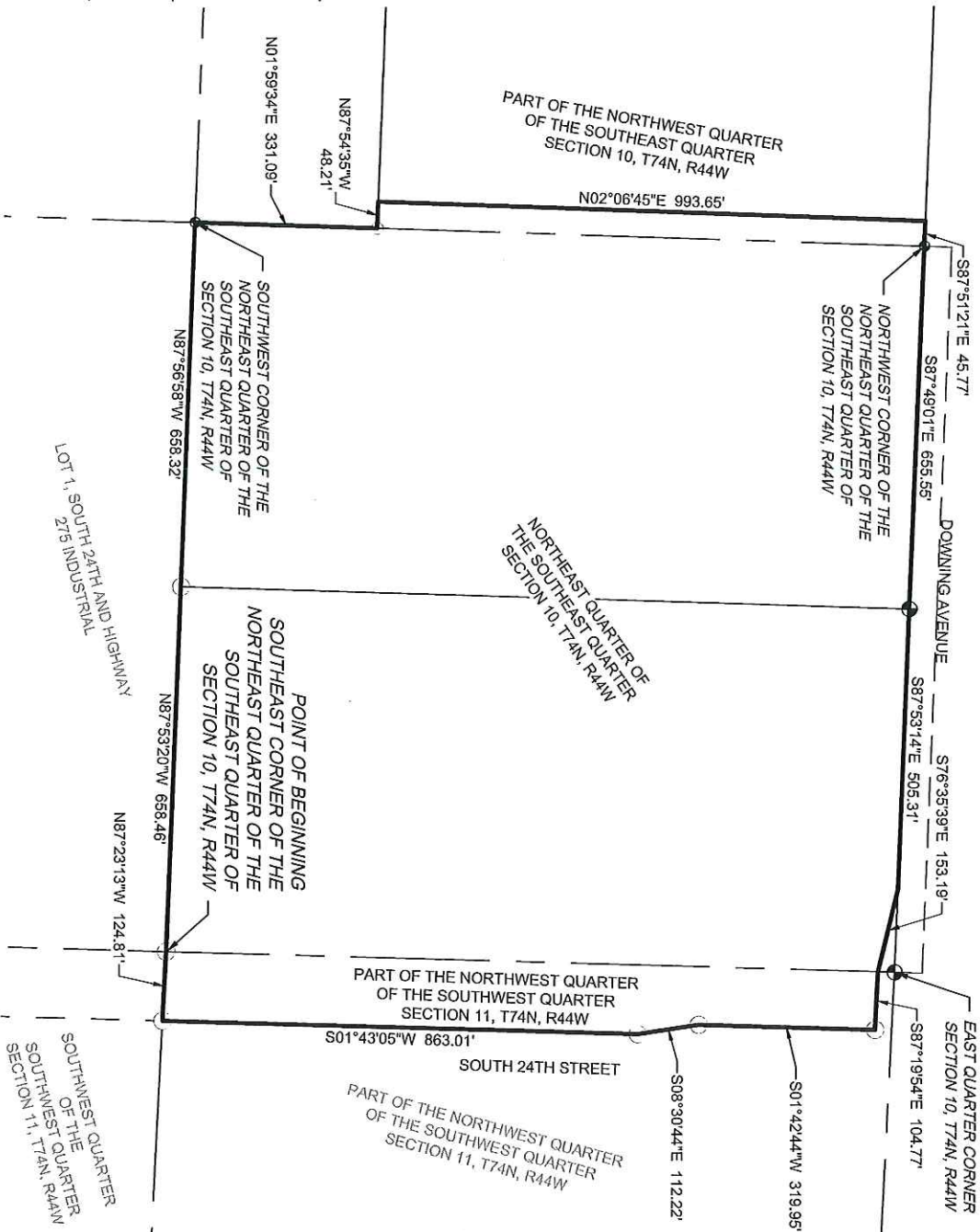
Attachment A: Legal description exhibit

Attachment B: Future land use plan amendment exhibit

Prepared by: Christopher N. Gibbons, AICP, Planning Coordinator

PROJECT NO: 018-1763  
DRAWN BY: DSH  
DATE: 12/14/18

RE-ZONING EXHIBIT



LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER SECTION 10 AND A PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11, ALL IN TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH P.M., POTAWATTAMIE COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10; THENCE ON THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER ON AN ASSUMED BEARING OF N87°53'20\"/>

SAID TRACT OF LAND CONTAINS A CALCULATED AREA OF 1,937,145.53 SQUARE FEET OR 44.471 ACRES MORE OR LESS.



SCALE IN FEET

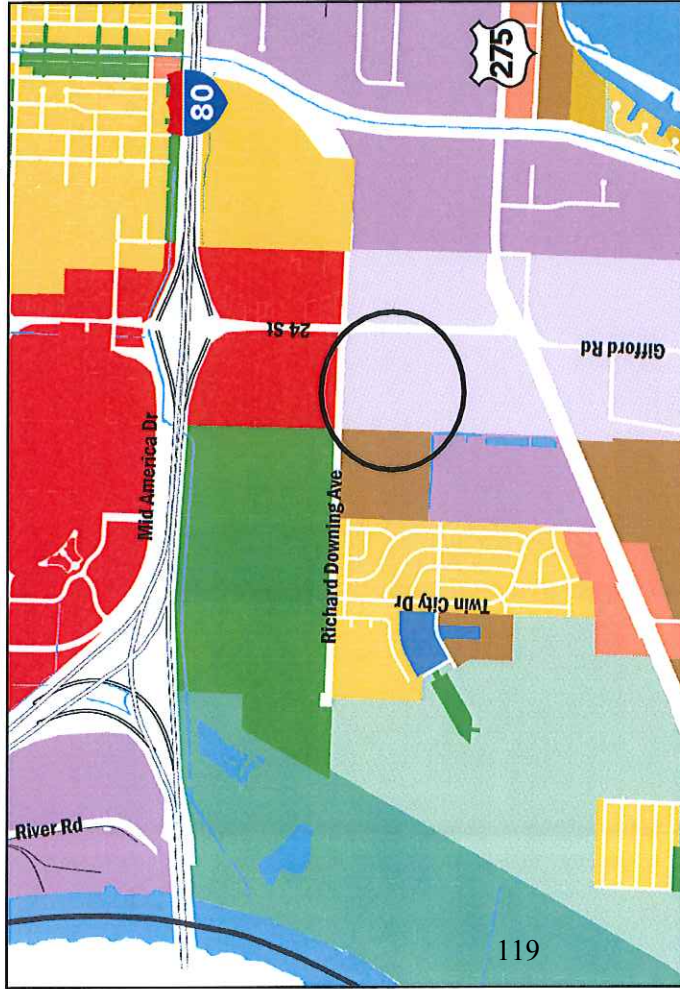


**OLSSON**  
ASSOCIATES  
2111 South 67th Street, Suite 200  
Omaha, NE 68105  
TEL: 402.341.1116  
FAX: 402.341.1585

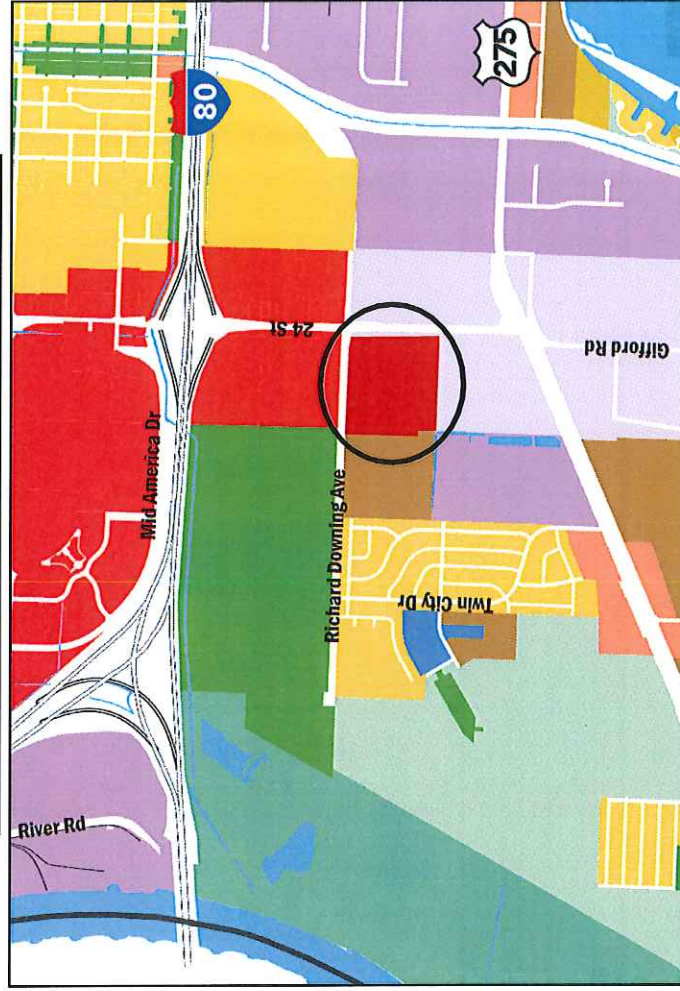
EXHIBIT  
1



Existing Future Land Use Plan Designation



Proposed Future Land Use Plan Designation



### Land Use Legend

Residential	
	Rural Residential/Agriculture
	Low-Density Residential
	Medium-Density Residential
	High-Density Residential
	Multifamily/Mixed-use
Commercial	
	Local Commercial
	Regional Commercial
	Downtown/Mixed-use

Industrial	
	Office/Industrial
	Light Industrial
	Heavy Industrial
Public Land Uses	
	Natural Areas
	Public Park
	Public/Semi-public
	Transportation/Utility
	Loess Hills Preservation Area

- Existing Land Use Plan Designation – Office/Industrial and High Density Residential
- Proposed Land Use Plan Designation – Regional Commercial
- Subject 44.47 acres to be reclassified from Office/Industrial and High Density Residential to Regional Commercial

## RESOLUTION NO. 19-46

**A RESOLUTION TO AMEND THE *BLUFFS TOMORROW: 2030 PLAN (COMPREHENSIVE PLAN)*, SPECIFICALLY BY RECLASSIFYING 44.47 ACRES OF LAND LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF SOUTH 24TH STREET AND RICHARD DOWNING AVENUE FROM A COMBINATION OF OFFICE/INDUSTRIAL AND HIGH DENSITY RESIDENTIAL TO REGIONAL COMMERCIAL (LEGALLY DESCRIBED AS BEING PART OF N1/2 SE1/4 OF SECTION 10-74-44 AND PART OF THE NW1/4 SW1/4 OF SECTION 11-74-44, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA), BEING MORE PARTICULARLY DESCRIBED ON ATTACHMENT ‘A’.**

**WHEREAS,** On September 22, 2014 the Council Bluffs City Council approved Resolution No. 14-254 which adopted the *Bluffs Tomorrow: 2030 Plan* as the City’s Comprehensive Plan; and

**WHEREAS,** The developer of this parcel, Lockwood Development, is proposing construction of a new Fleet Farm store with an associated gas station/convenience store along with several pad sites in 24 Park Place; and

**WHEREAS,** The City and Lockwood Development have held conversations about providing tax increment financing for the project using the powers granted under Iowa Code Chapter 403/Urban Renewal Law and in order to invoke its urban renewal powers, the City Council must agree to designate the subject property an Urban Renewal Area, adopt an Urban Renewal Plan and negotiate a development agreement with the Developer; and

**WHEREAS,** The following comments were received in response to this amendment:

1. The future land use plan of the Bluffs Tomorrow 2030 Plan (Comprehensive Plan) classifies the subject property as Office/Industrial and High Density Residential. Surrounding land use designations includes Regional Commercial and Public Park to the north; Office/Industrial and Regional Commercial to the east; Office/Industrial and Light Industrial to the South; and High Density Residential to the West. The proposed amendment will result in an extension of the Regional Commercial designation along South 24<sup>th</sup> Street, which is consistent with the plan designations on properties located to the adjacent north and northeast.
2. The City Council adopted Ordinance No. 6347, which conditionally rezoned the subject property from A-2/Parks, Estates, and Agricultural District to PC/Planned Commercial District. Approval of the request will bring consistency between the zoning (PC/Planned Commercial District) and future land use plan designation (Local Commercial) of the subject property.
3. Chapter 5, Land Use Plan of the Bluffs Tomorrow 2030 Plan defines the High Density Residential land use classification as “*areas in Council Bluffs typically include a series of multi-family structures built as part of the same development. The structures area often arranged around an internal street network or a central courtyard or open space. These*

*developments area often adjacent to neighborhoods, but tend to have their own character”.*

4. Chapter 5, Land Use Plan of the Bluffs Tomorrow 2030 Plan defines the Office/Industrial land use classification as *“low-impact assembly or distribution activities complemented by employment-intensive, administrative, or professional office functions. In these areas, development should include attractive building and landscaping design, and have an overall character that reflects a professional office environment, and may include open spaces, trails, local commercial or restaurant uses, and other employee-oriented amenities”.*
5. Chapter 5, Land Use Plan of the Chapter 5, Land Use Plan of the Bluffs Tomorrow 2030 Plan defines the Regional Commercial land use classification as *“areas with significant commercial development in high visibility areas, such as expressway interchanges and major destination centers. Uses in these areas include big-box retailers, casinos, franchise restaurants, and large multi-tenant shopping centers. Often, regional commercial centers are arranged around an internal circulation system with coordinated development”.* The subject property is comprised of 44.47 acres of land along South 24<sup>th</sup> Street, which is classified as a minor arterial roadway, and is located within a short distance from an I-29/I-80 interchange. To the immediate northeast of the subject property is an existing retail commercial shopping center known as Marketplace, anchored by JcPenney’s. The 24 Park Place Subdivision is master planned development with specific standards for architecture, landscaping, off-street parking, signage, stormwater, building setbacks/heights, and lot coverage. The development will be accessed from South 24<sup>th</sup> Street and Richard Downing Avenue and will include two new public streets for internal pedestrian and vehicle circulation. Proposed land uses in the development include a new Fleet Farm store with an associated gas station, an 88,000 square foot multi-tenant retail building, along with several pad sites for commercial/retail uses. The subject property’s size, location along South 24<sup>th</sup> Street, and proximity to Interstates I-29/I-80 and the Marketplace Shopping Center make it more suitable for large-scale retail commercial than high density residential and office/industrial. Furthermore, the proposed 24 Park Place planned for the subject property exemplifies the type of land uses that are developed in accordance with the Regional Commercial classification.
6. All City Department and local utility providers were notified of the proposed request. Staff received no comments in opposition of the request.
7. All affected property owners, including Lockwood Development and John Jerkovich (agent), were notified of the proposed request. Staff received one phone call from Mr. Jerkovich who asked general questions about the reclassification. The Community Development Department explained the purpose and intent of the reclassification as well as reiterated that it will not change the current zoning classification of their property nor change

the conformance status of any existing land uses on their property. Staff received no formal comments in support or in opposition of the request.

8. As previously stated, the City and Lockwood Development have held conversations about providing tax increment financing for the 24 Park Place project using the powers granted under Iowa Code Chapter 403/Urban Renewal Law. In order to invoke its urban renewal powers, the City Council must agree to designate the subject property an Urban Renewal Area, adopt an Urban Renewal Plan and negotiate a development agreement with the Developer. State law requires that the future land use in the Comprehensive Plan be consistent with the goals of the proposed Urban Renewal Plan.
9. Approval of the proposed land use amendment will allow the City to move forward with designating the subject property an Urban Renewal Area and preparing an Urban Renewal Plan for 24 Park Place that is consistent with the Regional Commercial classification stated in the Bluffs Tomorrow: 2030 Plan, as required per State law. The 24 Park Place Urban Renewal Plan and associated development agreement will be forwarded to City Council for review and approval upon successful completion of this future land use plan amendment; and

**WHEREAS,** The Community Development Department recommends approval to amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying 44.47 acres of land located at the southwest corner of the intersection of South 24th Street and Richard Downing Avenue from a combination of Office/Industrial and High Density Residential to Regional Commercial (legally described as being part of N1/2 SE1/4 of Section 10-74-44 and part of the NW1/4 SW1/4 of Section 11-74-44, City of Council Bluffs, Pottawattamie County, Iowa, and being more particularly described on Attachment ‘A’, based on reasons stated above.

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

That the amendment to the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) specifically by reclassifying 44.47 acres of land located at the southwest corner of the intersection of South 24th Street and Richard Downing Avenue from a combination of Office/Industrial and High Density Residential to Regional Commercial (legally described as being part of N1/2 SE1/4 of Section 10-74-44 and part of the NW1/4 SW1/4 of Section 11-74-44, City of Council Bluffs, Pottawattamie County, Iowa, and being more particularly described on Attachment ‘A’, is hereby approved and will become effective upon passage and approval by City Council.

ADOPTED  
AND  
APPROVED

February 25, 2019.

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MATTHEW J. WALSH

Mayor

Attest:

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JODI QUAKENBUSH

City Clerk

## Council Communication

Department: Community  
Development

Case/Project No.: Case #SUB-19-  
004

Submitted by: Chris Meeks,  
Planner

Resolution 19-47  
ITEM 5.D.

Council Action: 2/25/2019

### Description

Resolution granting final plat approval for a five-lot residential subdivision (including two outlots) to be known as Stella Burk Subdivision, legally described as being a replat of the North 112.5 Feet of Block 59, except the West 78 Feet thereof, including vacated alleyways which abut, and the vacated 26th Avenue right-of-way located West of South 13th Street, all in Railroad Addition. SUB-19-004

### Background/Discussion

See attachments

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Case #SUB-19-004 Staff Report	Other	2/14/2019
Case#SUB-19-004 Public Hearing Notice	Other	2/14/2019
Case #SUB-19-004 Attachment A	Map	2/14/2019
Resolution 19-47	Resolution	2/19/2019

## Council Communication

<p>Department: Community Development</p> <p>CASE #SUB-19-004</p> <p>Owner/Applicant: General Property MGT, LLC Attn: Larry Hansen P.O. Box 492 Council Bluffs, IA 51502</p> <p>Surveyor: Rogers Surveying Attn: Carl Rogers 1688 Rolling Hills Loop Council Bluffs, IA 51503</p>	<p>Resolution No. _____</p>	<p>City Council: 2/25/2019</p>
<b>Subject/Title</b>		
<p><b>Request:</b> Final plat approval of a five-lot residential subdivision (including two outlots) to be known as Stella Burk Subdivision, legally described as being a replat of the North 112.5 Feet of Block 59, except the West 78 Feet thereof, including vacated alleyways which abut, and the vacated 26<sup>th</sup> Avenue right-of-way located West of South 13<sup>th</sup> Street, all in Railroad Addition, City of Council Bluffs, Pottawattamie County, Iowa.</p>		
<b>Background/Discussion</b>		
<p>The Community Development Department has received a request from General Property Management, LLC, represented by Larry Hansen, for final plat approval of a five-lot residential subdivision (including two outlots) to be known as Stella Burk Subdivision. The proposed subdivision consists of 1.032 acres, more or less, of land, and is located West of South 13<sup>th</sup> Street. Access to the lots will come from South 13<sup>th</sup> Street. The proposed subdivision includes the former right-of-way of 26<sup>th</sup> Avenue, which was vacated with Resolution Number 18-286 on October 8, 2018. The proposed Stella Burk Subdivision will feature three (3) developable lots which are proposed to be developed as single family dwellings. The two (2) proposed outlots will be deeded to property owners adjacent to Stella Burk Subdivision, with Outlot 1 being deeded to the owner of the property addressed as 2532 South 13<sup>th</sup> Street for access to an accessory structure on their property (as is required by a condition of Resolution No. 18-286), and Outlot 2 being deeded to the owner of the property addressed as 2612 South 13<sup>th</sup> Street, as it is used as a driveway for that property.</p>		
<b><u>Comments</u></b>		
<ol style="list-style-type: none"><li>1. The proposed subdivision is consistent with the purpose and intent of the Council Bluffs Municipal Zoning Ordinance.</li><li>2. The entirety of the Stella Burk Subdivision is zoned R-2/Two-Family Residential District, which allows for single family dwellings as a principal use. The homes will be required to meet the site development regulations of the R-2 District.</li><li>3. Lots 1, 2, and 3 exceed all Site Development Regulations of the R-2/Two-Family Residential District, and are considered developable.</li><li>4. Outlot 1 and Outlot 2 are proposed to be combined with 2532 South 13<sup>th</sup> Street and 2612 South 13<sup>th</sup> Street, respectively. The combination of these outlots to those existing properties will be in harmony with the Council Bluffs Zoning Ordinance, and approval will be accomplished administratively through a Property Line Adjustment.</li></ol>		

5. The proposed subdivision is consistent with the purpose and intent of the Council Bluffs Municipal Subdivision Ordinance, with the exception of the three-to-one maximum lot depth requirement as set forth in Section 14.14.020(3). The applicant has applied for variances on Lots 1, 2, and 3 of Stella Burk Subdivision to allow a lot depth-to-width ratio of approximately 4.95-to-1, as the three lots will all be 51 feet wide, by 252 feet deep.
6. Per Section 14.11.040 – Variances, evidence must be presented to demonstrate “that due to special conditions, a literal enforcement of the ordinance will result in an unnecessary hardship”. The City Council shall have the power to vary such regulation so that substantial justice will be accomplished, provided that the following findings of fact can be proven: (Staff response is italicized)
  - (A) Not be contrary to the public interest: *The subject property is surrounded by residential dwellings, many of which on lots that are of a similar dimension to what is proposed. The proposed subdivision will also allow residential development on what was previously a privately held vacant property. The development of this subdivision as proposed will not be contrary to the public interest.*
  - (B) Be in the best interest of the city: *The City of Council Bluffs maintains a levee along Indian Creek, located directly adjacent to the subdivision to the West. Locating additional lots within the proposed subdivision would push development closer to the levee area, which could be a detriment to the City in the future. It is in the best interest of the City to allow the subdivision variance, and focus residential development in the vicinity of South 13<sup>th</sup> Street.*
  - (C) Be within the spirit and intent of this title: *The subdivision, as proposed, is consistent with the purpose and intent of this chapter, as it protects the public health, safety, and general welfare of the city, preserves the topography of the land, secures public lands and waters, provides growth in accordance with the Comprehensive Plan, is allowing development on previously vacant land, and will not cause undue cost on the City or the developer.*
  - (D) Not be detrimental to the future residents in and near the proposed subdivision: *The lots, as proposed, have the same depth and a similar width to many lots located North and South of the subject final plat. The proposed lots exceed the width and depth requirements for a lot in the R-2/Two Family Residential District, in which the subdivision is located. Granting the subdivision variance should not be detrimental to future residents, as it will still allow development in accordance with R-2 District Site Development Regulations in the proposed subdivision.*
  - (E) Be consistent with the city's comprehensive plan: *The Bluffs Tomorrow: 2030 (Comprehensive Plan) designates the subject property as “Low Density Residential”, which would allow single-family residential dwellings, as is proposed by the applicant. The Comprehensive Plan does not designate lot specific lot development standards, therefore, the proposal is consistent with the City’s comprehensive plan.*
7. All new electric, cable and communication facilities shall be installed underground. All costs to construct, remove and/or relocate any utilities for the proposed subdivision shall be the responsibility of the applicant and not the City.
8. The Council Bluffs Public Works Department stated they have no comments on the proposed final plat.
9. The Council Bluffs Fire Department stated they have no comments for the proposed final plat.
10. MidAmerican Energy Company stated they have no objections to the proposed final plat. MidAmerican Energy Company did note that they have not been contacted or entered any agreements to extend electric services to the proposed development.
11. Currently, a perpetual utility easement exists along the former 26<sup>th</sup> Avenue right-of-way, which was vacated by Resolution No. 18-286 on October 8, 2018. The applicant has requested that the South 48.5 feet of that utility easement be vacated to allow Lot 1 to be developed. Utility companies have been contacted and approval is pending. In order for Lot 1 to be considered a developable lot, all utility providers must vacate their interest in the subject utility easement.
12. A public sidewalk shall be installed along the frontages of each lot prior to issuance of a Certificate of Occupancy for a building on each lot, at no cost to the City.
13. The plat does not indicate if any private restrictions and/or covenants will be established for the subdivision, though notes if there are any they will be recorded with the Pottawattamie County Recorder’s Office. A copy of said private restrictions and/or covenants shall be provided to the City of Council Bluffs, if applicable. If no covenants are proposed a note shall be stated on the plat indicating such.



### **Recommendation**

The Community Development Department recommends final plat approval of a five lot residential subdivision (including 2 outlots) to be known as Stella Burk Subdivision, as legally described above and as shown on Attachment 'A', subject to all comments stated above and following conditions:

- a. All technical corrections discussed above shall be made on the final plat prior to execution of the document.
- b. The Public Works Department shall accept all infrastructure into the City's inventory prior to the final plat being signed and recorded; and
- c. The final plat shall be recorded within 90 days of City Council approval or the plat shall become null and void unless an extension of has been requested and granted by the Community Development Department Director; and
- d. Conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements; and
- e. All utilities shall be installed underground. Any cost to remove and/or relocate any utilities shall be the sole expense of the applicant and not the City; and
- f. The applicant shall provide a copy of any proposed covenants and/or private restrictions associated with the subdivision to the City; and
- g. A public sidewalk shall be installed along the frontages of each lot prior to issuance of a Certificate of Occupancy for a dwelling unit on each lot, at no cost to the City; and
- h. The developer shall provide the City with two sets of as-built construction drawings and a two-year maintenance bond, upon acceptance of all required improvements.
- i. The South 48.5 feet of the perpetual utility easement within the former 26<sup>th</sup> Avenue right-of-way shall be formally vacated by the City Council prior to the execution of the final plat.
- j. Outlot 1 shall be deeded to the owner of the property addressed as 2532 South 13<sup>th</sup> Street. No building permits shall be approved until the deed and property line adjustment have been executed.
- k. Outlot 2 shall be deeded to the owner of the property addressed as 2612 South 13<sup>th</sup> Street.
- l. The subdivision variances to allow Lots 1, 2, and 3, Stella Burk Subdivision, to exceed the three-to-one depth-to-width ratio shall be approved based on the reasons stated above.

### **Attachment**

Attachment A: Stella Burk Subdivision Final Plat

Surveyor: Carl Rogers, Rogers Surveying

Prepared by: Chris Meeks, Planner

## **NOTICE OF PUBLIC HEARING**

### **TO WHOM IT MAY CONCERN:**

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on the request of General Property MGT, LLC for final plat approval of an 5 lot (including two outlots) residential subdivision to be known as Stella Burk Subdivision, legally described as being a replat of the North 112.5 feet of Block 59, except the West 78 feet thereof, including vacated alleyways which abut, and the vacated 26<sup>th</sup> Avenue right-of-way located West of South 13<sup>th</sup> Street, all in Railroad Addition, City of Council Bluffs, Pottawattamie County, Iowa.

You are further notified that a public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 25<sup>th</sup> day of February, 2019 in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.



RECORDER'S INDEX LEGEND
COUNTY: POTTAWATTAMIE
CITY: COUNCIL BLUFFS, IOWA
SUBDIVISION: RAILROAD ADDITION
BLOCK(S): THE NORTH 122.50 FEET OF BLOCK 59, EXCEPT THE WEST 78.00 FEET THEREOF.
INCLUDING, VACATED ALLEYS WHICH ABUT THERETO.
AND INCLUDING VACATED 26TH AVENUE
REQUESTED BY: LARRY L. HANSEN
PROPRIETOR: GENERAL PROPERTY MGT., LLC
LAND SURVEYOR: CARL H. ROGERS, JR.
LAND SURVEYING COMPANY: ROGERS SURVEYING

PREPARED BY: CARL H. ROGERS, JR. PHONE: (402) 689-1549  
1688 ROLLING HILLS LOOP, COUNCIL BLUFFS, IOWA 51503

I HEREBY CERTIFY THAT I WILL MEET ALL EQUAL OPPORTUNITY AND FAIR MARKETING OBJECTIVES CONSISTENT WITH FEDERAL, STATE AND LOCAL GUIDELINES. I HEREBY CERTIFY THAT THE FOLLOWING DOCUMENTS WILL BE RECORDED WITH THE OFFICE OF THE POTTAWATTAMIE COUNTY RECORDER CONTEMPORANEOUSLY WITH THE FILING OF THE FINAL PLAT:

- A. THERE WILL BE NO PRIVATE RESTRICTIONS AND/OR COVENANTS FOR THIS SUBDIVISION.
- B. CERTIFIED STATEMENT RESOLUTION OF EACH GOVERNING BODY APPROVING THE SUBDIVISION OR WAIVING THE RIGHT TO REVIEW.

**DEDICATION**  
KNOW ALL PERSONS BY THESE PRESENTS THAT GENERAL PROPERTY MGT., LLC BEING THE SOLE OWNER OF THE NORTH 112.50 FEET OF BLOCK 59, EXCEPT THE WEST 78.00 FEET THEREOF, INCLUDING VACATED ALLEYS WHICH ABUT THERETO, AND VACATED 26TH AVENUE THAT ABUTS THERETO, ALL IN RAILROAD ADDITION TO COUNCIL BLUFFS, IOWA HAS CAUSED SAID PROPERTY TO BE SUBDIVIDED INTO LOTS 1 THRU 3, INCLUSIVE, AND INCLUDING OUTLOT 1 AND OUTLOT 2, AND TO BE KNOWN AS STELLA BURK SUBDIVISION.

IN WITNESS THEREOF, I DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF GENERAL PROPERTY MGT., LLC PROPERTY AS CONTAINED HEREIN ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

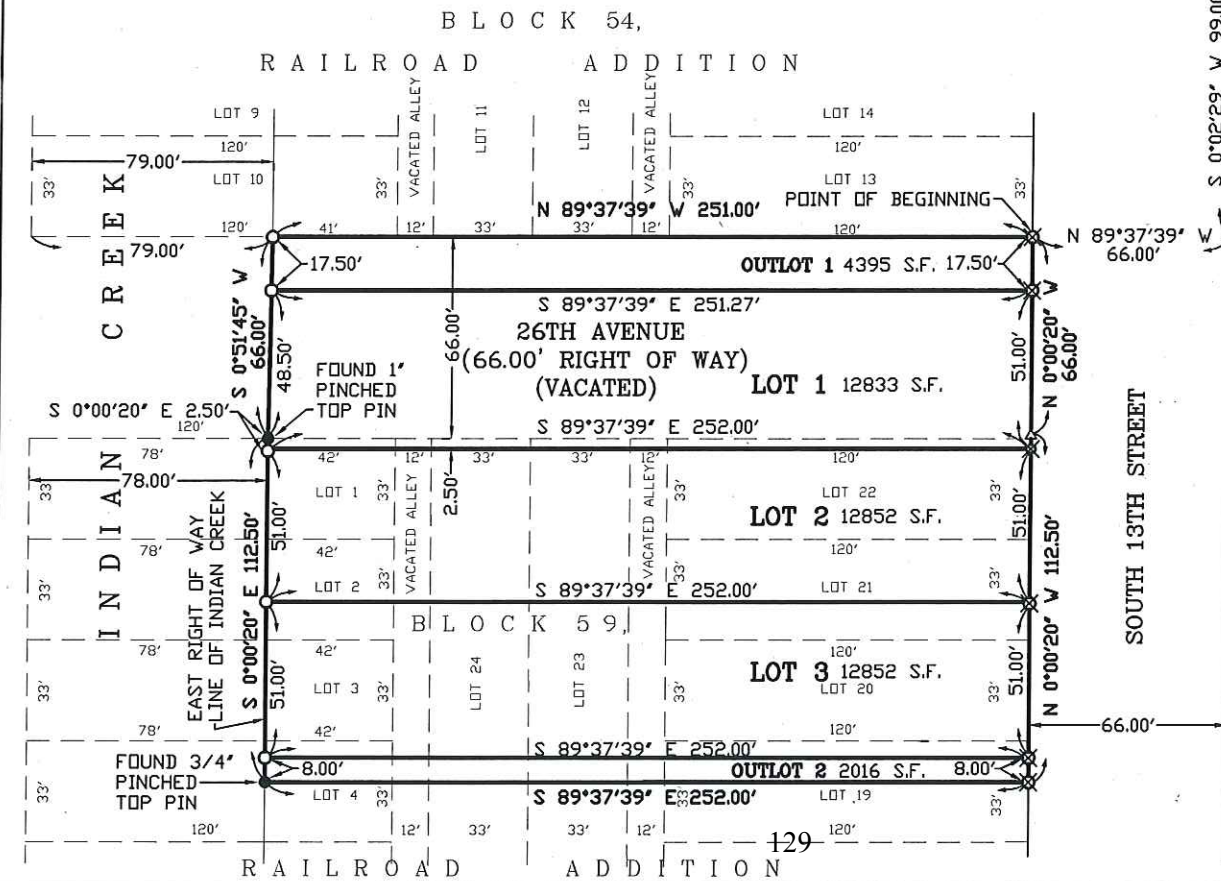
OWNER: GENERAL PROPERTY MGT., LLC, PRESIDENT, LARRY L. HANSEN

STATE OF IOWA )  
 ) SS  
COUNTY OF POTTAWATTAMIE )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF IOWA, PERSONALLY APPEARED LARRY L. HANSEN, TO ME PERSONALLY KNOWN, WHOM BEING BY ME DULY SWORN DID SAY HE IS THE PRESIDENT OF GENERAL PROPERTY MGT., LLC, AND DID SAY HE ACKNOWLEDGED THE EXECUTION OF THIS INSTRUMENT TO BE THE VOLUNTARY ACT AND DEED OF SAID LIMITED LIABILITY COMPANY BY IT VOLUNTARILY EXECUTED.

NOTARY PUBLIC IN AND FOR SAID STATE

MY COMMISSION EXPIRES \_\_\_\_\_



**NOTES:**

1. A 5.00 FOOT WIDE PERMANENT EASEMENT ON EACH SIDE OF THE LOT LINE BETWEEN LOT 1 AND LOT 2, AND ON EACH SIDE OF THE LOT LINE BETWEEN LOT 2 AND LOT 3. A 10.00 FOOT WIDE PERMANENT EASEMENT ALONG ALL FRONT LOT LINES AND A 10.00 FOOT WIDE PERMANENT EASEMENT ALONG ALL REAR LOT LINES ARE RESERVED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES:
- A) ERECTION OF STRUCTURES PROHIBITED: GRANTOR SHALL NOT ERECT ANY STRUCTURE OVER OR WITHIN THE EASEMENT AREA WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER WHICH SHALL NOT BE UNREASONABLY WITHHELD, PROVIDED HOWEVER GRANTOR SHALL HAVE THE RIGHT TO PLACE AND MAINTAIN A SURFACED ROADWAY OVER AND WITHIN THE EASEMENT AREA.
- B) CHANGE OF GRADE PROHIBITED: GRANTOR SHALL NOT CHANGE THE GRADE, ELEVATION OR CONTOUR OF ANY PART OF THE EASEMENT AREA WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER WHICH SHALL NOT BE UNREASONABLY WITHHELD.
- C) RIGHT OF ACCESS: CITY SHALL HAVE THE RIGHT OF ACCESS TO THE EASEMENT AREA AND HAVE ALL RIGHT OF INGRESS AND EGRESS REASONABLY NECESSARY FOR THE USE AND ENJOYMENT OF THE EASEMENT AREA AS HEREIN DESCRIBED.
- D) REMOVAL AND REPLACEMENT: WITH THE EXCEPTION OF EXISTING STRUCTURES, THE COST OF REMOVAL AND REPLACEMENT OF ANY UNAUTHORIZED IMPROVEMENT OR STRUCTURES WITHIN THE EASEMENT AREA, NECESSITATED BY THE EXERCISE OF THE RIGHTS UNDER THIS EASEMENT, SHALL BE BORNE BY THE GRANTOR OR THEIR SUCCESSORS OR ASSIGNS.
- E) SURFACE RESTORATION: CITY'S LIABILITY TO RESTORE THE SURFACE WITHIN THE EASEMENT AREA SHALL BE LIMITED ONLY TO GRADING AND SEEDING.
- F) DUTY TO REPAIR: CITY AGREES THAT ANY DRAIN TILE, DRIVE OR ACCESS WAY, FENCE, OR YARD OR OTHER IMPROVEMENTS OUTSIDE OF THE EASEMENT AREA WHICH MAY BE DAMAGED AS A RESULT OF ANY ENTRY MADE THROUGH AN EXERCISE OF THE CITY'S RIGHT OF ACCESS SHALL BE REPAIRED AT NO EXPENSE TO GRANTOR AND TO GRANTOR'S SATISFACTION.
- G) EASEMENT RUNS WITH LAND: THIS EASEMENT SHALL BE DEEMED TO RUN WITH THE LAND AND SHALL BE BINDING ON GRANTOR AND ON GRANTOR'S SUCCESSORS AND ASSIGNS.

# FINAL PLAT OF STELLA BURK SUBDIVISION

BEING A RE-PLATTING OF THE NORTH 112.50 FEET OF BLOCK 59, EXCEPT THE WEST 78.00 FEET THEREOF, INCLUDING VACATED ALLEYS WHICH ABUT THERETO, AND VACATED 26TH AVENUE THAT ABUTS THERETO, ALL IN RAILROAD ADDITION TO COUNCIL BLUFFS, IOWA.

**LEGEND:**

- - SET 5/8" REBAR WITH ALUMINUM CAP MARKED L.L.S. #7717
- ⊗ - MADE PILOT HOLE WITH CHISELED "X" IN CONCRETE
- - FOUND 5/8" REBAR WITH ORANGE PLASTIC CAP MARKED #9780, UNLESS OTHERWISE DESCRIBED ON DRAWING
- △ - CALCULATED POINT
- (S) - SURVEYED AS
- (R) - RECORDED AS

SCALE: 1" = 40'

40' 20' 0 40' 80'

CITY COUNCIL

APPROVED BY MAYOR: THE HONORABLE MATTHEW J. WALSH DATE

ATTESTED TO BY

CITY CLERK: JODI QUAKENBUSH DATE

COMMUNITY DEVELOPMENT DIRECTOR: BRANDON GARRETT DATE

CERTIFICATE OF TREASURER OF POTTAWATTAMIE COUNTY, IOWA.

I, THE TREASURER OF POTTAWATTAMIE COUNTY, IOWA, HEREBY CERTIFY THAT THE PROPERTY INCLUDED IN STELLA BURK SUBDIVISION, IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.

TREASURER OF POTTAWATTAMIE COUNTY, IOWA: LEA A. VOSS DATE

**LEGAL DESCRIPTION:**

THE NORTH 112.50 FEET OF BLOCK 59, EXCEPT THE WEST 78.00 FEET THEREOF, INCLUDING VACATED ALLEYS WHICH ABUT THERETO, AND VACATED 26TH AVENUE THAT ABUTS THERETO, ALL IN RAILROAD ADDITION TO COUNCIL BLUFFS, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF BLOCK 54 OF SAID RAILROAD ADDITION, AND POINT OF BEGINNING; THENCE NORTH 89°37'39" WEST, ALONG THE SOUTH LINE OF SAID BLOCK 54 AND ALONG THE NORTH RIGHT OF WAY LINE OF VACATED 26TH AVENUE, A DISTANCE OF 251.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF INDIAN CREEK; THENCE SOUTH 0°51'45" WEST, ALONG THE EAST RIGHT OF WAY LINE OF SAID INDIAN CREEK, A DISTANCE OF 66.00 FEET TO A POINT ON THE NORTH LINE OF SAID BLOCK 59, AND BEING A POINT ON THE SOUTH LINE OF SAID VACATED 26TH AVENUE; THENCE SOUTH 0°00'20" EAST, ALONG THE EAST RIGHT OF WAY LINE OF SAID INDIAN CREEK, A DISTANCE OF 112.50 FEET; THENCE SOUTH 89°37'39" EAST A DISTANCE OF 252.00 FEET TO A POINT ON THE EAST LINE OF SAID BLOCK 59; THENCE NORTH 0°00'20" WEST, ALONG THE EAST LINE OF SAID BLOCK 59, A DISTANCE OF 112.50 FEET TO THE NORTHEAST CORNER OF SAID BLOCK 59; THENCE CONTINUING NORTH 0°00'20" WEST A DISTANCE OF 66.00 FEET TO THE POINT OF BEGINNING. PARCEL CONTAINS 1.032 ACRES, MORE OR LESS. SAID VACATED 26TH AVENUE IS SUBJECT TO THE RESERVATION OF A PERMANENT AND PERPETUAL UTILITIES EASEMENT OF WAY IN FAVOR OF THE CITY OF COUNCIL BLUFFS, IOWA, FOR THE MAINTENANCE OF ANY AND ALL UTILITIES, IF ANY.

NOTE: THE EAST LINE OF SAID BLOCK 59 IS ASSUMED TO BEAR NORTH 0°00'20" WEST FOR THIS DESCRIPTION.



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

CARL H. ROGERS, JR. JANUARY 23, 2019  
DATE

LICENSE NUMBER: 7717

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2020.

NUMBER OF SHEETS COVERED BY THIS SEAL: SHEET 1 OF 1

ROGERS SURVEYING 1688 ROLLING HILLS LOOP COUNCIL BLUFFS, IOWA		
SCALE: 1" = 40'	PHONE: (402) 689-1549	DRAWN BY: S.R.R.
DATE: 1-23-2019		REVISED
TITLE: FINAL PLAT OF STELLA BURK SUBDIVISION		
CLIENT: GENERAL PROPERTY MGT., LLC P.O. BOX 492 COUNCIL BLUFFS, IOWA 51502		SHEET 1 OF 1



## RESOLUTION NO. 19-47

### **A RESOLUTION GRANTING FINAL PLAT APPROVAL OF A FIVE LOT RESIDENTIAL SUBDIVISION (INCLUDING TWO OUTLOTS) TO BE KNOWN AS STELLA BURK SUBDIVISION.**

**WHEREAS,** General Property Management, LLC, has requested review and approval of a final subdivision plat for a five lot residential subdivision (including two outlots) to be known as the Stella Burk Subdivision; and

**WHEREAS,** The proposed land consists of 1.032 acres, more or less, of land, and is located West of South 13<sup>th</sup> Street, and is legally described as: Being a replat of the North 112.5 Feet of Block 59, except the West 78 Feet thereof, including vacated alleyways which abut, and the Vacated 26<sup>th</sup> Avenue Right-of-Way located West of South 13<sup>th</sup> Street, all in Railroad Addition, City of Council Bluffs, Pottawattamie County, Iowa; and

**WHEREAS,** The following comments were provided for the proposed subdivision request:

1. The proposed subdivision is consistent with the purpose and intent of the Council Bluffs Municipal Zoning Ordinance.
2. The entirety of the Stella Burk Subdivision is zoned R-2/Two-Family Residential District, which allows for single family dwellings as a principal use. The homes will be required to meet the site development regulations of the R-2 District.
3. Lots 1, 2, and 3 exceed all Site Development Regulations of the R-2/Two-Family Residential District, and are considered developable.
4. Outlot 1 and Outlot 2 are proposed to be combined with 2532 South 13<sup>th</sup> Street and 2612 South 13<sup>th</sup> Street, respectively. The combination of these outlots to those existing properties will be in harmony with the Council Bluffs Zoning Ordinance, and approval will be accomplished administratively through a Property Line Adjustment.
5. The proposed subdivision is consistent with the purpose and intent of the Council Bluffs Municipal Subdivision Ordinance, with the exception of the three-to-one maximum lot depth requirement as set forth in Section 14.14.020(3). The applicant has applied for variances on Lots 1, 2, and 3 of Stella Burk Subdivision to allow a lot depth-to-width ratio of approximately 4.95-to-1, as the three lots will all be 51 feet wide, by 252 feet deep.
6. Per Section 14.11.040 – Variances, evidence must be presented to demonstrate “that due to special conditions, a literal enforcement of the ordinance will result in an unnecessary hardship”. The City Council shall have the power to vary such regulation so that substantial justice will be accomplished, provided that the following findings of fact can be proven: (Staff response is italicized)
  - (A) Not be contrary to the public interest: *The subject property is surrounded by residential dwellings, many of which on lots that are of a similar dimension to what is proposed. The proposed subdivision will also allow residential development on what was*

- previously a privately held vacant property. The development of this subdivision as proposed will not be contrary to the public interest.*
- (B) Be in the best interest of the city: *The City of Council Bluffs maintains a levee along Indian Creek, located directly adjacent to the subdivision to the West. Locating additional lots within the proposed subdivision would push development closer to the levee area, which could be a detriment to the City in the future. It is in the best interest of the City to allow the subdivision variance, and focus residential development in the vicinity of South 13<sup>th</sup> Street.*
  - (C) Be within the spirit and intent of this title: *The subdivision, as proposed, is consistent with the purpose and intent of this chapter, as it protects the public health, safety, and general welfare of the city, preserves the topography of the land, secures public lands and waters, provides growth in accordance with the Comprehensive Plan, is allowing development on previously vacant land, and will not cause undue cost on the City or the developer.*
  - (D) Not be detrimental to the future residents in and near the proposed subdivision: *The lots, as proposed, have the same depth and a similar width to many lots located North and South of the subject final plat. The proposed lots exceed the width and depth requirements for a lot in the R-2/Two Family Residential District, in which the subdivision is located. Granting the subdivision variance should not be detrimental to future residents, as it will still allow development in accordance with R-2 District Site Development Regulations in the proposed subdivision.*
  - (E) Be consistent with the city's comprehensive plan: *The Bluffs Tomorrow: 2030 (Comprehensive Plan) designates the subject property as "Low Density Residential", which would allow single-family residential dwellings, as is proposed by the applicant. The Comprehensive Plan does not designate lot specific lot development standards, therefore, the proposal is consistent with the City's comprehensive plan.*
- 7. All new electric, cable and communication facilities shall be installed underground. All costs to construct, remove and/or relocate any utilities for the proposed subdivision shall be the responsibility of the applicant and not the City.
  - 8. MidAmerican Energy Company stated they have no objections to the proposed final plat. MidAmerican Energy Company did note that they have not been contacted or entered any agreements to extend electric services to the proposed development.
  - 9. Currently, a perpetual utility easement exists along the former 26<sup>th</sup> Avenue right-of-way, which was vacated by Resolution No. 18-286 on October 8,

2018. The applicant has requested that the South 48.5 feet of that utility easement be vacated to allow Lot 1 to be developed. Utility companies have been contacted and approval is pending. In order for Lot 1 to be considered a developable lot, all utility providers must vacate their interest in the subject utility easement.

10. A public sidewalk shall be installed along the frontages of each lot prior to issuance of a Certificate of Occupancy for a building on each lot, at no cost to the City.
11. The plat does not indicate if any private restrictions and/or covenants will be established for the subdivision, though notes if there are any they will be recorded with the Pottawattamie County Recorder's Office. A copy of said private restrictions and/or covenants shall be provided to the City of Council Bluffs, if applicable. If no covenants are proposed a note shall be stated on the plat indicating such; and

**WHEREAS,** The Community Development Department recommends final plat approval of a five lot residential subdivision (including two outlots) to be known as Stella Burk Subdivision, as legally described above and as shown on Attachment 'A', subject to all comments stated above and following conditions:

- a. All technical corrections discussed above shall be made on the final plat prior to execution of the document.
- b. The Public Works Department shall accept all infrastructure into the City's inventory prior to the final plat being signed and recorded; and
- c. The final plat shall be recorded within 90 days of City Council approval or the plat shall become null and void unless an extension of has been requested and granted by the Community Development Department Director; and
- d. Conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements; and
- e. All utilities shall be installed underground. Any cost to remove and/or relocate any utilities shall be the sole expense of the applicant and not the City; and
- f. The applicant shall provide a copy of any proposed covenants and/or private restrictions associated with the subdivision to the City; and
- g. A public sidewalk shall be installed along the frontages of each lot prior to issuance of a Certificate of Occupancy for a dwelling unit on each lot, at no cost to the City; and
- h. The developer shall provide the City with two sets of as-built construction drawings and a two-year maintenance bond, upon acceptance of all required improvements.

- i. The South 48.5 feet of the perpetual utility easement within the former 26<sup>th</sup> Avenue right-of-way shall be formally vacated by the City Council prior to the execution of the final plat.
- j. Outlot 1 shall be deeded to the owner of the property addressed as 2532 South 13<sup>th</sup> Street. No building permits shall be approved until the deed and property line adjustment have been executed.
- k. Outlot 2 shall be deeded to the owner of the property addressed as 2612 South 13<sup>th</sup> Street.
- l. The subdivision variances to allow Lots 1, 2, and 3, Stella Burk Subdivision, to exceed the three-to-one depth-to-width ratio shall be approved based on the reasons stated above.

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

That the final plat approval for a five lot residential subdivision (including two outlots) to be known as Stella Burk Subdivision, as legally described above, is hereby approved subject to all local, state and federal regulations; and

**BE IT FURTHER RESOLVED**

That the Mayor and City Clerk are hereby authorized and directed to endorse the final plat.

ADOPTED  
AND  
APPROVED

February 25, 2019.

\_\_\_\_\_  
MATTHEW J. WALSH

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_

JODI QUAKENBUSH

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

## Council Communication

Department: Public Works Admin  
Case/Project No.: PW18-16B &  
PW19-16A  
Submitted by: Matthew Cox, City  
Engineer

Resolution 19-48  
ITEM 5.E.

Council Action: 2/25/2019

### Description

Resolution approving the plans and specifications for the Eastern Hills Drive Segment D, Highway 92 to the Intersection of Eastern Hills Drive and State Orchard Road. Project # PW18-16B & PW19-16A

### Background/Discussion

The Eastern Hills Drive, Segment D project will include a new roadway constructed on new alignment from Highway 92 to State Orchard Road and on the existing State Orchard Road alignment from Greenview Road to the Intersection of Eastern Hills Drive and State Orchard Road. A round-a-bout will be constructed at the intersection of Greenview and State Orchard and new traffic signals will be installed on Highway 92. A 10-foot wide concrete trail will be constructed on the north side of the new roadway. The project will require the construction of two concrete box culverts in Little Pony Creek. The roadway portion of this project is identified as PW19-16A and the box culverts are identified as PW18-16B.

The two projects will be tied and constructed as one project. The project will be let by the Iowa DOT.

The project will improve the transportation network in eastern Council Bluffs by completing Eastern Hills Drive between US Highway 6 and Iowa Highway 92, while providing improved connections to developments along Greenview Road, Steven Road, and Cottonwood Road. The continuity for the local transportation system will support future land development, increases the capacity of existing roads to accommodate traffic demands and improves emergency access.

Construction costs for both projects are estimated to be \$8,413,000. Federal funding through earmarks and STBG funds will be used for 80% of the construction costs. The remaining 20% will be shared by the City of Council Bluffs and Pottawattamie County. The City's match will be paid using sales tax funds.

The project schedule is as follows:	Hold Public Hearing	February 25, 2019
	Bid Letting	March 19, 2019
	Award	April 22, 2019
	Construction Start	June 2019

### Recommendation

Approval of this resolution.

### ATTACHMENTS:

Description	Type	Upload Date
EHD Roadway Exhibit	Map	2/14/2019
Resolution 19-48	Resolution	2/19/2019





1 OF 1  
sheet

project no.  
15806

project EASTERN HILLS DRIVE  
SEGMENT D - PROJECT 4  
client CITY OF COUNCIL BLUFFS

sheet EASTERN HILLS DRIVE EXHIBIT

JND  
drawn  
ZMW  
designed  
TJS  
approved  
JAN 19  
date  
revision  
date

hgm  
ASSOCIATES INC.  
640 FIFTH AVENUE COUNCIL BLUFFS, IOWA  
PHONE: (712) 323-0530

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**RESOLUTION  
NO 19-48**

**RESOLUTION APPROVING THE  
PLANS, SPECIFICATIONS, FORM OF CONTRACT  
AND COST ESTIMATE FOR THE  
EASTERN HILLS DRIVE SEGMENT D, HIGHWAY 92 TO THE INTERSECTION OF  
EASTERN HILLS DRIVE AND STATE ORCHARD ROAD  
PROJECT #PW18-16B & #PW19-16A**

WHEREAS, the plans, specifications, form of contract and cost estimate are on file in the office of the City Clerk of the City of Council Bluffs, Iowa for the Eastern Hills Drive Segment D, Highway 92 to the Intersection of Eastern Hills Drive and State Orchard Road; and

WHEREAS, A Notice of Public Hearing was published as required by law, and a public hearing was held on February 25, 2019.

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

That the plans, specifications, form of contract and cost estimate are hereby approved for the Eastern Hills Drive Segment D, Highway 92 to the Intersection of Eastern Hills Drive and State Orchard Road Project.

AND BE IT FURTHER RESOLVED

That the aforementioned project is encompassed by the language of the 1989 Local Option Sales Tax Ballot and as such this is an appropriate expenditure of the Local Option Sales Tax Revenues.

ADOPTED  
AND  
APPROVED

February 25, 2019

\_\_\_\_\_  
Matthew J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush, City Clerk

## Council Communication

Department: Community  
Development  
Case/Project No.: URN-19-002  
Submitted by: Brenda Carrico

Resolution 19-49  
ITEM 5.F.

Council Action: 2/25/2019

### Description

Resolution terminating the Mid-City Corridor Urban Renewal Plan (2004); determining an area of the City to be a 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 2019 Mid-City Corridor Urban Renewal Plan

### Background/Discussion

See attachments

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Staff report	Resolution	2/15/2019
2019 Mid-City Urban Renewal Plan	Resolution	2/15/2019
Consultation proceedings	Resolution	2/15/2019
City Planning Commission Report	Resolution	2/15/2019
Resolution 19-49	Resolution	2/19/2019

**Council Communication**  
**February 25, 2019 City Council Meeting**

Department: Community Development	Ordinance No.:  Resolution No.: 19-	Planning Commission: 2-12-2019 P.H. and First Reading: 2-25-2019 Second Reading: 3-11-2019 Third Reading: Request to waive
Case/Project No.: URN-19-002		
<b>Subject/Title</b>		
1) Resolution terminating the Mid-City Corridor Urban Renewal Plan (2004) and adopting the 2019 Mid-City Urban Renewal Area Plan		
2) Consideration of the Tax Increment Financing Ordinance		
<b>Location</b>		
Generally located from Avenue B to 6 <sup>th</sup> Avenue and South 8 <sup>th</sup> Street to South 13 <sup>th</sup> Street		
<b>Background/Discussion</b>		
<p><u>Background</u></p> <p>In 2004, the City Council adopted Resolution 04-112 creating the Mid-City Urban Renewal Plan. The primary reason for this Plan was the elimination of slum and blight as allowed under Iowa Code Section 403. This allowed the Community Development Department to utilize Community Development Block Grant (CDBG) funds to acquire and demolish the blighted industrial, commercial and residential properties in the original plan area. The U.S. Department of Housing and Urban Development (HUD) recognizes urban renewal plans as a slum and blight designation for a ten-year period. During the ten years, the City acquired, demolished and cleaned up environmental contamination on 23 acres on over 30 properties.</p> <p>Because HUD requires cities to reevaluate slum and blight urban renewal plans every ten years, the City believes the best alternative is to adopt a new Mid-City Urban Renewal Area Plan with a new defined area to ensure continued progress in the neighborhood. The new area expands to the east and south to include previously excluded commercial properties. Additionally, the ability to use tax increment financing (TIF) will be added to the plan for future acquisition and redevelopment use.</p> <p><u>Discussion</u></p> <p>On January 14, 2019, the City Council approved a resolution of necessity, which directed staff to initiate the process of creating the 2019 Mid-City Urban Renewal Plan and Area. This resolution established the following actions and timeframes:</p> <ul style="list-style-type: none"> <li>1-29-19 Consultation meeting to be held with other affected taxing jurisdictions</li> <li>2-12-19 City Planning Commission hearing and review</li> <li>2-25-19 City Council public hearing on the proposed urban renewal plan and 1<sup>st</sup> consideration of TIF ordinance</li> <li>3-11-19 City Council 2<sup>nd</sup> consideration of TIF ordinance (request to waive 3<sup>rd</sup>)</li> </ul> <p>The consultation hearing was held on January 29, 2019 and no interested parties attended. Additionally, no written correspondence has been received by the Community Development Department either in support or against the proposed plan.</p>		

**Council Communication**  
**February 25, 2019 City Council Meeting**

**Staff Recommendation**

The Community Development Department recommends approval of the 2019 Mid-City Urban Renewal Area Plan for the City of Council Bluffs.

**Planning Commission Public Hearing (February 12, 2019)**

Christopher Gibbons appeared before the Planning Commission in favor of the request. No one appeared in opposition.

**Planning Commission Recommendation**

The Planning Commission determined the 2019 Mid-City Urban Renewal Plan and Area conforms to the “Bluffs Tomorrow: 2030 Plan” which is the general plan for the development of the City of Council Bluffs and recommended approval of the 2019 Mid-City Urban Renewal Plan and Area.

VOTE: AYE 10    NAY 0    ABSTAIN 0    ABSENT 0    Motion: Carried

**Attachments**

1. Resolution adopting the 2019 Mid-City Urban Renewal Plan and Area with the plan attached as Exhibit 1 (also terminates the 2004 Mid-City Urban Renewal Plan and Area)
2. Consultation proceedings
3. City Planning Commission Report
4. TIF Ordinance

Prepared by: Brenda Carrico, Program Coordinator, Community Development Department

Approved by: Brandon Garrett, Director, Community Development Department

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**2019**  
**MID-CITY CORRIDOR**  
**URBAN RENEWAL PLAN**

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CITY OF COUNCIL BLUFFS, IOWA  
ADOPTED \_\_\_\_\_ 2019

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## **CHAPTER I BACKGROUND**

The early development of Council Bluffs was intimately tied to the rapid expansion of the railroad system. By the 1890s, Council Bluffs was served by 15 lines operating 90 trains per day. For many decades, these railroads generated significant employment, which allowed Council Bluffs to grow and prosper. The physical development of the community was also significantly impacted by the railroad. With the construction of the railroad corridor, business and industrial uses that desired railroad transportation followed. Residential areas also developed in the corridor and around larger employers. As a result, the corridor was developed with a variety of conflicting land uses.

The continued evolution and consolidation of the railroad industry has required less land to be used for support transportation purposes but the tracks still remain and continue to be some of the busiest lines in Council Bluffs. As a result, the community can reasonably expect continued changes in land use in this corridor over the next 20 years.

In order to address these changes, the City of Council Bluffs prepared and adopted a Neighborhood Revitalization Strategy Area (NRSA) for the City's Community Development Block Grant Program (CDBG), which includes the Mid-City Corridor. Several problems that are associated with the corridor have been identified including railroad trackage problems, floodplain problems, traffic circulation issues, and neighborhood isolation. Residential neighborhoods in and adjacent to the corridor are also blighted.

In 2004, the City adopted the original Mid-City Corridor Urban Renewal Plan and designated a portion of the corridor as an urban renewal area appropriate for blight remediation. At that time, the City found that 87 of 168 (52%) structures in the designated area were substandard or deteriorated. From 2004 to 2015, the City acquired and demolished blighted properties in the designated area; assembling parcels for redevelopment, park space and green space. The City did not adopt a Tax Increment Financing ("TIF") ordinance with respect to the property included in the original urban renewal area created in 2004.

Though significant headway has been made in removing blighted structures in the corridor, there are still blighted properties and other blighting influences within the corridor that require remediation to allow for redevelopment of the area. For example, according to the 2016 US Census data, households located in Census Tract 307 earn \$4,350 less per year than the average median household income for Council Bluffs and 20.9% live at or below the federal poverty line. According to the HUD Affirmatively Furthering Fair Housing Tool, 53.66% of the total households experience one or more housing burden. "Housing burden" is defined as households living with one or more of the following: cost burden for which housing cost is greater than 30% of household income, overcrowding, housing unit lacks complete kitchen facilities and housing unit lacks complete plumbing facilities. As such, the City has determined that a new urban renewal plan must be adopted to continue the redevelopment of the corridor. Because the footprint of the new urban renewal area differs from the original area created in 2004, the City has decided to rescind the 2004 plan and adopt this new 2019 Mid-City Corridor Urban Renewal Plan in its place.

Urban renewal powers will assist the City in the acquisition and site clearance of slum and blighted properties within the new urban renewal area, and the redevelopment thereof. Assistance in the form of



an urban renewal area, conforming to Chapter 403 of the Iowa Code, is necessary to acquire land, remove blight, incompatible or undesirable land uses; improve regulatory control; improve public infrastructure and facilities; and allow for private development or redevelopment on cleared or vacant land. This Plan is to be called the 2019 Mid-City Corridor Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the Mid-City Corridor Urban Renewal Area (“Area” or “Urban Renewal Area”), and its purpose, objectives and project proposals are described within this document.

## **CHAPTER II DESCRIPTION OF URBAN RENEWAL AREA**

### **LEGAL DESCRIPTION**

The Urban Renewal Area designated by this 2019 Mid-City Corridor Urban Renewal Plan is situated in the City of Council Bluffs, County of Pottawattamie, State of Iowa, upon a tract of land, the boundaries of which are described as follows:

Beginning at the intersection of the centerline of Avenue ‘B’ and the centerline of North 10<sup>th</sup> Street; south along the centerline of 10<sup>th</sup> Street to the centerline of West Broadway Avenue; east along the centerline of West Broadway Avenue to the centerline of 8<sup>th</sup> Street; South along the centerline of 8<sup>th</sup> Street to the centerline of 1<sup>st</sup> Avenue; West along the centerline of 1<sup>st</sup> Avenue to the centerline of South 10<sup>th</sup> Street; South along the centerline of South 10<sup>th</sup> Street to the centerline of 4<sup>th</sup> Avenue; West along the centerline of 4<sup>th</sup> Avenue to the centerline of South 12<sup>th</sup> Street; South along the centerline of South 12<sup>th</sup> Street to the centerline of 6<sup>th</sup> Avenue; West along the centerline of 6<sup>th</sup> Avenue to the centerline of the right-of-way of Indian Creek; North and Northeasterly along the centerline of the right-of-way of Indian Creek to the centerline of 13<sup>th</sup> Street; North along the centerline of 13<sup>th</sup> Street to the centerline of Avenue B; East along the centerline of Avenue B to the Point of Beginning.

### **GENERAL DESCRIPTION**

The general location and boundaries of the Mid-City Corridor Urban Renewal Area are shown on Illustration 1. The Urban Renewal Area is an approximately 28-block area encompassed on the north by Avenue B; on the south by 6<sup>th</sup> Avenue; on the west by Indian Creek and 13<sup>th</sup> Street; and on the east by 8<sup>th</sup> Street. Illustration 1 shows the location map for the project area. This area contains portions of Bayliss 2<sup>nd</sup> Addition, Beer’s Addition, Beer’s Subdivision, and McMahon, Cooper and Jefferies Additions to Council Bluffs.

#### **b. Environment**

**Topography and Drainage** – The topography of the Area is generally characterized by very slight slopes of zero to two percent. As such, the natural drainage pattern of the area is poor. The project area lies in the Indian Creek Drainage Basin. The northern portion of the area lies within the 100-year floodplain and the southern portion of the area lies within the 500-year floodplain.

**Floodplain** – The Flood Insurance Rate Maps (FIRM) #19155C0413E, dated February 4, 2005, prepared by the Federal Emergency Management Agency (FEMA) show that the northern portion of the project area is located in Zone AH. The area designated as Zone AH is considered to be a Special Flood Hazard Area, which is characterized by shallow flooding of depths between 1 to 3 feet. The southern portion of the project area is located in Zone X. The area designated as Zone X is considered to lie in the 500-year floodplain and is protected by a levee from the 100-year floodplain. Illustration 2 shows the floodplain map.

**Historic Properties** – A review of the list of properties on the National Register of Historic Places and locally designated landmarks and historical districts indicates that there are no historical properties within the proposed boundaries of the Urban Renewal Area. Properties surrounding the proposed Area may have historical potential. These properties include the Mynster Street and South 8<sup>th</sup> Street

neighborhoods.

Noise – The yearly day night average sound level (DNL) indicates that the northerly section of the Area is bordered by the 65 DNL contour of the Omaha Eppley Airfield noise corridor indicating an anticipated slight impact of noise. The remainder of the Area either does not border or is outside of the 65 DNL threshold. Railroad traffic is also a concern with noise. Active lines with significant train movement increase the noise levels. Additionally, the vehicular traffic on West Broadway, also known as U.S. Highway 6, increases noise within the Area. As a result of air, rail, and vehicular traffic, the Mid-City area is prone to significant noise issues.

## **ZONING AND LAND USE/CONFORMANCE WITH COMPREHENSIVE PLAN**

Existing Zoning – Currently, land within the Urban Renewal Area is zoned A-2/Parks, Estates and Agriculture, C-2/Commercial District, I-1/Light Industrial, and R-3/Low Density Multi-Family Residential. The Area consists primarily of A-2/Parks, Estates and Agricultural District, I-1/Light Industrial District, and R-3/Low-Density Multifamily Residential District. The Southeast portion of the Area is zoned R-3/Low Density Multi-Family Residential. A majority of the property that is zoned A-2/Parks Estates and Agricultural District is owned by the City of Council Bluffs and is intended for future development, which would most likely require the land to be rezoned to an appropriate district. Illustration 3 shows the existing zoning map.

Existing Land Uses – The Urban Renewal Area consists of approximately 178 parcels, of which 81 (46%) are vacant parcels and 97 (54%) are developed. Of the developed parcels, 108 are residential uses, 6 are light industrial uses, and 16 are commercial uses. Illustration 4 shows the existing land uses for the project area.

Adjacent Land Uses – The properties surrounding the Urban Renewal Area include primarily residential neighborhoods, with industrial uses to the North and Southwest, and commercial uses primarily along the West Broadway corridor. The residential properties contain a varied mix of single-family and multi-family conversion homes. The property to the north of the proposed Area consists of railroad trackage yards. The properties to the east consist of residential uses and the downtown district. The properties to the south and west consist of primarily residential uses.

Non-Conforming Uses – The Urban Renewal Area contains one main area of nonconformance. From North 11<sup>th</sup> to North 12<sup>th</sup> Streets and from Avenue B to West Broadway, this block is currently zoned I-1/Light Industrial and A-2/Parks, Estates and Agricultural District. Current uses are single-family houses and a commercial building. Other areas of nonconformance are single family residential within C-2/Commercial District and single family in A-2/Parks, Estates and Agricultural District. Illustration 5 shows the current non-conformances.

Conformance with City Comprehensive Plan -The City of Council Bluffs has a general plan for its physical development, as a whole, which is its Comprehensive Plan known as “Bluffs Tomorrow: 2030 Plan”. This Urban Renewal Plan and the urban renewal projects described herein are in conformity with the City’s Comprehensive Plan. The need for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area is set forth in this Plan. As the Area develops, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

## STRUCTURAL CONDITIONS

In December 2018, the Community Development Department conducted a field survey to identify existing structural conditions within the proposed Mid-City Corridor Urban Renewal Area. The survey was conducted by observing the exterior conditions to determine the structural quality of each building. Each building was classified in one of four conditions: above standard, standard, substandard, or deteriorated.

Structures in “above standard” condition are not in need of rehabilitation, are in new or near new condition and well maintained. Structures in “standard” condition need minor rehabilitation, possibly in need of painting or minor repair. Structures in “substandard” condition are in need of major rehabilitation, show signs of structural failure including foundation and/or roof problems and are not up to building and land use codes. Structures in “deteriorated” condition are beyond the benefit of rehabilitation and should be demolished.

The proposed Mid-City Corridor Urban Renewal Area contains a significant number of structures in substandard structural conditions. Illustration 6 shows the current structural conditions. The structural conditions table located at the end of this section outlines the conditions. Since 2004, the City has demolished structures and created greenspace on over 27 acres of land in the Urban Renewal Area. The areas from South 12<sup>th</sup> to South 13<sup>th</sup> Streets and from Avenue B to 4<sup>th</sup> Avenue are primarily vacant with the exception of three structures.

The portion of the Area from South 12<sup>th</sup> Street to the Indian Creek channel are primarily City-owned with three single-family houses along 3<sup>rd</sup> Avenue. City-owned property consists of vacant land with trail connections and structures utilized by the Public Works Department for equipment and material storage. Illustration 7 shows Public Works facilities.

The most blighted structural conditions are located within the residential portions of the Area to the east and southeast. Housing along 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> Avenues are pocketed with several substandard units with only a few in above standard condition.

**Table 1. Structural Conditions: Residential, Commercial, and Industrial Land Uses**

Land Use Type	Above Standard		Standard		Substandard		Deteriorated		Vacant		Known or Suspected Env Contaminants		Total
	Parcels	%	Parcels	%	Parcels	%	Parcels	%	Parcels	%	Parcels	%	Parcels
Residential	2	3%	38	49%	28	36%	10	13%	0	0%	0	0%	78
Commercial	1	8%	8	67%	2	17%	1	8%	0	0%	0	0%	12
Industrial	0	0%	0	0%	3	100%	0	0%	0	0%	0	0%	3
Government	0	0%	2	3%	0	0%	2	3%	51	86%	4	7%	59
Railroad	0	0%	0	0%	0	0%	0	0%	0	0%	26	100%	26
<b>Total</b>	<b>3</b>	<b>2%</b>	<b>48</b>	<b>27%</b>	<b>33</b>	<b>19%</b>	<b>13</b>	<b>7%</b>	<b>51</b>	<b>29%</b>	<b>30</b>	<b>17%</b>	<b>178</b>

As shown by Table 1, 97 of the 178 parcels in the proposed Urban Renewal Area are developed with structures. Residential land use account for a total of 78 parcels. Of these residential structures, 2 (2%) were noted as above standard, 38 (49%) as standard, 28 (36%) as substandard, and 10 (13%) as deteriorated. Commercial land uses occupy 12 parcels in the area. Of the commercial structures, one was noted as above standard, 8 (67%) as standard, 2 (17%) as substandard and 1 (8%) as deteriorated.

Industrial land uses occupy 3 parcels in the area. Of these, none were noted as above standard or standard, 3 (100%) as substandard, and none as deteriorated. There are also 26 railroad parcels, which are all vacant. Due to the nature of railroads and common contamination associated with lines, these sites are suspected environmentally contaminated sites. The remaining parcels are government owned. Of the four parcels with structures, 2 (3%) were noted as standard and 2 (3%) as deteriorated. The 55 parcels are vacant with 4 known to have environmental contamination. One is a lead cap and the other three have environmental covenants.

In the entire proposed Urban Renewal Area, only three (2%) of the structures had above standard condition, 48 (27%) of structures were noted as in standard condition, 33 (19%) as substandard condition, and 13 (7%) as deteriorated. Over 35% of the structures in the proposed Area are in substandard condition or below. Of the vacant land 30 (17%) of the parcels are known to have or have suspected environmental contamination.

Currently, 46% of the land is vacant. Of this, 68% is government-owned. Illustration 8 shows City-owned property.

## **TRANSPORTATION SYSTEMS**

Illustration 9 shows the transportation network. Within the proposed Urban Renewal Area are five arterial and collector roadways. All of the arterial and collector roadways carry traffic in an east/west direction with no major roadways running north/south. West Broadway is classified as an arterial roadway by the Council Bluffs Public Works Department. West Broadway is also known as US Highway 6 and is a major thoroughfare connecting the east and west portions of Council Bluffs. West Broadway also acts as the conduit for traffic gaining access to Interstate 480 in Omaha, Nebraska. West Broadway has an average daily traffic count (ADT) of 25,000 vehicles per day (VPD). West Broadway consists of a four lane divided elevated roadway through the area.

Four east/west collector streets dissect the proposed Urban Renewal Area. These include Avenue 'G', Avenue 'B', 2<sup>nd</sup> Avenue and 5<sup>th</sup> Avenue. Currently, each street crosses the north/south rail lines at grade. Second Avenue, a two-lane roadway, has an ADT of 2,300 in between 10<sup>th</sup> Street and 13<sup>th</sup> Street. Fifth Avenue, a two-lane roadway, has an ADT ranging from 3,200 to 4,500 VPD between 10<sup>th</sup> and 13<sup>th</sup> Streets. Avenue B is also a two-lane roadway with an ADT of 3,200 VPD. Avenue 'G', a two-lane roadway, has an ADT of 2,600 VPD. Traffic statistics were obtained from the 2016 Traffic Flow map prepared by the Iowa Department of Transportation.

The Area is divided east/west by railroad trackage, which conflicts with both pedestrian and vehicle traffic. Railroad grade crossings are found on Avenue 'G', Avenue 'B', 2<sup>nd</sup> Avenue, 3<sup>rd</sup> Avenue, 4<sup>th</sup> Avenue, and 5<sup>th</sup> Avenue. Union Pacific Railroad has a major line crossing the entire Area which carries approximately 20 to 30 trains per day. Union Pacific also has a minor rail line within South 12<sup>th</sup> Street right-of-way between 3<sup>rd</sup> and 9<sup>th</sup> Avenues. The primary concern of this line is numerous at-grade crossings and its close proximity to residential uses. The Canadian National Railroad also operates a line north of 3<sup>rd</sup> Avenue between 12<sup>th</sup> and 13<sup>th</sup> Streets. This line parallels Union Pacific trackage north of West Broadway.

## **PUBLIC UTILITIES AND SERVICES**

The proposed Urban Renewal Area has direct access to the municipal water system, sanitary sewer, and storm sewer facilities.

**Water Distribution** – The Urban Renewal Area is sufficiently served by municipal water. A network of municipal water mains within the Area is made up of varying sizes from 4” to 20” in diameter. Most of the water mains are in the range of 4” to 6” in diameter. The 4” water mains found within the Area are below current size standards. Also, because of the age of the existing developments, some of the water mains are in antiquated condition.

**Sanitary Sewer** – The Urban Renewal Area is generally served by adequate sanitary sewer facilities. The areas south of West Broadway are served with a series of interconnected sanitary sewer mains, which flow to a 30” sanitary sewer main in South 13<sup>th</sup> Street. This 30” main flows south to the 29<sup>th</sup> Avenue pump station. The areas north of West Broadway are served by a series of interconnected sanitary sewer mains which connect to a 60” sewer main located in North 13<sup>th</sup> Street and along Indian Creek. The sanitary sewer lines in this area flow to the south. The primary problem of the sanitary sewer system is its age. There are no combined sanitary sewer facilities located within the Area.

**Storm Sewer** – The Urban Renewal Area is generally served with adequate storm sewer facilities, with the exception of the properties immediately south of West Broadway. The Area is served with storm sewer mains ranging in size from 8” to 48”. The primary storm sewer drainage for the Area is Indian Creek. Indian Creek is located immediately north of West Broadway and is within the Creek Top and South 14<sup>th</sup> Street rights of way. North of West Broadway, Indian Creek is contained in a concrete conduit and in the areas south of West Broadway it is contained within an open concrete channel. The Indian Creek channel serves as the main drainage conveyance for the Indian Creek watershed. Storm drainage for the Area is provided by a series of interconnected storm sewer mains in North 12<sup>th</sup> Street, North 11<sup>th</sup> Street, 3<sup>rd</sup> Avenue, and 5<sup>th</sup> Avenue, which all flow to Indian Creek. The primary limitation of the storm sewer system is the age and condition of some of the mains. Another problem affecting this Area is the inability of the storm sewers to discharge into Indian Creek during high rain events. During these events the water level in Indian Creek can rise quickly which prevents adjacent storm sewers from discharging into the channel. This situation can only be corrected by the construction of additional storm sewer pump stations similar to that found at 13<sup>th</sup> Street and Avenue ‘A’.

## **URBAN RENEWAL AREA ANALYSIS AND DESIGNATION**

The proposed Mid-City Corridor Urban Renewal Area qualifies as blighted under Iowa Code Section 403.17(5) because of several factors. These include the following:

### **a. Land Use and Zoning**

The Mid-City Corridor Urban Renewal Area is comprised of light industrial, commercial, and low-density multifamily residential zoning districts. However, the Area consists of light industrial, general commercial uses, public properties and pockets of residential uses. The Area was developed in a hodgepodge fashion with industrial uses along the rail corridor and adjacent residential uses. At this time, West Broadway developed commercially and was not elevated. The construction of the West Broadway viaduct caused the deterioration of these commercial businesses. Based on building permit activity, the Area is no longer conducive to private reinvestment due to limited transportation

connectivity, floodplain issues and environmental constraints found in the area.

b. Structural Conditions and Blight

The Urban Renewal Area is one of the oldest neighborhoods in the community and contains some of the most deteriorated structures and blighted land. The Area contains a large percent (26%) of properties that are either substandard or in deteriorated conditions. Of the vacant land, 17% is known to or has suspected contamination due to railroads or previous land use. In total, 43% of the land has either physical deterioration of buildings or improvements and known or suspected environmental contamination.

c. Environment

The northern portions of the Area are located within the 100-year floodplain. As such, additional fill is necessary on new construction and flood insurance is required for properties with federally insured mortgages. Noise is an environmental concern for the area due to the concentration of rail, airplane, and vehicular traffic. Given active railroads and previous industrial uses, soil and ground water contamination is a concern. According to the 1928 Sanborn Fire Insurance Rate Maps, the Area contained a variety of uses including passenger and freight depots, warehouses and commercial uses, industrial uses, and residential uses.

Lead contamination is an environmental concern within the Area. Known lead contamination exists at 1207 West Broadway. Additionally, the previously operated Katelman Foundry site located at South 13<sup>th</sup> Street and 3<sup>rd</sup> Avenue. This site was partially cleaned up but due to depths of contamination, environmental covenants were placed on the three contaminated sites to close the project. Clean soil was never reached.

d. Transportation

The amount of railroad trackage found within the Area is seen as the largest obstacle for neighborhood development. A portion of the Canadian National Rail Yard (formally the Illinois Central Railroad) is located along 13<sup>th</sup> Street north of Avenue 'B' and immediately north of the Area. The former Chicago Northwestern rail yard (now operating as Union Pacific) is located north of Avenue 'G' from 10<sup>th</sup> Street to 13<sup>th</sup> Street. The Area is dissected by several rail lines. Union Pacific operates a set of rail lines in the North 11<sup>th</sup> Street right-of-way. This line runs in a north/south direction south of Avenue 'G'. The rail lines continue in a southwest/northeast direction to the Union Pacific yards south of 9<sup>th</sup> Avenue. The Canadian National operates a set of tracks which connect to the Union Pacific trackage at South 13<sup>th</sup> Street and 4<sup>th</sup> Avenue. This track runs in a north/south direction from 4<sup>th</sup> Avenue to Avenue 'G' and then to the Canadian National rail yard. The frequent at-grade crossings and train traffic obstructs circulation between neighborhoods. This effectively isolates individual neighborhoods from the community and creates dangers for both vehicular and pedestrian traffic. Therefore, there is a need to reduce the number of at-grade rail crossings.

Other transportation issues within the Area include restricted east/west traffic through the community due to the railroad corridor and Indian Creek. Currently, there are viaducts at West Broadway and Avenue 'G' which provide elevated crossings over rail lines. Illustration 10 shows the proposed transportation network.

e. Private Investment

A review of the Building Permit Records shows that the Area has had little to no private investment within the past decade. A review of the assessed values from 2003 to 2016 shows a decrease in the assessed values of 20% from \$12,094,857 in 2003 to \$9,651,414 in 2016. The main cause of the decrease is the decrease in residential value (21%) and industrial value (512%). The increase of government-owned vacant land increased 89%, which attributes to the reduction in industrial. Table 2 below details the assessed values for 2003 to 2016. From the standpoint of tax base, the Area is becoming less relevant to the overall community tax base.

**Table 2: Assessed Values for Urban Renewal Area for 2016**

	<b>2003</b>	<b>2016</b>	<b>Percent Change</b>
Mid-City Corridor Urban Renewal Area	\$12,094,857	\$9,651,414	(20%)
Mid-City Residential	\$6,092,554	\$4,811,202	(21%)
Mid- City Commercial	\$612,600	\$2,531,520	76%
Government	\$159,987	\$1,450,892	89%
Industrial	\$5,255,916	\$857,800	(512%)
City of Council Bluffs	\$2,502,459,652	\$4,658,908,187	46%
Mid-City Area as a portion of Council Bluffs	0.48%		

f. Public Investment

The main activity related to public investment in the last ten years has been acquisition and demolition of private properties. Since 2004, the City has acquired over 30 private properties utilizing Community Development Block Grant (CDBG) entitlement funds. The City also owns approximately 11 acres dedicated to Public Works facilities to house equipment and road salt.

Additional investment in 2017 included the replacement of the Indian Creek box culvert between 9<sup>th</sup> and 10<sup>th</sup> Streets along Creek Top Road. The project included the 10<sup>th</sup> Street intersection on the boundary of the Mid-City Urban Renewal Plan.

Illustration 8 shows City property within the Area.

Based upon all of the above information, the Area qualifies as blighted under Iowa Code Section 403.17(5) and is hereby designated as appropriate for continued blight remediation activities.



# **CHAPTER III**

## **URBAN RENEWAL OBJECTIVES, ACTIVITIES AND PROJECTS**

### **URBAN RENEWAL POWERS**

The proposed actions in the Area under the 2019 Mid-City Corridor Urban Renewal Plan will consist of one or more of the following actions as outlined by Chapter 403 of the Iowa Code.

- a. To undertake and carry out urban renewal projects within the Area; to make and execute contracts and other instruments necessary or convenient to the exercise of its urban renewal powers; and to disseminate blight clearance and urban renewal information.
- b. To arrange or contract for the furnishing or repair by any person of services, privileges, works, streets, roads, public utilities or other facilities for or in connection with an urban renewal project; to install, construct, and reconstruct streets, utilities, parks, playgrounds, and other public improvements; to agree to any conditions, that it may deem reasonable and appropriate, attached to federal financial assistance in the undertaking or carrying out of an urban renewal project; and to include in any contract let in connection with such a project, provisions to fulfill such of said conditions as it may deem reasonable and appropriate.
- c. To enter into any building or property in order to make inspections, surveys, appraisals, soundings or test borings, and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted; to acquire by purchase, lease, option, gift, grant, bequest, devise, eminent domain or otherwise, any real property, or personal property for administrative purposes, together with any improvements thereon; to hold, improve, clear or prepare for redevelopment any such property; to mortgage, pledge, or otherwise encumber or dispose of any real property; to insure or provide for the insurance of any real or personal property or operations of the municipality against any risks or hazards, including the power to pay premiums on any such insurance; and to enter into any contracts necessary to effectuate the purposes of this Plan.
- d. To borrow money and to apply for and accept advances, loans, grants, contributions and any other form of financial assistance from the federal government, the state, county, or other public body, or from any sources, public or private, for the purposes of this Plan, and to give such security as may be required, and to enter into and carry out contracts in connection therewith. This may include in any contract, for financial assistance with the federal government for an urban renewal project, such conditions imposed pursuant to federal laws as the City may deem reasonable and appropriate and which are not inconsistent with the purposes of the Plan.
- e. To make or have made all surveys and planning necessary to the carrying out of the purposes of this Plan, and to contract with any person in making and carrying out of such planning, and to adopt or approve, modify and amend such planning. Such planning may include that outlined by Chapter 403 of the Iowa Code.
- f. To plan for the relocation of persons, including families, business concerns and others, displaced by the plan, and to make relocation payments to or with respect to such persons for moving expenses and losses of property for which reimbursement or compensation is not otherwise made, including the making of such payments financed by the federal government.

- g. To appropriate such funds and make such expenditures as may be necessary to carry out the purposes of this Plan, and to levy taxes and assessments for such purposes; to zone or rezone any part of the Area or make exceptions from building regulations; and to enter into agreements.
- h. To close, vacate, plan or replan streets, roads, sidewalks, ways or other places; and to plan or replan any part of the Urban Renewal Area.
- i. To sell and convey real property in furtherance of objectives in this Plan.
- j. To acquire by purchase, gift or condemnation real property within the Area for any purpose set forth in this Plan, including but not limited to the relocation of railroad, tracks, yards, and other railroad facilities and to sell or exchange and convey such real property to railroads.
- k. To acquire or dispose of by purchase, construction, or lease, or otherwise to deal in air rights, and facilities or easements for lateral or vertical support of land or structures of any kind.
- l. To accept contributions, grants, and other financial assistance from the state or federal government to be used upon a finding of public purpose for grants, loans, loan guarantees, interest supplements, technical assistance, or other assistance as necessary or appropriate to private persons for the Urban Renewal Area.
- m. Cause administrative and other services to be furnished by or to the City.
- n. The City shall have the right to acquire by condemnation any interest in real property, including a fee simple title thereto, which it may deem necessary for or in connection with this Plan.
- o. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Plan or specific urban renewal projects.
- p. To borrow money and to provide security therefor.
- q. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City of Council Bluffs and the State of Iowa.

### **AREA OBJECTIVES AND ACTIVITIES**

The City has analyzed the Area and determined best use of the region is in three ways: (1) redevelopment, (2) greenspace and (3) park space. Illustration 11 shows proposed land uses. The City intends to undertake several actions necessary to achieve the objectives of this Plan. In 2015, the City completed the Mid-City Area-Wide Plan that outlined a community-driven reuse plan as outlined in Illustration 12. The City anticipates engaging in the following activities:

- a. Installation of Infrastructure - The City may remove, improve or install public improvements and facilities in accordance with the objectives of this Plan. Such public improvements may include, but are not limited to the following: utilities, streets, sidewalks, transit stops, park and recreational facilities, parking and landscaping.

Municipal Code requires that all building sites have direct access to an open city street that has been improved and maintained by the City and is regularly used by the general public. Public sidewalks are also required for building sites that abut a city street. Building sites are required to have direct access to the municipal sanitary sewer system and adequately handle storm water run-off without adversely affecting abutting property owners with an increase in run-off. All sites must have direct access to city water or be serviced by a well in such a capacity to satisfy not only the needs of the structure, but also to provide fire protection.

- b. Acquisition, Relocation, and Demolition of Property – Any property acquired by the City within the Area will be acquired consistent with federal, state and/or local codes or ordinances. The City may clear property or structures and other improvements in preparation for open space or recreational land uses. Clearance will be accomplished in accordance with the objectives of this Plan, and in concert with other actions to insure timely improvement of the cleared land. This could also include actions associated with environmental mitigation. The City may assist in the relocation of those residents and businesses displaced by public action. Residents and businesses displaced may be provided with the opportunity of relocation to accommodations which are decent, safe, sanitary, and are within their financial means, in accordance with established relocation practices.

As funding becomes available, the City may acquire additional properties. In order to accomplish the acquisition process, the City has divided the area into high, medium, and low areas of priority. High areas are anticipated to be acquired first followed by the properties designated as medium and then low. The low priority area is located to the southeast of the project area and primarily consists of residential uses. The priority acquisition areas are depicted on Illustration 13. The City may utilize both voluntary and involuntary acquisition in high priority areas, and reserves the right to do so in other areas.

- c. Rehabilitation and Development of Structures - The City may participate in and support efforts to preserve and rehabilitate structures to achieve a long-term, sound condition. Determination of the City's effort in this area will be made based on an analysis of the historic, architectural, and/or cultural merit of the structure, its condition, the condition of surrounding structures, lot size, layout, accessibility, usefulness, and competing and conflicting land uses. The City should not rehabilitate property in the medium and high priority acquisition areas. The goal of property rehabilitation is to provide safe, sanitary, functional, and attractive conditions, which are compatible with the intended use of the area in which buildings are located, and to eliminate the blighting influence, which such buildings may have on their surrounding environment. Although the fundamental goal is the creation of open space, the residential structures in the southern and southwest portions of the area are likely to be rehabilitated.
- d. Subdivision and Vacation of Right-of-Ways - As allowed by law, the City may subdivide, vacate, resubdivide, or otherwise change the recorded arrangement of property in its control to accomplish the objectives of this Plan.
- e. Continued Area Planning - As allowed by law, the City may participate in planning efforts with other public and private interests where these will further help to accomplish Plan objectives. The City may review planning proposals and coordinate such proposals to implement the objectives of this Plan. The City may seek to bring zoning and other regulations and plans for public facilities into conformance with the objectives of this Plan.

As part of the City's goal to eliminate blight in the Area, the City expects to continue efforts to assess and respond to the problems, needs, and opportunities of the Urban Renewal Area through additional technical studies, through the preparation of more detailed plans, through discussion with prospective developers, citizens, and public officials, and through various engineering, parking, landscaping, economic, design and related studies. This effort may result in the publication from time to time, of additional reports, regulations, guidelines, project plans, or other documents that aid in defining the objectives of this Plan.

- f. Provision of Public Services - The City will endeavor to provide appropriate levels of public services throughout the Area to support and encourage achievement of Plan objectives. These may include such things as police, fire, health, social, recreational, insurance, counseling, and other types of services.
- g. Trail and Open Space Development - The City anticipates creating open space and recreational development in the Area in accordance to the development concept developed with the assistance of an EPA technical assistance grant. This development concept outlined the creation of a new park to the west of the railroad tracks and to the east of Indian Creek. The park is anticipated to have a number of amenities including a trailhead, open space and dog park. Illustration 14 shows the conceptual design.
- h. Creation of two new business parks – The City anticipates creating two new business parks on the former Katelman Foundry site at 13<sup>th</sup> Street and 2<sup>nd</sup> Avenue and at 10<sup>th</sup> Street and Avenue B. Illustration 15 shows potential a potential layout. This will utilize two large portions of the Area and create a barrier between the residential properties and railroad tracks.
- i. Relocation of Public Facilities – Currently, Public Works Department facilities are spread throughout the City. Facilities within the Area include the salt dome and overflow equipment storage. The Public Works building located at South 13<sup>th</sup> Street and 2<sup>nd</sup> Avenue is currently used for storage as well. The City has plans to consolidate all Public Works facilities to one location; however this project will require acquisition and construction of a new salt dome on its campus. A depiction of the Public Works properties is located on Illustration 7.
- j. Land Use and Zoning – Future land use of the Area is anticipated to consist of three distinct areas: (1) redevelopment east of the railroad tracks, (2) green space between the railroad tracks and (3) park space to the west of the railroad tracks. This was determined by adjacent land use and safety. Ensuring the space between the tracks is not an attraction will increase overall safety to the area. Utilizing the space adjacent to Indian Creek will allow for a buffer between development and a potential flooding hazard should the channel overflow. Anticipated future land use of the Area is depicted on Illustration 10.

## PROPOSED URBAN RENEWAL PROJECTS AND FINANCIAL DATA

Although certain project activities may occur over a period of years, the eligible urban renewal projects under this Plan include:

Project	Date	Estimated Cost*	Rationale
Acquisition and demolition of 901 West Broadway	2019-2020	\$900,000	The mini storage unit business is in substandard condition and does not fit the end use proposed by the City of Council Bluffs
Acquisition and renovation of 825 West Broadway	Undetermined	\$1,500,000	Kelly's Carpet is an existing business in a large potentially historic building. The building is in standard condition and renovations will enhance the overall use and feel of Mid-City. The proposed project will convert the space to multi-purpose to create a new multi-family housing project.
Construction of new park and trailhead	Undetermined	\$500,000	The proposed project shall reuse existing government structures and create a park space within one of the more economically challenged areas. The project will also provide a use for vacant land that all citizens can benefit from.
Construction of two new business park areas	Undetermined	\$1,000,000	The proposed project shall construct two new business-type parks on currently vacant, blighted land. The first location at South 11th Street and 2nd Avenue is known to have significant contamination from a previous foundry and the standing environmental covenant only allows the parcels to be utilized as greenspace, commercial or light industrial. The second space at North 10th and Avenue B is a cleared lot. The City proposes using similar models of development on the parcels.
Acquisition and demolition of additional properties as available	Undetermined	\$500,000	As additional blighted properties become available through interest in selling or foreclosure, the City shall acquire and demolish the properties to remove blight from the corridor.
Future City Council approved development agreements providing tax rebate or other incentives to third parties to incentivize	Undetermined	\$1,000,000	Remediation, stabilization, and removal of blight, and the return of properties to useful condition for public facilities or private development, which private development of commercial, retail and/or residential projects would generate increased taxable valuation.

redevelopment activities			
Planning, engineering fees (for urban renewal plans), attorney fees to support urban renewal projects and planning	Undetermined	\$250,000	Necessary services related to planning and administration of urban renewal program and projects and to carry out the purposes of Iowa Code chapter 403.
<b>TOTAL</b>		<b>\$5,650,000</b>	

\*Note: It may be that the above costs will be reduced by the application of state and/or federal grants or programs; cost-sharing agreements with other entities; or other available sources of funds. If any TIF funds are to be used for a project that includes a public building, this Plan will be amended to provide the analysis required by Iowa Code Section 403.5(2)(b)(1).

Debt:

1.	July 1, 2018 constitutional debt limit:	\$174,368,928
2.	Current outstanding general obligation debt:	\$62,540,000
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Proposed Urban Renewal Projects has not yet been determined. This document is merely for planning purposes. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Proposed Urban Renewal Projects as described above will be approximately as follows:	\$5,650,000

## URBAN RENEWAL FINANCING

The City of Council Bluffs intends to utilize various financing tools such as those described below to successfully undertake the proposed urban renewal actions. The City of Council Bluffs has the statutory authority to use a variety of tools to finance physical improvements within the Areas. These include:

### A. Tax Increment Financing

Under Section 403.19 of the Iowa Code, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements or economic development incentives associated with redevelopment projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from certain taxes paid on the

difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the eligible urban renewal projects. The increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City.

#### B. General Obligation Bonds

Under Division III of Chapter 384 and Chapter 403 of the Iowa Code, the City has the authority to issue and sell general obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area or incentives for development consistent with this Plan. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City of Council Bluffs. It may be the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates or other incentives to developers in connection with urban renewal projects for commercial or industrial development and/or blight remediation or redevelopment or other urban renewal projects. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area for urban renewal projects. Alternatively, the City may determine to use available funds for making such loans or grants for urban renewal projects. In any event, the City may determine to use tax increment financing to reimburse the City for any obligations or advances.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code of Iowa in furtherance of the objectives of this Urban Renewal Plan.

## **CHAPTER IV**

### **LAND DISPOSITION SUPPLEMENTS**

Land Use and Zoning – This plan may be amended to add additional land use controls and regulations for development of sub-areas within the Area. These additional land use controls and regulations will provide the basis for control by the City of Council Bluffs for any and all real property disposed of by the City for private development within the Area and control of public projects and improvements.



## **CHAPTER V**

### **EFFECTIVE TERM OF URBAN RENEWAL PLAN**

This Plan will become effective upon its adoption by the City Council and will remain in effect until it is repealed by the City Council.

Because this Urban Renewal Area contains slum or blighted conditions, should a TIF ordinance be adopted to allow for the use of incremental property tax revenues, or the “division of revenues,” as those words are used in Chapter 403 of the Code of Iowa, the division of revenue shall not be subject to a statutory or voluntary expiration date or sunset.

## **CHAPTER VI**

### **PROCEDURES FOR AMENDMENT OF THE URBAN RENEWAL PLAN**

In accordance with Section 403.5 (5) of the Code of Iowa, this Plan may be amended or modified at any time; provided, that if modified after the lease or sale by the municipality of real property in the Area, such modification may be conditioned upon such approval of the owner, lessee or successor in interest as the municipality may deem advisable, and in any event such modification shall be subject to such rights at law or in equity as a lessee or purchaser, or a lessee's or purchaser's successor or successors in interest, may be entitled to assert.

## **CHAPTER VII OTHER**

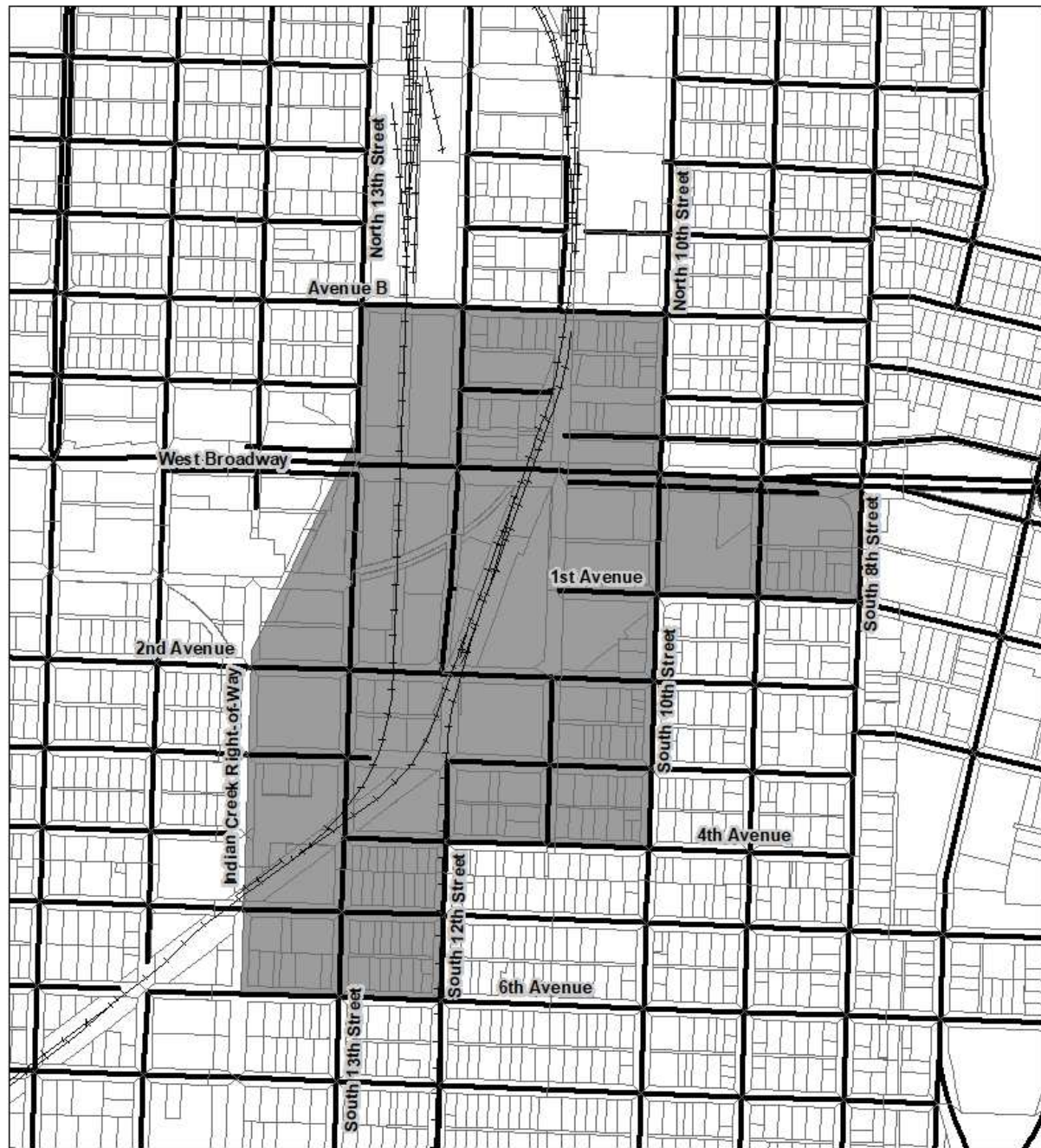
Base Value- If the Urban Renewal Plan is legally established and a TIF ordinance is adopted and debt is certified prior to December 1, 2019, the taxable valuation of the portion of the Area included within the TIF ordinance as of January 1, 2018 will be considered the “base valuation.” If debt is not certified until a later date, the “base valuation” will be a different date as described in Iowa Code Section 403.19.

Severability Clause- If any part of the Plan is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the Plan as a whole, or any part of the Plan not determined to be invalid or unconstitutional.

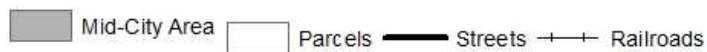
## ILLUSTRATIONS

1. Location Map
2. Floodplain Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Nonconforming Land Use Map
6. Structural Condition/Blight Map
7. Public Works Facilities Map
8. City Property Map
9. Iowa DOT Road Classification Map
10. Proposed Transportation Network Map
11. Proposed Land Use Map
12. Mid-City Area-Wide Plan Reuse Plan
13. Priority Acquisition Areas Map
14. Development Plan – Mid-City Park
15. Development Plan – Katelman Business Park

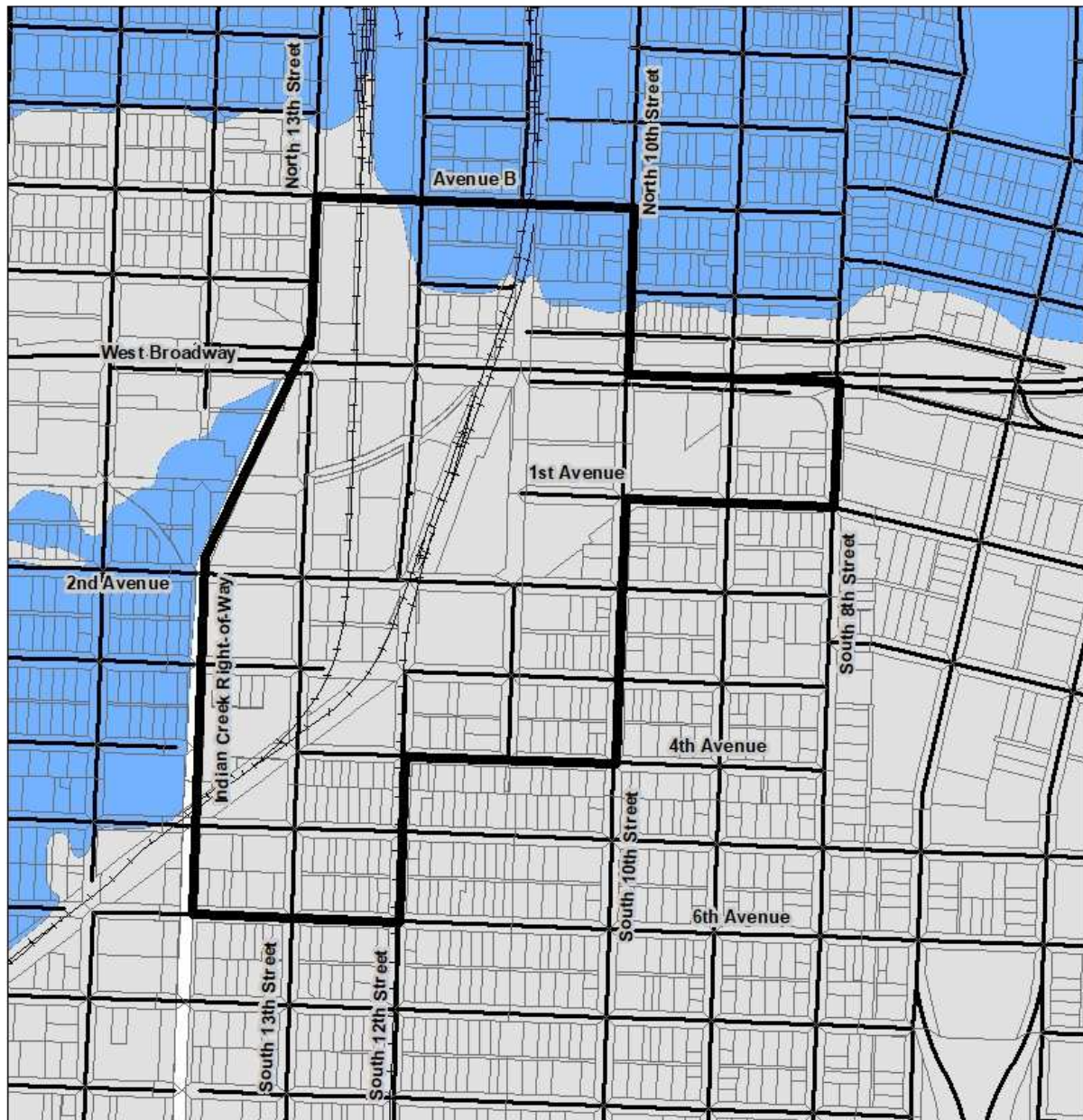
## 1. LOCATION MAP



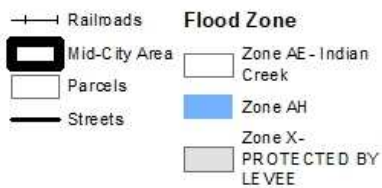
### Legend



## 2. FLOODPLAIN MAP

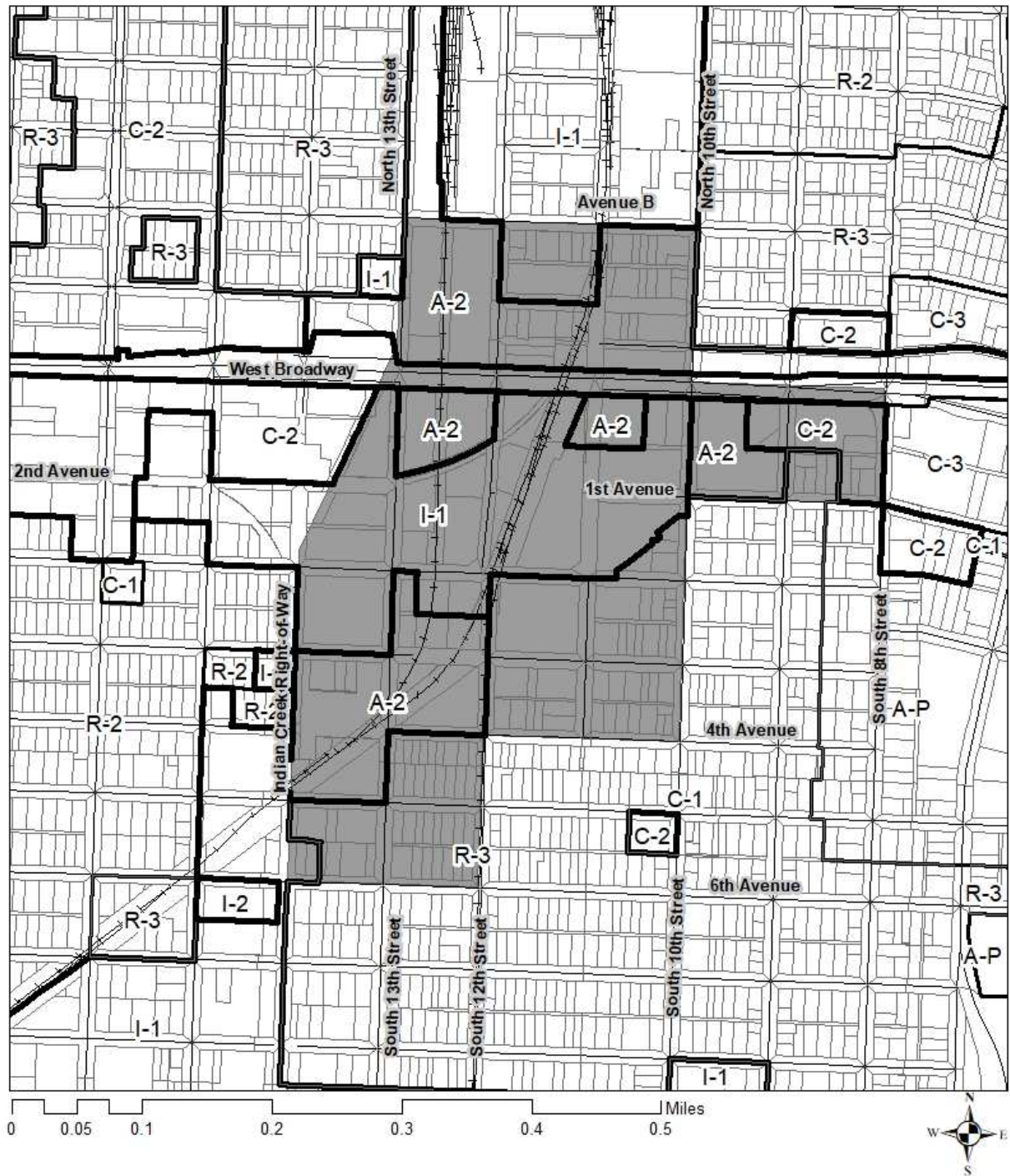


### Legend





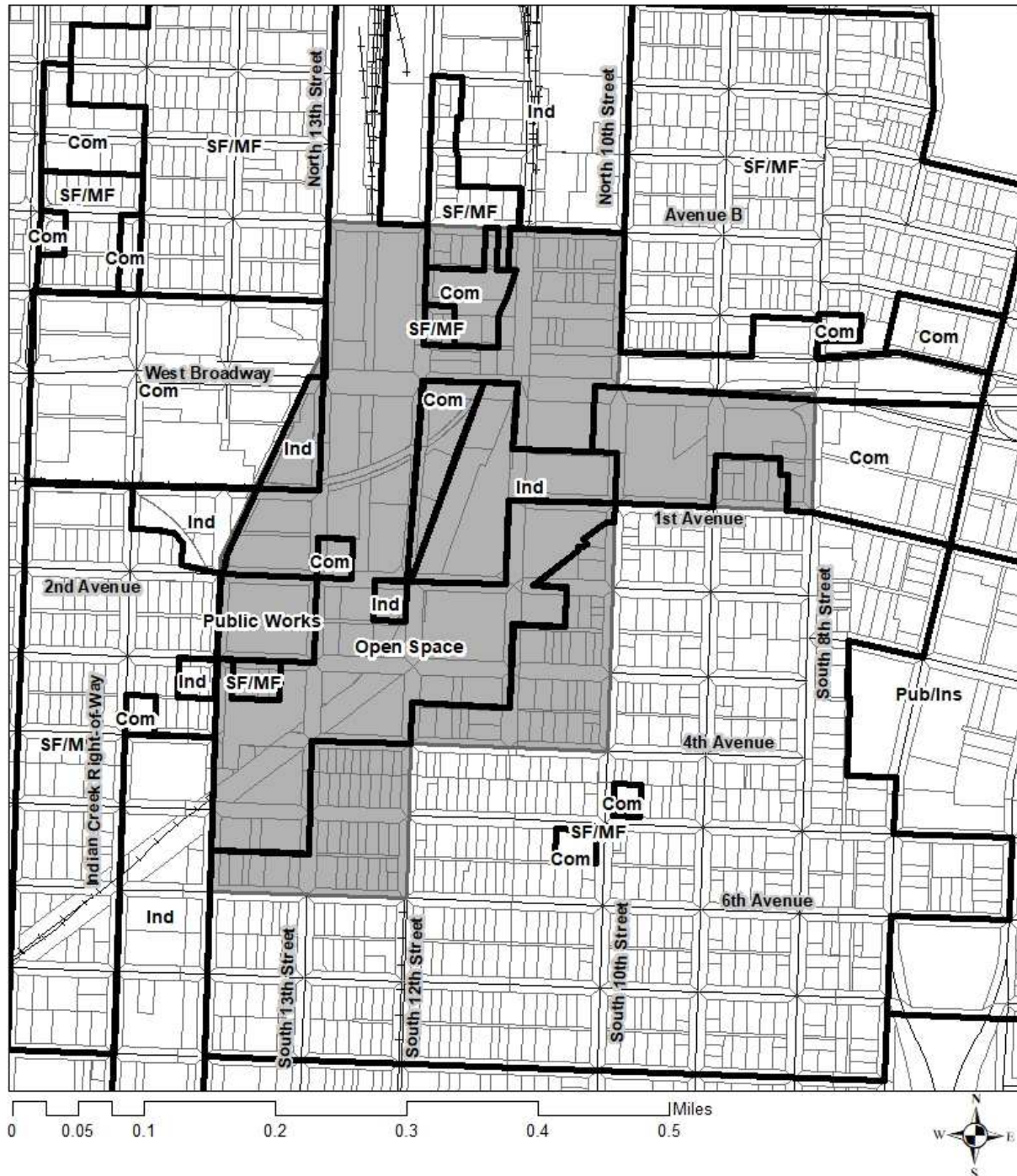
### 3. EXISTING ZONING MAP



#### Legend

Mid-City Area
  Parcels
  Railroads
  Streets

## 4. EXISTING LAND USE



### Legend

Parcels
  Mid-City Area
  Railroads
  Streets



## 5. NONCONFORMING LAND USE MAP



### Legend

Nonconforming  Mid-City Area  Parcels  Railroads  Streets

## 6. STRUCTURAL CONDITION/BLIGHT MAP

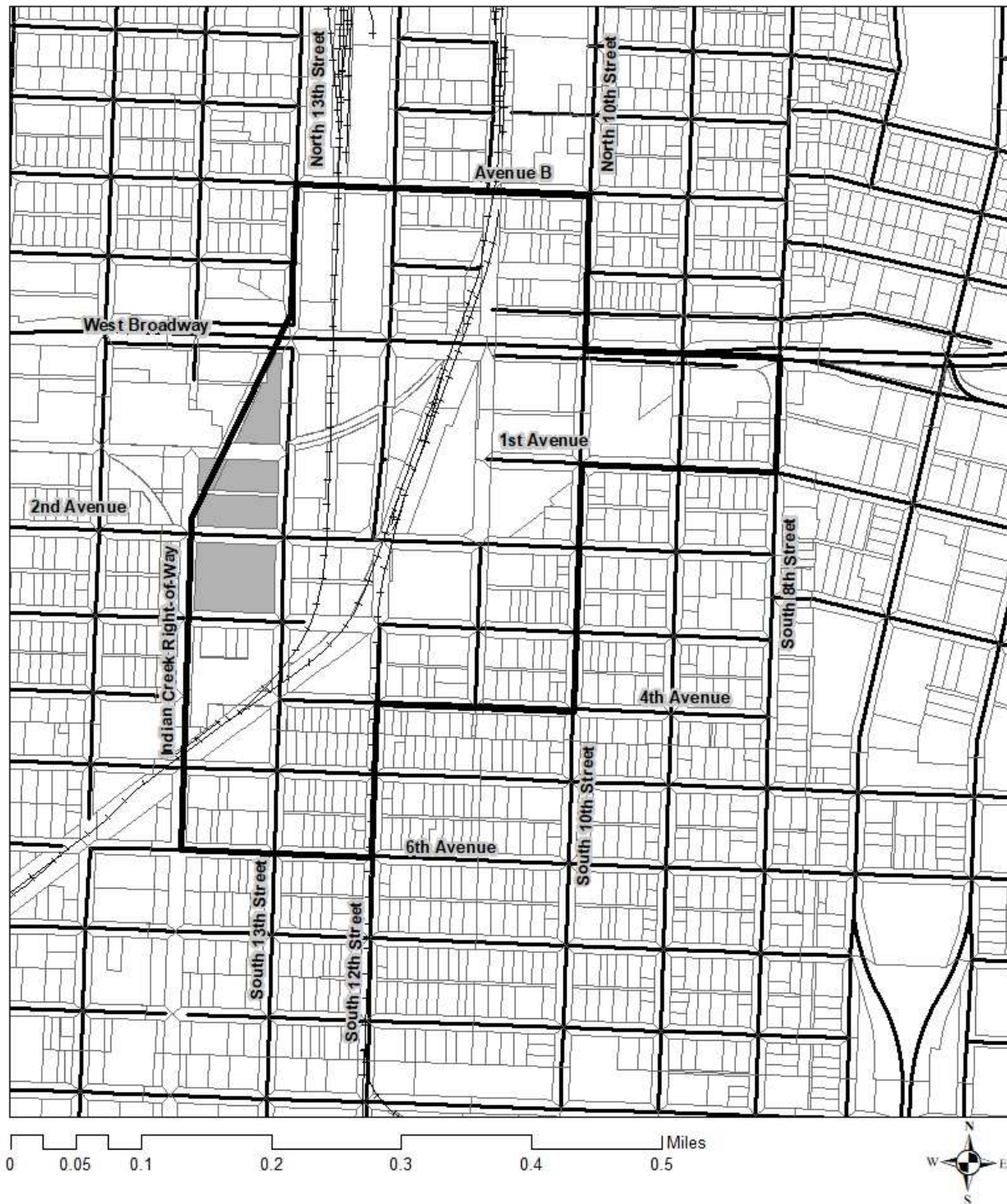


### Legend

Mid-City Area	Above Standard	Substandard	Public Works	++ Railroads
Vacant	Standard	Deteriorated	Parcels	Streets



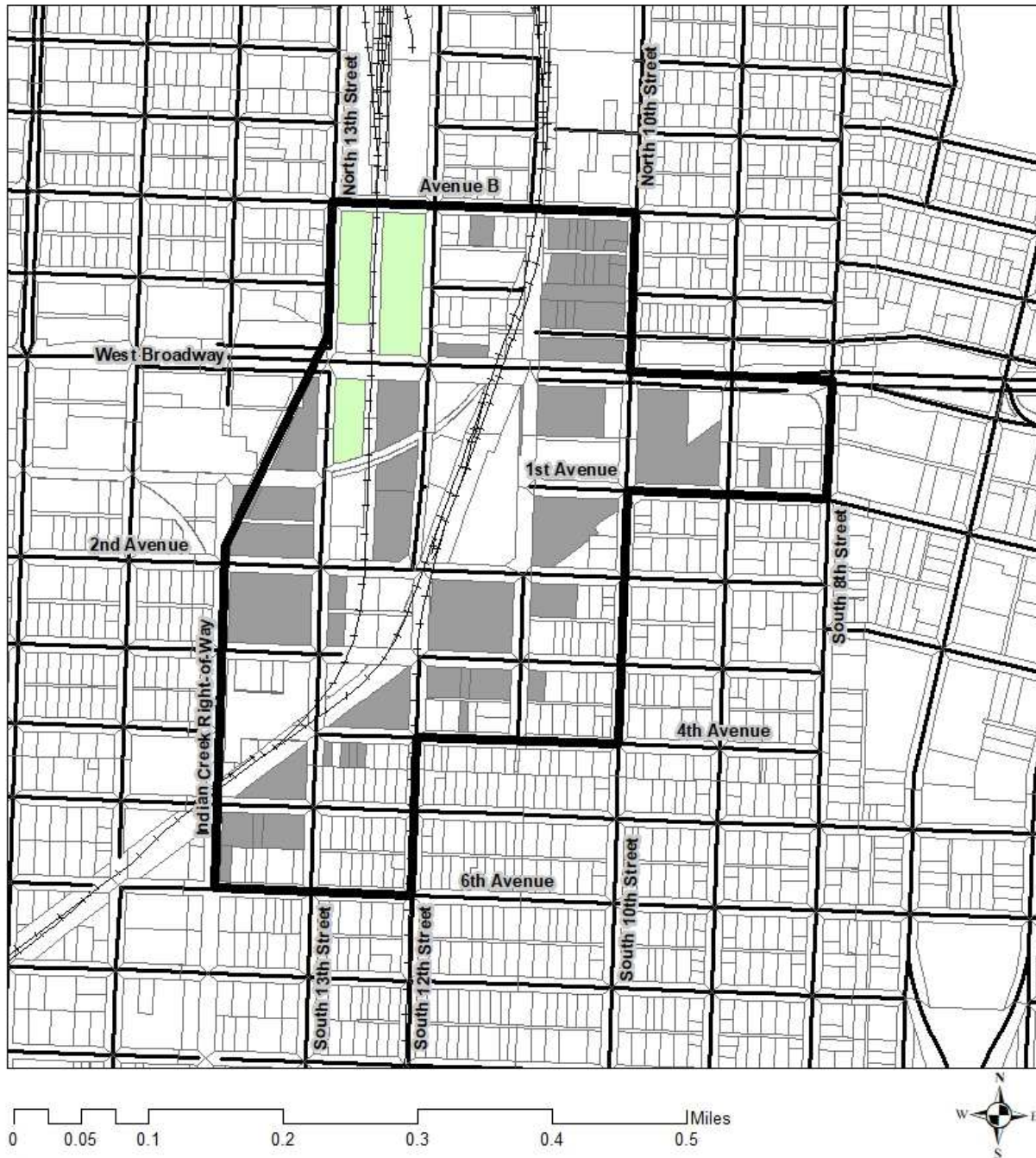
## 7. PUBLIC WORKS FACILITIES MAP



### Legend

Public Works Facilities Mid-City Area Railroads Parcels Streets

## 8. CITY PROPERTY MAP



### Legend

Mid-City Area
  City Owned Property
  City Parks
  Railroads
  Parcels
  Streets



## 9. IOWA DOT ROAD CLASSIFICATION MAP

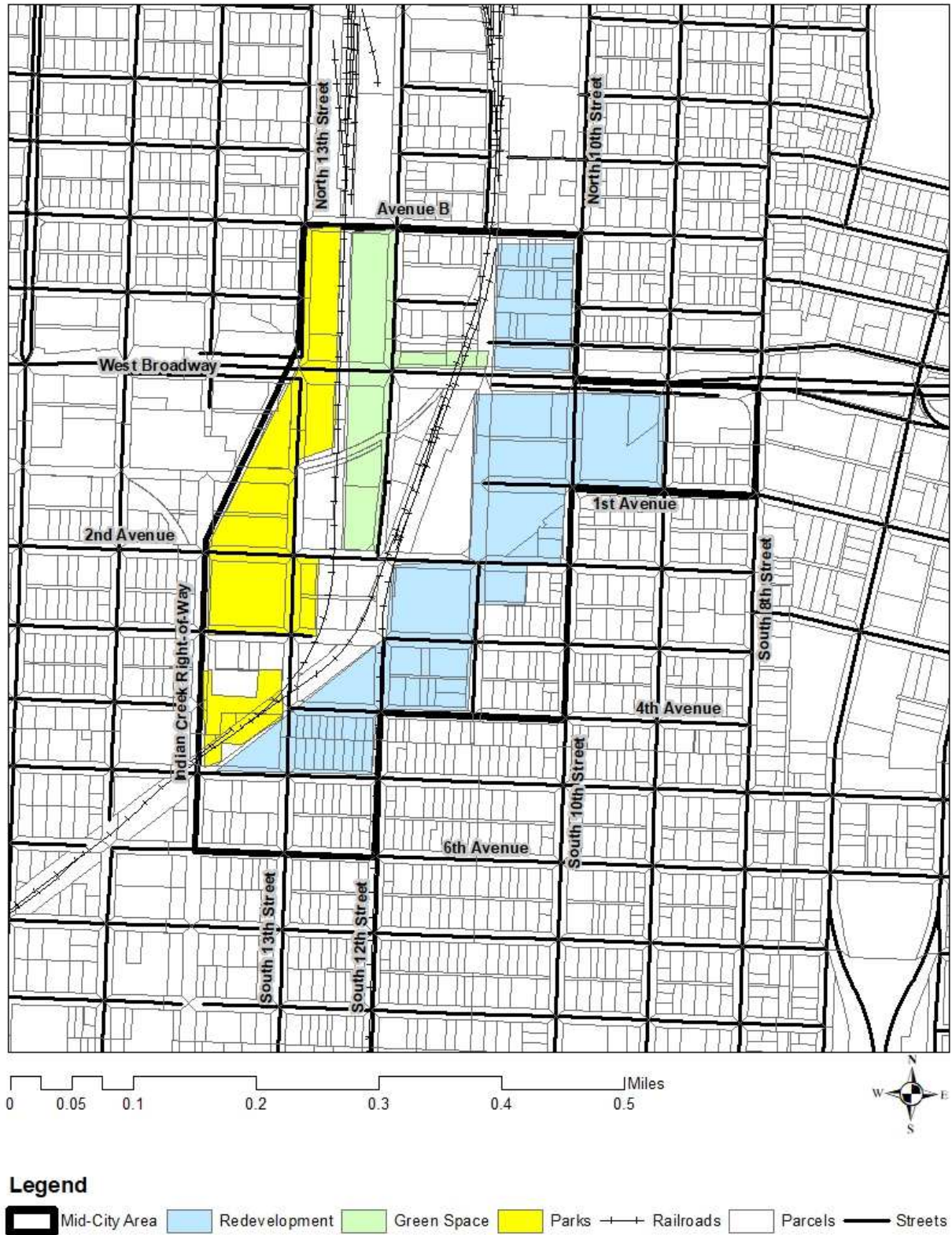


## 10. PROPOSED TRANSPORTATION NETWORK MAP



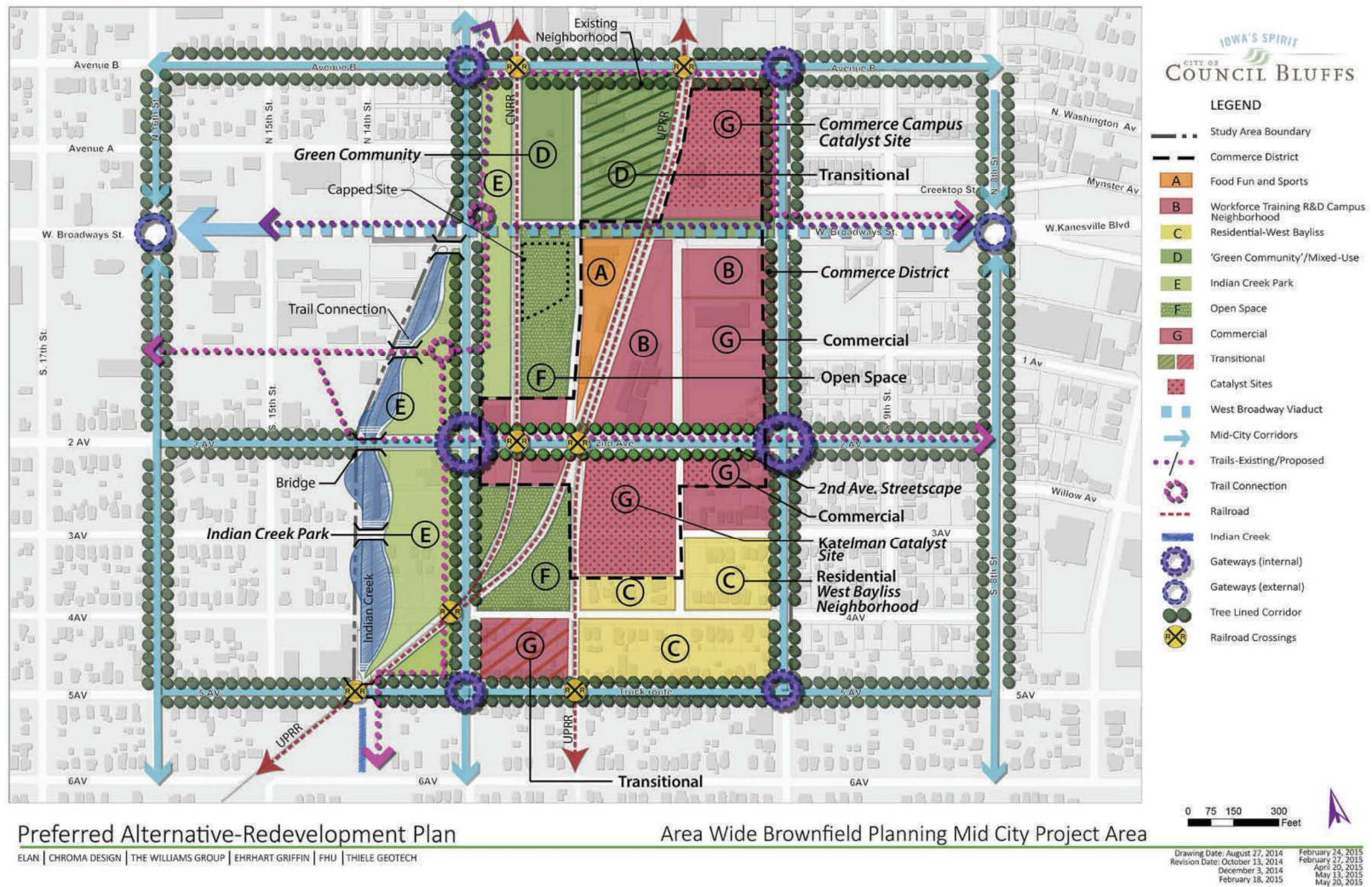


## 11. PROPOSED LAND USE MAP



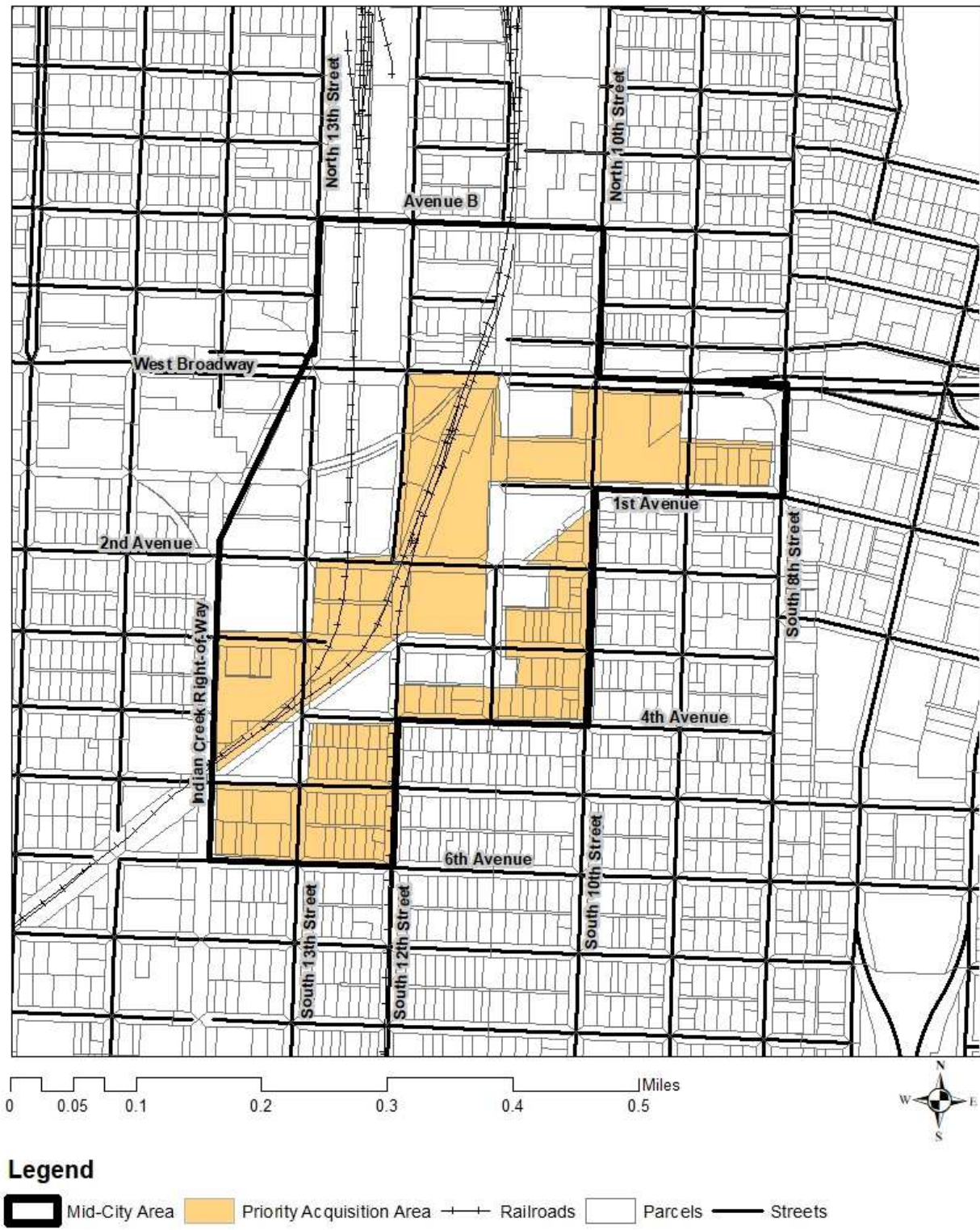
### 13. MID-CITY AREA-WIDE PLAN REUSE PLAN

COMPLETED IN 2015 BY ELAN PLANNING, DESIGN AND LANDSCAPE ARCHITECTS THROUGH THE US ENVIRONMENTAL PROTECTION AGENCY  
BROWNFIELD AREA-WIDE PLANNING GRANT PROGRAM



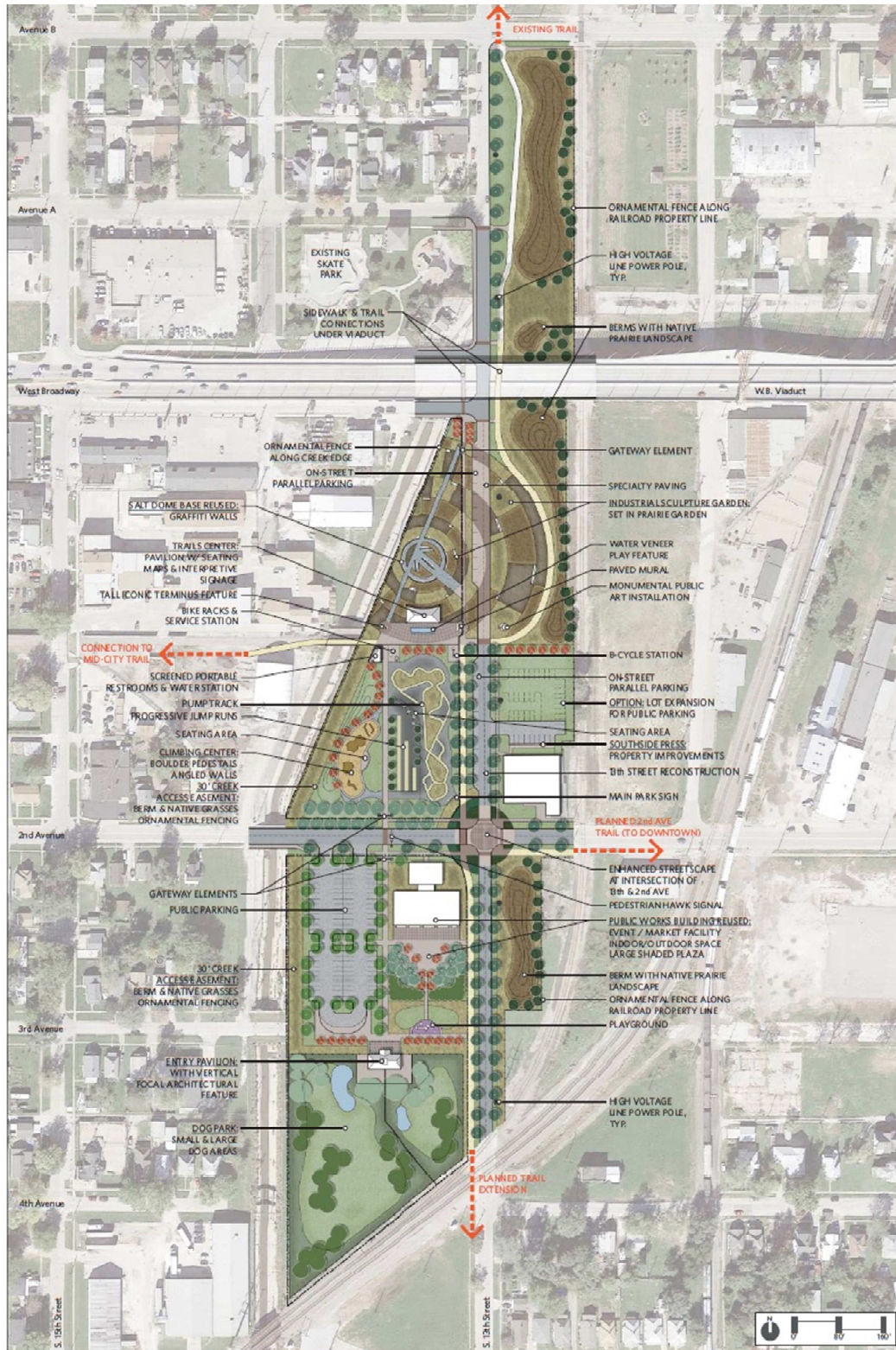


### 13. PRIORITY ACQUISITION AREAS MAP



## 14. DEVELOPMENT PLAN – MID-CITY PARK

COMPLETED IN 2016 BY HDR THROUGH THE MAKING A VISIBLE DIFFERENCE PROGRAM (MVD)  
THROUGH THE U.S. ENVIRONMENTAL PROTECTION AGENCY





## 15.DEVELOPMENT PLAN – KATELMAN BUSINESS PARK

COMPLETED IN 2016 BY STROMBERG/GARRINGAN AND ICF INTERNATIONAL THROUGH THE LAND REVITALIZATION TECHNICAL ASSISTANCE PROGRAM (LRTAP) THROUGH THE U.S. ENVIRONMENTAL PROTECTION AGENCY



## **CITY OF COUNCIL BLUFFS**

### **PROCEEDINGS OF THE CONSULTATION BETWEEN THE CITY AND AFFECTED TAXING ENTITIES**

#### **2019 MID-CITY URBAN RENEWAL PLAN**

The consultation between the City and affected taxing entities on the 2019 Mid-City Urban Renewal Plan was held on January 29, 2019, at 10:00 a.m. The meeting was held in the Community Development Department Conference Room, 403 Willow Avenue, Council Bluffs, Iowa. Brenda Carrico, Program Coordinator of the City's Community Development Department, served as the representative for the consultation meeting.

No individuals or groups appeared at the consultation hearing.

No written correspondence has been received by the Community Development Department prior to the consultation meeting.



Brenda Carrico, Program Coordinator  
Community Development Department

On February 12, 2019, the City of Council Bluffs Planning Commission met at 6:00 p.m. in Room A of the Council Bluffs Public Library, 400 Willow Avenue.

One of the agenda items under consideration was the proposed 2019 Mid-City Urban Renewal Plan.

Christopher Gibbons, Planning Coordinator appeared before the Planning Commission in favor of the creation of the urban renewal area.

None appeared in opposition.

It is the finding of the City of Council Bluffs Planning Commission that the 2019 Mid-City Urban Renewal Plan and Area conforms to the "Bluffs Tomorrow: 2030 Plan" which is the general plan for the development of the City of Council Bluffs and recommends its approval.

VOTE: AYE 10 NAY 0 ABSTAIN 0 ABSENT 0 Motion: Carried

Planning Commission Signature: Catherine M. DeMasi

Printed Name: Catherine M. DeMasi

Attest: Christopher A. Gibbons

Printed Name: Christopher Gibbons

## **RESOLUTION 19-49**

### **ITEMS TO INCLUDE ON AGENDA**

#### **CITY OF COUNCIL BLUFFS, IOWA**

February 25, 2019

7:00 P.M.

#### 2019 Mid-City Corridor Urban Renewal Plan

- Public hearing on the proposed 2019 Mid-City Corridor Urban Renewal Plan
- Resolution terminating the Mid-City Corridor Urban Renewal Plan (2004); determining an area of the City to be a 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 2019 Mid-City Corridor Urban Renewal Plan
- Consideration of Ordinance for the division of revenues under Iowa Code Section 403.19 for 2019 Mid-City Corridor 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 IOWA CODE  
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.**

February 25, 2019

The City Council of the City of Council Bluffs, State of Iowa, met in \_\_\_\_\_ 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 \_\_\_\_\_, 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 2019 Mid-City Corridor Urban Renewal Plan, the Mayor first asked for the report of the Community Development Program Coordinator, or her delegate, with respect to the consultation held with the affected taxing entities to discuss the proposed Plan. 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 Community Development Program Coordinator, or her delegate, with respect to the consultation was placed on file for consideration by the Council.

The City also was informed that the proposed Plan had been approved by the Planning and Zoning Commission as being in conformity with the general plan for development of the City as a whole, as set forth in the minutes or report of the Commission. The report or minutes were placed on file for consideration by the Council.

The Mayor then asked the City Clerk whether any written objections had been filed with respect to the proposed Plan, and the City Clerk reported that \_\_\_\_\_ written objections thereto had been filed. The Mayor then called for any oral objections to the adoption of the 2019 Mid-City Corridor Urban Renewal Plan and \_\_\_\_\_ were made. The public hearing was then closed.

{Attach summary of objections here}

Council Member \_\_\_\_\_ then introduced the following Resolution entitled "RESOLUTION TERMINATING THE MID-CITY CORRIDOR URBAN RENEWAL PLAN (2004); DETERMINING AN AREA OF THE CITY TO BE A 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 2019 MID-CITY CORRIDOR 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 \_\_\_\_\_, 2019, 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. 19-49

RESOLUTION TERMINATING THE MID-CITY CORRIDOR URBAN RENEWAL PLAN (2004); DETERMINING AN AREA OF THE CITY TO BE A 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 2019 MID-CITY CORRIDOR URBAN RENEWAL PLAN

WHEREAS, in 2004, this Council adopted the Mid-City Corridor Urban Renewal Plan for the Mid-City Corridor Urban Renewal Area for the purpose of undertaking blight remediation activities in the Area; and

WHEREAS, despite the blight remediation activities that occurred in the Mid-City Corridor Urban Renewal Area from 2004 to present, there remains a significant number of blighted properties in the corridor, and therefore the City proposes to create a new footprint for the Mid-City Corridor Urban Renewal Area, rescind the urban renewal plan adopted in 2004, and adopt a new urban renewal plan for the updated Mid-City Corridor Urban Renewal Area; and

WHEREAS, it is hereby found and determined that one or more blighted areas, as defined in Chapter 403, Code of Iowa, exist within the City and the rehabilitation, conservation, redevelopment, development, or combination thereof, of the area is necessary in the interest of the public health, safety, or welfare of the residents of the City; and

WHEREAS, this Council has reasonable cause to believe that the area described below satisfies the eligibility criteria for designation as an urban renewal area under Iowa law and has caused there to be prepared a proposed 2019 Mid-City Corridor Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Mid-City Corridor Urban Renewal Area ("Area" or "Urban Renewal Area"), which proposed Plan is attached hereto as Exhibit A; and

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

Beginning at the intersection of the centerline of Avenue 'B' and the centerline of North 10<sup>th</sup> Street; south along the centerline of 10<sup>th</sup> Street to the centerline of West Broadway Avenue; east along the centerline of West Broadway Avenue to the centerline of 8<sup>th</sup> Street; South along the centerline of 8<sup>th</sup> Street to the centerline of 1<sup>st</sup> Avenue; West along the centerline of 1<sup>st</sup> Avenue to the centerline of South 10<sup>th</sup> Street; South along the centerline of South 10<sup>th</sup> Street to the centerline of 4<sup>th</sup> Avenue; West along the centerline of 4<sup>th</sup> Avenue to the centerline of South 12<sup>th</sup> Street; South along the centerline of South 12<sup>th</sup> Street to the centerline of 6<sup>th</sup> Avenue; West along the centerline of 6<sup>th</sup> Avenue to the centerline of the right-of-

way of Indian Creek; North and Northeasterly along the centerline of the right-of-way of Indian Creek to the centerline of 13<sup>th</sup> Street; North along the centerline of 13<sup>th</sup> Street to the centerline of Avenue B; East along the centerline of Avenue B to the Point of Beginning.

WHEREAS, it is desirable that the Urban Renewal Area be redeveloped as described in the proposed Urban Renewal Plan to be known hereafter as the "2019 Mid-City Corridor Urban Renewal Plan"; and

WHEREAS, the Iowa statutes require the City Council to submit the proposed Urban Renewal Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for development of the City as a whole, prior to City Council approval thereof; and

WHEREAS, the 2019 Mid-City Corridor Urban Renewal Plan and the corresponding proposed Urban Renewal Area have been approved by the Planning and Zoning Commission for the City as being in conformity with the general plan for development of the City as a whole, as evidenced by its written report and recommendation filed herewith, which report and recommendation is hereby accepted, approved in all respects and incorporated herein by this reference; and

WHEREAS, by resolution adopted on January 14, 2019, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Urban Renewal Plan and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Urban Renewal Plan 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 Community Development Program Coordinator, 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 Urban Renewal Plan 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 Urban Renewal Plan, 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. The Mid-City Corridor Urban Renewal Plan adopted by the City in 2004, and the Mid-City Corridor Urban Renewal Area established by said plan, are hereby terminated.

Section 2. That the findings and conclusions set forth or contained in the proposed "2019 Mid-City Corridor Urban Renewal Plan" for the area of the City of Council Bluffs, State of Iowa, legally described and depicted in the Plan and incorporated herein by reference (which area shall hereinafter be known as the "Mid-City Corridor Urban Renewal Area"), be and the same are hereby adopted and approved as the findings of this Council for this area.

Section 3. 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 Urban Renewal Plan conforms 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 those 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 4. That the Urban Renewal Area is a blighted area within the meaning of Iowa Code Chapter 403; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403 of the 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 5. That the Urban Renewal Plan, attached hereto as Exhibit A and incorporated herein by reference, be and the same is hereby approved and adopted as the "2019 Mid-City Corridor Urban Renewal Plan for the Mid-City Corridor Urban Renewal Area"; the Urban Renewal Plan for such area is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of the Urban Renewal Plan with the proceedings of this meeting.

Section 6. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, the Urban Renewal Plan shall be in full force and effect from the date of this Resolution until the Council amends or repeals the Plan. Said Urban Renewal Plan 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.

PASSED AND APPROVED this 25<sup>th</sup> day of February, 2019.

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Mayor

ATTEST:

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City Clerk

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

ATTACH THE PLAN LABELED AS  
EXHIBIT A HERE



STATE OF IOWA )  
 ) SS  
COUNTY OF POTTAWATTAMIE )

WITNESS my hand and the seal of the Council hereto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

(SEAL)

## Council Communication

Department: Community  
Development  
Case/Project No.: URN-19-002  
Submitted by: Brenda Carrico

Ordinance 6382  
ITEM 6.A.

Council Action: 2/25/2019

### Description

Ordinance providing that general property taxes levied and collected each year on all property located within the Mid-City Corridor Urban Renewal Area, in the City of Council Bluffs, County of Pottawattamie, State of Iowa, by and for the benefit of the State of Iowa, City of Council Bluffs, County of Pottawattamie, Council Bluffs Community School District, and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the city in connection with the Mid-City Corridor Urban Renewal Area (the 2019 mid-city corridor urban renewal plan)

### Background/Discussion

See attachments

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Staff report	Ordinance	2/15/2019
2019 Mid-City Urban Renewal Plan	Ordinance	2/15/2019
Consultation proceedings	Ordinance	2/15/2019
City Planning Commission Report	Ordinance	2/15/2019
Ordinance 6382	Ordinance	2/19/2019

**Council Communication**  
**February 25, 2019 City Council Meeting**

Department: Community Development	Ordinance No.:  Resolution No.: 19-	Planning Commission: 2-12-2019 P.H. and First Reading: 2-25-2019 Second Reading: 3-11-2019 Third Reading: Request to waive
Case/Project No.: URN-19-002		
<b>Subject/Title</b>		
1) Resolution terminating the Mid-City Corridor Urban Renewal Plan (2004) and adopting the 2019 Mid-City Urban Renewal Area Plan 2) Consideration of the Tax Increment Financing Ordinance		
<b>Location</b>		
Generally located from Avenue B to 6 <sup>th</sup> Avenue and South 8 <sup>th</sup> Street to South 13 <sup>th</sup> Street		
<b>Background/Discussion</b>		
<p><u>Background</u></p> <p>In 2004, the City Council adopted Resolution 04-112 creating the Mid-City Urban Renewal Plan. The primary reason for this Plan was the elimination of slum and blight as allowed under Iowa Code Section 403. This allowed the Community Development Department to utilize Community Development Block Grant (CDBG) funds to acquire and demolish the blighted industrial, commercial and residential properties in the original plan area. The U.S. Department of Housing and Urban Development (HUD) recognizes urban renewal plans as a slum and blight designation for a ten-year period. During the ten years, the City acquired, demolished and cleaned up environmental contamination on 23 acres on over 30 properties.</p> <p>Because HUD requires cities to reevaluate slum and blight urban renewal plans every ten years, the City believes the best alternative is to adopt a new Mid-City Urban Renewal Area Plan with a new defined area to ensure continued progress in the neighborhood. The new area expands to the east and south to include previously excluded commercial properties. Additionally, the ability to use tax increment financing (TIF) will be added to the plan for future acquisition and redevelopment use.</p> <p><u>Discussion</u></p> <p>On January 14, 2019, the City Council approved a resolution of necessity, which directed staff to initiate the process of creating the 2019 Mid-City Urban Renewal Plan and Area. This resolution established the following actions and timeframes:</p> <ul style="list-style-type: none"> <li>1-29-19 Consultation meeting to be held with other affected taxing jurisdictions</li> <li>2-12-19 City Planning Commission hearing and review</li> <li>2-25-19 City Council public hearing on the proposed urban renewal plan and 1<sup>st</sup> consideration of TIF ordinance</li> <li>3-11-19 City Council 2<sup>nd</sup> consideration of TIF ordinance (request to waive 3<sup>rd</sup>)</li> </ul> <p>The consultation hearing was held on January 29, 2019 and no interested parties attended. Additionally, no written correspondence has been received by the Community Development Department either in support or against the proposed plan.</p>		

**Council Communication**  
**February 25, 2019 City Council Meeting**

**Staff Recommendation**

The Community Development Department recommends approval of the 2019 Mid-City Urban Renewal Area Plan for the City of Council Bluffs.

**Planning Commission Public Hearing (February 12, 2019)**

Christopher Gibbons appeared before the Planning Commission in favor of the request. No one appeared in opposition.

**Planning Commission Recommendation**

The Planning Commission determined the 2019 Mid-City Urban Renewal Plan and Area conforms to the “Bluffs Tomorrow: 2030 Plan” which is the general plan for the development of the City of Council Bluffs and recommended approval of the 2019 Mid-City Urban Renewal Plan and Area.

VOTE: AYE 10    NAY 0    ABSTAIN 0    ABSENT 0    Motion: Carried

**Attachments**

1. Resolution adopting the 2019 Mid-City Urban Renewal Plan and Area with the plan attached as Exhibit 1 (also terminates the 2004 Mid-City Urban Renewal Plan and Area)
2. Consultation proceedings
3. City Planning Commission Report
4. TIF Ordinance

Prepared by: Brenda Carrico, Program Coordinator, Community Development Department

Approved by: Brandon Garrett, Director, Community Development Department

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**2019**  
**MID-CITY CORRIDOR**  
**URBAN RENEWAL PLAN**

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CITY OF COUNCIL BLUFFS, IOWA  
ADOPTED \_\_\_\_\_ 2019

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## **CHAPTER I**

### **BACKGROUND**

The early development of Council Bluffs was intimately tied to the rapid expansion of the railroad system. By the 1890s, Council Bluffs was served by 15 lines operating 90 trains per day. For many decades, these railroads generated significant employment, which allowed Council Bluffs to grow and prosper. The physical development of the community was also significantly impacted by the railroad. With the construction of the railroad corridor, business and industrial uses that desired railroad transportation followed. Residential areas also developed in the corridor and around larger employers. As a result, the corridor was developed with a variety of conflicting land uses.

The continued evolution and consolidation of the railroad industry has required less land to be used for support transportation purposes but the tracks still remain and continue to be some of the busiest lines in Council Bluffs. As a result, the community can reasonably expect continued changes in land use in this corridor over the next 20 years.

In order to address these changes, the City of Council Bluffs prepared and adopted a Neighborhood Revitalization Strategy Area (NRSA) for the City's Community Development Block Grant Program (CDBG), which includes the Mid-City Corridor. Several problems that are associated with the corridor have been identified including railroad trackage problems, floodplain problems, traffic circulation issues, and neighborhood isolation. Residential neighborhoods in and adjacent to the corridor are also blighted.

In 2004, the City adopted the original Mid-City Corridor Urban Renewal Plan and designated a portion of the corridor as an urban renewal area appropriate for blight remediation. At that time, the City found that 87 of 168 (52%) structures in the designated area were substandard or deteriorated. From 2004 to 2015, the City acquired and demolished blighted properties in the designated area; assembling parcels for redevelopment, park space and green space. The City did not adopt a Tax Increment Financing ("TIF") ordinance with respect to the property included in the original urban renewal area created in 2004.

Though significant headway has been made in removing blighted structures in the corridor, there are still blighted properties and other blighting influences within the corridor that require remediation to allow for redevelopment of the area. For example, according to the 2016 US Census data, households located in Census Tract 307 earn \$4,350 less per year than the average median household income for Council Bluffs and 20.9% live at or below the federal poverty line. According to the HUD Affirmatively Furthering Fair Housing Tool, 53.66% of the total households experience one or more housing burden. "Housing burden" is defined as households living with one or more of the following: cost burden for which housing cost is greater than 30% of household income, overcrowding, housing unit lacks complete kitchen facilities and housing unit lacks complete plumbing facilities. As such, the City has determined that a new urban renewal plan must be adopted to continue the redevelopment of the corridor. Because the footprint of the new urban renewal area differs from the original area created in 2004, the City has decided to rescind the 2004 plan and adopt this new 2019 Mid-City Corridor Urban Renewal Plan in its place.

Urban renewal powers will assist the City in the acquisition and site clearance of slum and blighted properties within the new urban renewal area, and the redevelopment thereof. Assistance in the form of



an urban renewal area, conforming to Chapter 403 of the Iowa Code, is necessary to acquire land, remove blight, incompatible or undesirable land uses; improve regulatory control; improve public infrastructure and facilities; and allow for private development or redevelopment on cleared or vacant land. This Plan is to be called the 2019 Mid-City Corridor Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the Mid-City Corridor Urban Renewal Area (“Area” or “Urban Renewal Area”), and its purpose, objectives and project proposals are described within this document.

## **CHAPTER II**

### **DESCRIPTION OF URBAN RENEWAL AREA**

#### **LEGAL DESCRIPTION**

The Urban Renewal Area designated by this 2019 Mid-City Corridor Urban Renewal Plan is situated in the City of Council Bluffs, County of Pottawattamie, State of Iowa, upon a tract of land, the boundaries of which are described as follows:

Beginning at the intersection of the centerline of Avenue ‘B’ and the centerline of North 10<sup>th</sup> Street; south along the centerline of 10<sup>th</sup> Street to the centerline of West Broadway Avenue; east along the centerline of West Broadway Avenue to the centerline of 8<sup>th</sup> Street; South along the centerline of 8<sup>th</sup> Street to the centerline of 1<sup>st</sup> Avenue; West along the centerline of 1<sup>st</sup> Avenue to the centerline of South 10<sup>th</sup> Street; South along the centerline of South 10<sup>th</sup> Street to the centerline of 4<sup>th</sup> Avenue; West along the centerline of 4<sup>th</sup> Avenue to the centerline of South 12<sup>th</sup> Street; South along the centerline of South 12<sup>th</sup> Street to the centerline of 6<sup>th</sup> Avenue; West along the centerline of 6<sup>th</sup> Avenue to the centerline of the right-of-way of Indian Creek; North and Northeasterly along the centerline of the right-of-way of Indian Creek to the centerline of 13<sup>th</sup> Street; North along the centerline of 13<sup>th</sup> Street to the centerline of Avenue B; East along the centerline of Avenue B to the Point of Beginning.

#### **GENERAL DESCRIPTION**

The general location and boundaries of the Mid-City Corridor Urban Renewal Area are shown on Illustration 1. The Urban Renewal Area is an approximately 28-block area encompassed on the north by Avenue B; on the south by 6<sup>th</sup> Avenue; on the west by Indian Creek and 13<sup>th</sup> Street; and on the east by 8<sup>th</sup> Street. Illustration 1 shows the location map for the project area. This area contains portions of Bayliss 2<sup>nd</sup> Addition, Beer’s Addition, Beer’s Subdivision, and McMahon, Cooper and Jefferies Additions to Council Bluffs.

##### **b. Environment**

**Topography and Drainage** – The topography of the Area is generally characterized by very slight slopes of zero to two percent. As such, the natural drainage pattern of the area is poor. The project area lies in the Indian Creek Drainage Basin. The northern portion of the area lies within the 100-year floodplain and the southern portion of the area lies within the 500-year floodplain.

**Floodplain** – The Flood Insurance Rate Maps (FIRM) #19155C0413E, dated February 4, 2005, prepared by the Federal Emergency Management Agency (FEMA) show that the northern portion of the project area is located in Zone AH. The area designated as Zone AH is considered to be a Special Flood Hazard Area, which is characterized by shallow flooding of depths between 1 to 3 feet. The southern portion of the project area is located in Zone X. The area designated as Zone X is considered to lie in the 500-year floodplain and is protected by a levee from the 100-year floodplain. Illustration 2 shows the floodplain map.

**Historic Properties** – A review of the list of properties on the National Register of Historic Places and locally designated landmarks and historical districts indicates that there are no historical properties within the proposed boundaries of the Urban Renewal Area. Properties surrounding the proposed Area may have historical potential. These properties include the Mynster Street and South 8<sup>th</sup> Street

neighborhoods.

Noise – The yearly day night average sound level (DNL) indicates that the northerly section of the Area is bordered by the 65 DNL contour of the Omaha Eppley Airfield noise corridor indicating an anticipated slight impact of noise. The remainder of the Area either does not border or is outside of the 65 DNL threshold. Railroad traffic is also a concern with noise. Active lines with significant train movement increase the noise levels. Additionally, the vehicular traffic on West Broadway, also known as U.S. Highway 6, increases noise within the Area. As a result of air, rail, and vehicular traffic, the Mid-City area is prone to significant noise issues.

## **ZONING AND LAND USE/CONFORMANCE WITH COMPREHENSIVE PLAN**

Existing Zoning – Currently, land within the Urban Renewal Area is zoned A-2/Parks, Estates and Agriculture, C-2/Commercial District, I-1/Light Industrial, and R-3/Low Density Multi-Family Residential. The Area consists primarily of A-2/Parks, Estates and Agricultural District, I-1/Light Industrial District, and R-3/Low-Density Multifamily Residential District. The Southeast portion of the Area is zoned R-3/Low Density Multi-Family Residential. A majority of the property that is zoned A-2/Parks Estates and Agricultural District is owned by the City of Council Bluffs and is intended for future development, which would most likely require the land to be rezoned to an appropriate district. Illustration 3 shows the existing zoning map.

Existing Land Uses – The Urban Renewal Area consists of approximately 178 parcels, of which 81 (46%) are vacant parcels and 97 (54%) are developed. Of the developed parcels, 108 are residential uses, 6 are light industrial uses, and 16 are commercial uses. Illustration 4 shows the existing land uses for the project area.

Adjacent Land Uses – The properties surrounding the Urban Renewal Area include primarily residential neighborhoods, with industrial uses to the North and Southwest, and commercial uses primarily along the West Broadway corridor. The residential properties contain a varied mix of single-family and multi-family conversion homes. The property to the north of the proposed Area consists of railroad trackage yards. The properties to the east consist of residential uses and the downtown district. The properties to the south and west consist of primarily residential uses.

Non-Conforming Uses – The Urban Renewal Area contains one main area of nonconformance. From North 11<sup>th</sup> to North 12<sup>th</sup> Streets and from Avenue B to West Broadway, this block is currently zoned I-1/Light Industrial and A-2/Parks, Estates and Agricultural District. Current uses are single-family houses and a commercial building. Other areas of nonconformance are single family residential within C-2/Commercial District and single family in A-2/Parks, Estates and Agricultural District. Illustration 5 shows the current non-conformances.

Conformance with City Comprehensive Plan -The City of Council Bluffs has a general plan for its physical development, as a whole, which is its Comprehensive Plan known as “Bluffs Tomorrow: 2030 Plan”. This Urban Renewal Plan and the urban renewal projects described herein are in conformity with the City’s Comprehensive Plan. The need for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area is set forth in this Plan. As the Area develops, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

## STRUCTURAL CONDITIONS

In December 2018, the Community Development Department conducted a field survey to identify existing structural conditions within the proposed Mid-City Corridor Urban Renewal Area. The survey was conducted by observing the exterior conditions to determine the structural quality of each building. Each building was classified in one of four conditions: above standard, standard, substandard, or deteriorated.

Structures in “above standard” condition are not in need of rehabilitation, are in new or near new condition and well maintained. Structures in “standard” condition need minor rehabilitation, possibly in need of painting or minor repair. Structures in “substandard” condition are in need of major rehabilitation, show signs of structural failure including foundation and/or roof problems and are not up to building and land use codes. Structures in “deteriorated” condition are beyond the benefit of rehabilitation and should be demolished.

The proposed Mid-City Corridor Urban Renewal Area contains a significant number of structures in substandard structural conditions. Illustration 6 shows the current structural conditions. The structural conditions table located at the end of this section outlines the conditions. Since 2004, the City has demolished structures and created greenspace on over 27 acres of land in the Urban Renewal Area. The areas from South 12<sup>th</sup> to South 13<sup>th</sup> Streets and from Avenue B to 4<sup>th</sup> Avenue are primarily vacant with the exception of three structures.

The portion of the Area from South 12<sup>th</sup> Street to the Indian Creek channel are primarily City-owned with three single-family houses along 3<sup>rd</sup> Avenue. City-owned property consists of vacant land with trail connections and structures utilized by the Public Works Department for equipment and material storage. Illustration 7 shows Public Works facilities.

The most blighted structural conditions are located within the residential portions of the Area to the east and southeast. Housing along 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> Avenues are pocketed with several substandard units with only a few in above standard condition.

**Table 1. Structural Conditions: Residential, Commercial, and Industrial Land Uses**

Land Use Type	Above Standard		Standard		Substandard		Deteriorated		Vacant		Known or Suspected Env Contaminants		Total
	Parcels	%	Parcels	%	Parcels	%	Parcels	%	Parcels	%	Parcels	%	Parcels
Residential	2	3%	38	49%	28	36%	10	13%	0	0%	0	0%	78
Commercial	1	8%	8	67%	2	17%	1	8%	0	0%	0	0%	12
Industrial	0	0%	0	0%	3	100%	0	0%	0	0%	0	0%	3
Government	0	0%	2	3%	0	0%	2	3%	51	86%	4	7%	59
Railroad	0	0%	0	0%	0	0%	0	0%	0	0%	26	100%	26
<b>Total</b>	<b>3</b>	<b>2%</b>	<b>48</b>	<b>27%</b>	<b>33</b>	<b>19%</b>	<b>13</b>	<b>7%</b>	<b>51</b>	<b>29%</b>	<b>30</b>	<b>17%</b>	<b>178</b>

As shown by Table 1, 97 of the 178 parcels in the proposed Urban Renewal Area are developed with structures. Residential land use account for a total of 78 parcels. Of these residential structures, 2 (2%) were noted as above standard, 38 (49%) as standard, 28 (36%) as substandard, and 10 (13%) as deteriorated. Commercial land uses occupy 12 parcels in the area. Of the commercial structures, one was noted as above standard, 8 (67%) as standard, 2 (17%) as substandard and 1 (8%) as deteriorated.

Industrial land uses occupy 3 parcels in the area. Of these, none were noted as above standard or standard, 3 (100%) as substandard, and none as deteriorated. There are also 26 railroad parcels, which are all vacant. Due to the nature of railroads and common contamination associated with lines, these sites are suspected environmentally contaminated sites. The remaining parcels are government owned. Of the four parcels with structures, 2 (3%) were noted as standard and 2 (3%) as deteriorated. The 55 parcels are vacant with 4 known to have environmental contamination. One is a lead cap and the other three have environmental covenants.

In the entire proposed Urban Renewal Area, only three (2%) of the structures had above standard condition, 48 (27%) of structures were noted as in standard condition, 33 (19%) as substandard condition, and 13 (7%) as deteriorated. Over 35% of the structures in the proposed Area are in substandard condition or below. Of the vacant land 30 (17%) of the parcels are known to have or have suspected environmental contamination.

Currently, 46% of the land is vacant. Of this, 68% is government-owned. Illustration 8 shows City-owned property.

## **TRANSPORTATION SYSTEMS**

Illustration 9 shows the transportation network. Within the proposed Urban Renewal Area are five arterial and collector roadways. All of the arterial and collector roadways carry traffic in an east/west direction with no major roadways running north/south. West Broadway is classified as an arterial roadway by the Council Bluffs Public Works Department. West Broadway is also known as US Highway 6 and is a major thoroughfare connecting the east and west portions of Council Bluffs. West Broadway also acts as the conduit for traffic gaining access to Interstate 480 in Omaha, Nebraska. West Broadway has an average daily traffic count (ADT) of 25,000 vehicles per day (VPD). West Broadway consists of a four lane divided elevated roadway through the area.

Four east/west collector streets dissect the proposed Urban Renewal Area. These include Avenue 'G', Avenue 'B', 2<sup>nd</sup> Avenue and 5<sup>th</sup> Avenue. Currently, each street crosses the north/south rail lines at grade. Second Avenue, a two-lane roadway, has an ADT of 2,300 in between 10<sup>th</sup> Street and 13<sup>th</sup> Street. Fifth Avenue, a two-lane roadway, has an ADT ranging from 3,200 to 4,500 VPD between 10<sup>th</sup> and 13<sup>th</sup> Streets. Avenue B is also a two-lane roadway with an ADT of 3,200 VPD. Avenue 'G', a two-lane roadway, has an ADT of 2,600 VPD. Traffic statistics were obtained from the 2016 Traffic Flow map prepared by the Iowa Department of Transportation.

The Area is divided east/west by railroad trackage, which conflicts with both pedestrian and vehicle traffic. Railroad grade crossings are found on Avenue 'G', Avenue 'B', 2<sup>nd</sup> Avenue, 3<sup>rd</sup> Avenue, 4<sup>th</sup> Avenue, and 5<sup>th</sup> Avenue. Union Pacific Railroad has a major line crossing the entire Area which carries approximately 20 to 30 trains per day. Union Pacific also has a minor rail line within South 12<sup>th</sup> Street right-of-way between 3<sup>rd</sup> and 9<sup>th</sup> Avenues. The primary concern of this line is numerous at-grade crossings and its close proximity to residential uses. The Canadian National Railroad also operates a line north of 3<sup>rd</sup> Avenue between 12<sup>th</sup> and 13<sup>th</sup> Streets. This line parallels Union Pacific trackage north of West Broadway.

## **PUBLIC UTILITIES AND SERVICES**

The proposed Urban Renewal Area has direct access to the municipal water system, sanitary sewer, and storm sewer facilities.

**Water Distribution** – The Urban Renewal Area is sufficiently served by municipal water. A network of municipal water mains within the Area is made up of varying sizes from 4” to 20” in diameter. Most of the water mains are in the range of 4” to 6” in diameter. The 4” water mains found within the Area are below current size standards. Also, because of the age of the existing developments, some of the water mains are in antiquated condition.

**Sanitary Sewer** – The Urban Renewal Area is generally served by adequate sanitary sewer facilities. The areas south of West Broadway are served with a series of interconnected sanitary sewer mains, which flow to a 30” sanitary sewer main in South 13<sup>th</sup> Street. This 30” main flows south to the 29<sup>th</sup> Avenue pump station. The areas north of West Broadway are served by a series of interconnected sanitary sewer mains which connect to a 60” sewer main located in North 13<sup>th</sup> Street and along Indian Creek. The sanitary sewer lines in this area flow to the south. The primary problem of the sanitary sewer system is its age. There are no combined sanitary sewer facilities located within the Area.

**Storm Sewer** – The Urban Renewal Area is generally served with adequate storm sewer facilities, with the exception of the properties immediately south of West Broadway. The Area is served with storm sewer mains ranging in size from 8” to 48”. The primary storm sewer drainage for the Area is Indian Creek. Indian Creek is located immediately north of West Broadway and is within the Creek Top and South 14<sup>th</sup> Street rights of way. North of West Broadway, Indian Creek is contained in a concrete conduit and in the areas south of West Broadway it is contained within an open concrete channel. The Indian Creek channel serves as the main drainage conveyance for the Indian Creek watershed. Storm drainage for the Area is provided by a series of interconnected storm sewer mains in North 12<sup>th</sup> Street, North 11<sup>th</sup> Street, 3<sup>rd</sup> Avenue, and 5<sup>th</sup> Avenue, which all flow to Indian Creek. The primary limitation of the storm sewer system is the age and condition of some of the mains. Another problem affecting this Area is the inability of the storm sewers to discharge into Indian Creek during high rain events. During these events the water level in Indian Creek can rise quickly which prevents adjacent storm sewers from discharging into the channel. This situation can only be corrected by the construction of additional storm sewer pump stations similar to that found at 13<sup>th</sup> Street and Avenue ‘A’.

## **URBAN RENEWAL AREA ANALYSIS AND DESIGNATION**

The proposed Mid-City Corridor Urban Renewal Area qualifies as blighted under Iowa Code Section 403.17(5) because of several factors. These include the following:

### **a. Land Use and Zoning**

The Mid-City Corridor Urban Renewal Area is comprised of light industrial, commercial, and low-density multifamily residential zoning districts. However, the Area consists of light industrial, general commercial uses, public properties and pockets of residential uses. The Area was developed in a hodgepodge fashion with industrial uses along the rail corridor and adjacent residential uses. At this time, West Broadway developed commercially and was not elevated. The construction of the West Broadway viaduct caused the deterioration of these commercial businesses. Based on building permit activity, the Area is no longer conducive to private reinvestment due to limited transportation

connectivity, floodplain issues and environmental constraints found in the area.

b. Structural Conditions and Blight

The Urban Renewal Area is one of the oldest neighborhoods in the community and contains some of the most deteriorated structures and blighted land. The Area contains a large percent (26%) of properties that are either substandard or in deteriorated conditions. Of the vacant land, 17% is known to or has suspected contamination due to railroads or previous land use. In total, 43% of the land has either physical deterioration of buildings or improvements and known or suspected environmental contamination.

c. Environment

The northern portions of the Area are located within the 100-year floodplain. As such, additional fill is necessary on new construction and flood insurance is required for properties with federally insured mortgages. Noise is an environmental concern for the area due to the concentration of rail, airplane, and vehicular traffic. Given active railroads and previous industrial uses, soil and ground water contamination is a concern. According to the 1928 Sanborn Fire Insurance Rate Maps, the Area contained a variety of uses including passenger and freight depots, warehouses and commercial uses, industrial uses, and residential uses.

Lead contamination is an environmental concern within the Area. Known lead contamination exists at 1207 West Broadway. Additionally, the previously operated Katelman Foundry site located at South 13<sup>th</sup> Street and 3<sup>rd</sup> Avenue. This site was partially cleaned up but due to depths of contamination, environmental covenants were placed on the three contaminated sites to close the project. Clean soil was never reached.

d. Transportation

The amount of railroad trackage found within the Area is seen as the largest obstacle for neighborhood development. A portion of the Canadian National Rail Yard (formally the Illinois Central Railroad) is located along 13<sup>th</sup> Street north of Avenue 'B' and immediately north of the Area. The former Chicago Northwestern rail yard (now operating as Union Pacific) is located north of Avenue 'G' from 10<sup>th</sup> Street to 13<sup>th</sup> Street. The Area is dissected by several rail lines. Union Pacific operates a set of rail lines in the North 11<sup>th</sup> Street right-of-way. This line runs in a north/south direction south of Avenue 'G'. The rail lines continue in a southwest/northeast direction to the Union Pacific yards south of 9<sup>th</sup> Avenue. The Canadian National operates a set of tracks which connect to the Union Pacific trackage at South 13<sup>th</sup> Street and 4<sup>th</sup> Avenue. This track runs in a north/south direction from 4<sup>th</sup> Avenue to Avenue 'G' and then to the Canadian National rail yard. The frequent at-grade crossings and train traffic obstructs circulation between neighborhoods. This effectively isolates individual neighborhoods from the community and creates dangers for both vehicular and pedestrian traffic. Therefore, there is a need to reduce the number of at-grade rail crossings.

Other transportation issues within the Area include restricted east/west traffic through the community due to the railroad corridor and Indian Creek. Currently, there are viaducts at West Broadway and Avenue 'G' which provide elevated crossings over rail lines. Illustration 10 shows the proposed transportation network.



e. Private Investment

A review of the Building Permit Records shows that the Area has had little to no private investment within the past decade. A review of the assessed values from 2003 to 2016 shows a decrease in the assessed values of 20% from \$12,094,857 in 2003 to \$9,651,414 in 2016. The main cause of the decrease is the decrease in residential value (21%) and industrial value (512%). The increase of government-owned vacant land increased 89%, which attributes to the reduction in industrial. Table 2 below details the assessed values for 2003 to 2016. From the standpoint of tax base, the Area is becoming less relevant to the overall community tax base.

**Table 2: Assessed Values for Urban Renewal Area for 2016**

	<b>2003</b>	<b>2016</b>	<b>Percent Change</b>
Mid-City Corridor Urban Renewal Area	\$12,094,857	\$9,651,414	(20%)
Mid-City Residential	\$6,092,554	\$4,811,202	(21%)
Mid- City Commercial	\$612,600	\$2,531,520	76%
Government	\$159,987	\$1,450,892	89%
Industrial	\$5,255,916	\$857,800	(512%)
City of Council Bluffs	\$2,502,459,652	\$4,658,908,187	46%
Mid-City Area as a portion of Council Bluffs	0.48%		

f. Public Investment

The main activity related to public investment in the last ten years has been acquisition and demolition of private properties. Since 2004, the City has acquired over 30 private properties utilizing Community Development Block Grant (CDBG) entitlement funds. The City also owns approximately 11 acres dedicated to Public Works facilities to house equipment and road salt.

Additional investment in 2017 included the replacement of the Indian Creek box culvert between 9<sup>th</sup> and 10<sup>th</sup> Streets along Creek Top Road. The project included the 10<sup>th</sup> Street intersection on the boundary of the Mid-City Urban Renewal Plan.

Illustration 8 shows City property within the Area.

Based upon all of the above information, the Area qualifies as blighted under Iowa Code Section 403.17(5) and is hereby designated as appropriate for continued blight remediation activities.

## **CHAPTER III**

### **URBAN RENEWAL OBJECTIVES, ACTIVITIES AND PROJECTS**

#### **URBAN RENEWAL POWERS**

The proposed actions in the Area under the 2019 Mid-City Corridor Urban Renewal Plan will consist of one or more of the following actions as outlined by Chapter 403 of the Iowa Code.

- a. To undertake and carry out urban renewal projects within the Area; to make and execute contracts and other instruments necessary or convenient to the exercise of its urban renewal powers; and to disseminate blight clearance and urban renewal information.
- b. To arrange or contract for the furnishing or repair by any person of services, privileges, works, streets, roads, public utilities or other facilities for or in connection with an urban renewal project; to install, construct, and reconstruct streets, utilities, parks, playgrounds, and other public improvements; to agree to any conditions, that it may deem reasonable and appropriate, attached to federal financial assistance in the undertaking or carrying out of an urban renewal project; and to include in any contract let in connection with such a project, provisions to fulfill such of said conditions as it may deem reasonable and appropriate.
- c. To enter into any building or property in order to make inspections, surveys, appraisals, soundings or test borings, and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted; to acquire by purchase, lease, option, gift, grant, bequest, devise, eminent domain or otherwise, any real property, or personal property for administrative purposes, together with any improvements thereon; to hold, improve, clear or prepare for redevelopment any such property; to mortgage, pledge, or otherwise encumber or dispose of any real property; to insure or provide for the insurance of any real or personal property or operations of the municipality against any risks or hazards, including the power to pay premiums on any such insurance; and to enter into any contracts necessary to effectuate the purposes of this Plan.
- d. To borrow money and to apply for and accept advances, loans, grants, contributions and any other form of financial assistance from the federal government, the state, county, or other public body, or from any sources, public or private, for the purposes of this Plan, and to give such security as may be required, and to enter into and carry out contracts in connection therewith. This may include in any contract, for financial assistance with the federal government for an urban renewal project, such conditions imposed pursuant to federal laws as the City may deem reasonable and appropriate and which are not inconsistent with the purposes of the Plan.
- e. To make or have made all surveys and planning necessary to the carrying out of the purposes of this Plan, and to contract with any person in making and carrying out of such planning, and to adopt or approve, modify and amend such planning. Such planning may include that outlined by Chapter 403 of the Iowa Code.
- f. To plan for the relocation of persons, including families, business concerns and others, displaced by the plan, and to make relocation payments to or with respect to such persons for moving expenses and losses of property for which reimbursement or compensation is not otherwise made, including the making of such payments financed by the federal government.

- g. To appropriate such funds and make such expenditures as may be necessary to carry out the purposes of this Plan, and to levy taxes and assessments for such purposes; to zone or rezone any part of the Area or make exceptions from building regulations; and to enter into agreements.
- h. To close, vacate, plan or replan streets, roads, sidewalks, ways or other places; and to plan or replan any part of the Urban Renewal Area.
- i. To sell and convey real property in furtherance of objectives in this Plan.
- j. To acquire by purchase, gift or condemnation real property within the Area for any purpose set forth in this Plan, including but not limited to the relocation of railroad, tracks, yards, and other railroad facilities and to sell or exchange and convey such real property to railroads.
- k. To acquire or dispose of by purchase, construction, or lease, or otherwise to deal in air rights, and facilities or easements for lateral or vertical support of land or structures of any kind.
- l. To accept contributions, grants, and other financial assistance from the state or federal government to be used upon a finding of public purpose for grants, loans, loan guarantees, interest supplements, technical assistance, or other assistance as necessary or appropriate to private persons for the Urban Renewal Area.
- m. Cause administrative and other services to be furnished by or to the City.
- n. The City shall have the right to acquire by condemnation any interest in real property, including a fee simple title thereto, which it may deem necessary for or in connection with this Plan.
- o. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Plan or specific urban renewal projects.
- p. To borrow money and to provide security therefor.
- q. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City of Council Bluffs and the State of Iowa.

### **AREA OBJECTIVES AND ACTIVITIES**

The City has analyzed the Area and determined best use of the region is in three ways: (1) redevelopment, (2) greenspace and (3) park space. Illustration 11 shows proposed land uses. The City intends to undertake several actions necessary to achieve the objectives of this Plan. In 2015, the City completed the Mid-City Area-Wide Plan that outlined a community-driven reuse plan as outlined in Illustration 12. The City anticipates engaging in the following activities:

- a. Installation of Infrastructure - The City may remove, improve or install public improvements and facilities in accordance with the objectives of this Plan. Such public improvements may include, but are not limited to the following: utilities, streets, sidewalks, transit stops, park and recreational facilities, parking and landscaping.

Municipal Code requires that all building sites have direct access to an open city street that has been improved and maintained by the City and is regularly used by the general public. Public sidewalks are also required for building sites that abut a city street. Building sites are required to have direct access to the municipal sanitary sewer system and adequately handle storm water run-off without adversely affecting abutting property owners with an increase in run-off. All sites must have direct access to city water or be serviced by a well in such a capacity to satisfy not only the needs of the structure, but also to provide fire protection.

- b. Acquisition, Relocation, and Demolition of Property – Any property acquired by the City within the Area will be acquired consistent with federal, state and/or local codes or ordinances. The City may clear property or structures and other improvements in preparation for open space or recreational land uses. Clearance will be accomplished in accordance with the objectives of this Plan, and in concert with other actions to insure timely improvement of the cleared land. This could also include actions associated with environmental mitigation. The City may assist in the relocation of those residents and businesses displaced by public action. Residents and businesses displaced may be provided with the opportunity of relocation to accommodations which are decent, safe, sanitary, and are within their financial means, in accordance with established relocation practices.

As funding becomes available, the City may acquire additional properties. In order to accomplish the acquisition process, the City has divided the area into high, medium, and low areas of priority. High areas are anticipated to be acquired first followed by the properties designated as medium and then low. The low priority area is located to the southeast of the project area and primarily consists of residential uses. The priority acquisition areas are depicted on Illustration 13. The City may utilize both voluntary and involuntary acquisition in high priority areas, and reserves the right to do so in other areas.

- c. Rehabilitation and Development of Structures - The City may participate in and support efforts to preserve and rehabilitate structures to achieve a long-term, sound condition. Determination of the City's effort in this area will be made based on an analysis of the historic, architectural, and/or cultural merit of the structure, its condition, the condition of surrounding structures, lot size, layout, accessibility, usefulness, and competing and conflicting land uses. The City should not rehabilitate property in the medium and high priority acquisition areas. The goal of property rehabilitation is to provide safe, sanitary, functional, and attractive conditions, which are compatible with the intended use of the area in which buildings are located, and to eliminate the blighting influence, which such buildings may have on their surrounding environment. Although the fundamental goal is the creation of open space, the residential structures in the southern and southwest portions of the area are likely to be rehabilitated.
- d. Subdivision and Vacation of Right-of-Ways - As allowed by law, the City may subdivide, vacate, resubdivide, or otherwise change the recorded arrangement of property in its control to accomplish the objectives of this Plan.
- e. Continued Area Planning - As allowed by law, the City may participate in planning efforts with other public and private interests where these will further help to accomplish Plan objectives. The City may review planning proposals and coordinate such proposals to implement the objectives of this Plan. The City may seek to bring zoning and other regulations and plans for public facilities into conformance with the objectives of this Plan.

As part of the City's goal to eliminate blight in the Area, the City expects to continue efforts to assess and respond to the problems, needs, and opportunities of the Urban Renewal Area through additional technical studies, through the preparation of more detailed plans, through discussion with prospective developers, citizens, and public officials, and through various engineering, parking, landscaping, economic, design and related studies. This effort may result in the publication from time to time, of additional reports, regulations, guidelines, project plans, or other documents that aid in defining the objectives of this Plan.

- f. Provision of Public Services - The City will endeavor to provide appropriate levels of public services throughout the Area to support and encourage achievement of Plan objectives. These may include such things as police, fire, health, social, recreational, insurance, counseling, and other types of services.
- g. Trail and Open Space Development - The City anticipates creating open space and recreational development in the Area in accordance to the development concept developed with the assistance of an EPA technical assistance grant. This development concept outlined the creation of a new park to the west of the railroad tracks and to the east of Indian Creek. The park is anticipated to have a number of amenities including a trailhead, open space and dog park. Illustration 14 shows the conceptual design.
- h. Creation of two new business parks – The City anticipates creating two new business parks on the former Katelman Foundry site at 13<sup>th</sup> Street and 2<sup>nd</sup> Avenue and at 10<sup>th</sup> Street and Avenue B. Illustration 15 shows potential a potential layout. This will utilize two large portions of the Area and create a barrier between the residential properties and railroad tracks.
- i. Relocation of Public Facilities – Currently, Public Works Department facilities are spread throughout the City. Facilities within the Area include the salt dome and overflow equipment storage. The Public Works building located at South 13<sup>th</sup> Street and 2<sup>nd</sup> Avenue is currently used for storage as well. The City has plans to consolidate all Public Works facilities to one location; however this project will require acquisition and construction of a new salt dome on its campus. A depiction of the Public Works properties is located on Illustration 7.
- j. Land Use and Zoning – Future land use of the Area is anticipated to consist of three distinct areas: (1) redevelopment east of the railroad tracks, (2) green space between the railroad tracks and (3) park space to the west of the railroad tracks. This was determined by adjacent land use and safety. Ensuring the space between the tracks is not an attraction will increase overall safety to the area. Utilizing the space adjacent to Indian Creek will allow for a buffer between development and a potential flooding hazard should the channel overflow. Anticipated future land use of the Area is depicted on Illustration 10.

## PROPOSED URBAN RENEWAL PROJECTS AND FINANCIAL DATA

Although certain project activities may occur over a period of years, the eligible urban renewal projects under this Plan include:

Project	Date	Estimated Cost*	Rationale
Acquisition and demolition of 901 West Broadway	2019-2020	\$900,000	The mini storage unit business is in substandard condition and does not fit the end use proposed by the City of Council Bluffs
Acquisition and renovation of 825 West Broadway	Undetermined	\$1,500,000	Kelly's Carpet is an existing business in a large potentially historic building. The building is in standard condition and renovations will enhance the overall use and feel of Mid-City. The proposed project will convert the space to multi-purpose to create a new multi-family housing project.
Construction of new park and trailhead	Undetermined	\$500,000	The proposed project shall reuse existing government structures and create a park space within one of the more economically challenged areas. The project will also provide a use for vacant land that all citizens can benefit from.
Construction of two new business park areas	Undetermined	\$1,000,000	The proposed project shall construct two new business-type parks on currently vacant, blighted land. The first location at South 11th Street and 2nd Avenue is known to have significant contamination from a previous foundry and the standing environmental covenant only allows the parcels to be utilized as greenspace, commercial or light industrial. The second space at North 10th and Avenue B is a cleared lot. The City proposes using similar models of development on the parcels.
Acquisition and demolition of additional properties as available	Undetermined	\$500,000	As additional blighted properties become available through interest in selling or foreclosure, the City shall acquire and demolish the properties to remove blight from the corridor.
Future City Council approved development agreements providing tax rebate or other incentives to third parties to incentivize	Undetermined	\$1,000,000	Remediation, stabilization, and removal of blight, and the return of properties to useful condition for public facilities or private development, which private development of commercial, retail and/or residential projects would generate increased taxable valuation.

redevelopment activities			
Planning, engineering fees (for urban renewal plans), attorney fees to support urban renewal projects and planning	Undetermined	\$250,000	Necessary services related to planning and administration of urban renewal program and projects and to carry out the purposes of Iowa Code chapter 403.
<b>TOTAL</b>		<b>\$5,650,000</b>	

\*Note: It may be that the above costs will be reduced by the application of state and/or federal grants or programs; cost-sharing agreements with other entities; or other available sources of funds. If any TIF funds are to be used for a project that includes a public building, this Plan will be amended to provide the analysis required by Iowa Code Section 403.5(2)(b)(1).

Debt:

1.	July 1, 2018 constitutional debt limit:	\$174,368,928
2.	Current outstanding general obligation debt:	\$62,540,000
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Proposed Urban Renewal Projects has not yet been determined. This document is merely for planning purposes. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Proposed Urban Renewal Projects as described above will be approximately as follows:	\$5,650,000

## URBAN RENEWAL FINANCING

The City of Council Bluffs intends to utilize various financing tools such as those described below to successfully undertake the proposed urban renewal actions. The City of Council Bluffs has the statutory authority to use a variety of tools to finance physical improvements within the Areas. These include:

### A. Tax Increment Financing

Under Section 403.19 of the Iowa Code, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements or economic development incentives associated with redevelopment projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from certain taxes paid on the



difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the eligible urban renewal projects. The increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City.

#### B. General Obligation Bonds

Under Division III of Chapter 384 and Chapter 403 of the Iowa Code, the City has the authority to issue and sell general obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area or incentives for development consistent with this Plan. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City of Council Bluffs. It may be the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates or other incentives to developers in connection with urban renewal projects for commercial or industrial development and/or blight remediation or redevelopment or other urban renewal projects. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area for urban renewal projects. Alternatively, the City may determine to use available funds for making such loans or grants for urban renewal projects. In any event, the City may determine to use tax increment financing to reimburse the City for any obligations or advances.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code of Iowa in furtherance of the objectives of this Urban Renewal Plan.

## **CHAPTER IV**

### **LAND DISPOSITION SUPPLEMENTS**

Land Use and Zoning – This plan may be amended to add additional land use controls and regulations for development of sub-areas within the Area. These additional land use controls and regulations will provide the basis for control by the City of Council Bluffs for any and all real property disposed of by the City for private development within the Area and control of public projects and improvements.

## **CHAPTER V**

### **EFFECTIVE TERM OF URBAN RENEWAL PLAN**

This Plan will become effective upon its adoption by the City Council and will remain in effect until it is repealed by the City Council.

Because this Urban Renewal Area contains slum or blighted conditions, should a TIF ordinance be adopted to allow for the use of incremental property tax revenues, or the “division of revenues,” as those words are used in Chapter 403 of the Code of Iowa, the division of revenue shall not be subject to a statutory or voluntary expiration date or sunset.

## **CHAPTER VI**

### **PROCEDURES FOR AMENDMENT OF THE URBAN RENEWAL PLAN**

In accordance with Section 403.5 (5) of the Code of Iowa, this Plan may be amended or modified at any time; provided, that if modified after the lease or sale by the municipality of real property in the Area, such modification may be conditioned upon such approval of the owner, lessee or successor in interest as the municipality may deem advisable, and in any event such modification shall be subject to such rights at law or in equity as a lessee or purchaser, or a lessee's or purchaser's successor or successors in interest, may be entitled to assert.

## **CHAPTER VII OTHER**

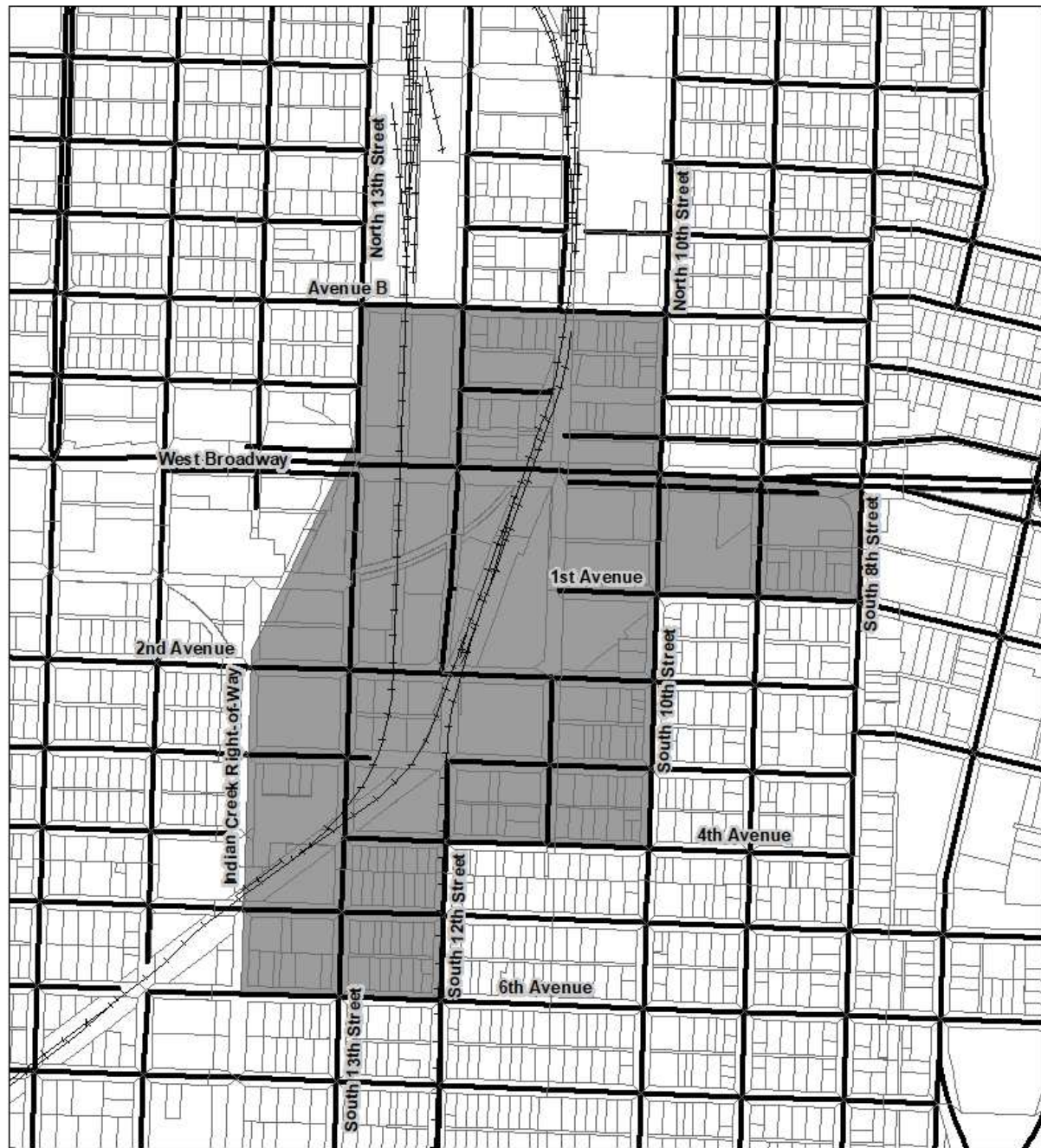
Base Value- If the Urban Renewal Plan is legally established and a TIF ordinance is adopted and debt is certified prior to December 1, 2019, the taxable valuation of the portion of the Area included within the TIF ordinance as of January 1, 2018 will be considered the “base valuation.” If debt is not certified until a later date, the “base valuation” will be a different date as described in Iowa Code Section 403.19.

Severability Clause- If any part of the Plan is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the Plan as a whole, or any part of the Plan not determined to be invalid or unconstitutional.

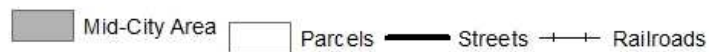
## ILLUSTRATIONS

1. Location Map
2. Floodplain Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Nonconforming Land Use Map
6. Structural Condition/Blight Map
7. Public Works Facilities Map
8. City Property Map
9. Iowa DOT Road Classification Map
10. Proposed Transportation Network Map
11. Proposed Land Use Map
12. Mid-City Area-Wide Plan Reuse Plan
13. Priority Acquisition Areas Map
14. Development Plan – Mid-City Park
15. Development Plan – Katelman Business Park

## 1. LOCATION MAP

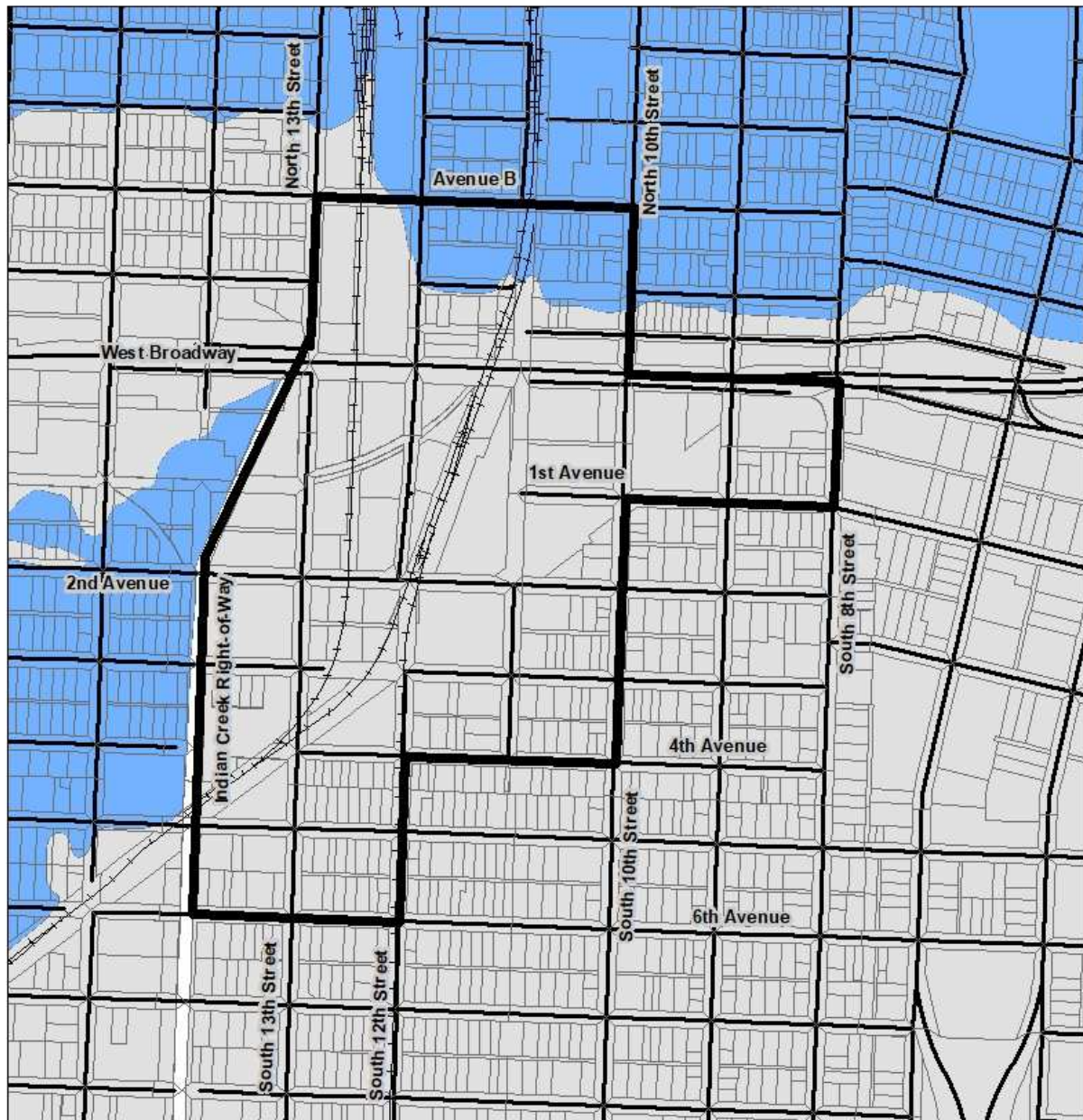


### Legend





## 2. FLOODPLAIN MAP

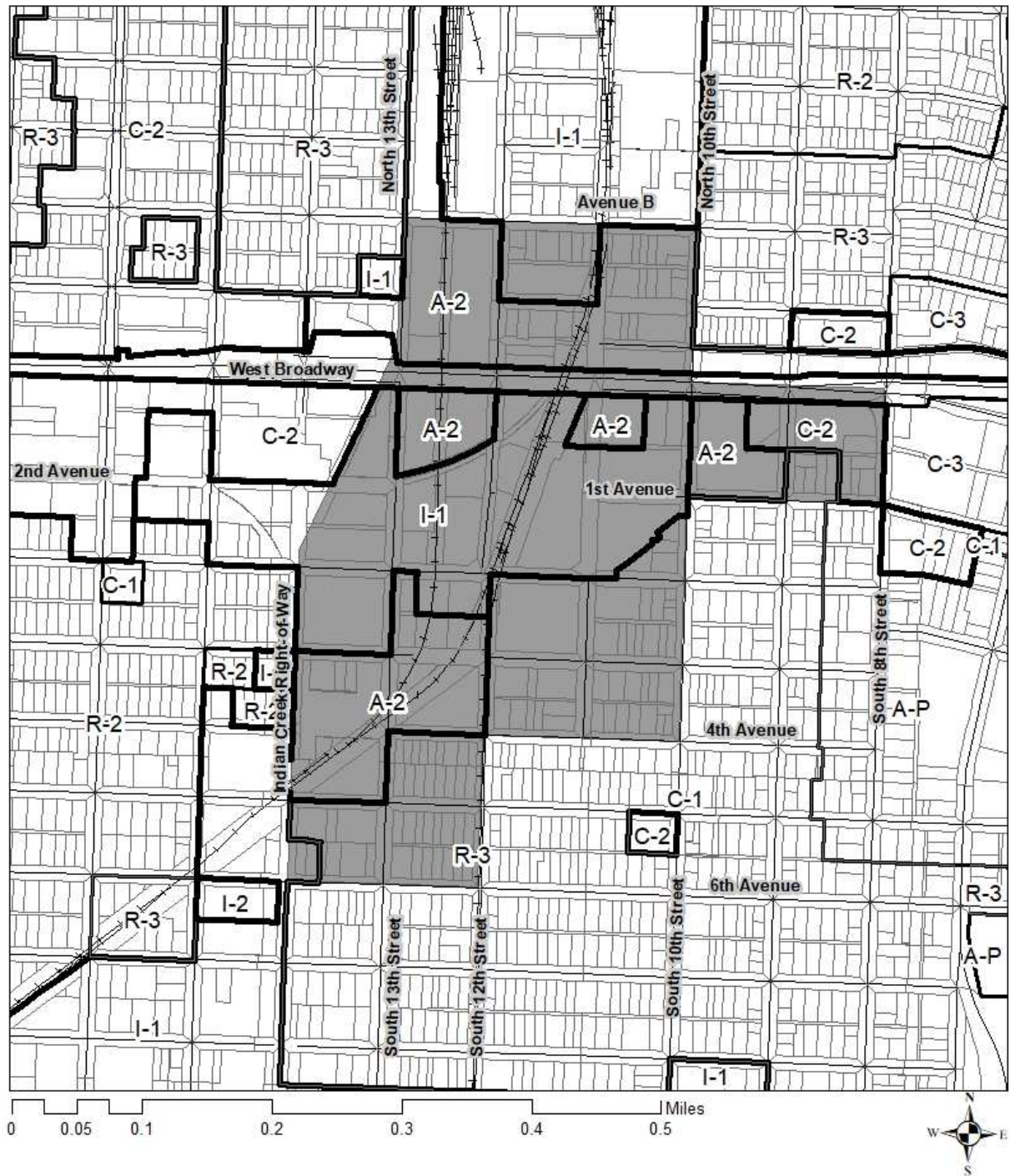


0 0.05 0.1 0.2 0.3 0.4 0.5 Miles

### Legend

- |               |                             |
|---------------|-----------------------------|
| —+— Railroads | <b>Flood Zone</b>           |
| Mid-City Area | Zone AE - Indian Creek      |
| Parcels       | Zone AH                     |
| Streets       | Zone X - PROTECTED BY LEVEE |

### 3. EXISTING ZONING MAP

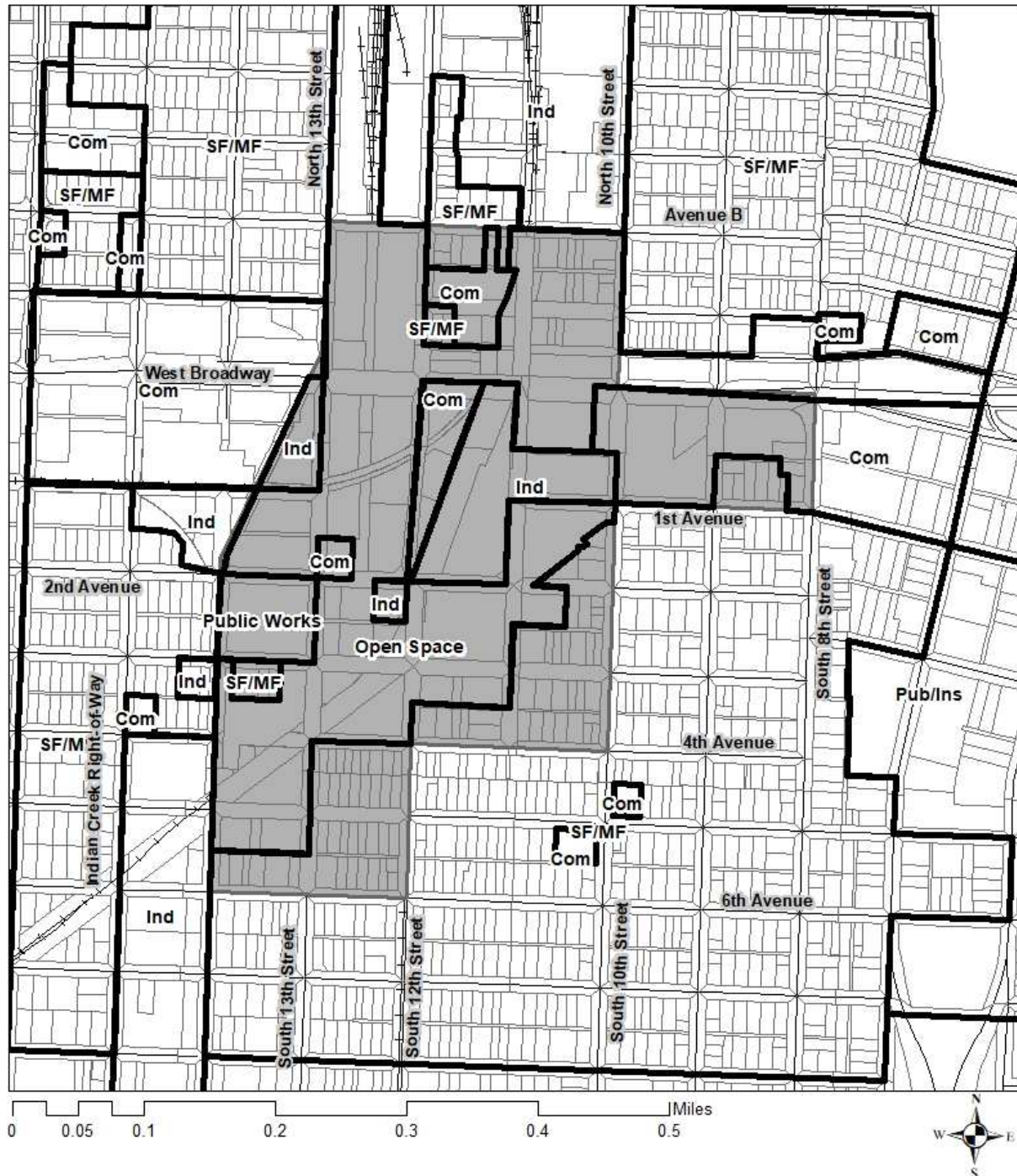


#### Legend

Mid-City Area
  Parcels
  Railroads
  Streets



## 4. EXISTING LAND USE



### Legend

Parcels
  Mid-City Area
  Railroads
  Streets

## 5. NONCONFORMING LAND USE MAP



### Legend

Nonconforming  Mid-City Area  Parcels  Railroads  Streets



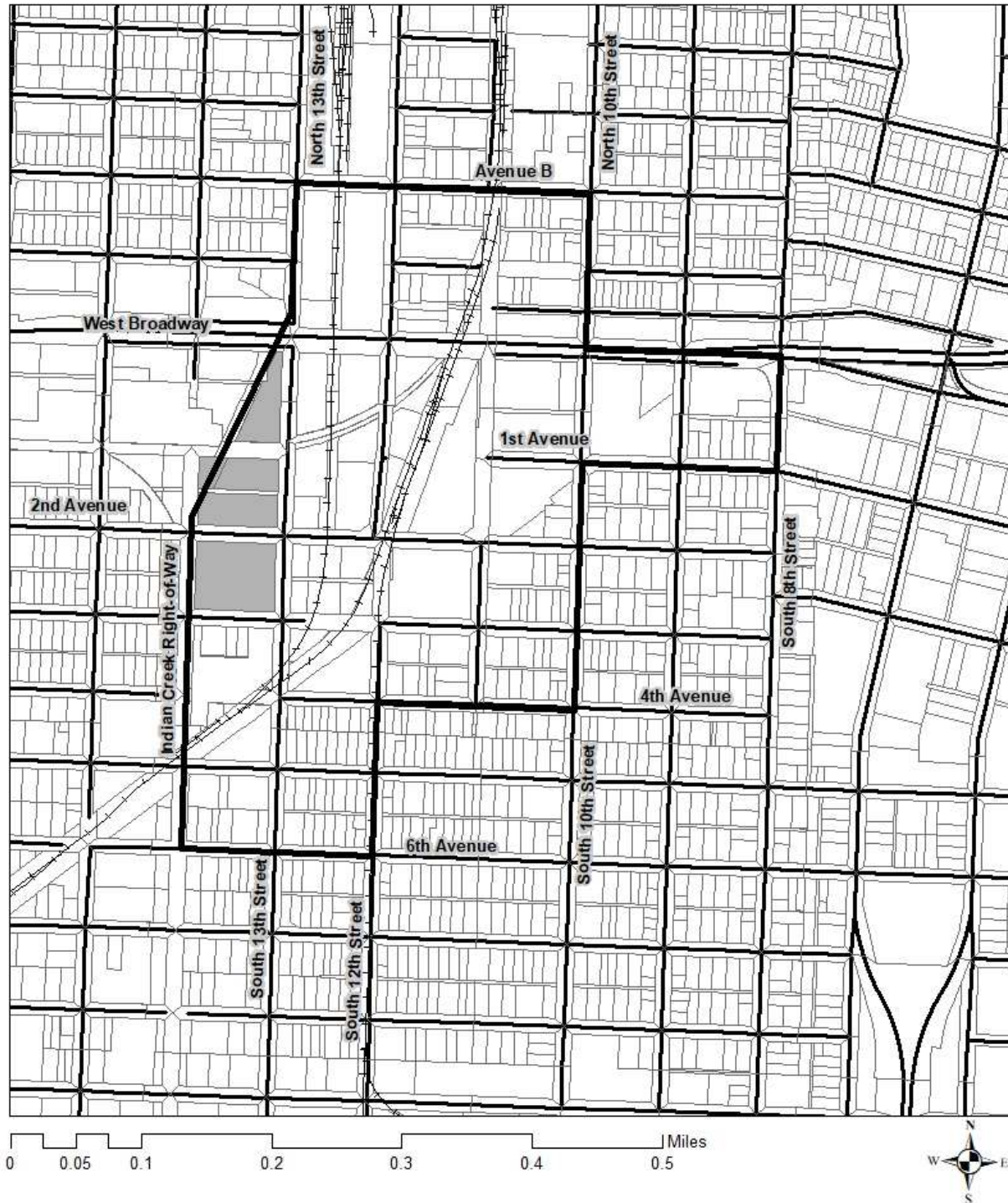
## 6. STRUCTURAL CONDITION/BLIGHT MAP



### Legend

Mid-City Area	Above Standard	Substandard	Public Works	++ Railroads
Vacant	Standard	Deteriorated	Parcels	Streets

## 7. PUBLIC WORKS FACILITIES MAP

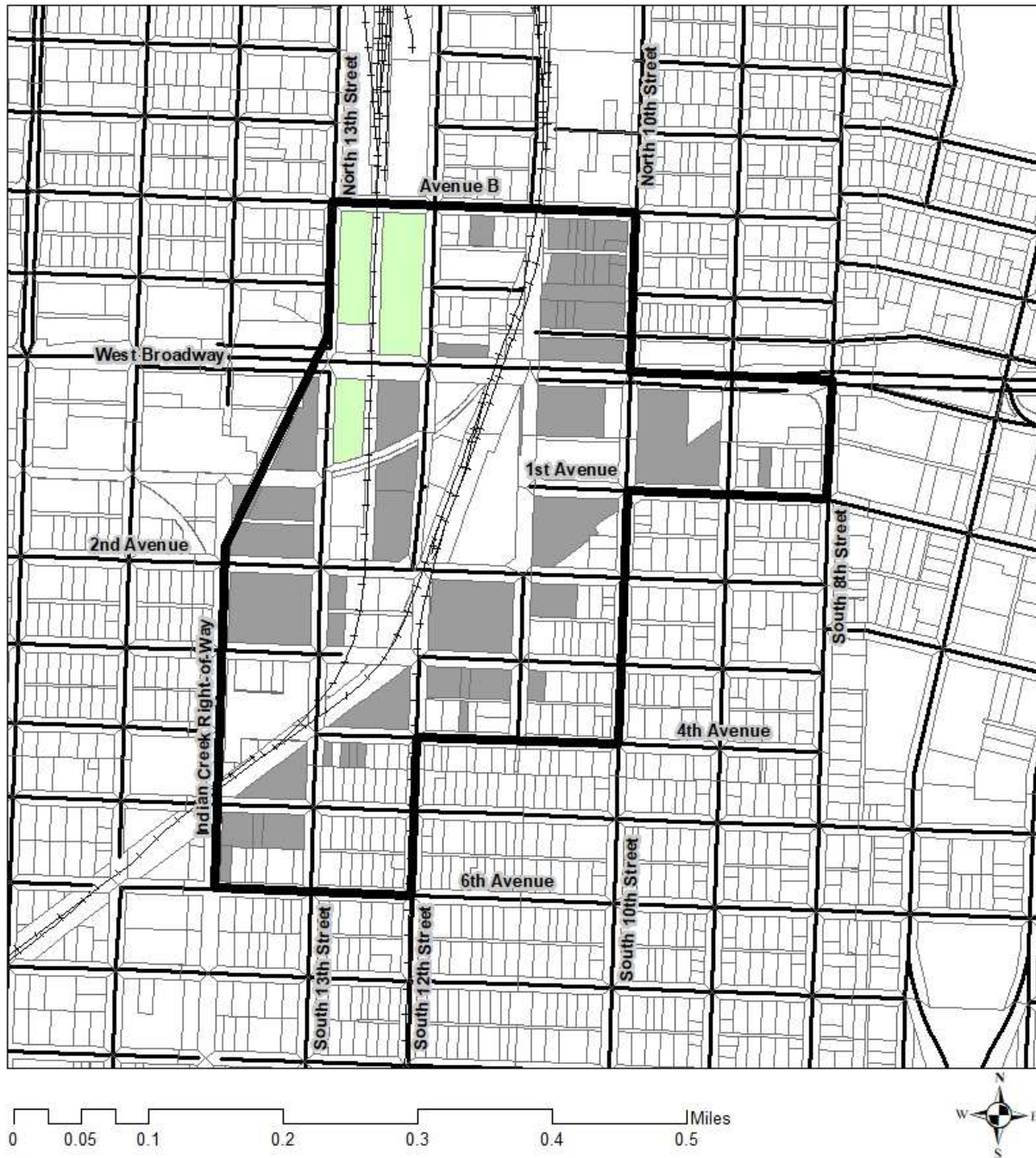


### Legend

Public Works Facilities Mid-City Area Railroads Parcels Streets



## 8. CITY PROPERTY MAP



### Legend

Mid-City Area
  City Owned Property
  City Parks
  Railroads
  Parcels
  Streets

## 9. IOWA DOT ROAD CLASSIFICATION MAP

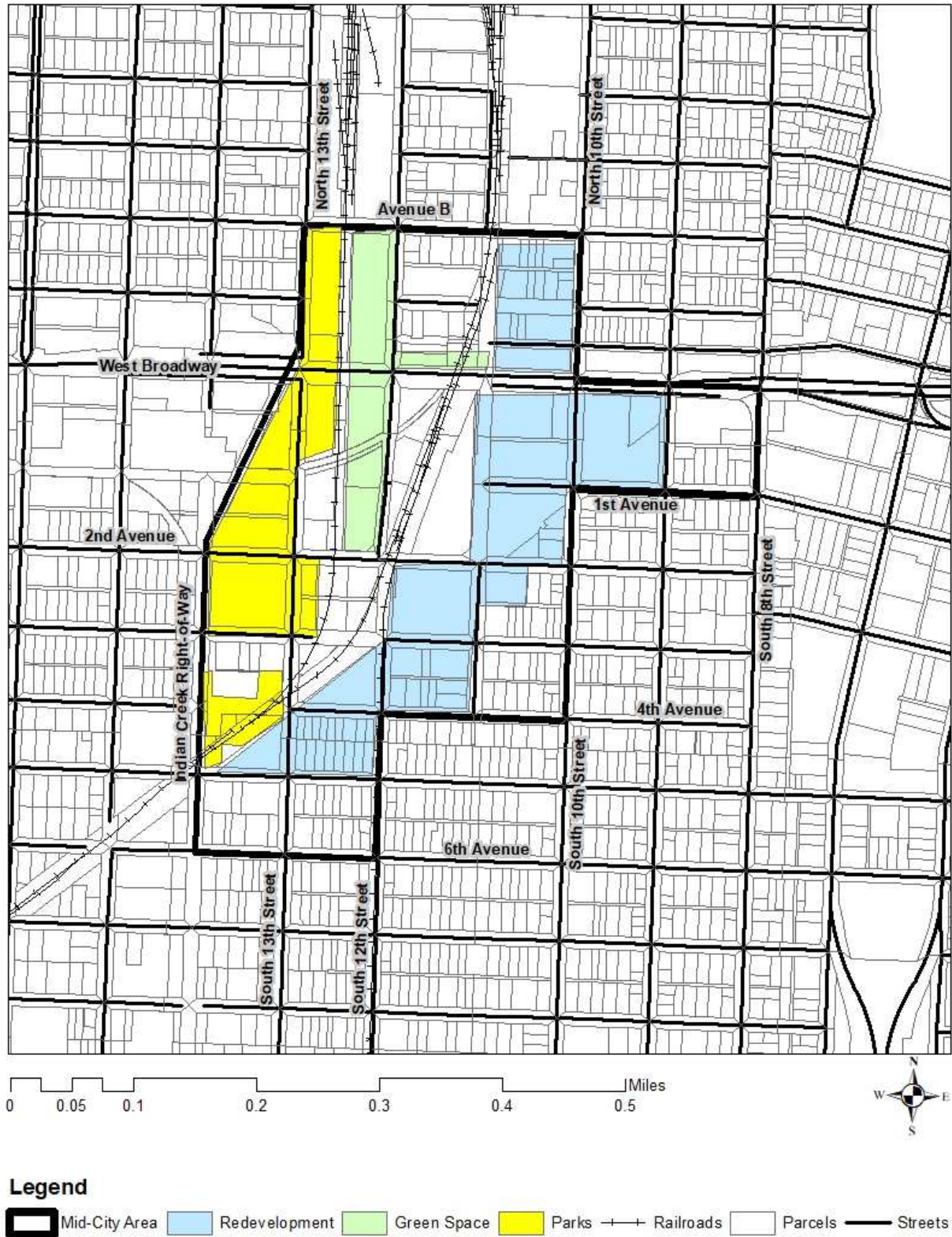




## 10. PROPOSED TRANSPORTATION NETWORK MAP



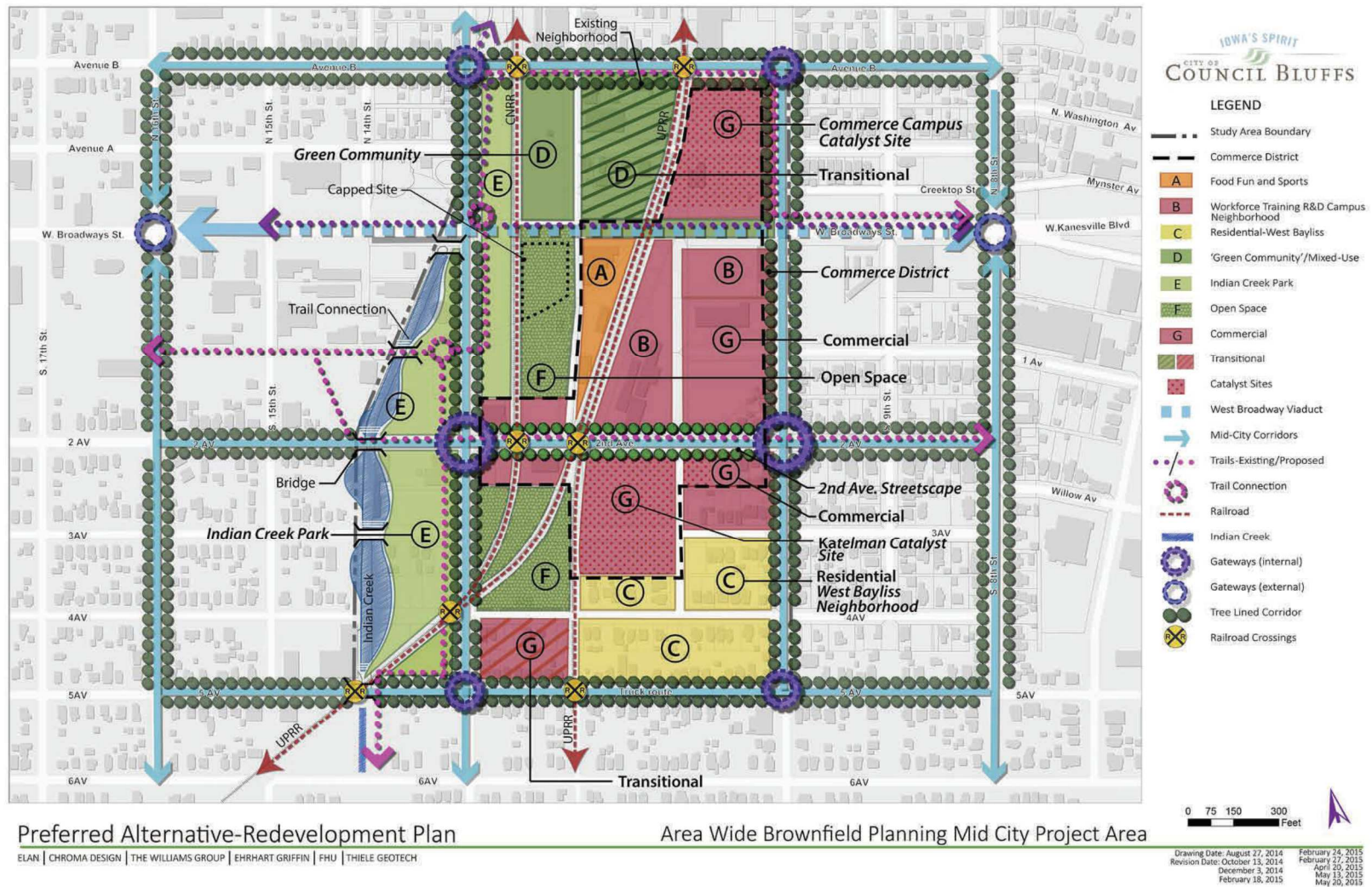
## 11. PROPOSED LAND USE MAP



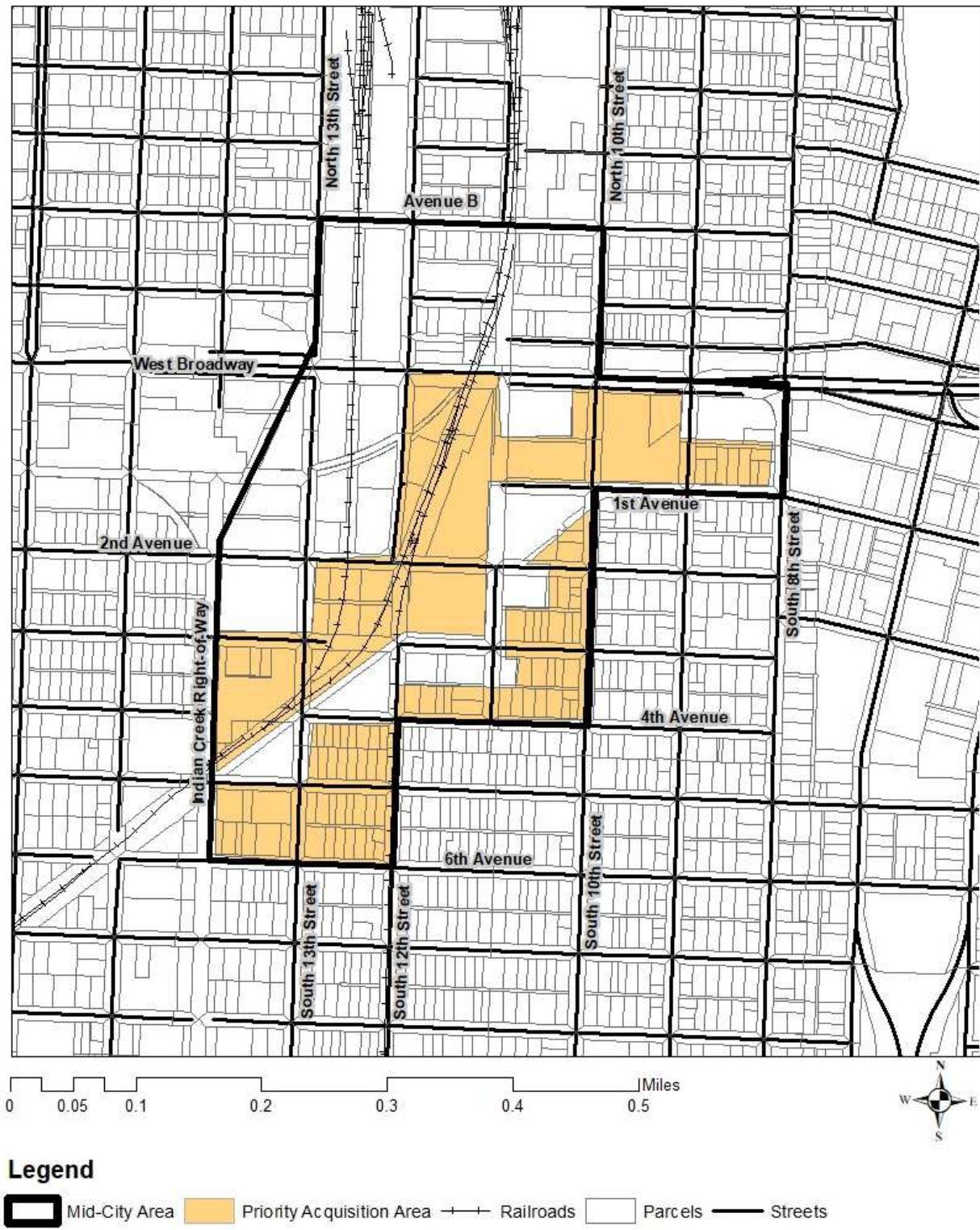


### 13. MID-CITY AREA-WIDE PLAN REUSE PLAN

COMPLETED IN 2015 BY ELAN PLANNING, DESIGN AND LANDSCAPE ARCHITECTS THROUGH THE US ENVIRONMENTAL PROTECTION AGENCY  
BROWNFIELD AREA-WIDE PLANNING GRANT PROGRAM



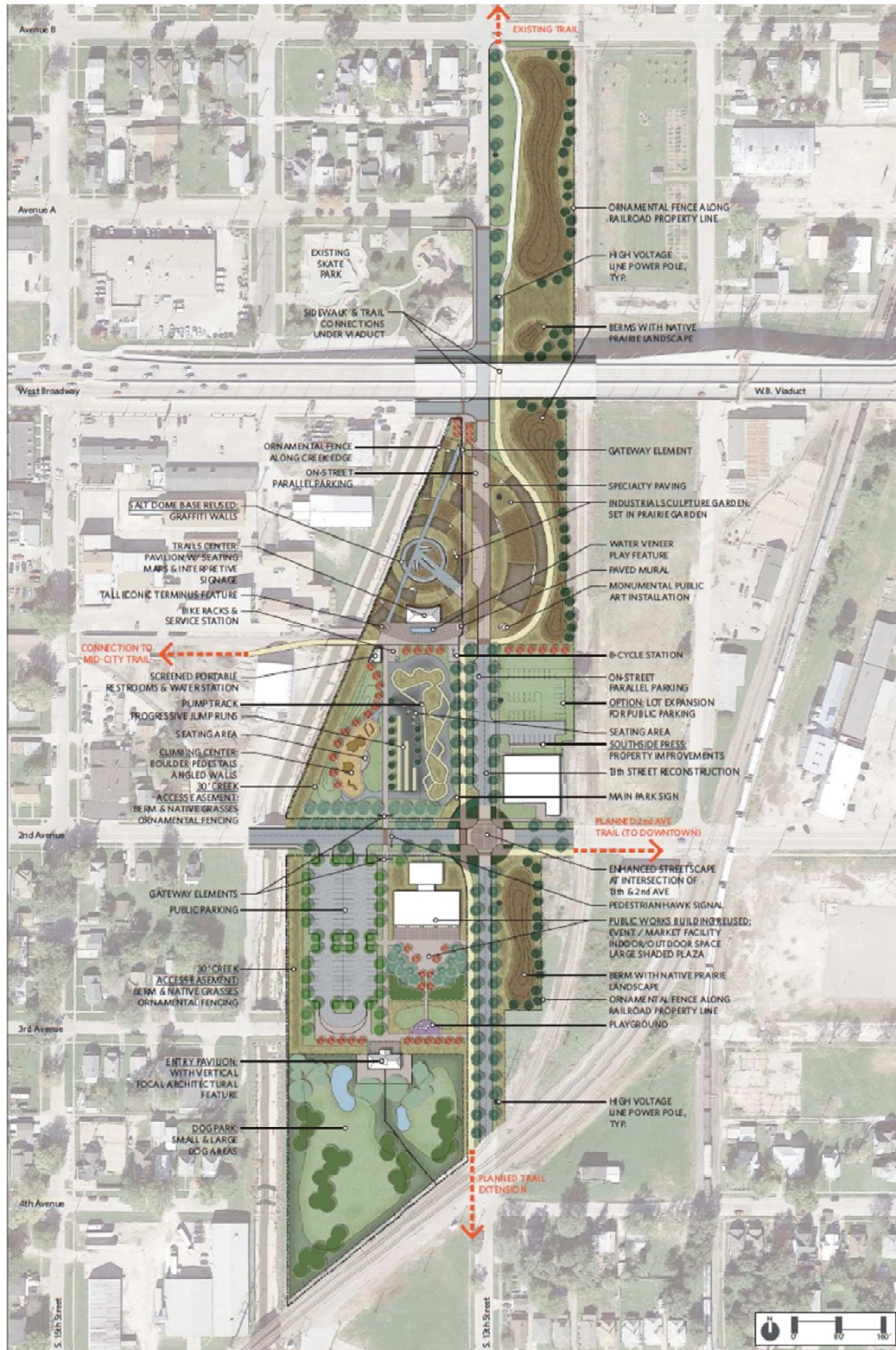
### 13. PRIORITY ACQUISITION AREAS MAP





## 14. DEVELOPMENT PLAN – MID-CITY PARK

COMPLETED IN 2016 BY HDR THROUGH THE MAKING A VISIBLE DIFFERENCE PROGRAM (MVD)  
THROUGH THE U.S. ENVIRONMENTAL PROTECTION AGENCY



COMPLETED IN 2016 BY STROMBERG/GARRINGAN AND ICF INTERNATIONAL THROUGH THE LAND REVITALIZATION TECHNICAL ASSISTANCE PROGRAM (LRTAP) THROUGH THE U.S. ENVIRONMENTAL PROTECTION AGENCY





**CITY OF COUNCIL BLUFFS**

**PROCEEDINGS OF THE CONSULTATION BETWEEN  
THE CITY AND AFFECTED TAXING ENTITIES**

**2019 MID-CITY URBAN RENEWAL PLAN**

The consultation between the City and affected taxing entities on the 2019 Mid-City Urban Renewal Plan was held on January 29, 2019, at 10:00 a.m. The meeting was held in the Community Development Department Conference Room, 403 Willow Avenue, Council Bluffs, Iowa. Brenda Carrico, Program Coordinator of the City's Community Development Department, served as the representative for the consultation meeting.

No individuals or groups appeared at the consultation hearing.

No written correspondence has been received by the Community Development Department prior to the consultation meeting.



Brenda Carrico, Program Coordinator  
Community Development Department

On February 12, 2019, the City of Council Bluffs Planning Commission met at 6:00 p.m. in Room A of the Council Bluffs Public Library, 400 Willow Avenue.

One of the agenda items under consideration was the proposed 2019 Mid-City Urban Renewal Plan.

Christopher Gibbons, Planning Coordinator appeared before the Planning Commission in favor of the creation of the urban renewal area.

None appeared in opposition.

It is the finding of the City of Council Bluffs Planning Commission that the 2019 Mid-City Urban Renewal Plan and Area conforms to the "Bluffs Tomorrow: 2030 Plan" which is the general plan for the development of the City of Council Bluffs and recommends its approval.

VOTE: AYE 10 NAY 0 ABSTAIN 0 ABSENT 0 Motion: Carried

Planning Commission Signature: Catherine M. DeMasi

Printed Name: Catherine M. DeMasi

Attest: Christopher A. Gibbons

Printed Name: Christopher Gibbons



-1-  
ORDINANCE NO. 6382

AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE MID-CITY CORRIDOR URBAN RENEWAL AREA, IN THE CITY OF COUNCIL BLUFFS, COUNTY OF POTTAWATTAMIE, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF COUNCIL BLUFFS, COUNTY OF POTTAWATTAMIE, COUNCIL BLUFFS COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE MID-CITY CORRIDOR URBAN RENEWAL AREA (**THE 2019 MID-CITY CORRIDOR URBAN RENEWAL PLAN**)

WHEREAS, the City Council of the City of Council Bluffs, State of Iowa, after public notice and hearing as prescribed by law and pursuant to Resolution No. \_\_\_\_\_ passed and approved on the 25<sup>th</sup> day of February, 2019, adopted the 2019 Mid-City Corridor Urban Renewal Plan (the "Urban Renewal Plan") for an urban renewal area known as the Mid-City Corridor Urban Renewal Area (the "Urban Renewal Area"), which Urban Renewal Area includes the lots and parcels located within the area legally described as follows:

Beginning at the intersection of the centerline of Avenue 'B' and the centerline of North 10<sup>th</sup> Street; south along the centerline of 10<sup>th</sup> Street to the centerline of West Broadway Avenue; east along the centerline of West Broadway Avenue to the centerline of 8<sup>th</sup> Street; South along the centerline of 8<sup>th</sup> Street to the centerline of 1<sup>st</sup> Avenue; West along the centerline of 1<sup>st</sup> Avenue to the centerline of South 10<sup>th</sup> Street; South along the centerline of South 10<sup>th</sup> Street to the centerline of 4<sup>th</sup> Avenue; West along the centerline of 4<sup>th</sup> Avenue to the centerline of South 12<sup>th</sup> Street; South along the centerline of South 12<sup>th</sup> Street to the centerline of 6<sup>th</sup> Avenue; West along the centerline of 6<sup>th</sup> Avenue to the centerline of the right-of-way of Indian Creek; North and Northeasterly along the centerline of the right-of-way of Indian Creek to the centerline of 13<sup>th</sup> Street; North along the centerline of 13<sup>th</sup> Street to the centerline of Avenue B; East along the centerline of Avenue B to the Point of Beginning.

WHEREAS, expenditures and indebtedness are anticipated to be incurred by the City of Council Bluffs, State of Iowa, in the future to finance urban renewal project activities carried out in furtherance of the objectives of the Urban Renewal Plan; and

WHEREAS, the City Council of the City of Council Bluffs, State of Iowa, desires to provide for the division of revenue from taxation in the Urban Renewal Area, as above described, in accordance with the provisions of Section 403.19 of the Code of Iowa, as amended.

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

Section 1. That the taxes levied on the taxable property in the Urban Renewal Area legally described in the preamble hereof, by and for the benefit of the State of Iowa, City of Council Bluffs, County of Pottawattamie, Council Bluffs Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 2. 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, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City of Council Bluffs, State of Iowa, certifies to the Auditor of Pottawattamie County, Iowa the amount of loans, advances, indebtedness, or bonds payable from the division of property tax revenue described herein, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for the taxing district into which all other property taxes are paid.

Section 3. That portion of the taxes each year in excess of the base period taxes determined as provided in Section 2 of this Ordinance shall be allocated to and when collected be paid into a special tax increment fund of the City of Council Bluffs, State of Iowa, hereby established, to pay the principal of and interest on loans, monies advanced to, indebtedness, whether funded, refunded, assumed or otherwise, including bonds or obligations issued under the authority of Section 403.9 or 403.12 of the Code of Iowa, as amended, incurred by the City of Council Bluffs, State of Iowa, to finance or refinance, in whole or in part, urban renewal projects undertaken within the Urban Renewal Area pursuant to the Urban Renewal Plan, except that (i) taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Iowa Code Section 298.2 and taxes for the instructional support program of a school district imposed pursuant to Iowa Code Section 257.19 (but in each case only to the extent required under Iowa Code Section 403.19(2)); (ii) taxes for the payment of bonds and interest of each taxing district; (iii) taxes imposed under Iowa Code Section 346.27(22) related to joint county-city buildings; and (iv) any other exceptions under Iowa Code Section 403.19 shall be collected against all taxable property within the Urban Renewal Area without any limitation as hereinabove provided.

Section 4. Unless or until the total assessed valuation of the taxable property in the Urban Renewal Area exceeds the total assessed value of the taxable property in the Urban Renewal Area as shown by the assessment roll referred to in Section 2 of this Ordinance, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for the taxing districts in the same manner as all other property taxes.

Section 5. At such time as the loans, advances, indebtedness, bonds and interest thereon of the City of Council Bluffs, State of Iowa, referred to in Section 3 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 6. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to fully implement the provisions of Section 403.19 of the Code of Iowa, as amended, with respect to the division of taxes from property within the Urban Renewal Area as described above. In the event that any provision of this Ordinance shall be determined to be contrary to law, it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19 of the Code of Iowa with reference to the Urban Renewal Area and the territory contained therein.

Section 7. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

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

Read First Time: February 25, 2019

Read Second Time: March 11, 2019

Read Third Time: \_\_\_\_\_, 2019

PASSED AND APPROVED: \_\_\_\_\_, 2019.

-4-

I, \_\_\_\_\_, City Clerk of the City of Council Bluffs, State of Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. \_\_\_\_\_ passed and approved by the City Council of the City at a meeting held \_\_\_\_\_, 2019, signed by the Mayor on \_\_\_\_\_, 2019, and published in the Daily Nonpareil on \_\_\_\_\_, 2019.

\_\_\_\_\_  
City Clerk, City of Council Bluffs, State of  
Iowa

(SEAL)

01553619-1\10342-149

## Council Communication

Department: Legal  
Case/Project No.: RICHARD  
WADE  
Submitted by: RICHARD WADE

Resolution 19-50  
ITEM 7.A.

Council Action: 2/25/2019

### Description

Resolution approving the amendments to the articles of incorporation and bylaws of Advance Southwest Iowa Corporation.

### Background/Discussion

Advance is seeking approval from the City of Council Bluffs and Pottawattamie County to amend their original Articles of Incorporation and By-Laws to reflect the numerous changes that have occurred in their organizational structure over the course of the past five-years. Several items that were included in the original documents in 2013 are no longer necessary as Advance is now an established and effective economic development organization that is governed by a team of eleven community leaders and an executive director with sixteen years of experience. The specific changes are outlined in the attachment drafted by Paula Hazlewood, Executive Director of ASWI. The amended Articles of Incorporation and Bylaws of Advance Southwest Iowa Corporation are also attached.

### Recommendation

The City Attorney is recommending approval of this Resolution.

### ATTACHMENTS:

Description	Type	Upload Date
Summary of Changes to Art. of Inc. & Bylaws	Other	2/14/2019
Amended Bylaws	Other	2/14/2019
Amended & Restated Articles of Incorporation	Other	2/14/2019
Resolution 19-50	Resolution	2/19/2019



149 West Broadway  
Council Bluffs, IA 51503

**DATE:** February 14, 2019

**TO:** Council Bluffs City Council and Pottawattamie County Board of Supervisors

**FROM:** Paula Hazlewood, Executive Director, ASWIC

**RE:** Summary of Changes to ASWI's Articles of Incorporation and By-Laws

Advance is seeking approval from the City of Council Bluffs and Pottawattamie County to amend our original Articles of Incorporation and By-Laws to reflect the numerous changes that have occurred in our organizational structure over the course of the past five-years. Several items that were included in the original documents in 2013 are no longer necessary as Advance is now an established and effective economic development organization that is governed by a team of eleven community leaders and an executive director with sixteen years of experience. Advance worked with legal counsel to amend the Articles of Incorporation and By-Laws and I have outlined the changes below for your review, consideration and approval. Please feel free to contact me at (402) 960-8505 should you have any questions. Thank you so much for your continued support.

**CHANGES TO ARTICLES OF INCORPORATIONS:**

**Article IV Purpose:**

Reason for Change: Advance no longer partners with WIDA, Mills or Harrison Counties. Changed wording to include Council Bluffs and rural Pottawattamie County only.

**Article VI Registered Agent and Office:**

Reason for Change: Bob Mundt was listed as the Registered Agent.

**Article VII Management:**

Reason for Change: Increased number of Board of Directors (5 to 11) and ex-officio members (2 to 4).

**Article VIII Board of Directors:**

Reason for Change: Simplified the language to account for on-going changes on the Board of Directors.

**Article IX By-Laws:**

Reason for Change: Since Advance is now an established economic development organization and won't be changing our Articles of Incorporation on a regular basis, we don't feel it necessary for the Council Bluffs City Council and Pottawattamie County Board of Supervisors to approve future amendments.

**Article XI Incorporators:**

Reason for Change: Legal Counsel advised to delete the name and address as it duplicates the Registered Agent information but the Limitation on Liabilities and Indemnification remains the same.

**Article XII Amendment:**

Reason for Change: Since Advance is now an established economic development organization and won't be changing our Articles of Incorporation on a regular basis, we don't feel it necessary for the Council Bluffs City Council and Pottawattamie County Board of Supervisors to approve future amendments. Advance will always communicate any major changes in the organizational structure to the City of Council Bluffs and Pottawattamie County.

**Article XIII:**

Reason for Addition: Legal Counsel suggested adding Article XIII to cover the Amended and Restated Articles of Incorporation.

**Signature:**

Reason for Change: Changed so the signature reflects the President of Advance versus Bob Mundt.

## **CHANGES TO BY-LAWS:**

### **Article III Board of Directors-Section 3.1 General Powers:**

Reason for Change: Changed language to read Board members shall be residents of the State of Iowa OR persons who work in Pottawattamie County.

### **Article III Board of Directors-Section 3.2 Number, Tenure and Qualifications:**

Reason for Change: Changed language to include the addition of Board members (from 5 to 11) and ex-officio members (2 to 4), clearly defined our investors that have an appointment to the Board, changed the Board term from indefinite to three (3) two-year consecutive terms and deleted Board member from Western Iowa Development.

### **Article III Board of Directors-Section 3.3 Regular and Annual Meetings:**

Reason for Change: Deleted the language that a Resolution needs to be approved to change or schedule additional meetings.

### **Article III Board of Directors-Quorum:**

Reason for Change: Changed language to include a 50% majority of the Board of Directors (6 Directors) shall constitute a quorum.

### **Article III Board of Directors-Vacancies:**

Reason for Change: Deleted language regarding removing Directors for missing three (3) consecutive meetings. We've had great Board participation in the past five years and have not experienced this so legal counsel suggested we delete the language.

### **Article IV Officers-Section 4.9 Assistant Treasurers and Assistant Secretaries:**

Reason for Change: Deleted per suggestion of legal counsel. ASWI's BOD is not large enough to dictate Assistant Treasurer and Assistant Secretary positions.

### **Article VI Contracts, Checks, Deposits and Gifts-Section 6.2 Checks, Drafts, etc.:**

Reason for Change: Adjusted the language to give the Executive Director signing authority.

### **Article X Amendments to the By-Laws:**

Reason for the Change: Since Advance is now an established economic development organization and won't be changing our By-Laws on a regular basis, we don't feel it necessary for the Council Bluffs City Council and Pottawattamie County Board of Supervisors to approve future amendments. Advance will always communicate any major changes in the organizational structure to the City of Council Bluffs and Pottawattamie County.

Regards,

*Paula D. Hazlewood*

Paula D. Hazlewood  
Executive Director, ASWI

ARTICLES OF INCORPORATION  
OF  
ADVANCE SOUTHWEST IOWA CORPORATION

TO THE SECRETARY OF STATE OF THE STATE OF IOWA:

Pursuant to the provisions of the Iowa Nonprofit Corporation Act, Chapter 504, Code of Iowa, the undersigned hereby adopts the following Articles of Incorporation:

ARTICLE I  
NAME

The name of the corporation shall be ADVANCE SOUTHWEST IOWA CORPORATION, and it shall be incorporated under the provisions of Chapter 504 of the 2013 Code of Iowa.

ARTICLE II  
DURATION

The period of its duration is perpetual.

ARTICLE III  
POWERS

The Corporation shall have unlimited power to engage in and to do any and all lawful business for which corporations may be organized under the provisions of Chapter 504 of the 2013 Code of Iowa.

ARTICLE IV  
PURPOSE

The Corporation shall be organized for the purposes of attracting new businesses and entrepreneurial activity, creating new jobs and expanding the tax base of the region. The corporation shall establish and coordinate marketing and promotional efforts to enhance the recognition of Southwest Iowa development assets as part of the overall image and recognition of the region and is organized for the purposes within the meaning of §501C6 of the Internal Revenue Code.



## ARTICLE V LIMITATIONS

No part of the net earnings of said Corporation shall inure to the benefit of, or be directed to, its members, directors, officers, or other private persons, except the Corporation shall be authorized and empowered to make payment of reasonable compensation for services rendered and to make payments and disbursements in the furtherance of its exempt purpose.

No part of the activities of the Corporation shall consist of carrying on political propaganda or otherwise attempting to influence legislation; nor shall it in any manner, or to any extent, participate in or intervene in, any political campaign on behalf of any candidate for public office; nor shall the Corporation engage in any activities that are unlawful under applicable Federal, state, or local laws, HOWEVER; the corporation shall be allowed to conduct such activities to the extent allowed under §501C6 of the Internal Revenue Code.

The Corporation shall neither have, nor exercise any power, nor shall it engage, directly or indirectly, in any activity that would invalidate its status as a corporation which is exempt from Federal Income taxation, or as a corporation to which contributions are deductible under the appropriate provisions of the Internal Revenue Code, or regulations thereunder.

Upon the dissolution of the Corporation or the termination of its affairs, the assets of the Corporation shall be distributed by the Board of Directors equally to the City and the County.

## ARTICLE VI REGISTERED AGENT AND OFFICE

The address of the initial registered office shall be 149 West Broadway, Council Bluffs, Iowa 51503.

The name on the initial registered agent at such address shall be Bob Mundt.

## ARTICLE VII MANAGEMENT

The affairs of the Corporation shall be managed and conducted by a Board of Directors consisting initially of five (5) members and there shall be no members to the Corporation.

## ARTICLE VIII BOARD OF DIRECTORS

The names and addresses of the persons who are to serve as the initial directors of the Corporation are as follows:

Pete Tulipana	Council Bluffs, Iowa 51503.
Barry Cleaveland	Council Bluffs, Iowa 51503.
Sharon White	Council Bluffs, Iowa 51503.
Lynn Grobe	Oakland, Iowa 51560.
Soren Sorenson	Avoca, Iowa 51521.

## ARTICLE IX BYLAWS

Initial Bylaws of the Corporation shall be adopted by the Board of Directors of the Corporation at any regular or special meeting by a majority vote of members of the Board of Directors present and voting and approved by Council Bluffs City Council and the Pottawattamie County Board of Supervisors.

## ARTICLE X OFFICERS

The principal officers of the Corporation shall be a President, a Vice President, a Secretary/Treasurer, who shall be elected by the Board of Directors and whose duties, powers, terms of office and compensation, if any, shall be as provided in the Bylaws or by resolution of the Board of Directors. The offices of Secretary and Treasurer may be held by the same person. The Bylaws may provide for assistant Vice Presidents and subordinate officers, none of whom need be members of the Board of Directors, and each of whom shall be appointed by the Board of Directors and whose duties, powers and authorities shall be as provided in the Bylaws or by resolution of the Board of Directors.

## ARTICLE XI INCORPORATORS

The name and address of the Incorporator is:

Bob Mundt, 149 West Broadway, Council Bluffs, Iowa 51503

## LIMITATION ON LIABILITIES AND INDEMNIFICATION

A director, officer, employee, member or volunteer of the Corporation is not liable on the Corporation debts no obligations and a director, officer, employee, member or volunteer is not personally liable in that capacity for a claim based upon an act or omission of the person performed in the discharge of the person's duties except for a breach of the duty of loyalty to the Corporation, for acts or omissions not in good faith or which involve intentional misconduct or knowing violation of the law or for a transaction from which the person derives an improper personal benefit. Any repeal or modification of this Article shall not adversely affect any right or protection of a director, officer, employee, member or volunteer of the Corporation existing at the time of such repeal or modification.

This Corporation shall indemnify its directors, officers, employees and volunteers as allowed and provided for in sections 504.851 through 504.860 of the 2013 Code of Iowa.

## ARTICLE XIII AMENDMENT

These Articles of Incorporation may be amended at any meeting of the Board called for such purpose; provided, however, that such proceedings be in compliance with the provisions of the Iowa Nonprofit Corporation Act and approved by Council Bluffs City Council and the Pottawattamie County Board of Supervisors.

Dated this 13<sup>th</sup> day of December, 2013.

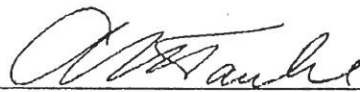
ADVANCE SOUTHWEST IOWA  
CORPORATION,

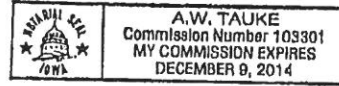
By: 

STATE OF IOWA                    )  
  )SS.  
POTTAWATTAMIE COUNTY        )

On this 13 day of December, 2013, before me, a Notary Public in and for the State of Iowa, personally appeared Bob Mundt, to me known to be the person named in and who executed the foregoing Articles of Incorporation, and acknowledged that he executed the same as his voluntary act and deed.

F:\Word\Corperation\Chamber,ARTICLES OF INCORPORATION.doc

  
Notary Public



**AMENDED AND RESTATED  
ARTICLES OF INCORPORATION**

**OF**

**ADVANCE SOUTHWEST IOWA CORPORATION**

TO THE SECRETARY OF STATE OF THE STATE OF IOWA:

Pursuant to the provisions of the Iowa Nonprofit Corporation Act, Chapter 504, Code of Iowa, the undersigned hereby adopts the following Amended and Restated Articles of Incorporation:

**ARTICLE I  
NAME**

The name of the corporation shall be ADVANCE SOUTHWEST IOWA CORPORATION, and it shall be incorporated under the provisions of Chapter 504 of the Code of Iowa.

**ARTICLE II  
DURATION**

The period of its duration is perpetual.

**ARTICLE III  
POWERS**

The Corporation shall have unlimited power to engage in and to do any and all lawful business for which corporations may be organized under the provisions of Chapter 504 of the Code of Iowa.

**ARTICLE IV  
PURPOSE**

The Corporation shall be organized for the purposes of attracting new businesses, retaining existing businesses, entrepreneurial development, site development, job creation and the expansion of the tax base in the region. The corporation shall establish and coordinate marketing and promotional efforts to enhance the recognition of Council Bluffs and rural Pottawattamie County development assets as part of the overall image and recognition of the region and is organized for the purposes within the meaning of §501C6 of the Internal Revenue Code.

## **ARTICLE V LIMITATIONS**

No part of the net earnings of said Corporation shall inure to the benefit of, or be directed to, its members, directors, officers, or other private persons, except the Corporation shall be authorized and empowered to make payment of reasonable compensation for services rendered and to make payments and disbursements in the furtherance of its exempt purpose.

No part of the activities of the Corporation shall consist of carrying on political propaganda or otherwise attempting to influence legislation; nor shall it in any manner, or to any extent, participate in or intervene in, any political campaign on behalf of any candidate for public office; nor shall the Corporation engage in any activities that are unlawful under applicable Federal, State, or Local laws, HOWEVER; the Corporation shall be allowed to conduct such activities to the extent allowed under §501C6 of the Internal Revenue Code.

The Corporation shall neither have, nor exercise any power, nor shall it engage, directly or indirectly, in any activity that would invalidate its status as a Corporation which is exempt from Federal Income taxation, or as a corporation to which contributions are deductible under the appropriate provisions of the Internal Revenue Code, or regulations thereunder.

Upon the dissolution of the Corporation or the termination of its affairs, the assets of the Corporation shall be distributed by the Board of Directors one half to the City of Council Bluffs and one half to Pottawattamie County.

## **ARTICLE VI REGISTERED AGENT AND OFFICE**

The address of the initial registered office shall be 149 West Broadway, Council Bluffs, Iowa 51503.

The name on the registered agent at such address shall be Paula D. Hazlewood.

## **ARTICLE VII MANAGEMENT**

The affairs of the Corporation shall be managed and conducted by a Board of Directors consisting of 11 voting Board members and 4 ex-officio non-voting Board members and there shall be no members to the Corporation.

**ARTICLE VIII**  
**BOARD OF DIRECTORS**

The persons who were the initial directors of the Corporation are still acting or have had successors appointed pursuant to the by-laws.

**ARTICLE IX**  
**BYLAWS**

Initial by-laws of the Corporation shall be adopted by the Board of Directors of the Corporation at any regular or special meeting by a majority vote of members of the Board of Directors present and voting.

**ARTICLE X**  
**OFFICERS**

The principal officers of the Corporation shall be a President, a Vice President, a Secretary and a Treasurer, who shall be elected by the Board of Directors and whose duties, powers, terms of office and compensation, if any, shall be as provided in the by-laws or by resolution of the Board of Directors. The offices of Secretary and Treasurer may be held by the same person. The by-laws may provide for assistant Vice Presidents and subordinate officers, none of whom need be members of the Board of Directors, and each of whom shall be appointed by the Board of Directors and whose duties, powers and authorities shall be as provided in the by-laws or by resolution of the Board of Directors.

**ARTICLE XI**  
**LIMITATION ON LIABILITIES AND INDEMNIFICATION**

A director, officer, employee, member or volunteer of the Corporation is not liable on the Corporation debts nor obligations and a director, officer, employee, member or volunteer is not personally liable in that capacity for a claim based upon an act or omission of the person performed in the discharge of the person's duties except for a breach of the duty of loyalty to the Corporation, for acts or omissions not in good faith or which involve intentional misconduct or knowing violation of the law or for a transaction from which the person derives an improper personal benefit. Any repeal or modification of this Article shall not adversely affect any right or protection of a director, officer, employee, member or volunteer of the Corporation existing at the time of such repeal or modification.



This Corporation shall indemnify its directors, officers, employees and volunteers as allowed and provided for in sections 504.851 through 504.860 of the Code of Iowa.

## ARTICLE XII

### AMENDMENT

These Articles of Incorporation may be amended at any meeting of the Board of Directors called for such purpose; provided, however, that such proceedings shall comply with the provisions of the Iowa Nonprofit Corporation Act.

## ARTICLE XIII

The undersigned certifies that this AMENDED AND RESTATED ARTICLES OF INCORPORATION have been approved by the Board of Directors in compliance with the Articles of Incorporation and sections 1005 and 1006 of Chapter 504 of the Code of Iowa.

Dated this 13th day of February 2019.

ADVANCE SOUTHWEST IOWA  
CORPORATION,

By: \_\_\_\_\_

STATE OF IOWA )  
 )SS.  
POTTAWATTAMIE COUNTY )

On this 13th day of February 2019, before me, a Notary Public in and for the State of Iowa, personally appeared \_\_\_\_\_, President of the Board, to me known to be the person named in and who executed the foregoing Articles of Incorporation, and acknowledged that he/she executed the same as his/her voluntary act and deed.

Notary Public

<p><b>BYLAWS UNDER REVISED IOWA NONPROFIT CORPORATION ACT</b></p>
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**BYLAWS  
OF  
ADVANCE SOUTHWEST IOWA CORPORATION**

**ARTICLE I. OFFICES AND REGISTERED AGENT**

Section 1.1 Principal Office. The location of the principal office of the corporation in the State of Iowa will be identified in the corporation's biennial report filed with the Iowa Secretary of State.

Section 1.2. Registered Office and Registered Agent. The initial registered agent and office of the corporation are set forth in the Articles of Incorporation. The registered agent or registered office, or both, may be changed by resolution of the board of directors.

**ARTICLE II. MEMBERS**

Section 2.1. The corporation shall have no members.

**ARTICLE III. BOARD OF DIRECTORS**

Section 3.1. General Powers. The affairs of the corporation shall be managed by its board of directors. Directors shall be residents of the state of Iowa. The Board of Directors may authorize a person or persons to exercise some or all of the powers of the Board of Directors as the Board deems appropriate.

Section 3.2. Number, Tenure and Qualifications. The Board of Directors shall consist of five (5) directors initially and may be increased and the qualifications and requirements for being a director of the corporation may be changed from time to time by a majority vote of the Board of Directors present and voting and by approval of the Council Bluffs City Council and the Pottawattamie County Board of Supervisors.

One director shall be appointed by and represent the Iowa West Foundation, one director shall be appointed by and represent the Pottawattamie County Board of Supervisors, one representative shall be appointed by and represent the Council Bluffs City Council, one director shall be appointed by and represent the Council Bluffs Chamber/Growth Alliance, and one director shall be appointed by and represent WIDA (Western Iowa Development Association). There shall be two ex-officio members that shall be allowed to participate in the Board of Directors meetings and they shall consist of the President of the Council Bluffs Chamber of Commerce and the Executive Director of the Western Iowa Development Association who shall not be given a right to vote on

any resolution of the Board of Directors. Each director shall be allowed to serve on the Board at the discretion and direction of the entity for which they are a representative.

Section 3.3. Regular and Annual Meetings. The regular and annual meetings of the board of directors shall be held on such date as the board of directors shall by resolution specify. The board of directors may provide by resolution the time and place, either within or outside of the state of Iowa, for the holding of additional regular meetings of the board without other notice than the resolution.

Section 3.4. Special Meetings. Special meetings of the board of directors may be called by or at the request of the president or any two directors. The persons authorized to call special meetings of the board may fix any place, either within or outside of the state of Iowa, as the place for holding any special meeting of the board called by them.

Section 3.5. Notice. Notice of any special meeting of the board of directors shall be given at least two days previously by written notice delivered personally or sent by mail, fax or other electronic means to each director at the director's address as shown by the records of the corporation. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail in a sealed envelope so addressed, with postage prepaid. If notice is given by fax or other electronic means, it shall be deemed to be delivered when successfully transmitted to the recipient. Any director may waive notice of any meeting. The attendance of a director at any meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the board need be specified in the notice or waiver of notice of such meeting, unless specifically required by law or by these bylaws.

Section 3.6 Place of Meetings. The board of directors may hold its meetings at such place or places within or without the state of Iowa, as the board may from time to time determine. A director may participate in any meeting by any means of communication, including, but not limited to telephone conference call, by which all directors participating may simultaneously hear each other during the meeting. A director participating in a meeting by this means is deemed to be present in person at the meeting.

Section 3.7. Quorum. A majority of the board of directors shall constitute a quorum for the transaction of business at any meeting of the board; but if less than a majority of the directors are present at the meeting, a majority of the directors present may continue the meeting to a later time.

Section 3.8. Manner of Acting. The act of a majority of the directors shall be the act of the board of directors, unless the act of a greater number is required by law or by these bylaws.

Section 3.9 Resignation. Any director of the corporation may resign at any time by delivering written notice to the board of directors and the entity for whom they are the representative. A resignation is effective when the notice is delivered unless the notice specifies a later effective date.

Section 3.10. Vacancies. Any vacancy occurring in the board of directors and any directorship to be filled by reason of an increase in the number of directors, shall be filled by the entity for which the vacant director represented. Any director who shall be absent from three consecutive regular meetings of the corporation shall be subject to being removed by the corporation with a notice being given to the entity for which the director represents.

Section 3.11. Compensation. Directors shall not receive any stated salaries for their services, but by resolution of the board of directors a fixed sum and expenses of attendance, if any, may be allowed for attendance at each regular or special meeting of the board; but nothing contained here shall be construed to preclude any director from serving the corporation in any other capacity and receiving compensation for such services.

Section 3.12. Informal Action by Directors. Any action required by law to be taken at a meeting of directors, or any action which may be taken at a meeting of directors, may be taken without a meeting if a consent in writing, setting out the action so taken, shall be signed by all of the directors. The director consent may be transmitted electronically in accordance with Article XII (Electronic Transmission) of these bylaws. A director's consent may be withdrawn by a revocation signed by the director and delivered to the corporation prior to the delivery to the corporation of unrevoked written consents signed by all of the directors.

#### ARTICLE IV. OFFICERS

Section 4.1. Officers. The officers of the corporation shall be a president, one or more vice-presidents (the number to be determined by the board of directors), a secretary, a treasurer and such other officers as may be elected in accordance with the provisions of this article. The board of directors may elect or appoint the other officers, including one or more assistant secretaries and one or more assistant treasurers, as it shall deem desirable, to have the authority and perform the duties prescribed by the board of directors. Any two or more offices may be held by the same person.

Section 4.2. Election and Term of Office. The officers of the corporation shall be elected annually by the board of directors at the regular annual meeting of the board of directors. If the election of officers shall not be held at such meeting, it shall be held as soon thereafter as is convenient. New offices may be created and filled at any meeting of the board of directors. Each officer shall hold office until their successor shall have been elected and shall have qualified.

Section 4.3. Removal. Any officer elected or appointed by the board of directors may be removed by the board of directors whenever in its judgment the best interests of the corporation would be served by such director's removal.

Section 4.4. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the entity for which the vacant director represented.

Section 4.5. President. The president shall preside at all meetings of the members and of the board of directors. The president may sign, with the secretary or any other proper officer of the corporation authorized by the board of directors, any deeds, mortgages, bonds, and contracts or other instruments which the board of directors has authorized to be executed, except in cases where the signing and execution shall be expressly delegated by the board of directors or by these bylaws or by statute to some other officer or agent of the corporation; and in general the president shall perform all duties incident to the office of president and such other duties as may be prescribed by the board of directors.

Section 4.6. Vice-President. In the absence of the president or in event of the president's inability or refusal to act, the vice-president (or in the event there be more than one vice-president, the vice-presidents in the order of their election) shall perform the duties of the president, and when so acting, shall have all the powers of and be subject to all the restrictions upon the president. The vice-president shall perform such other duties as may be assigned by the president or by the board of directors.

Section 4.7. Treasurer. If required by the board of directors, the treasurer shall give a bond for the faithful discharge of the treasurer's duties in such sum and with such surety as the board of directors shall determine. The treasurer shall have charge and custody of and be responsible for all funds and securities of the corporation; receive and give receipts for moneys due and payable to the corporation from any source, and deposit all such moneys in the name of the corporation in such banks, trust companies or other depositories as shall be selected in accordance with the provisions of Article VII (Contracts, Checks, Deposits and Gifts) of these bylaws; and in general perform all the duties incident to the office of treasurer and such other duties as may be assigned to the treasurer by the president or by the board of directors.

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Section 4.8. Secretary. The secretary shall keep the minutes of the meetings of the members and of the board of directors in books provided for that purpose; see that all notices are given in accordance with the provisions of these bylaws or as required by law; be custodian of the corporate records; keep a register of the post office address of each member which shall be furnished to the secretary by that member; and in general perform all duties incident to the office of secretary and such other duties as may be assigned by the president or by the board of directors.

Section 4.9. Assistant Treasurers and Assistant Secretaries. If required by the board of directors, the assistant treasurers shall give bonds for the faithful discharge of their duties in such sums and with such sureties as the board of directors shall determine. The assistant treasurers and assistant secretaries, in general, shall perform the duties assigned to them by the treasurer or the secretary or by the president or the board of directors.

## ARTICLE V. COMMITTEES

Section 5.1. Committees of Directors. The board of directors, by resolution adopted by a majority of the directors in office, may designate and appoint one or more committees, each of which shall consist of two or more directors, which committees, to the extent provided in the resolution, shall have and exercise the authority of the board of directors in the management of the corporation; provided, however, that no such committee shall have the authority of the board of directors in reference to authorized distributions; approve or recommend to members dissolution, merger, or sale, pledge, or transfer of all or substantially all of the corporation's assets; elect, appoint, or remove directors or fill vacancies on the board or any of its committees; or adopt, amend, or repeal the articles or bylaws. The appointment of any such committee and the delegation of authority shall not operate to relieve the board of directors of any responsibility imposed upon it by law.

Section 5.2. Other Committees. Other committees not having and exercising the authority of the board of directors in the management of the corporation may be designated by a resolution adopted by a majority of the directors present at a meeting at which a quorum is present. Except as otherwise provided in the resolution, members of each such committee shall be members of the corporation, and the president of the corporation shall appoint the members of the committees. Any member may be removed by the persons authorized to appoint such member whenever in their judgment the best interests of the corporation shall be served by such removal.



Section 5.3. Term of Office. Each member of a committee shall continue as a member until the next annual meeting of the members of the corporation and until the member's successor is appointed, unless the committee shall be terminated sooner, or unless the member be removed from the committee, or unless the member shall cease to qualify as a member of the committee.

Section 5.4. Chair. One member of each committee shall be appointed chair by the person or persons authorized to appoint the members of the committee.

Section 5.5. Vacancies. Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

Section 5.6. Quorum. Unless otherwise provided in the resolution of the board of directors designating a committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

## ARTICLE VI. CONTRACTS, CHECKS, DEPOSITS AND GIFTS

Section 6.1. Contracts. The board of directors may authorize any officer or officers, agent or agents of the corporation, in addition to the officers so authorized by these bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation, and such authority may be general or confined to specific instances.

Section 6.2. Checks, Drafts, etc. All checks, drafts or orders for the payment of money, or other evidences of indebtedness issued in the name of the corporation, shall be signed by those officers or agents of the corporation and in a manner as shall be determined by resolution of the board of directors. In the absence of this determination by the board of directors, the instruments shall be signed by the treasurer or an assistant treasurer and countersigned by the president or a vice-president of the corporation.

Section 6.3. Deposits. All funds of the corporation shall be deposited to the credit of the corporation in the banks, trust companies or other depositories as the board of directors may select.

Section 6.4. Gifts. The board of directors may accept on behalf of the corporation any contribution, gift, bequest or devise for the general purposes or for any special purpose of the corporation.



## ARTICLE VII. BOOKS AND RECORDS

Section 7.1 Books and Records. The corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its board of directors and committees having any of the authority of the board of directors as well as other documents required to be maintained pursuant to the Revised Iowa Nonprofit Corporation Act.

Section 7.2. Director's Access to Records. A director is entitled to inspect and copy the books, records, and documents of the corporation at any reasonable time to the extent reasonably related to the performance of the director's duties as a director, including any duties as a member of a committee, but not for any other purpose or in any manner that would violate any duty to the corporation.

## ARTICLE VIII. FISCAL YEAR

The fiscal year of the corporation shall begin on the first day of January and end on the last day of December in each year.

## ARTICLE IX. ELECTRONIC TRANSMISSION

"Electronic transmission" or "electronically transmitted" means any process of communication not directly involving the physical transfer of paper that is suitable for the retention, retrieval, and reproduction of information by the recipient. Notice by electronic transmission is written notice. Notices and written consents may be given by electronic transmission. Each written consent given by electronic transmission shall contain an electronic signature of the person giving such written consent.

## ARTICLE X. AMENDMENTS TO BYLAWS

These bylaws may be altered, amended or repealed and new bylaws may be adopted by a majority of the directors present at any regular meeting or at any special meeting, if at least two days' written notice is given of intention to alter, amend or repeal or to adopt new bylaws at the meeting, HOWEVER; no Bylaw change shall be effective unless approved by the Council Bluffs City Council and the Pottawattamie County Board of Supervisors.

ADVANCE SOUTHWEST IOWA CORPORATION

By \_\_\_\_\_  
Its president

Approved by:

Council Bluffs City Council

By [Signature]  
Its Mayor

AND

Pottawattamie County Board of Supervisors

By [Signature]  
Its CHAIRMAN

**AMENDED BYLAWS  
OF  
ADVANCE SOUTHWEST IOWA CORPORATION**

**ARTICLE I - OFFICES AND REGISTERED AGENT**

**Section 1.1 Principal Office.**

The location of the principal office of the Corporation in the State of Iowa will be identified in the Corporation's biennial report filed with the Iowa Secretary of State.

**Section 1.2 Registered Office and Registered Agent.**

The initial registered agent and office of the Corporation are set forth in the Articles of Incorporation. The registered agent or registered office, or both, may be changed by resolution of the Board of Directors.

**ARTICLE II - MEMBERS**

**Section 2.1**

The Corporation shall have no members.

**ARTICLE III - BOARD OF DIRECTORS**

**Section 3.1 General Powers.**

The affairs of the Corporation shall be managed by its Board of Directors. Directors shall be residents of the State of Iowa or persons who work in Pottawattamie County. The Board of Directors may authorize a person or persons to exercise some or all of the powers of the Board of Directors as the Board deems appropriate.

**Section 3.2 Number, Tenure and Qualifications.**

The Board of Directors shall consist of eleven (11) voting Directors and four (4) Ex-officio Directors. One (1) Director shall be a representative of the Pottawattamie County Board of Supervisors, one (1) Director shall be a representative of the Council Bluffs City Council, one (1) Director shall represent the Iowa West Foundation, one (1) Director shall represent the Council Bluffs Area Chamber of Commerce, one (1) Director shall represent MidAmerican Energy, one (1) Director shall represent Black Hills Energy and five (5) Directors shall be at-large and represent the business community in Pottawattamie County. There shall be four Ex-officio Directors that shall be allowed to participate in the Board of Director meetings and they shall consist of the President of the Council Bluffs Area Chamber of Commerce, the Director of Community Development of the City of Council Bluffs, the Director of Pottawattamie County Planning and the Vice President of Economic Development of the Greater Omaha Economic Development Partnership. The Ex-Officio Directors shall not be voting members of the Board. Each such director shall be allowed to serve on the Board at the discretion and direction of the entity for which they are a representative. All voting members of the Board shall be allowed to serve three (3) two-year consecutive terms.

**Section 3.3 Regular and Annual Meetings.**

The regular and annual meetings of the Board of Directors shall be held on such date as the Board of Directors dictates and can be held either within or outside of the State of Iowa.

### **Section 3.4 Special Meetings.**

Special meetings of the Board of Directors may be called by or at the request of the President or any two voting Directors. The persons authorized to call special meetings of the Board may fix any place, either within or outside of the State of Iowa, as the place for holding any special meeting.

### **Section 3.5. Notice.**

Notice of any special meeting of the Board of Directors shall be given at least two days previously by written notice delivered personally or sent by mail, fax or other electronic means to each Director at the Director's address as shown by the records of the Corporation. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail in a sealed envelope so addressed, with postage prepaid. If notice is given by fax or other electronic means, it shall be deemed to be delivered when successfully transmitted to the recipient. Any Director may waive notice of any meeting. The attendance of a Director at any meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the Board need be specified in the notice or waiver of notice of such meeting, unless specifically required by law or by these bylaws.

### **Section 3.6 Place of Meetings, etc.**

The Board of Directors may hold its meetings at such place or places within or without the State of Iowa, as the Board may from time to time determine. A Director may participate in any meeting by any means of communication, including, but not limited to telephone conference call, by which all Directors participating may simultaneously hear each other during the meeting. A Director participating in a meeting by this means is deemed to be present in person at the meeting.

### **Section 3.7. Quorum**

A 50% majority of the Board of Directors (6 Directors) shall constitute a quorum for the transaction of business at any meeting of the Board; but if less than a majority of the Directors are present at the meeting, a majority of the Directors present may adjourn the meeting from time to time without further notice.

### **Section 3.8. Manner of Acting**

The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law or by these bylaws.

### **Section 3.9 Resignation**

Any Director of the Corporation may resign at any time by delivering written notice to the Board of Directors and the entity for whom they are the representative. A resignation is effective when the notice is delivered unless the notice specifies a later effective date.

### **Section 3.10 Vacancies**

Any vacancy occurring in the Board of Directors and any directorship to be filled by reason of an increase in the number of directors, shall be filled by the entity for which the vacant director represented.

### **Section 3.11 Compensation**

Directors shall not receive any stated salaries for their services, but by resolution of the Board of Directors a fixed sum and expenses of attendance, if any, may be allowed for attendance at each regular or special meeting of the Board; but nothing contained herein shall be construed to preclude any Director from serving the Corporation in any other capacity and receiving compensation for such services.

### **Section 3.12 Informal Action by Directors**

Any action required by law to be taken at a meeting of Directors, or any action which may be taken at a meeting of Directors, may be taken without a meeting if a consent in writing, setting out the action so taken, shall be signed by all of the Directors. The Director consent may be transmitted electronically in accordance with Article XII (Electronic Transmission) of these bylaws. A Director's consent may be withdrawn by a revocation signed by the Director and delivered to the Corporation prior to the delivery to the Corporation of unrevoked written consents signed by all of the Directors.

## **ARTICLE IV - OFFICERS**

### **Section 4.1 Officers**

The officers of the Corporation shall be a President, a Vice President and a Secretary/Treasurer and such other officers as may be elected in accordance with the provisions of this article. The Board of Directors may elect or appoint the other officers, including one or more assistant Secretaries and one or more assistant Treasurers, as it shall deem desirable, to have the authority and perform the duties prescribed by the Board of Directors. Any two or more offices may be held by the same person.

### **Section 4.2 Election and Term of Office**

The officers of the Corporation shall be elected annually by the Board of Directors at the regular annual meeting. If the election of officers shall not be held at such meeting, it shall be held as soon thereafter as is convenient. New offices may be created and filled at any meeting of the Board of Directors. Each officer shall hold office until their successor shall have been elected and shall have qualified.

### **Section 4.3 Removal**

Any officer elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgment the best interests of the Corporation would be served by such Director's removal.

### **Section 4.4 Vacancies**

A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the Board of Directors for the unexpired portion of the term.

### **Section 4.5 President**

The President shall preside at all meetings of the Board of Directors. The President may sign, with the Secretary or any other proper officer of the Corporation authorized by the Board of Directors any deeds, mortgages, bonds, contracts or other instruments which the Board of Directors has authorized to be executed, except in cases where the signing and execution shall be expressly delegated by the Board of Directors or by these bylaws or by statute to some other officer or agent of the Corporation; and in general the President shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Directors.

#### **Section 4.6 Vice President**

In the absence of the President or in event of the President's inability or refusal to act, the Vice President (or in the event there be more than one Vice President, the Vice Presidents in the order of their election) shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to all the restrictions upon the President. The Vice President shall perform such other duties as may be assigned by the President or by the Board of Directors.

#### **Section 4.7 Treasurer**

If required by the Board of Directors, the Treasurer shall give a bond for the faithful discharge of the Treasurer's duties in such sum and with such surety as the Board of Directors shall determine. The Treasurer shall have charge and custody of and be responsible for all funds and securities of the Corporation; receive and give receipts for moneys due and payable to the Corporation from any source, and deposit all such moneys in the name of the Corporation in such banks, trust companies or other depositories as shall be selected in accordance with the provisions of Article VII (Contracts, Checks, Deposits and Gifts) of these bylaws; and in general perform all the duties incident to the office of Treasurer and such other duties as may be assigned to the Treasurer by the President or by the Board of Directors.

#### **Section 4.8 Secretary**

The Secretary shall keep the minutes of the meetings of the members and of the Board of Directors in books provided for that purpose; see that all notices are given in accordance with the provisions of these bylaws or as required by law; be custodian of the corporate records; keep a register of the post office address of each member which shall be furnished to the Secretary by that member; and in general perform all duties incident to the office of Secretary and such other duties as may be assigned by the President or by the Board of Directors.

### **ARTICLE V - COMMITTEES**

#### **Section 5.1 Committees of Directors**

The Board of Directors, by resolution adopted by a majority of the Directors in office, may designate and appoint one or more committees, each of which shall consist of two or more Directors, which committees, to the extent provided in the resolution, shall have and exercise the authority of the Board of Directors in the management of the Corporation; provided, however, that no such committee shall have the authority of the Board of Directors in reference to authorized distributions; approve or recommend to dissolution, merger, or sale, pledge, or transfer of all or substantially all of the Corporation's assets; elect, appoint, or remove Directors or fill vacancies on the Board or any of its committees; or adopt, amend, or repeal the articles or bylaws. The appointment of any such committee and the delegation of authority shall not operate to relieve the Board of Directors of any responsibility imposed upon it by law.

#### **Section 5.2 Other Committees**

Other committees not having and exercising the authority of the Board of Directors in the management of the Corporation may be designated by a resolution adopted by a majority of the Directors present at a meeting at which a quorum is present. Except as otherwise provided in the resolution, members of each such committee shall be members of the Corporation, and the President of the Corporation shall appoint the members of the committees. Any member may

be removed by the persons authorized to appoint such member whenever in their judgment the best interests of the Corporation shall be served by such removal.

### **Section 5.3 Term of Office**

Each member of a committee shall continue as a member until the next annual meeting of the members of the Corporation and until the member's successor is appointed, unless the committee shall be terminated sooner, or unless the member be removed from the committee, or unless the member shall cease to qualify as a member of the committee.

### **Section 5.4 Chair**

One member of each committee shall be appointed Chair by the person or persons authorized to appoint the members of the committee.

### **Section 5.5 Vacancies**

Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

### **Section 5.6 Quorum**

Unless otherwise provided in the resolution of the Board of Directors designating a committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

## **ARTICLE VI - CONTRACTS, CHECKS, DEPOSITS AND GIFTS**

### **Section 6.1 Contracts**

The Board of Directors may authorize any officer or officers, agent or agents of the Corporation, in addition to the officers so authorized by these bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authority may be general or confined to specific instances.

### **Section 6.2 Checks, Drafts, etc.**

All checks, drafts or orders for the payment of money, or other evidences of indebtedness issued in the name of the Corporation, shall be signed by those officers or agents of the Corporation and in a manner as shall be determined by the Board of Directors. In the absence of this determination by the Board of Directors, the instruments shall be signed by President, Vice President, Treasurer or Executive Director of the Corporation.

### **Section 6.3 Deposits**

All funds of the Corporation shall be deposited to the credit of the Corporation in the banks, trust companies or other depositories as the Board of Directors may select.

### **Section 6.4 Gifts**

The Board of Directors may accept on behalf of the Corporation any contribution, gift, bequest or devise for the general purposes or for any special purpose of the Corporation.

## **ARTICLE VII - BOOKS AND RECORDS**

### **Section 7.1 Books and Records**

The Corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its Board of Directors and committees having any of the



authority of the Board of Directors as well as other documents required to be maintained pursuant to the Revised Iowa Nonprofit Corporation Act.

#### **Section 7.2 Director's Access to Records**

A Director is entitled to inspect and copy the books, records, and documents of the Corporation at any reasonable time to the extent reasonably related to the performance of the Director's duties as a Director, including any duties as a member of a committee, but not for any other purpose or in any manner that would violate any duty to the Corporation.

### **ARTICLE VIII - FISCAL YEAR**

The fiscal year of the Corporation shall begin on the first day of January and end on the last day of December in each year.

### **ARTICLE IX - ELECTRONIC TRANSMISSION**

"Electronic transmission" or "electronically transmitted" means any process of communication not directly involving the physical transfer of paper that is suitable for the retention, retrieval, and reproduction of information by the recipient. Notice by electronic transmission is written notice. Notices and written consents may be given by electronic transmission. Each written consent given by electronic transmission shall contain an electronic signature of the person giving such written consent.

### **ARTICLE X - AMENDMENTS TO BYLAWS**

These bylaws may be altered, amended or repealed and new bylaws may be adopted by a majority of the Directors present at any regular meeting or at any special meeting, if at least two days' written notice is given of intention to alter, amend or repeal or to adopt new bylaws at the meeting

## ADVANCE SOUTHWEST IOWA CORPORATION

By \_\_\_\_\_  
Matthew J. Walsh, Mayor, City of Council Bluffs Date

By \_\_\_\_\_  
Tim Wichman, Chair, Board of Supervisors, Pottawattamie County Date

By \_\_\_\_\_  
Trudy Johannsen, Vice President, Advance Southwest Iowa Corporation Date

By \_\_\_\_\_  
Paula Hazlewood, Executive Director, Advance Southwest Iowa Corporation Date

**AMENDED BYLAWS  
OF  
ADVANCE SOUTHWEST IOWA CORPORATION**

**ARTICLE I - OFFICES AND REGISTERED AGENT**

**Section 1.1 Principal Office.**

The location of the principal office of the Corporation in the State of Iowa will be identified in the Corporation's biennial report filed with the Iowa Secretary of State.

**Section 1.2 Registered Office and Registered Agent.**

The initial registered agent and office of the Corporation are set forth in the Articles of Incorporation. The registered agent or registered office, or both, may be changed by resolution of the Board of Directors.

**ARTICLE II - MEMBERS**

**Section 2.1**

The Corporation shall have no members.

**ARTICLE III - BOARD OF DIRECTORS**

**Section 3.1 General Powers.**

The affairs of the Corporation shall be managed by its Board of Directors. Directors shall be residents of the State of Iowa or persons who work in Pottawattamie County. The Board of Directors may authorize a person or persons to exercise some or all of the powers of the Board of Directors as the Board deems appropriate.

**Section 3.2 Number, Tenure and Qualifications.**

The Board of Directors shall consist of eleven (11) voting Directors and four (4) Ex-officio Directors. One (1) Director shall be a representative of the Pottawattamie County Board of Supervisors, one (1) Director shall be a representative of the Council Bluffs City Council, one (1) Director shall represent the Iowa West Foundation, one (1) Director shall represent the Council Bluffs Area Chamber of Commerce, one (1) Director shall represent MidAmerican Energy, one (1) Director shall represent Black Hills Energy and five (5) Directors shall be at-large and represent the business community in Pottawattamie County. There shall be four Ex-officio Directors that shall be allowed to participate in the Board of Director meetings and they shall consist of the President of the Council Bluffs Area Chamber of Commerce, the Director of Community Development of the City of Council Bluffs, the Director of Pottawattamie County Planning and the Vice President of Economic Development of the Greater Omaha Economic Development Partnership. The Ex-Officio Directors shall not be voting members of the Board. Each such director shall be allowed to serve on the Board at the discretion and direction of the entity for which they are a representative. All voting members of the Board shall be allowed to serve three (3) two-year consecutive terms.

**Section 3.3 Regular and Annual Meetings.**

The regular and annual meetings of the Board of Directors shall be held on such date as the Board of Directors dictates and can be held either within or outside of the State of Iowa.

### **Section 3.4 Special Meetings.**

Special meetings of the Board of Directors may be called by or at the request of the President or any two voting Directors. The persons authorized to call special meetings of the Board may fix any place, either within or outside of the State of Iowa, as the place for holding any special meeting.

### **Section 3.5. Notice.**

Notice of any special meeting of the Board of Directors shall be given at least two days previously by written notice delivered personally or sent by mail, fax or other electronic means to each Director at the Director's address as shown by the records of the Corporation. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail in a sealed envelope so addressed, with postage prepaid. If notice is given by fax or other electronic means, it shall be deemed to be delivered when successfully transmitted to the recipient. Any Director may waive notice of any meeting. The attendance of a Director at any meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the Board need be specified in the notice or waiver of notice of such meeting, unless specifically required by law or by these bylaws.

### **Section 3.6 Place of Meetings, etc.**

The Board of Directors may hold its meetings at such place or places within or without the State of Iowa, as the Board may from time to time determine. A Director may participate in any meeting by any means of communication, including, but not limited to telephone conference call, by which all Directors participating may simultaneously hear each other during the meeting. A Director participating in a meeting by this means is deemed to be present in person at the meeting.

### **Section 3.7. Quorum**

A 50% majority of the Board of Directors (6 Directors) shall constitute a quorum for the transaction of business at any meeting of the Board; but if less than a majority of the Directors are present at the meeting, a majority of the Directors present may adjourn the meeting from time to time without further notice.

### **Section 3.8. Manner of Acting**

The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law or by these bylaws.

### **Section 3.9 Resignation**

Any Director of the Corporation may resign at any time by delivering written notice to the Board of Directors and the entity for whom they are the representative. A resignation is effective when the notice is delivered unless the notice specifies a later effective date.

### **Section 3.10 Vacancies**

Any vacancy occurring in the Board of Directors and any directorship to be filled by reason of an increase in the number of directors, shall be filled by the entity for which the vacant director represented.

### **Section 3.11 Compensation**

Directors shall not receive any stated salaries for their services, but by resolution of the Board of Directors a fixed sum and expenses of attendance, if any, may be allowed for attendance at each regular or special meeting of the Board; but nothing contained herein shall be construed to preclude any Director from serving the Corporation in any other capacity and receiving compensation for such services.

### **Section 3.12 Informal Action by Directors**

Any action required by law to be taken at a meeting of Directors, or any action which may be taken at a meeting of Directors, may be taken without a meeting if a consent in writing, setting out the action so taken, shall be signed by all of the Directors. The Director consent may be transmitted electronically in accordance with Article XII (Electronic Transmission) of these bylaws. A Director's consent may be withdrawn by a revocation signed by the Director and delivered to the Corporation prior to the delivery to the Corporation of unrevoked written consents signed by all of the Directors.

## **ARTICLE IV - OFFICERS**

### **Section 4.1 Officers**

The officers of the Corporation shall be a President, a Vice President and a Secretary/Treasurer and such other officers as may be elected in accordance with the provisions of this article. The Board of Directors may elect or appoint the other officers, including one or more assistant Secretaries and one or more assistant Treasurers, as it shall deem desirable, to have the authority and perform the duties prescribed by the Board of Directors. Any two or more offices may be held by the same person.

### **Section 4.2 Election and Term of Office**

The officers of the Corporation shall be elected annually by the Board of Directors at the regular annual meeting. If the election of officers shall not be held at such meeting, it shall be held as soon thereafter as is convenient. New offices may be created and filled at any meeting of the Board of Directors. Each officer shall hold office until their successor shall have been elected and shall have qualified.

### **Section 4.3 Removal**

Any officer elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgment the best interests of the Corporation would be served by such Director's removal.

### **Section 4.4 Vacancies**

A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the Board of Directors for the unexpired portion of the term.

### **Section 4.5 President**

The President shall preside at all meetings of the Board of Directors. The President may sign, with the Secretary or any other proper officer of the Corporation authorized by the Board of Directors any deeds, mortgages, bonds, contracts or other instruments which the Board of Directors has authorized to be executed, except in cases where the signing and execution shall be expressly delegated by the Board of Directors or by these bylaws or by statute to some other officer or agent of the Corporation; and in general the President shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Directors.

#### **Section 4.6 Vice President**

In the absence of the President or in event of the President's inability or refusal to act, the Vice President (or in the event there be more than one Vice President, the Vice Presidents in the order of their election) shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to all the restrictions upon the President. The Vice President shall perform such other duties as may be assigned by the President or by the Board of Directors.

#### **Section 4.7 Treasurer**

If required by the Board of Directors, the Treasurer shall give a bond for the faithful discharge of the Treasurer's duties in such sum and with such surety as the Board of Directors shall determine. The Treasurer shall have charge and custody of and be responsible for all funds and securities of the Corporation; receive and give receipts for moneys due and payable to the Corporation from any source, and deposit all such moneys in the name of the Corporation in such banks, trust companies or other depositories as shall be selected in accordance with the provisions of Article VII (Contracts, Checks, Deposits and Gifts) of these bylaws; and in general perform all the duties incident to the office of Treasurer and such other duties as may be assigned to the Treasurer by the President or by the Board of Directors.

#### **Section 4.8 Secretary**

The Secretary shall keep the minutes of the meetings of the members and of the Board of Directors in books provided for that purpose; see that all notices are given in accordance with the provisions of these bylaws or as required by law; be custodian of the corporate records; keep a register of the post office address of each member which shall be furnished to the Secretary by that member; and in general perform all duties incident to the office of Secretary and such other duties as may be assigned by the President or by the Board of Directors.

### **ARTICLE V - COMMITTEES**

#### **Section 5.1 Committees of Directors**

The Board of Directors, by resolution adopted by a majority of the Directors in office, may designate and appoint one or more committees, each of which shall consist of two or more Directors, which committees, to the extent provided in the resolution, shall have and exercise the authority of the Board of Directors in the management of the Corporation; provided, however, that no such committee shall have the authority of the Board of Directors in reference to authorized distributions; approve or recommend to dissolution, merger, or sale, pledge, or transfer of all or substantially all of the Corporation's assets; elect, appoint, or remove Directors or fill vacancies on the Board or any of its committees; or adopt, amend, or repeal the articles or bylaws. The appointment of any such committee and the delegation of authority shall not operate to relieve the Board of Directors of any responsibility imposed upon it by law.

#### **Section 5.2 Other Committees**

Other committees not having and exercising the authority of the Board of Directors in the management of the Corporation may be designated by a resolution adopted by a majority of the Directors present at a meeting at which a quorum is present. Except as otherwise provided in the resolution, members of each such committee shall be members of the Corporation, and the President of the Corporation shall appoint the members of the committees. Any member may

be removed by the persons authorized to appoint such member whenever in their judgment the best interests of the Corporation shall be served by such removal.

### **Section 5.3 Term of Office**

Each member of a committee shall continue as a member until the next annual meeting of the members of the Corporation and until the member's successor is appointed, unless the committee shall be terminated sooner, or unless the member be removed from the committee, or unless the member shall cease to qualify as a member of the committee.

### **Section 5.4 Chair**

One member of each committee shall be appointed Chair by the person or persons authorized to appoint the members of the committee.

### **Section 5.5 Vacancies**

Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

### **Section 5.6 Quorum**

Unless otherwise provided in the resolution of the Board of Directors designating a committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

## **ARTICLE VI - CONTRACTS, CHECKS, DEPOSITS AND GIFTS**

### **Section 6.1 Contracts**

The Board of Directors may authorize any officer or officers, agent or agents of the Corporation, in addition to the officers so authorized by these bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authority may be general or confined to specific instances.

### **Section 6.2 Checks, Drafts, etc.**

All checks, drafts or orders for the payment of money, or other evidences of indebtedness issued in the name of the Corporation, shall be signed by those officers or agents of the Corporation and in a manner as shall be determined by the Board of Directors. In the absence of this determination by the Board of Directors, the instruments shall be signed by President, Vice President, Treasurer or Executive Director of the Corporation.

### **Section 6.3 Deposits**

All funds of the Corporation shall be deposited to the credit of the Corporation in the banks, trust companies or other depositories as the Board of Directors may select.

### **Section 6.4 Gifts**

The Board of Directors may accept on behalf of the Corporation any contribution, gift, bequest or devise for the general purposes or for any special purpose of the Corporation.

## **ARTICLE VII - BOOKS AND RECORDS**

### **Section 7.1 Books and Records**

The Corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its Board of Directors and committees having any of the



authority of the Board of Directors as well as other documents required to be maintained pursuant to the Revised Iowa Nonprofit Corporation Act.

#### **Section 7.2 Director's Access to Records**

A Director is entitled to inspect and copy the books, records, and documents of the Corporation at any reasonable time to the extent reasonably related to the performance of the Director's duties as a Director, including any duties as a member of a committee, but not for any other purpose or in any manner that would violate any duty to the Corporation.

### **ARTICLE VIII - FISCAL YEAR**

The fiscal year of the Corporation shall begin on the first day of January and end on the last day of December in each year.

### **ARTICLE IX - ELECTRONIC TRANSMISSION**

"Electronic transmission" or "electronically transmitted" means any process of communication not directly involving the physical transfer of paper that is suitable for the retention, retrieval, and reproduction of information by the recipient. Notice by electronic transmission is written notice. Notices and written consents may be given by electronic transmission. Each written consent given by electronic transmission shall contain an electronic signature of the person giving such written consent.

### **ARTICLE X - AMENDMENTS TO BYLAWS**

These bylaws may be altered, amended or repealed and new bylaws may be adopted by a majority of the Directors present at any regular meeting or at any special meeting, if at least two days' written notice is given of intention to alter, amend or repeal or to adopt new bylaws at the meeting

## ADVANCE SOUTHWEST IOWA CORPORATION

By \_\_\_\_\_  
Matthew J. Walsh, Mayor, City of Council Bluffs Date

By \_\_\_\_\_  
Tim Wichman, Chair, Board of Supervisors, Pottawattamie County Date

By \_\_\_\_\_  
Trudy Johannsen, Vice President, Advance Southwest Iowa Corporation Date

By \_\_\_\_\_  
Paula Hazlewood, Executive Director, Advance Southwest Iowa Corporation Date

**AMENDED AND RESTATED  
ARTICLES OF INCORPORATION**

**OF**

**ADVANCE SOUTHWEST IOWA CORPORATION**

TO THE SECRETARY OF STATE OF THE STATE OF IOWA:

Pursuant to the provisions of the Iowa Nonprofit Corporation Act, Chapter 504, Code of Iowa, the undersigned hereby adopts the following Amended and Restated Articles of Incorporation:

**ARTICLE I  
NAME**

The name of the corporation shall be ADVANCE SOUTHWEST IOWA CORPORATION, and it shall be incorporated under the provisions of Chapter 504 of the Code of Iowa.

**ARTICLE II  
DURATION**

The period of its duration is perpetual.

**ARTICLE III  
POWERS**

The Corporation shall have unlimited power to engage in and to do any and all lawful business for which corporations may be organized under the provisions of Chapter 504 of the Code of Iowa.

**ARTICLE IV  
PURPOSE**

The Corporation shall be organized for the purposes of attracting new businesses, retaining existing businesses, entrepreneurial development, site development, job creation and the expansion of the tax base in the region. The corporation shall establish and coordinate marketing and promotional efforts to enhance the recognition of Council Bluffs and rural Pottawattamie County development assets as part of the overall image and recognition of the region and is organized for the purposes within the meaning of §501C6 of the Internal Revenue Code.

## **ARTICLE V LIMITATIONS**

No part of the net earnings of said Corporation shall inure to the benefit of, or be directed to, its members, directors, officers, or other private persons, except the Corporation shall be authorized and empowered to make payment of reasonable compensation for services rendered and to make payments and disbursements in the furtherance of its exempt purpose.

No part of the activities of the Corporation shall consist of carrying on political propaganda or otherwise attempting to influence legislation; nor shall it in any manner, or to any extent, participate in or intervene in, any political campaign on behalf of any candidate for public office; nor shall the Corporation engage in any activities that are unlawful under applicable Federal, State, or Local laws, HOWEVER; the Corporation shall be allowed to conduct such activities to the extent allowed under §501C6 of the Internal Revenue Code.

The Corporation shall neither have, nor exercise any power, nor shall it engage, directly or indirectly, in any activity that would invalidate its status as a Corporation which is exempt from Federal Income taxation, or as a corporation to which contributions are deductible under the appropriate provisions of the Internal Revenue Code, or regulations thereunder.

Upon the dissolution of the Corporation or the termination of its affairs, the assets of the Corporation shall be distributed by the Board of Directors one half to the City of Council Bluffs and one half to Pottawattamie County.

## **ARTICLE VI REGISTERED AGENT AND OFFICE**

The address of the initial registered office shall be 149 West Broadway, Council Bluffs, Iowa 51503.

The name on the registered agent at such address shall be Paula D. Hazlewood.

## **ARTICLE VII MANAGEMENT**

The affairs of the Corporation shall be managed and conducted by a Board of Directors consisting of 11 voting Board members and 4 ex-officio non-voting Board members and there shall be no members to the Corporation.

## **ARTICLE VIII**

### **BOARD OF DIRECTORS**

The persons who were the initial directors of the Corporation are still acting or have had successors appointed pursuant to the by-laws.

## **ARTICLE IX**

### **BYLAWS**

Initial by-laws of the Corporation shall be adopted by the Board of Directors of the Corporation at any regular or special meeting by a majority vote of members of the Board of Directors present and voting.

## **ARTICLE X**

### **OFFICERS**

The principal officers of the Corporation shall be a President, a Vice President, a Secretary and a Treasurer, who shall be elected by the Board of Directors and whose duties, powers, terms of office and compensation, if any, shall be as provided in the by-laws or by resolution of the Board of Directors. The offices of Secretary and Treasurer may be held by the same person. The by-laws may provide for assistant Vice Presidents and subordinate officers, none of whom need be members of the Board of Directors, and each of whom shall be appointed by the Board of Directors and whose duties, powers and authorities shall be as provided in the by-laws or by resolution of the Board of Directors.

## **ARTICLE XI**

### **LIMITATION ON LIABILITIES AND INDEMNIFICATION**

A director, officer, employee, member or volunteer of the Corporation is not liable on the Corporation debts nor obligations and a director, officer, employee, member or volunteer is not personally liable in that capacity for a claim based upon an act or omission of the person performed in the discharge of the person's duties except for a breach of the duty of loyalty to the Corporation, for acts or omissions not in good faith or which involve intentional misconduct or knowing violation of the law or for a transaction from which the person derives an improper personal benefit. Any repeal or modification of this Article shall not adversely affect any right or protection of a director, officer, employee, member or volunteer of the Corporation existing at the time of such repeal or modification.

This Corporation shall indemnify its directors, officers, employees and volunteers as allowed and provided for in sections 504.851 through 504.860 of the Code of Iowa.

## ARTICLE XII

### AMENDMENT

These Articles of Incorporation may be amended at any meeting of the Board of Directors called for such purpose; provided, however, that such proceedings shall comply with the provisions of the Iowa Nonprofit Corporation Act.

## ARTICLE XIII

The undersigned certifies that this AMENDED AND RESTATED ARTICLES OF INCORPORATION have been approved by the Board of Directors in compliance with the Articles of Incorporation and sections 1005 and 1006 of Chapter 504 of the Code of Iowa.

■

Dated this 13th day of February 2019.

ADVANCE SOUTHWEST IOWA  
CORPORATION,

By: \_\_\_\_\_

STATE OF IOWA )  
 )SS.  
POTTAWATTAMIE COUNTY )

On this 13th day of February 2019, before me, a Notary Public in and for the State of Iowa, personally appeared \_\_\_\_\_, President of the Board, to me known to be the person named in and who executed the foregoing Articles of Incorporation, and acknowledged that he/she executed the same as his/her voluntary act and deed.

Notary Public

**RESOLUTION NO. 19-50**

**A RESOLUTION APPROVING THE AMENDMENTS TO THE ARTICLES OF INCORPORATION AND BYLAWS OF ADVANCE SOUTHWEST IOWA CORPORATION.**

**WHEREAS,** Multiple parties, including the City of Council Bluffs, entered into an Operating Agreement with Advance Southwest Iowa Corporation and approved Articles of Operation and Bylaws on November 18, 2013 (Resolution No. 13-279); and

**WHEREAS,** Numerous changes have occurred in Advance Southwest Iowa Corporation's organizational structure over the course of the past five-years and several items that were included in the original documents, are no longer necessary as Advance Southwest Iowa Corporation is now an established and effective economic development organization that is governed by a team of eleven community leaders and an executive director with 16 year of experience; and

**WHEREAS,** It would be in the best interest of the City to approve the amendments to the Articles of Incorporation and the Bylaws to better fit the current structure.

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

That the amendments to the Articles of Incorporation and Bylaws of the Advanced Southwest Iowa Corporation (as set forth in the exhibits attached hereto) are hereby approved.

ADOPTED  
AND  
APPROVED

February 25, 2019.

\_\_\_\_\_  
MATTHEW WALSH

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH

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



## Council Communication

Department: Community  
Development  
Case/Project No.: URN-19-001  
Submitted by: Brenda Carrico

Resolution 19-51  
ITEM 7.B.

Council Action: 2/25/2019

### Description

Resolution determining the necessity and setting dates of a consultation and a public hearing on March 25, 2019 at 7:00 p.m. on a proposed 24 Park Place Urban Renewal Plan for a proposed Urban Renewal Area. Generally located at South 24th Street and Richard Downing Avenue

### Background/Discussion

See attachments.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Staff report	Resolution	2/15/2019
Draft 24 Park Place Plan	Resolution	2/15/2019
Resolution 19-51	Resolution	2/19/2019

## Council Communication

Department: Community Development  Case/Project No.: URN-19-001	Ordinance No.:  Resolution No.: 19-	City Council: 2-25-19 Planning Commission: 3-12-19 P.H. and First Reading: 3-25-19 Second Reading: 4-8-19 Third Reading: Request Waive
<b>Subject/Title</b>		
Resolution of Necessity for the 24 Park Place Urban Renewal Area Plan		
<b>Location</b>		
Generally located at South 24 <sup>th</sup> Street and Richard Downing Avenue		
<b>Background/Discussion</b>		
<p><u>Background</u></p> <p>In August 2018, the Council Bluffs City Council adopted and approved the following ordinance and resolutions to allow a new commercial shopping center, known as 24 Park Place, to be developed on property located at the southwest corner of the intersection of South 24<sup>th</sup> Street and Richard Downing Avenue:</p> <ul style="list-style-type: none"> <li>• Ordinance No. 6347: Conditionally rezoned the subject property from A-2/Parks, Estates, and Agricultural District to PC/Planned Commercial District. The rezoning will become effective upon execution of a final plat for 24 Park Place Subdivision;</li> <li>• Resolution No. 18-55: Granted preliminary plan approval for a commercial subdivision to be known as 24 Park Place; and</li> <li>• Resolution No. 18-259: Adopted a planned commercial development plan for 24 Park Place.</li> </ul> <p>The developer, Lockwood Development, has proposed to construct a new Fleet Farm store with an associated gas station/convenience store along with several pad sites in 24 Park Place and has requested the City of Council Bluffs provide financial assistance for the project. The City and Lockwood Development have held conversations about providing tax increment financing (TIF) for the project using the powers granted under Iowa Code Chapter 403/Urban Renewal Law. In order to invoke its urban renewal powers, the City Council must agree to designate the subject property an Urban Renewal Area, adopt an Urban Renewal Plan and negotiate a development agreement with the Developer.</p> <p><u>Discussion</u></p> <p>The first step establishing the 24 Park Place Urban Renewal Project Plan and Area is the adoption of a resolution of intent. This resolution will cause several actions. These actions include directing staff to prepare the urban renewal plan, establishing a date for consultation with other taxing jurisdictions, setting a date for City Council public hearing and other appropriate legal notices. A resolution, which calls for these activities, has been prepared and is attached for your review and consideration. This resolution establishes the following timeframes:</p> <ul style="list-style-type: none"> <li>3-4-19 Consultation meeting to be held with other taxing jurisdictions</li> <li>3-12-19 City Planning Commission public hearing and recommendation</li> <li>3-25-19 City Council public hearing on the urban renewal plan</li> </ul>		

## **Council Communication**

<b>Staff Recommendation</b>
The Community Development Department recommends that City Council adopt a resolution of necessity setting the dates of a consultation and public hearing on the 24 Park Place Urban Renewal Area Plan for the City of Council Bluffs.
<b>Attachments</b>
<ol style="list-style-type: none"><li>1. Resolution of Necessity (includes the Notice of Consultation and Notice of Public Hearing)</li><li>2. Draft 24 Park Place Urban Renewal Area Plan</li></ol>

Prepared by: Brenda Carrico, Program Coordinator, Community Development Department

Approved by: Brandon Garrett, Director, Community Development Department

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**24 PARK PLACE  
URBAN RENEWAL PLAN**

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CITY OF COUNCIL BLUFFS, IOWA  
ADOPTED - \_\_\_\_\_ 2019

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## **CHAPTER I**

### **Background**

Lockwood Development has requested urban renewal actions on land located at the southwest corner of the intersection of South 24<sup>th</sup> Street and Richard Downing Avenue in the City of Council Bluffs, Iowa. Lockwood Development intends to build a new commercial shopping center to be known as 24 Park Place on said land. The 24 Park Place shopping center is anticipated to include seven buildable pad sites and four outlots for stormwater detention. An 185,000 square foot Mills Fleet Farm store will anchor the development and is considered a new retailer in the Omaha-Council Bluffs market. Lockwood Development also proposes to build a new Mills Fleet Farm gas station/convenience store on a pad site adjacent to their main store as well as a new 88,000 square foot multi-tenant commercial building in the southeast corner of the development. All remaining pad sites will be developed with other commercial uses. Assistance in the form of an urban renewal project area, conforming to Chapter 403 of the Iowa Code, is necessary to assist with the provision of incentives.

Actions necessary for the development of the subject property include land acquisition, site development preparations, utility enhancements and installations, possible traffic controls and pedestrian access enhancements, wetlands mitigation, and construction of a new public street. The subject property is comprised of 44.47 acres of undeveloped land that is currently zoned A-2/Parks, Estates, and Agricultural District. On August 13, 2018, the Council Bluffs City Council approved Ordinance No. 6347, which rezoned the subject property from A-2/Parks, Estates, and Agricultural District to PC/Planned Commercial District. Additionally, on August 27, 2018 the Council Bluffs City Council approved Resolution No. 18-259, which adopted a planned commercial development plan for the 24 Park Place Subdivision. Both the rezoning and planned commercial development plan shall become effective upon final plat approval of the 24 Park Place Subdivision.

Assistance in the form of an urban renewal area, conforming to Chapter 403 of the Iowa Code, may be necessary to acquire land; improve regulatory control; improve transportation access; improve public infrastructure and facilities; and to allow for and/or incentivize private development or redevelopment. More specifically, this area has been declared an economic development area, conforming to Section 403.2(3) of the Iowa Code. This Plan is to be called the 24 Park Place Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the 24 Park Place Urban Renewal Area ("Area" or "Urban Renewal Area"), and its purpose, objectives and project proposals are described within this document.

The general location and boundaries of 24 Park Place Urban Renewal Area ("Area" or "Urban Renewal Area") are shown in Illustration 1: City Location Map and Illustration 2: Boundary Map. Furthermore, the subdivision layout and architectural renderings for the 24 Park Place Urban Renewal Area are shown in Illustration 3: 24 Park Place Conceptual Site Plan, and Illustration 4: 24 Park Place Architectural Rendering.

## CHAPTER II

### Description of Urban Renewal Area

#### 1. Urban Renewal Area Description

The Urban Renewal Area consists of a tract of land located in part of the north half of the southeast quarter of Section 10, and part of the northwest quarter of the southwest quarter of Section 11, all in Township 74 North, Range 44 West of the 5<sup>th</sup> P.M., City of Council Bluffs, Pottawattamie County, Iowa, being more particularly described as follows:

Beginning at the southeast corner of said northeast quarter of the southeast quarter of section 10; thence on the South line of said northeast quarter of the southeast quarter on an assumed bearing of N87°53'20"W, 658.46 feet to the southwest corner of the east half of said northeast quarter of the southeast quarter; thence continuing on said South line of the northeast quarter of the southeast quarter N87°56'58"W; 658.32 feet to the southwest corner of the northeast quarter of the southeast quarter; thence on the West line of said northeast quarter of the southeast quarter N01°59'34"E, 331.09 feet; thence N87°54'35"W, 48.21 feet; thence N02°06'46"E, 993.65 feet to a point on the North line of said southeast quarter, said line also being on the South right-of-way line of Richard Downing Avenue; thence on said South right-of-way line of Richard Downing Avenue for the following five (5) described courses; (1) S87°51'21"E, 45.77 feet to the northwest corner of said northeast quarter of the southeast quarter; (2) S87°49'01"E, 655.55 feet to the northeast corner of said east half of the northeast quarter of the southeast quarter; (3) S87°53'14"E, 505.31 feet; (4) S76°35'39"E, 153.19 feet to a point on the east line of said southeast quarter; (5) S87°19'54"E, 104.77 feet to a point intersecting said South right-of-way line of Richard Downing Avenue and the West right-of-way line of South 24<sup>th</sup> Street; thence on said West right-of-way line of South 24<sup>th</sup> Street for the following three (3) described courses; (1) S01°42'44"W, 319.95 feet; (2) S08°30'44"E, 112.22 feet; (3) S01°43'05"W, 863.01 feet to a point on the South line of said northwest quarter of the southwest quarter of Section 11; thence on said South line of the northwest quarter of the southwest quarter N87°23'13"W, 124.81 feet to the point of beginning.

Refer to Illustration 5: Re-Zoning Exhibit for legal description.

#### 2. Structural Conditions

The Area currently has no existing buildings on site.

#### 3. Transportation Systems

The Urban Renewal area is located just south of Interstate 29/80, which is a fully controlled-access freeway. The interstate provides a convenient route from the Urban Renewal Area to destinations in Kansas, Missouri, Iowa, Nebraska, and South Dakota. A full interchange exists at the intersection of South 24<sup>th</sup> Street to north.

The Urban Renewal Area is accessible from South 24<sup>th</sup> Street to the east and from Richard Downing Avenue to the north. South 24<sup>th</sup> Street is classified as a minor arterial roadway and extends from 23<sup>rd</sup> Avenue to Veterans Memorial Highway. It is constructed as a four-lane divided street with signalization and turn lanes and receives a large amount of local traffic from adjacent residential neighborhoods, Interstate 29/80, and Highways 92/275 (Veterans Memorial Highway).



Richard Downing Avenue is a two-lane collector street that is signalized where it intersects with South 24<sup>th</sup> Street. This street receives traffic volumes from South 24<sup>th</sup> Street as well as from the Twin Cities residential neighborhood located west of the Urban Renewal Area.

The 24 Park Place shopping center will include construction of two new public streets, which are designed to provide pedestrian and vehicular access to lots within the development. Other transportation system improvements planned for the 24 Park Place Subdivision, which are located outside of the Urban Renewal Area boundary, include the installation of sidewalks along Richard Downing Avenue and South 24<sup>th</sup> Street and the widening of Richard Downing Avenue from two-lanes to three-lanes. Depending on final layout and results of a traffic study, additional traffic signals and modifications to Richard Downing Avenue and South 24<sup>th</sup> Street may be needed.

#### 4. Public Utilities and Services

The Urban Renewal Area is well served by municipal utilities (water, sanitary sewer and storm water) along Richard Downing Avenue and South 24<sup>th</sup> Street.

Water service is available from the North from an existing main in Richard Downing Avenue and from the East from an existing main in South 24<sup>th</sup> Street. Lockwood Development proposes to extend water from the north and east to service the lots within the 24 Park Place development.

Sanitary sewer is available from the East through an existing main in South 24<sup>th</sup> Street. Lockwood Development proposes to provide sanitary sewer service to the 24 Park Place development by connecting into the sewer main in South 24<sup>th</sup> Street. The sanitary sewer connection must be designed to meet City of Council Bluffs Public Works standards and must be constructed in conjunction with the new public streets in 24 Park Place.

Storm sewer is available from the North through an existing main in Richard Downing Avenue and from the East through an existing main in South 24<sup>th</sup> Street. Lockwood Development proposes to provide storm sewer service to the 24 Park Place development by connecting into these sewer mains.

Private energy and communication facilities are located adjacent the Urban Renewal Area and are available to serve the proposed 24 Park Place development. Lockwood Development proposes to contract with Mid-American Energy for electrical service and Black Hills Energy for natural gas service. Lockwood Development also proposes to contract with communication service providers to extend voice, data, and cable services to the 24 Park Place development.

Refer to Illustration 6: Public Utilities and Services for information on current municipal service line locations near the Urban Renewal Area.

#### 5. Environment

**Topography and Drainage** – The topography of the Urban Renewal Area is characterized by very slight slopes of zero to two percent. Because of the nearly level topography, the Area has a poor natural drainage pattern, and little potential for soil erosion. The water table is relatively close to the surface. The Area sits approximately four feet below the intersection of South 24<sup>th</sup> Street and Richard Downing Avenue. A significant amount of fill dirt must be applied to the site in order for the 24 Park Place development to achieve adequate fall for site utilities (e.g., sanitary/storm

sewers). Refer to Illustration 7: Topography and Drainage for two-foot site contours within and adjacent to the Urban Renewal Area.

Floodplain – According to the Flood Insurance Rate Maps (FIRM) prepared by the Federal Emergency Management Agency, the Urban Renewal Area is in a Zone X, which is the 500-year floodplain. Refer to Illustration 9: Flood Zone Map for floodplain information within and adjacent to the Urban Renewal Area.

Soils – According to the Soil Conservation Service (SCS) Soil Survey Maps, the Area consists of three types of soil: Albaton; Percival; and Onawa. These soils have 0 to 2 percent slopes and consist of silt loam and clay. These soils are generally located in settling basins on broad bottomland and in upland drainage ways. Soils are characterized as having low to moderate permeability, slow run-off, and occasional flooding for brief periods unless protected. The SCS report notes that these soil types have moderate to severe limitations for development potential, due to the seasonable high water table, poor drainage patterns, poor bearing capacity, and a high shrink-swell potential. These soil factors will require most of the Urban Renewal Area to be surcharged and a significant amount of fill dirt to be brought in order to help establish positive drainage. Illustration 8: Soils map for information on soil types within and adjacent to the Urban Renewal Area.

Wetlands – The Urban Renewal Area has potential wetlands located in the northeasterly portion of the development site. Lockwood Development is working with their civil engineer, Olsson Associates, and the U.S. Army Corps of Engineers to delineate the wetlands and to determine if they are jurisdictional wetlands or not. Lockwood Development is required to comply with all Federal, State, and local requirements regarding jurisdictional wetlands of the United States of America. Refer to Illustration 3: 24 Park Place Conceptual Site Plan for wetlands location.

## 6. District Designation

The 24 Park Place Urban Renewal Area is being designated as an economic development area, as defined in Iowa Code Section 403.17 (10) and it is necessary to assist and promote local commercial enterprises to strengthen and revitalize the economy. Further it is necessary to provide the means and methods for the encouragement and assistance of commercial enterprises to locate, purchase, construct, reconstruct, modernize, improve, maintain, repair, furnish equip and expand in the City of Council Bluffs. Such nonresidential uses are necessary and appropriate to facilitate the proper growth and development of the community and job creation in accordance with sound planning standards and local community objectives.

## **CHAPTER III**

### **Land Use and Zoning**

#### **1. Existing Land Use and Zoning**

The existing land use of the Urban Renewal Area is vacant agricultural ground. The Area is currently zoned A-2/Parks, Estates, and Agricultural District with pending rezoning approval to PC/Planned Commercial District. On August 13, 2018, the Council Bluffs City Council adopted Ordinance No. 6347, which rezoned the property from A-2/Parks, Estates, and Agricultural District to PC/Planned Commercial District. The rezoning becomes effective upon final subdivision plat approval of 24 Park Place. The Planned Commercial District is intended for larger scale commercial and destination type development. The 24 Park Place commercial development is consistent with this intent.

Additionally, on August 27, 2018 the Council Bluffs City Council approved Resolution No. 18-259, which adopted a planned commercial development plan for the 24 Park Place. The adopted plan established development standards for site development, architecture, landscaping, off-street parking, access management, signage, and outdoor lighting for all lots in 24 Park Place. The adopted development plan becomes effective upon final subdivision plat approval of 24 Park Place.

Existing land uses and zoning for properties adjacent to the Urban Renewal Area includes:

- North: Council Bluffs Recreational Complex zoned A-2/Parks, Estates, and Agricultural District;
- South: Industrial development site zoned I-1/Light Industrial District;
- East: Marketplace Shopping Center zoned PC/Planned Commercial District and vacant agricultural ground zoned I-2/General Industrial District; and
- West: Dallas Johnson Greenhouses and vacant agricultural ground all zoned A-2/Parks, Estates, and Agricultural District.

Refer to Illustration 10: Existing Land Use and Zoning for information on current zoning and land uses within and adjacent to the Urban Renewal Area.

#### **2. Conformance with City Comprehensive Plan**

The City of Council Bluffs has a general plan for its physical development, as a whole, which is its Comprehensive Plan known as “Bluffs Tomorrow: 2030 Plan”, as amended. The future land use plan of the Bluffs Tomorrow: 2030 Plan, as amended, identifies the area as Regional Commercial. The planned activity for the Urban Renewal Area is development of a new commercial shopping center to be known as 24 Park Place. The 24 Park Place shopping center will consist of seven buildable pad sites and four outlots for stormwater detention. An 185,000 square foot Mills Fleet Farm store will anchor the development. A new Mills Fleet Farm gas station/convenience store and an 88,000 square foot multi-tenant commercial building will be constructed by Lockwood Development in the shopping center. All remaining pad sites will be developed with other commercial uses.

This Urban Renewal Plan and the urban renewal projects described herein are in conformity with the Comprehensive Plan, as amended.

## **CHAPTER IV**

### **Project Objectives**

This Plan is intended to strengthen the economy, enhance the viability, and stimulate the development of the proposed Urban Renewal Area and the surrounding area through the elimination of those factors that have inhibited the full development of the Area. The proposed 24 Park Place development will help accomplish this. This Plan is intended to achieve one or more of the following objectives:

1. Protect the health, safety and general welfare of City residents through the removal or elimination of substandard conditions that exist in the Area.
2. Provide for the improvement of public streets and infrastructure to adequately support the desired land use by correcting any substandard physical conditions and upgrading or installing public infrastructure to support existing and probable levels of additional development to contemporary standards and requirements.
3. Provide for the creation of a unified land use district throughout the Urban Renewal Area whose physical development is consistent with existing and anticipated adjacent land uses.
4. Reduce visual clutter occurring within the Area and establish specific signage and landscaping plans.
5. Provide for adequate public utility services to ensure the development of the Area.
6. Provide for the appropriate public storm water drainage and control to promote the development of the Area.
7. To promote revitalization.
8. To stimulate through public action and commitment, private investment in new development.
9. To provide for the installation of public works and facilities which contribute to the sound development in the Area.
10. To plan for and provide sufficient land for commercial development in a manner that is efficient from the standpoint of providing municipal services.
11. To provide a more marketable and attractive investment climate.
12. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities, and strengthening the tax base.

13. To cause additional economic development which benefits the public welfare through the creation of jobs and investment.
14. Provide for adequate and improved vehicular ingress and egress to all properties within the Area.
15. Provide for adequate water and sanitary sewer services to ensure the development of the Area.
16. Provide for the appropriate stormwater drainage and control to promote development.
17. To ensure the Area is adequately served by public safety services and facilities.

## **CHAPTER V**

### **Proposed Urban Renewal Activities**

#### **1. Urban Renewal Powers**

The proposed actions in the Urban Renewal Area for the 24 Park Place Urban Renewal Plan will consist of one or more of the following actions as outlined by Chapter 403 and Chapter 15A of the Iowa Code.

- a. Dedicate, sell, convey or lease any interest in City property, or grant easements, licenses or other rights or privileges.
- b. Incur the expense of any public improvements made by the City through exercising the powers granted by Chapter 403 of the Iowa Code.
- c. Do any and all things necessary to aid or cooperate in planning of the Urban Renewal Area or projects.
- d. Lend, grant or contribute funds to entities, including private individuals or businesses, which further the objectives of this Plan.
- e. Enter into agreements respecting actions to be taken pursuant to any of the powers granted by Chapter 403 or Chapter 15A of the Iowa Code.
- f. Cause public buildings and public facilities, including parks, playgrounds, and recreational, community, educational, water, sewer or drainage facilities, or any other works which the City is otherwise empowered to undertake to be furnished.
- g. Furnish, dedicate, close, vacate, pave, install, grade, regrade, plan or replan streets, roads, sidewalks, ways or other places.
- h. Plan or replan, zone or rezone any part of the Area.
- i. Cause administrative and other services to be furnished to the City.
- j. Use condemnation powers under Section 403.7 and Chapters 6A and 6B of the Iowa Code or other authority to acquire property for uses allowed under urban renewal law.
- k. To fund or finance economic development projects.
- l. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.
- m. To arrange for or cause to be provided the construction or repair of public infrastructure, including but not limited to streets, storm water drainage, sanitary

sewer system, water system, public utilities or other facilities in connection with urban renewal projects.

- n. To make grants, loans, forgivable loans, tax rebate payments or other types of economic development grants or incentives to private persons or businesses on such terms as may be determined by the City Council.
- o. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Program or specific urban renewal projects.
- p. To borrow money and to provide security therefor.
- q. To use any or all other powers granted by Chapter 403 (the Urban Renewal Act), Chapter 15, Chapter 15A, Chapter 427.B. or other provisions of the Code of Iowa to develop and provide for improved economic conditions for the City of Council Bluffs and the State of Iowa.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City by any provision of the Code of Iowa in furtherance of the objectives of this Plan.

2. Description of Development Activities to be Undertaken – The following is a description of the development activities that are needed but the City does not intend to fund with Tax Increment Financing.

- a. Installation of Public Infrastructure – The City may remove, improve or install public improvements and facilities in accordance with the objectives of this Plan. Such public improvements may include, but are not limited to the following: utilities, streets, sidewalks, transit stops, park and recreational facilities, parking and landscaping. Again, at this time, the City is not contemplating utilizing Tax Increment Financing to fund these improvements.

Municipal Code requires that all building sites have direct access to an open city street that has been improved and maintained by the City and is regularly used by the general public. Public sidewalks are also required for building sites that abut a city street. Building sites are required to have direct access to the municipal sanitary sewer system and adequately handle storm water run-off without adversely affecting abutting property owners with an increase in run-off. All sites must have direct access to city water or be serviced by a well in such a capacity to satisfy not only the needs of the structure, but also to provide fire protection.

- b. Subdivision and Vacation of Right-of-Way – As allowed by law, the City may subdivide, vacate, resubdivide, or otherwise change the recorded arrangement of property in its control to accomplish the objectives of this plan. If the company does not purchase an existing legal description, some type of subdivision action will be required.



### 3. Description of Urban Renewal Project

- a. Commercial development, development agreement and tax increment financing – Under Section 403.19 of the Iowa Code, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements associated with redevelopment projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from certain taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the proposed urban renewal projects. The increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City and in any event upon the expiration of the tax increment district.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates or other incentives to developers in connection with commercial and/or industrial development. In addition, the City may decide to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area. Alternatively, the City may determine to use available funds for making such loans, grants or other incentives.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code of Iowa in furtherance of the objectives of this Urban Renewal Plan.

Specifically, the City proposes to assist with the development of a new 11-lot commercial subdivision to be known as 24 Park Place. This includes providing assistance to an entity who intends to grade the 44.47 acre site and build a new 185,000 square foot Mills Fleet Farm store, a detached Mills Fleet Farm gas station/convenience store, and an 88,000 square foot multi-tenant retail building. The entity will also be constructing two new public streets and extending utilities (e.g., water, sanitary/storm sewers, electricity, gas, and telecommunications) within the development. The entity also proposes to install landscaping and sidewalks within the development. The initial project investment by the developer is estimated at \$40 million, of which \$8 million will be used for mass grading/on-site public infrastructure improvements and between \$6-8 million will be used in land acquisition costs. The remaining \$24 million will be used in building costs within the development. The City's assistance for this commercial opportunity may include contributions toward or construction of public infrastructure or the making of loans, grants, property tax rebates other incentives to assist with the acquisition, and/or grading or other costs of the projects. The site suffers from poor drainage and poor soil conditions, and has potential jurisdictional wetlands. A significant amount of fill material must be brought to the site and on-site wetlands must be mitigated in order to make the property developable. It is anticipated that 15-20% of the site will be used to address stormwater management for the development. The proposed development is anticipated to become a regional shopping destination due to the Mills Fleet Farm store and will provide new employment opportunities as well as

additional property tax base for the City of Council Bluffs. The City's assistance may include the use of tax increment financing under Iowa Code section 403.19.

Development Agreements:

<b>Project</b>	<b>Date</b>	<b>Estimated cost to be funded by TIF</b>
The City expects to enter into a Development Agreement with the Lockwood Development which will provide economic development grants to be paid over 15 years using tax increment financing. Lockwood Development will act as the master developer for 24 Park Place, which consists of seven buildable pad sites, and four stormwater detention ponds. An 185,000 square foot Mills Fleet Farm store, a detached Mills Fleet Farm gas station/convenience store, and an 88,000 square multi-tenant commercial building will be constructed by Lockwood Development. The remaining pad sites will be developed with commercial uses based upon market demands. The Development Agreement will include other terms and conditions mutually agreed upon by the parties.	FY 21/22 through FY 35/36	Not to exceed \$15 million

- b. Planning, engineering fees (for urban renewal plans), attorney fees to support urban renewal projects and planning:

Project	Date	Estimated cost
Planning, engineering fees, attorney fees to support urban renewal projects and planning	Undetermined	Not to exceed \$200,000

- c. Debt

1.	July 1, 2018 constitutional debt limit:	\$ 174,368,928
2.	Current outstanding general obligation debt:	\$ 62,540,000
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Proposed Urban Renewal Projects has not yet been determined. This document is merely for planning purposes. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the approximate cost of the Proposed Urban Renewal Projects as described will be as follows:	\$15,200,000.00

#### 4. Urban Renewal Financing

The City of Council Bluffs intends to utilize various financing tools such as those described below to successfully undertake the proposed urban renewal actions. The City of Council Bluffs has the statutory authority to use a variety of tools to finance physical improvements within the Urban Renewal Area. These include:

a. Tax Increment Financing

Under Section 403.19 of the Iowa Code, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements associated with redevelopment projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from certain taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the proposed urban renewal projects. The increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City and in any event upon the expiration of the tax increment district.

b. General Obligation Bonds

Under Division III of Chapter 384 and Chapter 403 of the Iowa Code, the City has the authority to issue and sell General Obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City of Council Bluffs. It may be the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates or other incentives to developers in connection with blight remediation and/or commercial or industrial development. In addition, the City may decide to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area. Alternatively, the City may determine to use available funds for making such loans, grants or other incentives. The City may work with Pottawattamie County, the State of Iowa, or other government agencies, as well as private and nonprofit organizations or foundations to obtain funding for project planning and implementation. The City may also sell property or services to fund projects in the Urban Renewal Area. In any event, the City may determine to use tax increment financing to reimburse the City for any obligations or advances.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code of Iowa in furtherance of the objectives of this Urban Renewal Plan.

## **CHAPTER VI**

### **Other**

#### **1. Relocation**

The City does not expect there to be any relocation required as part of the eligible urban renewal projects; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

#### **2. Effective Term**

This Plan will become effective upon its adoption by the City Council and will remain in effect until it is repealed by the City Council.

Because this Urban Renewal Area is based on economic development findings and no part contains slum or blighted conditions, the division of revenue allowed under 403.19 shall be limited to 20 years from the calendar year following the calendar year in which the City of Council Bluffs adopts a TIF ordinance on all or a part of the Area and first certifies to the County auditor the amount of any loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in section 403.19 within the area included in the TIF ordinance. The City may elect to use multiple TIF ordinances as parcels develop. If so, each separate TIF ordinance will have a 20 year period for collection of revenues as allowed under Iowa Code Section 403.19.

#### **3. Procedure for Amendment**

In accordance with Section 403.5 (5) of the Code of Iowa, this Plan may be further amended or modified at any time; provided, that if modified after the lease or sale by the municipality of real property in the Urban Renewal Area, such modifications shall be subject to such rights at law or in equity as a lessee, purchaser, or covenantor, or his or her successor or successors in interest, may be entitled to assert.

If the City desires to make any further change or modification of this plan, it may do so as required by Section 403.5 of the Code of Iowa, or any successor provision thereof.

#### **4. Effect of Creation of Urban Renewal Plan and Urban Renewal Area**

The adoption of the 24 Park Place Urban Renewal Plan and Urban Renewal Area will not adversely affect other urban renewal areas. However, the City has determined that an urban renewal program will best serve the existing and anticipated needs of the Area rather than other potential City programs. The City has further determined that economic development is likely to occur only if the City becomes actively involved in the development effort pursuant to the urban renewal powers vested in it under Chapter 403 of the Iowa Code.

#### **5. Base Value**

If the 24 Park Place Urban Renewal Plan is legally established and a TIF ordinance is adopted and debt is certified prior to December 1, 2019, the taxable valuation of the portion of the Area included within the TIF ordinance as of January 1, 2018, will be considered the "base valuation." If debt is

not certified until a later date, the “base valuation” will be a different date as described in Iowa Code Section 403.19.

6. Public Building Analysis

No Urban Renewal Projects proposed in this Plan involve the use of tax increment financing for public buildings as defined in Chapter 403.

7. Property Acquisition/Disposition

The City will follow any and all applicable requirements for the acquisition and disposition of property upon terms and conditions in the discretion of the City Council.

8. Ag Land Agreement

Because some of the land being included in the Park Place Urban Renewal Area contains land that is defined as “agricultural land” by Iowa Code Section 403.17(3), the City and property owners have entered into an agreement in which the property owners agree to allow the City to include real property defined as “Agricultural Land” in the Urban Renewal Area. A copy of the agreements are attached as Exhibits 1 and 2.

9. Severability Clause

If any part of the Plan is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Plan as a whole, or any part of the Plan not determined to be invalid or unconstitutional.

**EXHIBIT 1 – Agricultural Land Agreement for CF Realty Group, LLC**

**AGREEMENT TO INCLUDE AGRICULTURAL LAND  
IN THE 24 PARK PLACE URBAN RENEWAL AREA**

WHEREAS, the City of Council Bluffs, Iowa, (the “City”) has proposed to establish the 24 Park Place Urban Renewal Area (the “Urban Renewal Area”), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by the Chapter; and

WHEREAS, it has been proposed that the boundaries of the area will include the 23.47 acres of land, more or less, which is owned by CF Realty Group, LLC, the (“Agricultural Land Owner”) and depicted in Illustration 2 – Boundary Map annexed hereto (the “Agricultural Land Owner’s Property”); and

WHEREAS, Section 403.17(3) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of “agricultural land”, until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that the Agricultural Land Owner’s Property meets the definition of “agricultural land” in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that it is the owner of the Agricultural Land Owner’s Property.
2. The Agricultural Land Owner hereby agrees that the City of Council Bluffs, Iowa, may include the Agricultural Land Owner’s Property in the Urban Renewal Area.
3. The Agricultural Land Owner further authorizes the governing body of the City of Council Bluffs, Iowa, to pass any resolution or ordinance necessary to designate the Agricultural Land Owner’s Property as an Urban Renewal Area under Chapter 403 of the Code of Iowa and to proceed with activities authorized under said Chapter.

DATED this \_\_\_\_ day of March, 2019

CF Realty Group, LLC

By: \_\_\_\_\_  
Richard J. Coenen, Managing Member

Witness: \_\_\_\_\_



## EXHIBIT 2 – Agricultural Land Agreement for Frank R. Krejci Trust

### AGREEMENT TO INCLUDE AGRICULTURAL LAND IN THE 24 PARK PLACE URBAN RENEWAL AREA

WHEREAS, the City of Council Bluffs, Iowa, (the “City”) has proposed to establish the 24 Park Place Urban Renewal Area (the “Urban Renewal Area”), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by the Chapter, and

WHEREAS, it has been proposed that the boundaries of the area will include the 21.07 acres of land, more or less, which is owned by Frank R. Krejci Trust, the (“Agricultural Land Owner”) and depicted in Illustration 2 – Boundary Map annexed hereto (the “Agricultural Land Owner’s Property”); and

WHEREAS, Section 403.17(3) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of “agricultural land”, until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that the Agricultural Land Owner’s Property meets the definition of “agricultural land” in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that it is the owner of the Agricultural Land Owner’s Property.
2. The Agricultural Land Owner hereby agrees that the City of Council Bluffs, Iowa, may include the Agricultural Land Owner’s Property in the Urban Renewal Area.
3. The Agricultural Land Owner further authorizes the governing body of the City of Council Bluffs, Iowa, to pass any resolution or ordinance necessary to designate the Agricultural Land Owner’s Property as an Urban Renewal Area under Chapter 403 of the Code of Iowa and to proceed with activities authorized under said Chapter.

DATED this \_\_\_\_ day of March, 2019

Frank R. Krejci Trust

By: \_\_\_\_\_  
Frank R. Krejci

Witness: \_\_\_\_\_

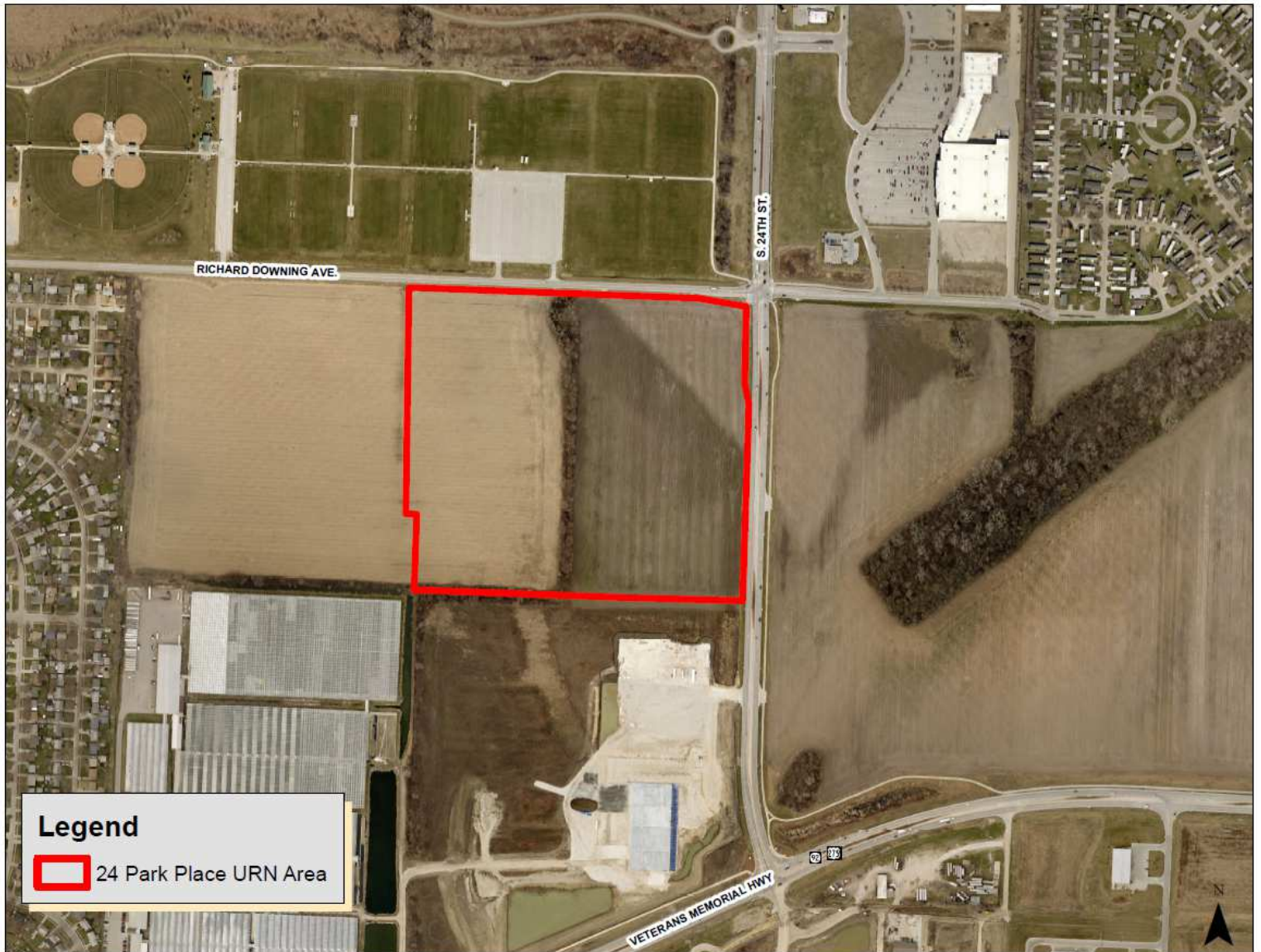
## ILLUSTRATIONS

Illustration 1 – City Location Map





Illustration 2 – Boundary Map



CONCEPTUAL SITE PLAN  
24 PARK PLACE  
S 24TH STREET & RICHARD DOWNING AVENUE  
COUNCIL BLUFFS IA

REVISIONS

NO.	DATE	REVISION DESCRIPTION
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KEY MAP

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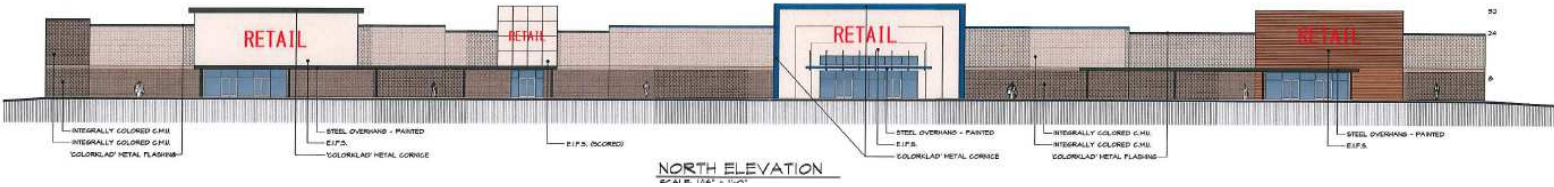
96. 24 PARK PLACE

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Illustration 4 – 24 Park Place Architectural Renderings



# Illustration 5 – 24 Park Place Rezoning/Legal Description

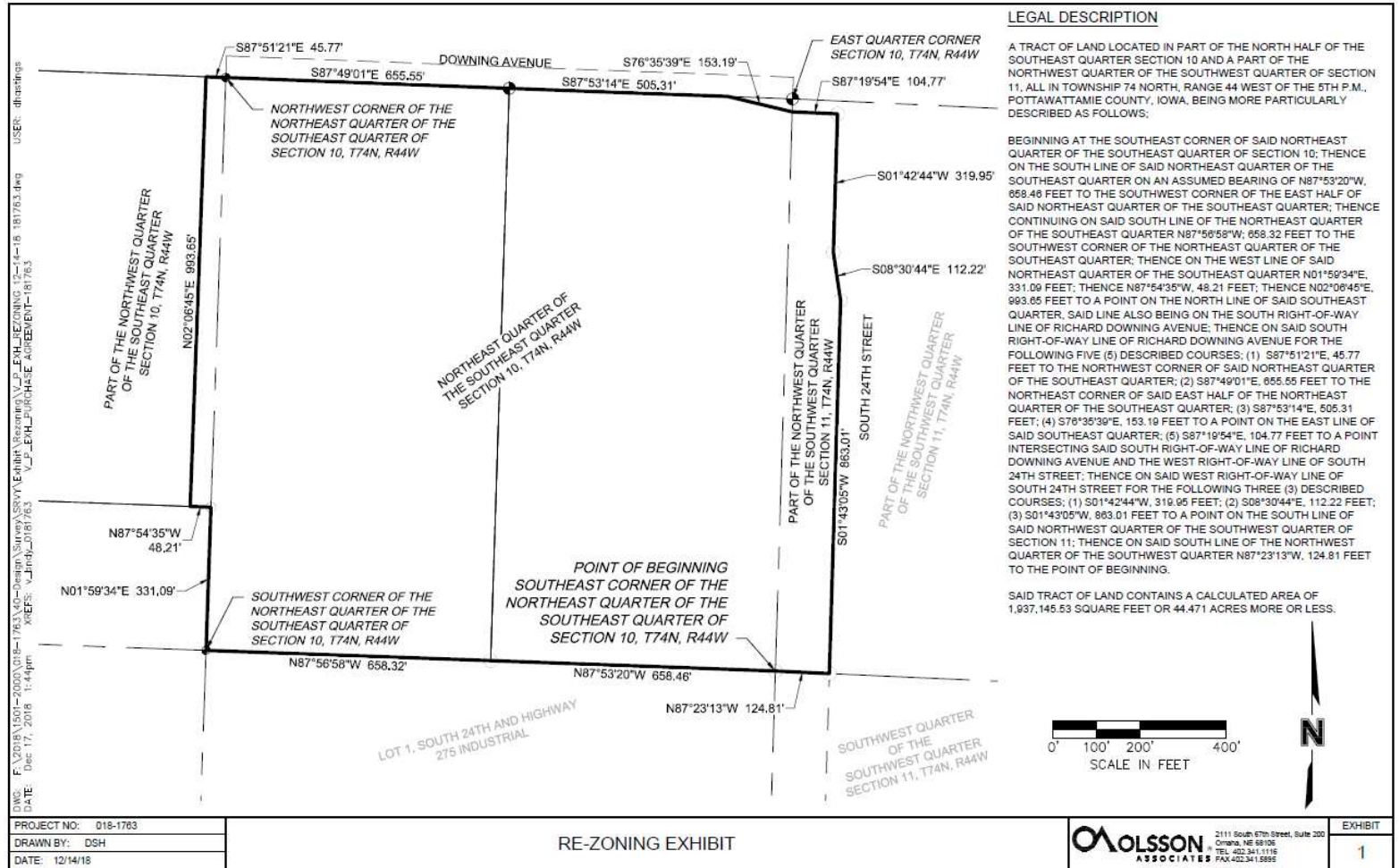




Illustration 6 – Public Utilities and Services Map

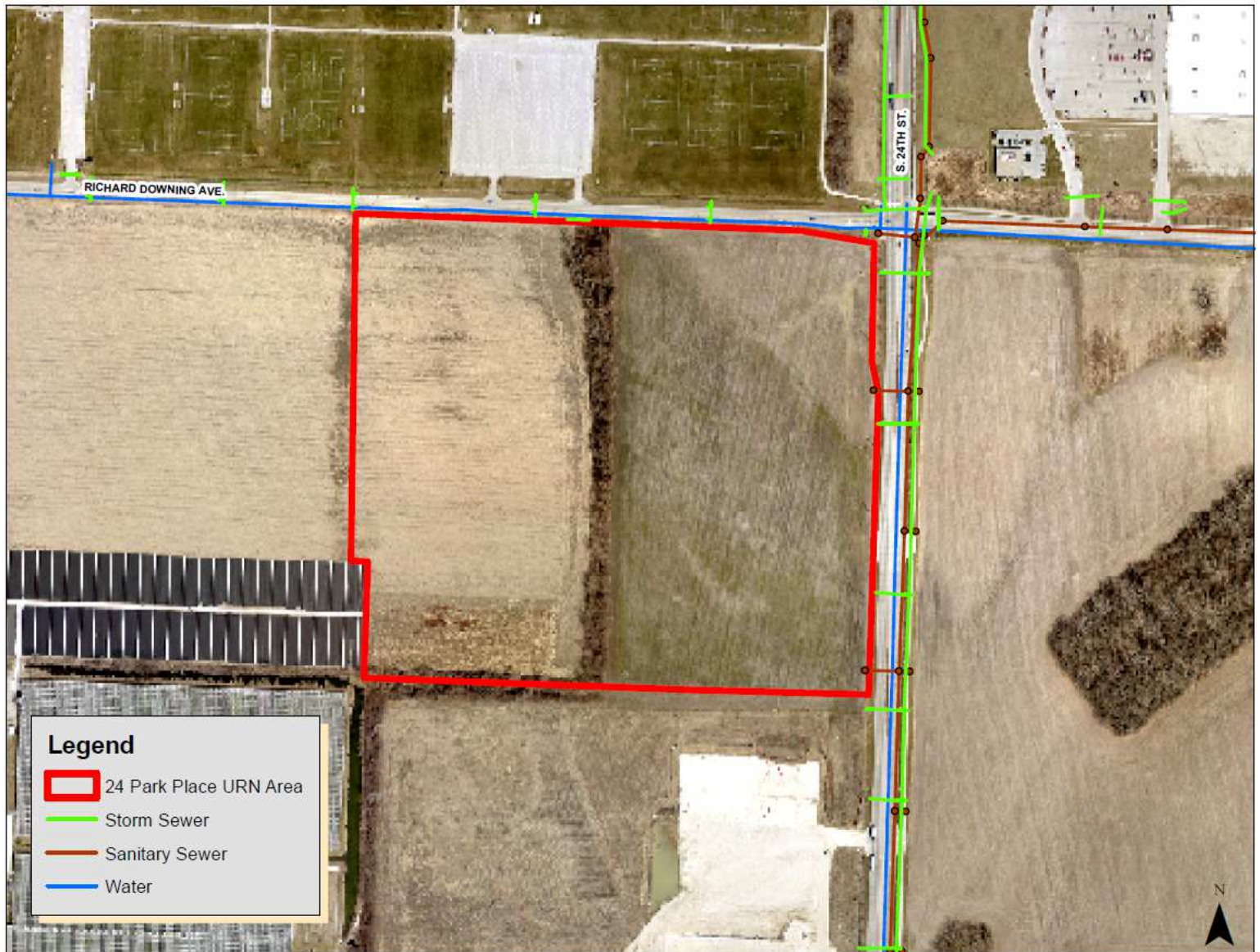




Illustration 7 – Topography and Drainage Map



Illustration 8 – Soils Map

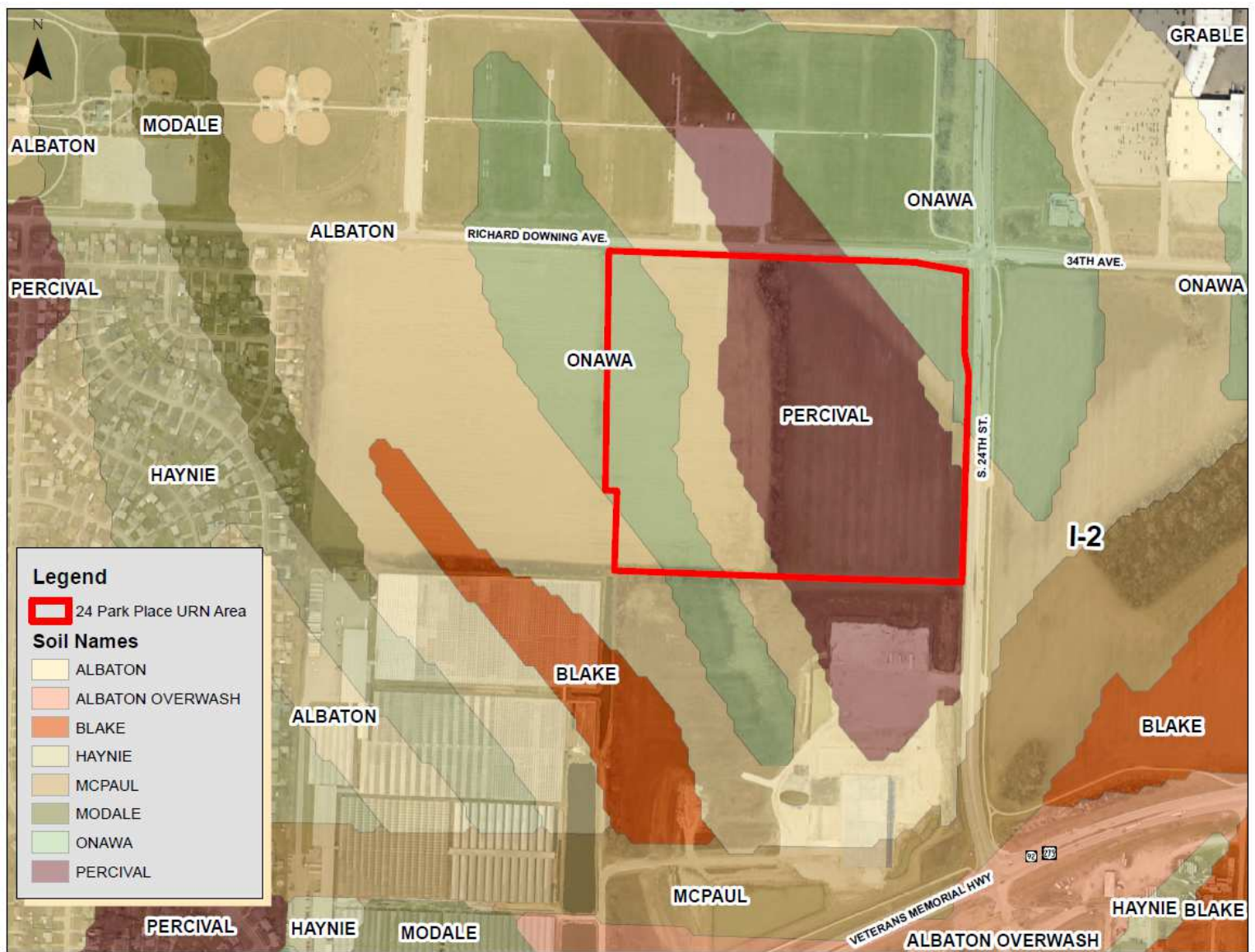




Illustration 9 – Flood Zone Map



Illustration 10 – Existing Land Use and Zoning Map



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**RESOLUTION 19-51**

**ITEM TO INCLUDE ON AGENDA**

**CITY OF COUNCIL BLUFFS, IOWA**

February 25, 2019

7:00 P.M.

24 Park Place Urban Renewal Plan

- Resolution determining the necessity and setting dates of a consultation and a public hearing on a proposed 24 Park Place Urban Renewal Plan for a proposed Urban Renewal Area in the City of Council Bluffs, State of Iowa.

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 IOWA CODE  
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

February 25, 2019

The City Council of the City of Council Bluffs, State of Iowa, met in \_\_\_\_\_ 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 \_\_\_\_\_, in the chair, and the following named Council Members:

\_\_\_\_\_

Absent: \_\_\_\_\_

Vacant: \_\_\_\_\_

\* \* \* \* \*

Council Member \_\_\_\_\_ then introduced the following proposed Resolution entitled "RESOLUTION DETERMINING THE NECESSITY AND SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED 24 PARK PLACE URBAN RENEWAL PLAN FOR A PROPOSED URBAN RENEWAL AREA IN THE CITY OF COUNCIL BLUFFS, STATE OF IOWA", and moved that the same be adopted. Council Member \_\_\_\_\_ seconded the motion to adopt. The roll was called and the vote was,

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Mayor declared the Resolution duly adopted as follows:



RESOLUTION NO. 19-51

RESOLUTION DETERMINING THE NECESSITY AND  
SETTING DATES OF A CONSULTATION AND A PUBLIC  
HEARING ON A PROPOSED 24 PARK PLACE URBAN  
RENEWAL PLAN FOR A PROPOSED URBAN RENEWAL  
AREA IN THE CITY OF COUNCIL BLUFFS, STATE OF  
IOWA

WHEREAS, it is hereby found and determined that one or more economic development areas, as defined in Chapter 403, Code of Iowa, exist within the City and the rehabilitation, conservation, redevelopment, development, or combination thereof, of the area is necessary in the interest of the public health, safety, or welfare of the residents of the City; and

WHEREAS, this Council has reasonable cause to believe that the area described below satisfies the eligibility criteria for designation as an urban renewal area under Iowa law and has caused there to be prepared a proposed 24 Park Place Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the 24 Park Place Urban Renewal Area ("Area" or "Urban Renewal Area"), which proposed Plan is attached hereto as Exhibit A; and

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

Beginning at the southeast corner of said northeast quarter of the southeast quarter of section 10; thence on the South line of said northeast quarter of the southeast quarter on an assumed bearing of N87°53'20"W, 658.46 feet to the southwest corner of the east half of said northeast quarter of the southeast quarter; thence continuing on said South line of the northeast quarter of the southeast quarter N87°56'58"W; 658.32 feet to the southwest corner of the northeast quarter of the southeast quarter; thence on the West line of said northeast quarter of the southeast quarter N01°59'34"E, 331.09 feet; thence N87°54'35"W, 48.21 feet; thence N02°06'46"E, 993.65 feet to a point on the North line of said southeast quarter, said line also being on the South right-of-way line of Richard Downing Avenue; thence on said South right-of-way line of Richard Downing Avenue for the following five (5) described courses; (1) S87°51'21"E, 45.77 feet to the northwest corner of said northeast quarter of the southeast quarter; (2) S87°49'01"E, 655.55 feet to the northeast corner of said east half of the northeast quarter of the southeast quarter; (3) S87°53'14"E, 505.31 feet; (4) S76°35'39"E, 153.19 feet to a point on the east line of said southeast quarter; (5) S87°19'54"E, 104.77 feet to a point intersecting said South right-of-way line of Richard Downing Avenue and the West right-of-way line of South 24th Street; thence on said West right-of-way line of South 24th Street for the following three (3) described courses; (1) S01°42'44"W, 319.95 feet; (2) S08°30'44"E, 112.22 feet; (3) S01°43'05"W, 863.01 feet to a point on the South line of said northwest quarter of the southwest quarter of Section 11; thence on said South line of the northwest quarter of the southwest quarter N87°23'13"W, 124.81 feet to the point of beginning.

WHEREAS, the proposed Urban Renewal Area includes land classified as agricultural land and written permission of the current owners will be obtained; and

WHEREAS, City staff has caused there to be prepared a form of Plan, a copy of which has been placed on file for public inspection in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to form the 24 Park Place Urban Renewal Area suitable for economic development and to include a list of proposed projects to be undertaken within the Urban Renewal Area; and

WHEREAS, it is desirable that the area be redeveloped as part of the overall redevelopment covered by the Plan; and

WHEREAS, the Iowa statutes require the City Council to submit the proposed Urban Renewal Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for development of the City as a whole prior to Council approval of such Plan, and further provides that the Planning and Zoning Commission shall submit its written recommendations thereon to this Council within thirty (30) days of its receipt of such proposed Urban Renewal Plan; and

WHEREAS, the Iowa statutes require the City Council to notify all affected taxing entities of the consideration being given to the proposed Urban Renewal Plan and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, as amended; and

WHEREAS, the Iowa statutes further require the City Council to hold a public hearing on the proposed Urban Renewal Plan subsequent to notice thereof by publication in a newspaper having general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the Plan and shall outline the general scope of the urban renewal project under consideration, with a copy of the notice also being mailed to each affected taxing entity.

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

Section 1. That the consultation on the proposed Urban Renewal Plan required by Section 403.5(2) of the Code of Iowa, as amended, shall be held on March 4, 2019, in the Community Development Department Conference Room, 403 Willow Avenue, Council Bluffs, Iowa, at 10:00 A.M., and the Community Development Program Coordinator, or her delegate, is hereby appointed to serve as the designated representative of the City for purposes of conducting the consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2).

Section 2. That the City Clerk is authorized and directed to cause a notice of such consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1), along with a copy of this Resolution and the proposed Urban Renewal Plan, the notice to be in substantially the following form:

NOTICE OF A CONSULTATION TO BE HELD BETWEEN  
THE CITY OF COUNCIL BLUFFS, STATE OF IOWA AND  
ALL AFFECTED TAXING ENTITIES CONCERNING THE  
PROPOSED 24 PARK PLACE URBAN RENEWAL PLAN FOR  
THE CITY OF COUNCIL BLUFFS, STATE OF IOWA

The City of Council Bluffs, State of Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1) of the Code of Iowa, as amended, commencing at 10:00 A.M. on March 4, 2019, in the Community Development Department Conference Room, 403 Willow Avenue, Council Bluffs, Iowa concerning a proposed 24 Park Place Urban Renewal Plan, a copy of which is attached hereto.

Each affected taxing entity may appoint a representative to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the proposed Urban Renewal Area, the fiscal impact of the division of revenue on the affected taxing entities, the estimated impact on the provision of services by each of the affected taxing entities in the proposed Urban Renewal Area, and the duration of any bond issuance included in the Plan.

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The Community Development Program Coordinator, or her delegate, as the designated representative of the City of Council Bluffs, State of Iowa, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed 24 Park Place Urban Renewal Plan, addressing any recommendations made by that entity for modification to the proposed division of revenue.

This notice is given by order of the City Council of the City of Council Bluffs, State of Iowa, as provided by Section 403.5 of the Code of Iowa, as amended.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

---

City Clerk, City of Council Bluffs, State of Iowa

(End of Notice)

Section 3. That a public hearing shall be held on the proposed Urban Renewal Plan before the City Council at its meeting which commences at 7:00 P.M. on March 25, 2019, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa.

Section 4. That the City Clerk is authorized and directed to publish notice of this public hearing in the Daily Nonpareil, once on a date not less than four (4) nor more than twenty (20) days before the date of the public hearing, and to mail a copy of the notice by ordinary mail to each affected taxing entity, such notice in each case to be in substantially the following form:

(One publication required)

NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL  
OF A PROPOSED 24 PARK PLACE URBAN RENEWAL PLAN  
FOR A PROPOSED URBAN RENEWAL AREA IN THE CITY  
OF COUNCIL BLUFFS, STATE OF IOWA

The City Council of the City of Council Bluffs, State of Iowa, will hold a public hearing before itself at its meeting which commences at 7:00 P.M. on March 25, 2019 in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, to consider adoption of a proposed 24 Park Place Urban Renewal Plan (the "Plan") concerning a proposed Urban Renewal Area in the City of Council Bluffs, State of Iowa, legally described as follows:

Beginning at the southeast corner of said northeast quarter of the southeast quarter of section 10; thence on the South line of said northeast quarter of the southeast quarter on an assumed bearing of N87°53'20"W, 658.46 feet to the southwest corner of the east half of said northeast quarter of the southeast quarter; thence continuing on said South line of the northeast quarter of the southeast quarter N87°56'58"W; 658.32 feet to the southwest corner of the northeast quarter of the southeast quarter; thence on the West line of said northeast quarter of the southeast quarter N01°59'34"E, 331.09 feet; thence N87°54'35"W, 48.21 feet; thence N02°06'46"E, 993.65 feet to a point on the North line of said southeast quarter, said line also being on the South right-of-way line of Richard Downing Avenue; thence on said South right-of-way line of Richard Downing Avenue for the following five (5) described courses; (1) S87°51'21"E, 45.77 feet to the northwest corner of said northeast quarter of the southeast quarter; (2) S87°49'01"E, 655.55 feet to the northeast corner of said east half of the northeast quarter of the southeast quarter; (3) S87°53'14"E, 505.31 feet; (4) S76°35'39"E, 153.19 feet to a point on the east line of said southeast quarter; (5) S87°19'54"E, 104.77 feet to a point intersecting said South right-of-way line of Richard Downing Avenue and the West right-of-way line of South 24th Street; thence on said West right-of-way line of South 24th Street for the following three (3) described courses; (1) S01°42'44"W, 319.95 feet; (2) S08°30'44"E, 112.22 feet; (3) S01°43'05"W, 863.01 feet to a point on the South line of said northwest quarter of the southwest quarter of Section 11; thence on said South line of the northwest quarter of the southwest quarter N87°23'13"W, 124.81 feet to the point of beginning.

which land is to be included as part of this proposed Urban Renewal Area.

A copy of the Plan is on file for public inspection in the office of the City Clerk, City Hall, City of Council Bluffs, Iowa.

The City of Council Bluffs, State of Iowa is the local public agency which, if such Plan is approved, shall undertake the urban renewal activities described in such Plan.

The general scope of the urban renewal activities under consideration in the Plan is to promote the growth and retention of qualified industries and businesses in the Urban Renewal Area through various public purpose and special financing activities outlined in the Plan. To accomplish the objectives of the Plan, and to encourage the further economic development of the Urban Renewal Area, the Plan provides that such special financing activities may include, but not be limited to, the making of loans or grants of public funds to private entities under Chapter 15A of the Code of Iowa. The City also may reimburse or directly undertake the installation, construction and reconstruction of substantial public improvements, including, but not limited to, street, water, sanitary sewer, storm sewer or other public improvements. The Plan provides that the City may issue bonds or use available funds for purposes allowed by the Plan and that tax increment reimbursement of the costs of urban renewal projects may be sought if and to the extent incurred by the City. The Plan initially proposes no specific public infrastructure or site improvements to be undertaken by the City, and provides that the Plan may be amended from time to time.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

This notice is given by order of the City Council of the City of Council Bluffs, State of Iowa, as provided by Section 403.5 of the Code of Iowa.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

---

City Clerk, City of Council Bluffs, State of Iowa

(End of Notice)



Section 5. That the proposed Urban Renewal Plan, attached hereto as Exhibit A, for the proposed Urban Renewal Area described therein is hereby officially declared to be the proposed 24 Park Place Urban Renewal Plan referred to in the notices for purposes of such consultation and hearing and that a copy of the Plan shall be placed on file in the office of the City Clerk.

Section 6. That the proposed Urban Renewal Plan be submitted to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for the development of the City as a whole, with such recommendation to be submitted in writing to this Council within thirty (30) days of the date hereof.

PASSED AND APPROVED this 25<sup>th</sup> day of February, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

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

*Label the Plan as Exhibit A (with all exhibits) and attach it to this Resolution.*

ATTACH THE PLAN LABELED AS  
EXHIBIT A HERE

STATE OF IOWA )  
 ) SS  
COUNTY OF POTTAWATTAMIE )

WITNESS my hand and the seal of the Council hereto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

(SEAL)

## Council Communication

Department: Finance  
Case/Project No.:  
Submitted by: Danielle Bemis

Resolution 19-52  
ITEM 7.C.

Council Action: 2/25/2019

### Description

Resolution certifying the FY2019 Water, Sewer, and Refuse Collection lien schedule for nonpayment to the County Treasurer to be assessed against the owner's property.

### Background/Discussion

Per the Code of Iowa and City Ordinance, a resolution has been prepared authorizing the Pottawattamie County Treasurer to certify an amount of approximately **\$287,792.88** as liens against various properties serviced by the city refuse collections service, an amount of approximately **\$4,472.00** as liens against various properties serviced by the sewer system, and an amount of approximately **\$7,176.00** as liens against various properties serviced by the water system. All accounts to be liened are in excess of sixty days delinquent. Any payments made on a delinquent account prior to the time of delivery to the County Treasurer will be adjusted accordingly.

### Recommendation

The City Treasurer apply liens for unpaid garbage, sewer, and water on the appropriate accounts.

### ATTACHMENTS:

Description	Type	Upload Date
Resolution 19-52	Resolution	2/19/2019

Resolution 19-52

Certifying the FY2019 water, sewer, and refuse collection lien schedule for nonpayment of residential refuse collection charges, nonpayment to the county treasurer to be assessed against the owner's property

WHEREAS, the City of Council Bluffs, Iowa has established a municipal system for the collection of residential refuse In the City of Council Bluffs, Iowa and has established a schedule of rates thereof, and;

WHEREAS, the City of Council Bluffs, Iowa has established a municipal system for the treatment of water and sewage In the City of Council Bluffs, Iowa and has established a schedule of rates thereof, and;

WHEREAS, Section 384.84 of the 2007 Code of Iowa provides that all rates or charges for the above named services, if not paid as provided by ordinance, shall constitute a lien upon the premises served by such service, and same may be certified to the County Treasurer and collected in the same manner as taxes, and;

WHEREAS, the premises listed on the FY2019 Water, Sewer and Refuse Collection Lien Schedule on file with the Sanitation Billing Office and by this reference made a part hereof, have failed to pay the rates and charges heretofore established for service to said premises pursuant to said ordinances, and;

WHEREAS, it is in the best interest of the City of Council Bluffs, Iowa, to cause said unpaid rates and charges to be certified to the Pottawattamie County Treasurer and collected in the same manner as taxes:

Now, therefore, be it resolved by the City Council of the City of Council Bluffs, Iowa:

That the premises and charges identified against same on the FY2019 Water, Sewer and Refuse Collection Lien Schedule for nonpayment of residential refuse collection charges in the amount of approximately **\$287,792.88**, nonpayment of sewer rental fees in the amount of approximately **\$4,472.00**, and the nonpayment of water fees In the amount of approximately **\$7,176.00** is hereby approved, and the City Clerk is hereby authorized, empowered and directed to certify said 2019 Refuse Collection Lien Schedule to the Pottawattamie County Treasurer to be collected in the same manner as taxes. An Authorized Officer of Finance is hereby authorized, empowered and directed to make the necessary adjustments to the accounts for payments received prior to the delivery of said liens to the Pottawattamie County Treasurer.

Adopted and Approved: February 25, 2019

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Matt Walsh, Mayor

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Jodi Quakenbush, Deputy City Clerk

## Council Communication

Department: Community

Development

Case/Project No.: URV-19-001:

PHS Council Bluffs, Inc.

Submitted by: Brenda Carrico

Resolution 19-53

ITEM 7.D.

Council Action: 2/25/2019

### Description

Urban Revitalization Application for the 2019 Tax Assessment Year (2018 calendar year) URV-19-001: PHS Council Bluffs, Inc.

### Background/Discussion

See attachment

### Recommendation

### ATTACHMENTS:

Description

Staff report

Resolution 19-53

Type

Resolution

Resolution

Upload Date

2/15/2019

2/19/2019

## Council Communication

Department: Community Development  Case/Project Nos.: URV-19-001, 19- URV-002, URV-19-003, URV-19-004 & URV-19-005	Ordinance No.: N/A  Resolution Nos.: 19-	City Council: February 25, 2019
<b>Subject/Title</b>		
Urban Revitalization Applications for the 2019 Tax Assessment Year (2018 calendar year)		
<b>Applicants</b>		
1) URV-19-001: PHS Council Bluffs, Inc. 2) URV-19-002: Bernard L. Glenn Trust 3) URV-19-003: Future Foam, Inc. 4) URV-19-004: Lake Creek Properties LLC 5) URV-19-005: 7 South 4 <sup>th</sup> Street, LLC		
<b>Locations</b>		
1) Valley View Urban Revitalization Area (16 Valley View Drive) 2) South Pointe Urban Revitalization Area (4343 South 19 <sup>th</sup> Street) 3) Bluffs Northway Urban Revitalization Area (1610 Avenue N) 4) Peterson School Urban Revitalization Area (2600 South 9 <sup>th</sup> Street) 5) South Fourth Street Urban Revitalization Area (7 South 4 <sup>th</sup> Street)		
<b>Background/Discussion</b>		
<p><u>Background</u></p> <p>Chapter 404 of the Iowa Code authorizes a City to designate an area as an urban revitalization area. Improvements to qualified real estate within designated areas may then be eligible to receive a total or partial exemption from property taxes for a specified number of years. The exemptions are intended to stimulate private investment by reducing the tax increase that would normally result from making improvements to real estate property.</p> <p>Urban revitalization tax abatement incentives can apply to residential, commercial and industrial development. Both new construction on vacant or unimproved land and rehabilitation of existing structures are eligible for tax abatement. All eligible commercial and industrial real estate can receive a partial exemption from taxation or a full exemption on the actual value added by the improvements. The partial exemption is for a period of ten years and the full 100% exemption is for a period of three years. Multi-family new construction (12 or more units) is eligible for a 100% exemption for four years and multi-family rehabilitation (3 or more units) may be eligible for a 100% exemption for ten years.</p> <p><u>Discussion</u></p> <p><b>1. PHS Council Bluffs, Inc.</b>  <b>16 Valley View Drive (Lot 3, New Horizon Subdivision)</b>  <b>(parcel number 7543 28 300 001)</b></p> <p>In 2017, Presbyterian Homes Housing and Assisted Living, Inc. requested the establishment of a new urban revitalization area for their property located off Valley View Drive. The development consists of a multi-component project that will include independent living, assisted living, assisted living memory care, skilled</p>		



## Council Communication

care and a “Town Center” with supportive and amenity space for all residents. The unit mix includes 36 independent living apartments (three story building over a one-story parking structure), 24 assisted living units, 18 memory care units and 68 care center suites (72 beds) beds for a total of 146 units. Future phases may include additional independent living apartments and brownstone apartments.

A two story “Town Center” building will connect all of the different project components. It will have approximately 21,000 square feet with an entry lobby, dining areas, bistro, commercial kitchen, community room, salon, wellness and fitness rooms, library and media center, mailroom, administrative offices, conference rooms and a guest suite. Special site and landscaping considerations will be designed to include Porte Cochères at the Town Center, large windows, outdoor pathways, a water feature and garden. Additionally, connectivity to the New Horizon Church will be featured with a driveway and sidewalk adding synergy for programming and a volunteer base.

The project is designed to provide a full continuum for all levels of care and housing. This will allow residents to stay within the campus and maintain social connections for a stronger connected community.

The entire project is expected to cost over \$38 million. Once all components of the project are completed, the equivalent of 95 full time positions will be created. These positions will range from skilled nursing, administrative, nutrition/culinary, engineering/maintenance, housekeeping/laundry, activity coordinators, spiritual care, wellness, resident services and clinical care workers such as home health aides/CNAs.

Construction started in September 2018 and likely will not be completed until January 2020. They have requested a 100% exemption for four years, which is allowed because the project is classified as multi-family new construction. Their 2018 project costs, as of December 31, 2018, total \$6,972,018.61. A detailed builder’s cost breakdown/real estate improvement cost report is attached as a part of the application.

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the Valley View Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as multi-residential and is consistent with the eligibility criteria contained in the Valley View Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### **2. *Bernard L. Glenn Trust***

***4343 South 19<sup>th</sup> Street (Lot 2, South Pointe Subdivision, Replat 1)  
(parcel number 7444 14 127 003)***

In 2009, Bernard and Marilyn Glenn constructed a 7,300 sq. ft. facility to be occupied by Protech. Protech sells and installs shelving designed for commercial vans and trucks, service bodies, lift gates and snow plows. A 6,800 sq. ft. building addition was added in 2018 for more shop and installation space.

Construction started in August of 2018 and is expected to be completed in February of 2019. The Bernard L. Glenn Trust has requested a partial exemption for ten years. Their 2018 project costs, as of December 31, 2018, total \$488,855.00. Their cumulative total project investment for this expansion is \$488,855.00. A detailed builder’s cost breakdown/real estate improvement cost report is attached as a part of the application.

## Council Communication

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the South Pointe Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as commercial and is consistent with the eligibility criteria contained in the South Pointe Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### **3. *Future Foam, Inc.***

***1610 Avenue N (Lots 79-83 and the adjacent vacated alley, Belmont Addition)  
(parcel number 7544 26 207 010)***

In 2016, Future Foam, Inc. requested incentives for their proposed project adjacent to their property located near 1610 Avenue N. Their development proposal included the construction of a 5,600 square foot building to house the expansion of their corporate office particularly focused in the information technology, credit and collections departments.

Future Foam, Inc. started construction in May of 2017 and completed the construction in April of 2018. They have requested a 100% exemption for three years, which is allowed because the project is commercial. Their 2018 project costs, as of December 31, 2018, total \$271,428.62. Their cumulative total project investment is \$1,252,120.62. A detailed builder's cost breakdown/real estate improvement cost report is attached as a part of the application.

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the Bluffs Northway Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as commercial and is consistent with the eligibility criteria contained in the Bluffs Northway Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### **4. *Lake Creek Properties LLC***

***2600 South 9<sup>th</sup> Street (Lots 11 through 24 and vacated North/South alley adjacent, Block 19, Bayliss 3<sup>rd</sup> Addition)  
(parcel number 7444 01 352 002)***

In 2018, Lake Creek Properties requested the establishment of a new urban revitalization area for a redevelopment project they were proposing in the former Peterson School Building. The new tenant of the building will be the EQ School of Hair Design, and will convert existing rooms into classrooms and studio space to accommodate the hair design school. There are no exterior building additions proposed at this time, though the new owner has proposed some exterior façade updates, and the construction of additional parking spaces.

## Council Communication

Construction started in January 2018 and was completed in July 2018. They have requested a 100% exemption for three years. Their 2018 project costs, as of December 31, 2018, total \$762,500.00. A detailed builder's cost breakdown/real estate improvement cost report is attached as a part of the application.

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the Peterson School Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as commercial and is consistent with the eligibility criteria contained in the Peterson School Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### 5. *7 South 4th Street, LLC*

*7 South 4<sup>th</sup> Street (Kellers Sub of Orig Plat Lot 175 Lots 3 thru 8, Orig Plat Lot 231 Lots 1 & 2, Orig Plat Lot 232 NWLY100' Lots 1 thru 3, Jacksons Add Lot 16 Block 2, strip between Orig Plat Lot 232 Lot 3 and Jacksons Add Lot 16 Block 2 & all vac alley adj lying N S Line N30' Lot 16 Block 2 Jacksons Add) (parcel number 7544 36 205 002)*

7 South 4<sup>th</sup> Street, LLC submitted a development proposal to renovate the vacant YMCA building to construct a family entertainment center, called The Hub. The Hub will house a variety of activities including: trampoline courts; ninja warrior course; cheerleading and tumbling club; 4 multi-use rooms; childcare center licensed for 34 children; and coffee shop to accommodate waiting adults.

The developer started construction in January 2018 and completed the construction in June 2018. They have requested a partial exemption for ten years, which is allowed because the project is commercial. Their 2018 project costs, as of December 31, 2018, total \$1,583,393.00. Their cumulative total project investment is \$1,583,393.00. A detailed builder's cost breakdown/real estate improvement cost report is attached as a part of the application.

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the South Fourth Street Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as commercial and is consistent with the eligibility criteria contained in the South Fourth Street Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### Staff Recommendations

**Recommendation #1:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by PHS Council Bluffs, Inc. for the eligible property improvements located at 16 Valley View Drive.

## Council Communication

**Recommendation #2:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by Bernard L. Glenn Trust for the eligible property improvements located at 4343 South 19<sup>th</sup> Street.

**Recommendation #3:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by Future Foam, Inc. for the eligible property improvements located at 1610 Avenue N.

**Recommendation #4:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by Lake Creek Properties LLC for the eligible property improvements located at 2600 South 9<sup>th</sup> Street.

**Recommendation #5:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by 7 South 4<sup>th</sup> Street, LLC for the eligible property improvements located at 7 South 4<sup>th</sup> Street.

### Attachments

The urban revitalization applications for the five projects listed above have been provided under separate cover.

Submitted by: Brenda Carrico, Program Coordinator, Community Development Department  
Approved by: Brandon Garrett, Director, Community Development Department

**RESOLUTION NO. 19-53**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, IOWA GRANTING APPROVAL OF TAX ABATEMENT ON IMPROVEMENTS MADE TO REAL PROPERTY AT 16 VALLEY VIEW DRIVE IN THE VALLEY VIEW URBAN REVITALIZATION AREA DURING THE 2019 TAX ASSESSMENT YEAR (2018 CALENDAR YEAR).**

- WHEREAS,** the City Council has at its discretion the ability to approve tax abatement requests when improvements are made to real property within certain urban revitalization areas; and
- WHEREAS,** PHS Council Bluffs, Inc. has made such improvements by beginning the construction of a multi-component project that will include independent living, assisted living, assisted living memory care, skilled care and a “town center” with supportive and amenity space for all residents; and
- WHEREAS,** this development is addressed 16 Valley View and is legally described as Lot 3, New Horizon Subdivision, (parcel number 7543 28 300 001); and
- WHEREAS,** the building is owned by PHS Council Bluffs, Inc. and will be occupied by renting tenants; and
- WHEREAS,** during the 2019 tax assessment year (2018 calendar year), eligible costs of \$6,972,018.61 were incurred; and
- WHEREAS,** the tax abatement request pertains to property improvements located entirely within the boundaries of the Valley View Urban Revitalization Area; and
- WHEREAS,** said work is consistent with all applicable city ordinances and codes, the goals and objectives of the Valley View Urban Revitalization Area and Section 404 of the Iowa Code; and
- WHEREAS,** the applicant has requested a 100% exemption for four years as authorized under Iowa Code 404.3 and the Valley View Urban Revitalization Area; and
- WHEREAS,** the tax abatement application and all necessary attachments have been reviewed and approved by the Community Development Department.

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

The City Council hereby finds that the request for review of property tax abatement on improvements made to real property located at 16 Valley View during the 2019 tax assessment year to be in compliance with the purpose and intent of the Valley View Urban Revitalization Plan and that approval of tax abatement will be in the best interest of the City of Council Bluffs, Iowa.

**BE IT FURTHER RESOLVED**

That the City Council does hereby approve tax abatement for said project for the 2019 tax assessment year.

ADOPTED  
AND  
APPROVED

February 25, 2019

\_\_\_\_\_  
Matthew J. Walsh      Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush      City Clerk

## Council Communication

Department: Community

Development

Case/Project No.: URV-19-002:

Bernard L. Glenn Trust

Submitted by: Brenda Carrico

Resolution 19-54

ITEM 7.E.

Council Action: 2/25/2019

### Description

Urban Revitalization Application for the 2019 Tax Assessment Year (2018 calendar year) URV-19-002:  
Bernard L. Glenn Trust.

### Background/Discussion

See attachment

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Staff report	Resolution	2/15/2019
Resolution 19-54	Resolution	2/19/2019

## Council Communication

Department: Community Development  Case/Project Nos.: URV-19-001, 19-URV-002, URV-19-003, URV-19-004 & URV-19-005	Ordinance No.: N/A  Resolution Nos.: 19-	City Council: February 25, 2019
<b>Subject/Title</b>		
Urban Revitalization Applications for the 2019 Tax Assessment Year (2018 calendar year)		
<b>Applicants</b>		
1) URV-19-001: PHS Council Bluffs, Inc. 2) URV-19-002: Bernard L. Glenn Trust 3) URV-19-003: Future Foam, Inc. 4) URV-19-004: Lake Creek Properties LLC 5) URV-19-005: 7 South 4 <sup>th</sup> Street, LLC		
<b>Locations</b>		
1) Valley View Urban Revitalization Area (16 Valley View Drive) 2) South Pointe Urban Revitalization Area (4343 South 19 <sup>th</sup> Street) 3) Bluffs Northway Urban Revitalization Area (1610 Avenue N) 4) Peterson School Urban Revitalization Area (2600 South 9 <sup>th</sup> Street) 5) South Fourth Street Urban Revitalization Area (7 South 4 <sup>th</sup> Street)		
<b>Background/Discussion</b>		
<u>Background</u> Chapter 404 of the Iowa Code authorizes a City to designate an area as an urban revitalization area. Improvements to qualified real estate within designated areas may then be eligible to receive a total or partial exemption from property taxes for a specified number of years. The exemptions are intended to stimulate private investment by reducing the tax increase that would normally result from making improvements to real estate property.  Urban revitalization tax abatement incentives can apply to residential, commercial and industrial development. Both new construction on vacant or unimproved land and rehabilitation of existing structures are eligible for tax abatement. All eligible commercial and industrial real estate can receive a partial exemption from taxation or a full exemption on the actual value added by the improvements. The partial exemption is for a period of ten years and the full 100% exemption is for a period of three years. Multi-family new construction (12 or more units) is eligible for a 100% exemption for four years and multi-family rehabilitation (3 or more units) may be eligible for a 100% exemption for ten years.		
<u>Discussion</u> <b>1. PHS Council Bluffs, Inc.</b> <b>16 Valley View Drive (Lot 3, New Horizon Subdivision)</b> <b>(parcel number 7543 28 300 001)</b>  In 2017, Presbyterian Homes Housing and Assisted Living, Inc. requested the establishment of a new urban revitalization area for their property located off Valley View Drive. The development consists of a multi-component project that will include independent living, assisted living, assisted living memory care, skilled		



## Council Communication

care and a “Town Center” with supportive and amenity space for all residents. The unit mix includes 36 independent living apartments (three story building over a one-story parking structure), 24 assisted living units, 18 memory care units and 68 care center suites (72 beds) beds for a total of 146 units. Future phases may include additional independent living apartments and brownstone apartments.

A two story “Town Center” building will connect all of the different project components. It will have approximately 21,000 square feet with an entry lobby, dining areas, bistro, commercial kitchen, community room, salon, wellness and fitness rooms, library and media center, mailroom, administrative offices, conference rooms and a guest suite. Special site and landscaping considerations will be designed to include Porte Cocheres at the Town Center, large windows, outdoor pathways, a water feature and garden. Additionally, connectivity to the New Horizon Church will be featured with a driveway and sidewalk adding synergy for programming and a volunteer base.

The project is designed to provide a full continuum for all levels of care and housing. This will allow residents to stay within the campus and maintain social connections for a stronger connected community.

The entire project is expected to cost over \$38 million. Once all components of the project are completed, the equivalent of 95 full time positions will be created. These positions will range from skilled nursing, administrative, nutrition/culinary, engineering/maintenance, housekeeping/laundry, activity coordinators, spiritual care, wellness, resident services and clinical care workers such as home health aides/CNAs.

Construction started in September 2018 and likely will not be completed until January 2020. They have requested a 100% exemption for four years, which is allowed because the project is classified as multi-family new construction. Their 2018 project costs, as of December 31, 2018, total \$6,972,018.61. A detailed builder’s cost breakdown/real estate improvement cost report is attached as a part of the application.

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the Valley View Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as multi-residential and is consistent with the eligibility criteria contained in the Valley View Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### **2. *Bernard L. Glenn Trust***

***4343 South 19<sup>th</sup> Street (Lot 2, South Pointe Subdivision, Replat 1)  
(parcel number 7444 14 127 003)***

In 2009, Bernard and Marilyn Glenn constructed a 7,300 sq. ft. facility to be occupied by Protech. Protech sells and installs shelving designed for commercial vans and trucks, service bodies, lift gates and snow plows. A 6,800 sq. ft. building addition was added in 2018 for more shop and installation space.

Construction started in August of 2018 and is expected to be completed in February of 2019. The Bernard L. Glenn Trust has requested a partial exemption for ten years. Their 2018 project costs, as of December 31, 2018, total \$488,855.00. Their cumulative total project investment for this expansion is \$488,855.00. A detailed builder’s cost breakdown/real estate improvement cost report is attached as a part of the application.

## Council Communication

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the South Pointe Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as commercial and is consistent with the eligibility criteria contained in the South Pointe Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### **3. *Future Foam, Inc.***

***1610 Avenue N (Lots 79-83 and the adjacent vacated alley, Belmont Addition)  
(parcel number 7544 26 207 010)***

In 2016, Future Foam, Inc. requested incentives for their proposed project adjacent to their property located near 1610 Avenue N. Their development proposal included the construction of a 5,600 square foot building to house the expansion of their corporate office particularly focused in the information technology, credit and collections departments.

Future Foam, Inc. started construction in May of 2017 and completed the construction in April of 2018. They have requested a 100% exemption for three years, which is allowed because the project is commercial. Their 2018 project costs, as of December 31, 2018, total \$271,428.62. Their cumulative total project investment is \$1,252,120.62. A detailed builder's cost breakdown/real estate improvement cost report is attached as a part of the application.

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the Bluffs Northway Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as commercial and is consistent with the eligibility criteria contained in the Bluffs Northway Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### **4. *Lake Creek Properties LLC***

***2600 South 9<sup>th</sup> Street (Lots 11 through 24 and vacated North/South alley adjacent, Block 19, Bayliss 3<sup>rd</sup> Addition)  
(parcel number 7444 01 352 002)***

In 2018, Lake Creek Properties requested the establishment of a new urban revitalization area for a redevelopment project they were proposing in the former Peterson School Building. The new tenant of the building will be the EQ School of Hair Design, and will convert existing rooms into classrooms and studio space to accommodate the hair design school. There are no exterior building additions proposed at this time, though the new owner has proposed some exterior façade updates, and the construction of additional parking spaces.

## Council Communication

Construction started in January 2018 and was completed in July 2018. They have requested a 100% exemption for three years. Their 2018 project costs, as of December 31, 2018, total \$762,500.00. A detailed builder's cost breakdown/real estate improvement cost report is attached as a part of the application.

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the Peterson School Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as commercial and is consistent with the eligibility criteria contained in the Peterson School Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### 5. *7 South 4th Street, LLC*

*7 South 4<sup>th</sup> Street (Kellers Sub of Orig Plat Lot 175 Lots 3 thru 8, Orig Plat Lot 231 Lots 1 & 2, Orig Plat Lot 232 NWLY100' Lots 1 thru 3, Jacksons Add Lot 16 Block 2, strip between Orig Plat Lot 232 Lot 3 and Jacksons Add Lot 16 Block 2 & all vac alley adj lying N S Line N30' Lot 16 Block 2 Jacksons Add) (parcel number 7544 36 205 002)*

7 South 4<sup>th</sup> Street, LLC submitted a development proposal to renovate the vacant YMCA building to construct a family entertainment center, called The Hub. The Hub will house a variety of activities including: trampoline courts; ninja warrior course; cheerleading and tumbling club; 4 multi-use rooms; childcare center licensed for 34 children; and coffee shop to accommodate waiting adults.

The developer started construction in January 2018 and completed the construction in June 2018. They have requested a partial exemption for ten years, which is allowed because the project is commercial. Their 2018 project costs, as of December 31, 2018, total \$1,583,393.00. Their cumulative total project investment is \$1,583,393.00. A detailed builder's cost breakdown/real estate improvement cost report is attached as a part of the application.

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the South Fourth Street Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as commercial and is consistent with the eligibility criteria contained in the South Fourth Street Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### Staff Recommendations

**Recommendation #1:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by PHS Council Bluffs, Inc. for the eligible property improvements located at 16 Valley View Drive.

## Council Communication

**Recommendation #2:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by Bernard L. Glenn Trust for the eligible property improvements located at 4343 South 19<sup>th</sup> Street.

**Recommendation #3:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by Future Foam, Inc. for the eligible property improvements located at 1610 Avenue N.

**Recommendation #4:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by Lake Creek Properties LLC for the eligible property improvements located at 2600 South 9<sup>th</sup> Street.

**Recommendation #5:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by 7 South 4<sup>th</sup> Street, LLC for the eligible property improvements located at 7 South 4<sup>th</sup> Street.

### Attachments

The urban revitalization applications for the five projects listed above have been provided under separate cover.

Submitted by: Brenda Carrico, Program Coordinator, Community Development Department  
Approved by: Brandon Garrett, Director, Community Development Department

**RESOLUTION NO. 19-54**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, IOWA GRANTING APPROVAL OF TAX ABATEMENT ON IMPROVEMENTS MADE TO REAL PROPERTY AT 4343 SOUTH 19<sup>TH</sup> STREET IN THE SOUTH POINTE URBAN REVITALIZATION AREA DURING THE 2019 TAX ASSESSMENT YEAR (2018 CALENDAR YEAR).**

- WHEREAS,** the City Council has at its discretion the ability to approve tax abatement requests when improvements are made to real property within certain urban revitalization areas; and
- WHEREAS,** the Bernard L. Glenn Trust has made such improvements by beginning the construction of a 6,800 sq. ft. commercial building addition; and
- WHEREAS,** this development is addressed 4343 South 19<sup>th</sup> Street and is legally described as Lot 2, South Pointe Subdivision, Replat 1, (parcel number 7444 14 127 003); and
- WHEREAS,** the building is owned by the Bernard L. Glenn Trust and will be occupied by a renting tenant (Protech); and
- WHEREAS,** during the 2019 tax assessment year (2018 calendar year), eligible costs of \$488,855.00 were incurred; and
- WHEREAS,** the tax abatement request pertains to property improvements located entirely within the boundaries of the South Pointe Urban Revitalization Area; and
- WHEREAS,** said work is consistent with all applicable city ordinances and codes, the goals and objectives of the South Pointe Urban Revitalization Area and Section 404 of the Iowa Code; and
- WHEREAS,** the applicant has requested a partial exemption for ten years as authorized under Iowa Code 404.3 and the South Pointe Urban Revitalization Area; and
- WHEREAS,** the tax abatement application and all necessary attachments have been reviewed and approved by the Community Development Department.

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

The City Council hereby finds that the request for review of property tax abatement on improvements made to real property located at 4343 South 19<sup>th</sup> Street during the 2019 tax assessment year to be in compliance with the purpose and intent of the South Pointe Urban Revitalization Plan and that approval of tax abatement will be in the best interest of the City of Council Bluffs, Iowa.

**BE IT FURTHER RESOLVED**

That the City Council does hereby approve tax abatement for said project for the 2019 tax assessment year.

ADOPTED  
AND  
APPROVED

February 25, 2019

\_\_\_\_\_  
Matthew J. Walsh      Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush      City Clerk

## Council Communication

Department: Community

Development

Case/Project No.: URV-19-003:

Future Foam, Inc.

Submitted by: Brenda Carrico

Resolution 19-55

ITEM 7.F.

Council Action: 2/25/2019

### Description

Urban Revitalization Application for the 2019 Tax Assessment Year (2018 calendar year) URV-19-003: Future Foam, Inc.

### Background/Discussion

See attachment

### Recommendation

### ATTACHMENTS:

Description

Staff report

Resolution 19-55

Type

Resolution

Resolution

Upload Date

2/15/2019

2/19/2019

## Council Communication

Department: Community Development  Case/Project Nos.: URV-19-001, 19- URV-002, URV-19-003, URV-19-004 & URV-19-005	Ordinance No.: N/A  Resolution Nos.: 19-	City Council: February 25, 2019
<b>Subject/Title</b>		
Urban Revitalization Applications for the 2019 Tax Assessment Year (2018 calendar year)		
<b>Applicants</b>		
1) URV-19-001: PHS Council Bluffs, Inc. 2) URV-19-002: Bernard L. Glenn Trust 3) URV-19-003: Future Foam, Inc. 4) URV-19-004: Lake Creek Properties LLC 5) URV-19-005: 7 South 4 <sup>th</sup> Street, LLC		
<b>Locations</b>		
1) Valley View Urban Revitalization Area (16 Valley View Drive) 2) South Pointe Urban Revitalization Area (4343 South 19 <sup>th</sup> Street) 3) Bluffs Northway Urban Revitalization Area (1610 Avenue N) 4) Peterson School Urban Revitalization Area (2600 South 9 <sup>th</sup> Street) 5) South Fourth Street Urban Revitalization Area (7 South 4 <sup>th</sup> Street)		
<b>Background/Discussion</b>		
<p><u>Background</u></p> <p>Chapter 404 of the Iowa Code authorizes a City to designate an area as an urban revitalization area. Improvements to qualified real estate within designated areas may then be eligible to receive a total or partial exemption from property taxes for a specified number of years. The exemptions are intended to stimulate private investment by reducing the tax increase that would normally result from making improvements to real estate property.</p> <p>Urban revitalization tax abatement incentives can apply to residential, commercial and industrial development. Both new construction on vacant or unimproved land and rehabilitation of existing structures are eligible for tax abatement. All eligible commercial and industrial real estate can receive a partial exemption from taxation or a full exemption on the actual value added by the improvements. The partial exemption is for a period of ten years and the full 100% exemption is for a period of three years. Multi-family new construction (12 or more units) is eligible for a 100% exemption for four years and multi-family rehabilitation (3 or more units) may be eligible for a 100% exemption for ten years.</p> <p><u>Discussion</u></p> <p><b>1. PHS Council Bluffs, Inc.</b>  <b>16 Valley View Drive (Lot 3, New Horizon Subdivision)</b>  <b>(parcel number 7543 28 300 001)</b></p> <p>In 2017, Presbyterian Homes Housing and Assisted Living, Inc. requested the establishment of a new urban revitalization area for their property located off Valley View Drive. The development consists of a multi-component project that will include independent living, assisted living, assisted living memory care, skilled</p>		



## Council Communication

care and a “Town Center” with supportive and amenity space for all residents. The unit mix includes 36 independent living apartments (three story building over a one-story parking structure), 24 assisted living units, 18 memory care units and 68 care center suites (72 beds) beds for a total of 146 units. Future phases may include additional independent living apartments and brownstone apartments.

A two story “Town Center” building will connect all of the different project components. It will have approximately 21,000 square feet with an entry lobby, dining areas, bistro, commercial kitchen, community room, salon, wellness and fitness rooms, library and media center, mailroom, administrative offices, conference rooms and a guest suite. Special site and landscaping considerations will be designed to include Porte Cochères at the Town Center, large windows, outdoor pathways, a water feature and garden. Additionally, connectivity to the New Horizon Church will be featured with a driveway and sidewalk adding synergy for programming and a volunteer base.

The project is designed to provide a full continuum for all levels of care and housing. This will allow residents to stay within the campus and maintain social connections for a stronger connected community.

The entire project is expected to cost over \$38 million. Once all components of the project are completed, the equivalent of 95 full time positions will be created. These positions will range from skilled nursing, administrative, nutrition/culinary, engineering/maintenance, housekeeping/laundry, activity coordinators, spiritual care, wellness, resident services and clinical care workers such as home health aides/CNAs.

Construction started in September 2018 and likely will not be completed until January 2020. They have requested a 100% exemption for four years, which is allowed because the project is classified as multi-family new construction. Their 2018 project costs, as of December 31, 2018, total \$6,972,018.61. A detailed builder’s cost breakdown/real estate improvement cost report is attached as a part of the application.

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the Valley View Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as multi-residential and is consistent with the eligibility criteria contained in the Valley View Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### **2. *Bernard L. Glenn Trust***

***4343 South 19<sup>th</sup> Street (Lot 2, South Pointe Subdivision, Replat 1)  
(parcel number 7444 14 127 003)***

In 2009, Bernard and Marilyn Glenn constructed a 7,300 sq. ft. facility to be occupied by Protech. Protech sells and installs shelving designed for commercial vans and trucks, service bodies, lift gates and snow plows. A 6,800 sq. ft. building addition was added in 2018 for more shop and installation space.

Construction started in August of 2018 and is expected to be completed in February of 2019. The Bernard L. Glenn Trust has requested a partial exemption for ten years. Their 2018 project costs, as of December 31, 2018, total \$488,855.00. Their cumulative total project investment for this expansion is \$488,855.00. A detailed builder’s cost breakdown/real estate improvement cost report is attached as a part of the application.

## Council Communication

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the South Pointe Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as commercial and is consistent with the eligibility criteria contained in the South Pointe Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### **3. *Future Foam, Inc.***

***1610 Avenue N (Lots 79-83 and the adjacent vacated alley, Belmont Addition)  
(parcel number 7544 26 207 010)***

In 2016, Future Foam, Inc. requested incentives for their proposed project adjacent to their property located near 1610 Avenue N. Their development proposal included the construction of a 5,600 square foot building to house the expansion of their corporate office particularly focused in the information technology, credit and collections departments.

Future Foam, Inc. started construction in May of 2017 and completed the construction in April of 2018. They have requested a 100% exemption for three years, which is allowed because the project is commercial. Their 2018 project costs, as of December 31, 2018, total \$271,428.62. Their cumulative total project investment is \$1,252,120.62. A detailed builder's cost breakdown/real estate improvement cost report is attached as a part of the application.

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the Bluffs Northway Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as commercial and is consistent with the eligibility criteria contained in the Bluffs Northway Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### **4. *Lake Creek Properties LLC***

***2600 South 9<sup>th</sup> Street (Lots 11 through 24 and vacated North/South alley adjacent, Block 19, Bayliss 3<sup>rd</sup> Addition)  
(parcel number 7444 01 352 002)***

In 2018, Lake Creek Properties requested the establishment of a new urban revitalization area for a redevelopment project they were proposing in the former Peterson School Building. The new tenant of the building will be the EQ School of Hair Design, and will convert existing rooms into classrooms and studio space to accommodate the hair design school. There are no exterior building additions proposed at this time, though the new owner has proposed some exterior façade updates, and the construction of additional parking spaces.

## Council Communication

Construction started in January 2018 and was completed in July 2018. They have requested a 100% exemption for three years. Their 2018 project costs, as of December 31, 2018, total \$762,500.00. A detailed builder's cost breakdown/real estate improvement cost report is attached as a part of the application.

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the Peterson School Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as commercial and is consistent with the eligibility criteria contained in the Peterson School Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### 5. *7 South 4th Street, LLC*

*7 South 4<sup>th</sup> Street (Kellers Sub of Orig Plat Lot 175 Lots 3 thru 8, Orig Plat Lot 231 Lots 1 & 2, Orig Plat Lot 232 NWLY100' Lots 1 thru 3, Jacksons Add Lot 16 Block 2, strip between Orig Plat Lot 232 Lot 3 and Jacksons Add Lot 16 Block 2 & all vac alley adj lying N S Line N30' Lot 16 Block 2 Jacksons Add) (parcel number 7544 36 205 002)*

7 South 4<sup>th</sup> Street, LLC submitted a development proposal to renovate the vacant YMCA building to construct a family entertainment center, called The Hub. The Hub will house a variety of activities including: trampoline courts; ninja warrior course; cheerleading and tumbling club; 4 multi-use rooms; childcare center licensed for 34 children; and coffee shop to accommodate waiting adults.

The developer started construction in January 2018 and completed the construction in June 2018. They have requested a partial exemption for ten years, which is allowed because the project is commercial. Their 2018 project costs, as of December 31, 2018, total \$1,583,393.00. Their cumulative total project investment is \$1,583,393.00. A detailed builder's cost breakdown/real estate improvement cost report is attached as a part of the application.

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the South Fourth Street Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as commercial and is consistent with the eligibility criteria contained in the South Fourth Street Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### Staff Recommendations

**Recommendation #1:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by PHS Council Bluffs, Inc. for the eligible property improvements located at 16 Valley View Drive.

## Council Communication

**Recommendation #2:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by Bernard L. Glenn Trust for the eligible property improvements located at 4343 South 19<sup>th</sup> Street.

**Recommendation #3:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by Future Foam, Inc. for the eligible property improvements located at 1610 Avenue N.

**Recommendation #4:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by Lake Creek Properties LLC for the eligible property improvements located at 2600 South 9<sup>th</sup> Street.

**Recommendation #5:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by 7 South 4<sup>th</sup> Street, LLC for the eligible property improvements located at 7 South 4<sup>th</sup> Street.

### Attachments

The urban revitalization applications for the five projects listed above have been provided under separate cover.

Submitted by: Brenda Carrico, Program Coordinator, Community Development Department  
Approved by: Brandon Garrett, Director, Community Development Department

**RESOLUTION NO. 19-55**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, IOWA GRANTING APPROVAL OF TAX ABATEMENT ON IMPROVEMENTS MADE TO REAL PROPERTY AT 1610 AVENUE N IN THE BLUFFS NORTHWAY URBAN REVITALIZATION AREA DURING THE 2019 TAX ASSESSMENT YEAR (2018 CALENDAR YEAR).**

- WHEREAS,** the City Council has at its discretion the ability to approve tax abatement requests when improvements are made to real property within certain urban revitalization areas; and
- WHEREAS,** Future Foam, Inc. has made such improvements by completing the construction of a 5,600 sq. ft. commercial building addition; and
- WHEREAS,** this development is addressed 1610 Avenue N and is legally described Lots 79-83 and the adjacent vacated alley, Belmont Addition, (part of parcel number 7544 26 207 010); and
- WHEREAS,** the building is owned by the Jerold S. Schneider Trust and will be occupied by a renting tenant (Future Foam); and
- WHEREAS,** during the 2019 tax assessment year (2018 calendar year), eligible costs of \$271,428.62 were incurred; and
- WHEREAS,** the tax abatement request pertains to property improvements located entirely within the boundaries of the Bluffs Northway Urban Revitalization Area; and
- WHEREAS,** said work is consistent with all applicable city ordinances and codes, the goals and objectives of the Bluffs Northway Urban Revitalization Area and Section 404 of the Iowa Code; and
- WHEREAS,** the applicant has requested a 100% exemption for three years as authorized under Iowa Code 404.3 and the Bluffs Northway Urban Revitalization Area; and
- WHEREAS,** the tax abatement application and all necessary attachments have been reviewed and approved by the Community Development Department.

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

The City Council hereby finds that the request for review of property tax abatement on improvements made to real property located at 1610 Avenue N during the 2019 tax assessment year to be in compliance with the purpose and intent of the Bluffs Northway Urban Revitalization Plan and that approval of tax abatement will be in the best interest of the City of Council Bluffs, Iowa.

**BE IT FURTHER RESOLVED**

That the City Council does hereby approve tax abatement for said project for the 2019 tax assessment year.

ADOPTED  
AND  
APPROVED

February 25, 2019

\_\_\_\_\_  
Matthew J. Walsh Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush City Clerk

## Council Communication

Department: Community

Development

Case/Project No.: URV-19-004:

Lake Creek Properties LLC

Submitted by:

Resolution 19-56

ITEM 7.G.

Council Action: 2/25/2019

### Description

Urban Revitalization Application for the 2019 Tax Assessment Year (2018 calendar year) URV-19-004: Lake Creek Properties LLC

### Background/Discussion

See attachment

### Recommendation

### ATTACHMENTS:

Description

Staff report

Resolution 19-56

Type

Resolution

Resolution

Upload Date

2/15/2019

2/19/2019

## Council Communication

Department: Community Development  Case/Project Nos.: URV-19-001, 19- URV-002, URV-19-003, URV-19-004 & URV-19-005	Ordinance No.: N/A  Resolution Nos.: 19-	City Council: February 25, 2019
<b>Subject/Title</b>		
Urban Revitalization Applications for the 2019 Tax Assessment Year (2018 calendar year)		
<b>Applicants</b>		
1) URV-19-001: PHS Council Bluffs, Inc. 2) URV-19-002: Bernard L. Glenn Trust 3) URV-19-003: Future Foam, Inc. 4) URV-19-004: Lake Creek Properties LLC 5) URV-19-005: 7 South 4 <sup>th</sup> Street, LLC		
<b>Locations</b>		
1) Valley View Urban Revitalization Area (16 Valley View Drive) 2) South Pointe Urban Revitalization Area (4343 South 19 <sup>th</sup> Street) 3) Bluffs Northway Urban Revitalization Area (1610 Avenue N) 4) Peterson School Urban Revitalization Area (2600 South 9 <sup>th</sup> Street) 5) South Fourth Street Urban Revitalization Area (7 South 4 <sup>th</sup> Street)		
<b>Background/Discussion</b>		
<p><u>Background</u></p> <p>Chapter 404 of the Iowa Code authorizes a City to designate an area as an urban revitalization area. Improvements to qualified real estate within designated areas may then be eligible to receive a total or partial exemption from property taxes for a specified number of years. The exemptions are intended to stimulate private investment by reducing the tax increase that would normally result from making improvements to real estate property.</p> <p>Urban revitalization tax abatement incentives can apply to residential, commercial and industrial development. Both new construction on vacant or unimproved land and rehabilitation of existing structures are eligible for tax abatement. All eligible commercial and industrial real estate can receive a partial exemption from taxation or a full exemption on the actual value added by the improvements. The partial exemption is for a period of ten years and the full 100% exemption is for a period of three years. Multi-family new construction (12 or more units) is eligible for a 100% exemption for four years and multi-family rehabilitation (3 or more units) may be eligible for a 100% exemption for ten years.</p> <p><u>Discussion</u></p> <p><b>1. PHS Council Bluffs, Inc.</b>  <b>16 Valley View Drive (Lot 3, New Horizon Subdivision)</b>  <b>(parcel number 7543 28 300 001)</b></p> <p>In 2017, Presbyterian Homes Housing and Assisted Living, Inc. requested the establishment of a new urban revitalization area for their property located off Valley View Drive. The development consists of a multi-component project that will include independent living, assisted living, assisted living memory care, skilled</p>		



## Council Communication

care and a “Town Center” with supportive and amenity space for all residents. The unit mix includes 36 independent living apartments (three story building over a one-story parking structure), 24 assisted living units, 18 memory care units and 68 care center suites (72 beds) beds for a total of 146 units. Future phases may include additional independent living apartments and brownstone apartments.

A two story “Town Center” building will connect all of the different project components. It will have approximately 21,000 square feet with an entry lobby, dining areas, bistro, commercial kitchen, community room, salon, wellness and fitness rooms, library and media center, mailroom, administrative offices, conference rooms and a guest suite. Special site and landscaping considerations will be designed to include Porte Cochères at the Town Center, large windows, outdoor pathways, a water feature and garden. Additionally, connectivity to the New Horizon Church will be featured with a driveway and sidewalk adding synergy for programming and a volunteer base.

The project is designed to provide a full continuum for all levels of care and housing. This will allow residents to stay within the campus and maintain social connections for a stronger connected community.

The entire project is expected to cost over \$38 million. Once all components of the project are completed, the equivalent of 95 full time positions will be created. These positions will range from skilled nursing, administrative, nutrition/culinary, engineering/maintenance, housekeeping/laundry, activity coordinators, spiritual care, wellness, resident services and clinical care workers such as home health aides/CNAs.

Construction started in September 2018 and likely will not be completed until January 2020. They have requested a 100% exemption for four years, which is allowed because the project is classified as multi-family new construction. Their 2018 project costs, as of December 31, 2018, total \$6,972,018.61. A detailed builder’s cost breakdown/real estate improvement cost report is attached as a part of the application.

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the Valley View Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as multi-residential and is consistent with the eligibility criteria contained in the Valley View Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### **2. *Bernard L. Glenn Trust***

***4343 South 19<sup>th</sup> Street (Lot 2, South Pointe Subdivision, Replat 1)  
(parcel number 7444 14 127 003)***

In 2009, Bernard and Marilyn Glenn constructed a 7,300 sq. ft. facility to be occupied by Protech. Protech sells and installs shelving designed for commercial vans and trucks, service bodies, lift gates and snow plows. A 6,800 sq. ft. building addition was added in 2018 for more shop and installation space.

Construction started in August of 2018 and is expected to be completed in February of 2019. The Bernard L. Glenn Trust has requested a partial exemption for ten years. Their 2018 project costs, as of December 31, 2018, total \$488,855.00. Their cumulative total project investment for this expansion is \$488,855.00. A detailed builder’s cost breakdown/real estate improvement cost report is attached as a part of the application.

## Council Communication

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the South Pointe Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as commercial and is consistent with the eligibility criteria contained in the South Pointe Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### **3. *Future Foam, Inc.***

***1610 Avenue N (Lots 79-83 and the adjacent vacated alley, Belmont Addition)  
(parcel number 7544 26 207 010)***

In 2016, Future Foam, Inc. requested incentives for their proposed project adjacent to their property located near 1610 Avenue N. Their development proposal included the construction of a 5,600 square foot building to house the expansion of their corporate office particularly focused in the information technology, credit and collections departments.

Future Foam, Inc. started construction in May of 2017 and completed the construction in April of 2018. They have requested a 100% exemption for three years, which is allowed because the project is commercial. Their 2018 project costs, as of December 31, 2018, total \$271,428.62. Their cumulative total project investment is \$1,252,120.62. A detailed builder's cost breakdown/real estate improvement cost report is attached as a part of the application.

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the Bluffs Northway Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as commercial and is consistent with the eligibility criteria contained in the Bluffs Northway Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### **4. *Lake Creek Properties LLC***

***2600 South 9<sup>th</sup> Street (Lots 11 through 24 and vacated North/South alley adjacent, Block 19, Bayliss 3<sup>rd</sup> Addition)  
(parcel number 7444 01 352 002)***

In 2018, Lake Creek Properties requested the establishment of a new urban revitalization area for a redevelopment project they were proposing in the former Peterson School Building. The new tenant of the building will be the EQ School of Hair Design, and will convert existing rooms into classrooms and studio space to accommodate the hair design school. There are no exterior building additions proposed at this time, though the new owner has proposed some exterior façade updates, and the construction of additional parking spaces.

## Council Communication

Construction started in January 2018 and was completed in July 2018. They have requested a 100% exemption for three years. Their 2018 project costs, as of December 31, 2018, total \$762,500.00. A detailed builder's cost breakdown/real estate improvement cost report is attached as a part of the application.

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the Peterson School Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as commercial and is consistent with the eligibility criteria contained in the Peterson School Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### 5. *7 South 4th Street, LLC*

*7 South 4<sup>th</sup> Street (Kellers Sub of Orig Plat Lot 175 Lots 3 thru 8, Orig Plat Lot 231 Lots 1 & 2, Orig Plat Lot 232 NWLY100' Lots 1 thru 3, Jacksons Add Lot 16 Block 2, strip between Orig Plat Lot 232 Lot 3 and Jacksons Add Lot 16 Block 2 & all vac alley adj lying N S Line N30' Lot 16 Block 2 Jacksons Add) (parcel number 7544 36 205 002)*

7 South 4<sup>th</sup> Street, LLC submitted a development proposal to renovate the vacant YMCA building to construct a family entertainment center, called The Hub. The Hub will house a variety of activities including: trampoline courts; ninja warrior course; cheerleading and tumbling club; 4 multi-use rooms; childcare center licensed for 34 children; and coffee shop to accommodate waiting adults.

The developer started construction in January 2018 and completed the construction in June 2018. They have requested a partial exemption for ten years, which is allowed because the project is commercial. Their 2018 project costs, as of December 31, 2018, total \$1,583,393.00. Their cumulative total project investment is \$1,583,393.00. A detailed builder's cost breakdown/real estate improvement cost report is attached as a part of the application.

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the South Fourth Street Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as commercial and is consistent with the eligibility criteria contained in the South Fourth Street Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### Staff Recommendations

**Recommendation #1:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by PHS Council Bluffs, Inc. for the eligible property improvements located at 16 Valley View Drive.

## Council Communication

**Recommendation #2:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by Bernard L. Glenn Trust for the eligible property improvements located at 4343 South 19<sup>th</sup> Street.

**Recommendation #3:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by Future Foam, Inc. for the eligible property improvements located at 1610 Avenue N.

**Recommendation #4:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by Lake Creek Properties LLC for the eligible property improvements located at 2600 South 9<sup>th</sup> Street.

**Recommendation #5:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by 7 South 4<sup>th</sup> Street, LLC for the eligible property improvements located at 7 South 4<sup>th</sup> Street.

### Attachments

The urban revitalization applications for the five projects listed above have been provided under separate cover.

Submitted by: Brenda Carrico, Program Coordinator, Community Development Department  
Approved by: Brandon Garrett, Director, Community Development Department

**RESOLUTION NO. 19-56**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, IOWA GRANTING APPROVAL OF TAX ABATEMENT ON IMPROVEMENTS MADE TO REAL PROPERTY AT 2600 SOUTH 9<sup>TH</sup> STREET IN THE PETERSON SCHOOL URBAN REVITALIZATION AREA DURING THE 2019 TAX ASSESSMENT YEAR (2018 CALENDAR YEAR).**

- WHEREAS,** the City Council has at its discretion the ability to approve tax abatement requests when improvements are made to real property within certain urban revitalization areas; and
- WHEREAS,** Lake Creek Properties LLC has made such improvements by completing the renovation of the former Peterson School into a post-secondary school specializing in hair design; and
- WHEREAS,** this development is addressed 2600 South 9<sup>th</sup> Street and is legally described as Lots 11 through 24 and vacated North/South alley adjacent, Block 19, Bayliss 3rd Addition (parcel number 7444 01 352 002); and
- WHEREAS,** the building is owned by Lake Creek Properties, LLC and will be occupied by a renting tenant (EQ School of Hair Design); and
- WHEREAS,** during the 2019 tax assessment year (2018 calendar year), eligible costs of \$762,500.00 were incurred; and
- WHEREAS,** the tax abatement request pertains to property improvements located entirely within the boundaries of the Peterson School Urban Revitalization Area; and
- WHEREAS,** said work is consistent with all applicable city ordinances and codes, the goals and objectives of the Peterson School Urban Revitalization Area and Section 404 of the Iowa Code; and
- WHEREAS,** the applicant has requested a 100% exemption for three years as authorized under Iowa Code 404.3 and the Peterson School Urban Revitalization Area; and
- WHEREAS,** the tax abatement application and all necessary attachments have been reviewed and approved by the Community Development Department.

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

The City Council hereby finds that the request for review of property tax abatement on improvements made to real property located at 2600 South 9<sup>th</sup> Street during the 2019 tax assessment year to be in compliance with the purpose and intent of the Peterson School Urban Revitalization Plan and that approval of tax abatement will be in the best interest of the City of Council Bluffs, Iowa.

**BE IT FURTHER RESOLVED**

That the City Council does hereby approve tax abatement for said project for the 2019 tax assessment year.

ADOPTED  
AND  
APPROVED

February 25, 2019

\_\_\_\_\_  
Matthew J. Walsh      Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush      City Clerk

## Council Communication

Department: Community

Development

Case/Project No.: URV-19-005: 7

South 4th Street, LLC

Submitted by: Brenda Carrico

Resolution 19-57

ITEM 7.H.

Council Action: 2/25/2019

### Description

Urban Revitalization Application for the 2019 Tax Assessment Year (2018 calendar year) URV-19-005: 7  
South 4th Street, LLC

### Background/Discussion

See attachment

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Staff report	Resolution	2/15/2019
Resolution 19-57	Resolution	2/19/2019

## Council Communication

Department: Community Development  Case/Project Nos.: URV-19-001, 19-URV-002, URV-19-003, URV-19-004 & URV-19-005	Ordinance No.: N/A  Resolution Nos.: 19-	City Council: February 25, 2019
<b>Subject/Title</b>		
Urban Revitalization Applications for the 2019 Tax Assessment Year (2018 calendar year)		
<b>Applicants</b>		
1) URV-19-001: PHS Council Bluffs, Inc. 2) URV-19-002: Bernard L. Glenn Trust 3) URV-19-003: Future Foam, Inc. 4) URV-19-004: Lake Creek Properties LLC 5) URV-19-005: 7 South 4 <sup>th</sup> Street, LLC		
<b>Locations</b>		
1) Valley View Urban Revitalization Area (16 Valley View Drive) 2) South Pointe Urban Revitalization Area (4343 South 19 <sup>th</sup> Street) 3) Bluffs Northway Urban Revitalization Area (1610 Avenue N) 4) Peterson School Urban Revitalization Area (2600 South 9 <sup>th</sup> Street) 5) South Fourth Street Urban Revitalization Area (7 South 4 <sup>th</sup> Street)		
<b>Background/Discussion</b>		
<p><u>Background</u></p> <p>Chapter 404 of the Iowa Code authorizes a City to designate an area as an urban revitalization area. Improvements to qualified real estate within designated areas may then be eligible to receive a total or partial exemption from property taxes for a specified number of years. The exemptions are intended to stimulate private investment by reducing the tax increase that would normally result from making improvements to real estate property.</p> <p>Urban revitalization tax abatement incentives can apply to residential, commercial and industrial development. Both new construction on vacant or unimproved land and rehabilitation of existing structures are eligible for tax abatement. All eligible commercial and industrial real estate can receive a partial exemption from taxation or a full exemption on the actual value added by the improvements. The partial exemption is for a period of ten years and the full 100% exemption is for a period of three years. Multi-family new construction (12 or more units) is eligible for a 100% exemption for four years and multi-family rehabilitation (3 or more units) may be eligible for a 100% exemption for ten years.</p> <p><u>Discussion</u></p> <p><b>1. PHS Council Bluffs, Inc.</b>  <b>16 Valley View Drive (Lot 3, New Horizon Subdivision)</b>  <b>(parcel number 7543 28 300 001)</b></p> <p>In 2017, Presbyterian Homes Housing and Assisted Living, Inc. requested the establishment of a new urban revitalization area for their property located off Valley View Drive. The development consists of a multi-component project that will include independent living, assisted living, assisted living memory care, skilled</p>		



## Council Communication

care and a “Town Center” with supportive and amenity space for all residents. The unit mix includes 36 independent living apartments (three story building over a one-story parking structure), 24 assisted living units, 18 memory care units and 68 care center suites (72 beds) beds for a total of 146 units. Future phases may include additional independent living apartments and brownstone apartments.

A two story “Town Center” building will connect all of the different project components. It will have approximately 21,000 square feet with an entry lobby, dining areas, bistro, commercial kitchen, community room, salon, wellness and fitness rooms, library and media center, mailroom, administrative offices, conference rooms and a guest suite. Special site and landscaping considerations will be designed to include Porte Cochères at the Town Center, large windows, outdoor pathways, a water feature and garden. Additionally, connectivity to the New Horizon Church will be featured with a driveway and sidewalk adding synergy for programming and a volunteer base.

The project is designed to provide a full continuum for all levels of care and housing. This will allow residents to stay within the campus and maintain social connections for a stronger connected community.

The entire project is expected to cost over \$38 million. Once all components of the project are completed, the equivalent of 95 full time positions will be created. These positions will range from skilled nursing, administrative, nutrition/culinary, engineering/maintenance, housekeeping/laundry, activity coordinators, spiritual care, wellness, resident services and clinical care workers such as home health aides/CNAs.

Construction started in September 2018 and likely will not be completed until January 2020. They have requested a 100% exemption for four years, which is allowed because the project is classified as multi-family new construction. Their 2018 project costs, as of December 31, 2018, total \$6,972,018.61. A detailed builder’s cost breakdown/real estate improvement cost report is attached as a part of the application.

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the Valley View Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as multi-residential and is consistent with the eligibility criteria contained in the Valley View Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### **2. *Bernard L. Glenn Trust***

***4343 South 19<sup>th</sup> Street (Lot 2, South Pointe Subdivision, Replat 1)  
(parcel number 7444 14 127 003)***

In 2009, Bernard and Marilyn Glenn constructed a 7,300 sq. ft. facility to be occupied by Protech. Protech sells and installs shelving designed for commercial vans and trucks, service bodies, lift gates and snow plows. A 6,800 sq. ft. building addition was added in 2018 for more shop and installation space.

Construction started in August of 2018 and is expected to be completed in February of 2019. The Bernard L. Glenn Trust has requested a partial exemption for ten years. Their 2018 project costs, as of December 31, 2018, total \$488,855.00. Their cumulative total project investment for this expansion is \$488,855.00. A detailed builder’s cost breakdown/real estate improvement cost report is attached as a part of the application.

## Council Communication

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the South Pointe Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as commercial and is consistent with the eligibility criteria contained in the South Pointe Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### **3. *Future Foam, Inc.***

***1610 Avenue N (Lots 79-83 and the adjacent vacated alley, Belmont Addition)  
(parcel number 7544 26 207 010)***

In 2016, Future Foam, Inc. requested incentives for their proposed project adjacent to their property located near 1610 Avenue N. Their development proposal included the construction of a 5,600 square foot building to house the expansion of their corporate office particularly focused in the information technology, credit and collections departments.

Future Foam, Inc. started construction in May of 2017 and completed the construction in April of 2018. They have requested a 100% exemption for three years, which is allowed because the project is commercial. Their 2018 project costs, as of December 31, 2018, total \$271,428.62. Their cumulative total project investment is \$1,252,120.62. A detailed builder's cost breakdown/real estate improvement cost report is attached as a part of the application.

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the Bluffs Northway Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as commercial and is consistent with the eligibility criteria contained in the Bluffs Northway Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### **4. *Lake Creek Properties LLC***

***2600 South 9<sup>th</sup> Street (Lots 11 through 24 and vacated North/South alley adjacent, Block 19, Bayliss 3<sup>rd</sup> Addition)  
(parcel number 7444 01 352 002)***

In 2018, Lake Creek Properties requested the establishment of a new urban revitalization area for a redevelopment project they were proposing in the former Peterson School Building. The new tenant of the building will be the EQ School of Hair Design, and will convert existing rooms into classrooms and studio space to accommodate the hair design school. There are no exterior building additions proposed at this time, though the new owner has proposed some exterior façade updates, and the construction of additional parking spaces.

## Council Communication

Construction started in January 2018 and was completed in July 2018. They have requested a 100% exemption for three years. Their 2018 project costs, as of December 31, 2018, total \$762,500.00. A detailed builder's cost breakdown/real estate improvement cost report is attached as a part of the application.

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the Peterson School Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as commercial and is consistent with the eligibility criteria contained in the Peterson School Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### 5. *7 South 4th Street, LLC*

*7 South 4<sup>th</sup> Street (Kellers Sub of Orig Plat Lot 175 Lots 3 thru 8, Orig Plat Lot 231 Lots 1 & 2, Orig Plat Lot 232 NWLY100' Lots 1 thru 3, Jacksons Add Lot 16 Block 2, strip between Orig Plat Lot 232 Lot 3 and Jacksons Add Lot 16 Block 2 & all vac alley adj lying N S Line N30' Lot 16 Block 2 Jacksons Add) (parcel number 7544 36 205 002)*

7 South 4<sup>th</sup> Street, LLC submitted a development proposal to renovate the vacant YMCA building to construct a family entertainment center, called The Hub. The Hub will house a variety of activities including: trampoline courts; ninja warrior course; cheerleading and tumbling club; 4 multi-use rooms; childcare center licensed for 34 children; and coffee shop to accommodate waiting adults.

The developer started construction in January 2018 and completed the construction in June 2018. They have requested a partial exemption for ten years, which is allowed because the project is commercial. Their 2018 project costs, as of December 31, 2018, total \$1,583,393.00. Their cumulative total project investment is \$1,583,393.00. A detailed builder's cost breakdown/real estate improvement cost report is attached as a part of the application.

The Community Development Department has reviewed the request and finds the following:

- a) The request is in conformance with the South Fourth Street Urban Revitalization Plan.
- b) The request pertains to property improvements located within a designated urban revitalization area.
- c) The request is for work completed in 2018 and all appropriate materials have been submitted within the timeframe required for abatement.
- d) The request is consistent with Chapter 404 of the Iowa Code and applicable city ordinances.
- e) The property is classified as commercial and is consistent with the eligibility criteria contained in the South Fourth Street Urban Revitalization Plan.
- f) Building permits have been issued and the project appears to be consistent with all applicable city codes.

### Staff Recommendations

**Recommendation #1:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by PHS Council Bluffs, Inc. for the eligible property improvements located at 16 Valley View Drive.

## Council Communication

**Recommendation #2:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by Bernard L. Glenn Trust for the eligible property improvements located at 4343 South 19<sup>th</sup> Street.

**Recommendation #3:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by Future Foam, Inc. for the eligible property improvements located at 1610 Avenue N.

**Recommendation #4:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by Lake Creek Properties LLC for the eligible property improvements located at 2600 South 9<sup>th</sup> Street.

**Recommendation #5:** The Community Development Department recommends the City Council approve and adopt a resolution granting approval for tax abatement for the 2019 tax assessment year (2018 calendar year) as requested by 7 South 4<sup>th</sup> Street, LLC for the eligible property improvements located at 7 South 4<sup>th</sup> Street.

### Attachments

The urban revitalization applications for the five projects listed above have been provided under separate cover.

Submitted by: Brenda Carrico, Program Coordinator, Community Development Department  
Approved by: Brandon Garrett, Director, Community Development Department

**RESOLUTION NO. 19-57**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, IOWA GRANTING APPROVAL OF TAX ABATEMENT ON IMPROVEMENTS MADE TO REAL PROPERTY AT 7 SOUTH 4<sup>TH</sup> STREET IN THE SOUTH FOURTH STREET URBAN REVITALIZATION AREA DURING THE 2019 TAX ASSESSMENT YEAR (2018 CALENDAR YEAR).**

- WHEREAS,** the City Council has at its discretion the ability to approve tax abatement requests when improvements are made to real property within certain urban revitalization areas; and
- WHEREAS,** 7 South 4<sup>th</sup>, LLC has made such improvements by completing the renovation of the former YMCA building into a family entertainment center; and
- WHEREAS,** this development is addressed 7 South 4th Street and is legally described as Kellers Sub of Orig Plat Lot 175 Lots 3 thru 8, Orig Plat Lot 231 Lots 1 & 2, Orig Plat Lot 232 NWLY100' Lots 1 thru 3, Jacksons Add Lot 16 Block 2, strip between Orig Plat Lot 232 Lot 3 and Jacksons Add Lot 16 Block 2 & all vac alley adj lying N S Line N30' Lot 16 Block 2 Jacksons Add, (parcel number 7544 36 205 002); and
- WHEREAS,** the building is owned 7 South 4<sup>th</sup>, LLC and will be occupied by a renting tenant (The Hub); and
- WHEREAS,** during the 2019 tax assessment year (2018 calendar year), eligible costs of \$1,583,393.00 were incurred; and
- WHEREAS,** the tax abatement request pertains to property improvements located entirely within the boundaries of the South Fourth Street Urban Revitalization Area; and
- WHEREAS,** said work is consistent with all applicable city ordinances and codes, the goals and objectives of the South Fourth Street Urban Revitalization Area and Section 404 of the Iowa Code; and
- WHEREAS,** the applicant has requested a partial exemption for ten years as authorized under Iowa Code 404.3 and the South Fourth Street Urban Revitalization Area; and
- WHEREAS,** the tax abatement application and all necessary attachments have been reviewed and approved by the Community Development Department.

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

The City Council hereby finds that the request for review of property tax abatement on improvements made to real property located at 7 South 4<sup>th</sup> Street during the 2019 tax assessment year to be in compliance with the purpose and intent of the South Fourth Street Urban Revitalization Plan and that approval of tax abatement will be in the best interest of the City of Council Bluffs, Iowa.

**BE IT FURTHER RESOLVED**

That the City Council does hereby approve tax abatement for said project for the 2019 tax assessment year.

ADOPTED  
AND  
APPROVED

February 25, 2019

\_\_\_\_\_  
Matthew J. Walsh      Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush      City Clerk

## Council Communication

Department: Public Works Admin  
Case/Project No.: BM19-03  
Submitted by: Public Works  
Operations Director Pat Miller

Resolution 19-58  
ITEM 7.I.

Council Action: 2/25/2019

### Description

Resolution accepting the bid of ScoreVision, LLC in the amount of \$582,345.11 for the Mid America Center Score Board Replacement Project. Project No. BM19-03

### Background/Discussion

On February 13, 2019, bids were received in the office of the city clerk as follows:

	<u>Base Bid</u>	<u>Bid</u> <u>Alternative</u> <u>No. 1</u>	<u>Bid</u> <u>Alternative</u> <u>No. 2</u>	<u>Total</u>
ScoreVision, LLC, Omaha, NE	\$548,584.41	\$ 32,635.70	\$1,125.00	\$ 582,345.11
Omaha Neon Sign Co. Inc., Omaha, NE	\$587,000.00	\$ 42,600.00	\$4,100.00	\$ 633,700.00
Daktronics, Sioux Falls, SD	\$566,860.00	\$ 98,235.00	\$3,470.00	\$ 668,565.00
Visua, La Crosse, WI	\$799,999.00	\$790,000.00	\$9,999.00	\$1,599,998.00
Cost Estimate (HGM Associates Inc.)	\$585,000.00	\$ 50,000.00	\$5,000.00	\$ 640,000.00

The existing scoreboards in the arena were installed when the Mid America Center was built in 2002. The failure rate and reliability of this scoreboard during events has escalated over the last few years. Replacement parts are becoming more expensive and difficult to obtain. Reliability has become a concern.

The new high resolution LED display board will captivate audiences. It will provide the guests with some of today's most advanced video technology enhancing their overall experience. Advertising upcoming events will aid in marketing this venue.

The estimated cost of this project is \$ 640,000. Funding for this project will be paid for by Capital Improvement Funds.

The project is scheduled to be completed by June 27, 2019.

### Recommendation

Approval of this resolution.

### ATTACHMENTS:

Description	Type	Upload Date
Resolution 19-58	Resolution	2/19/2019

**RESOLUTION NO. 19-58**

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK  
TO EXECUTE AN AGREEMENT WITH SCOREVISION, LLC  
FOR THE MID AMERICA CENTER SCOREBOARD REPLACEMENT PROJECT  
#BM19-03**

- WHEREAS, the plans, specifications, form of contract, and cost estimate for the Mid America Center Scoreboard Replacement Project are on file in the office of the City Clerk; and
- WHEREAS, a Notice of Public Hearing was published as required by law, and a public hearing was held on January 28, 2019, and the plans, specifications, form of contract, and cost estimate were approved; and
- WHEREAS, ScoreVision, LLC has submitted a low bid in the amount of \$582,345.11 for this contract.

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

That the bid of ScoreVision, LLC in the amount of \$582,345.11 is hereby accepted as the lowest and best bid received for said work; and

**BE IT FURTHER RESOLVED**

That the City Council does hereby award the contract in connection with the Mid America Scoreboard Replacement Project; and

**BE IT FURTHER RESOLVED**

That the Mayor and City Clerk are hereby authorized, empowered, and directed to execute an agreement with ScoreVision, LLC for and on behalf of the City of Council Bluffs, upon approval by the City Attorney of the certificate of insurance and payment and performance bonds as required by the contract specifications.

**ADOPTED  
AND  
APPROVED February 25, 2019**

\_\_\_\_\_  
Matthew Walsh Mayor

Attest:

\_\_\_\_\_  
Jodi Quakenbush City Clerk



## Council Communication

Department: Human Resources  
Case/Project No.:  
Submitted by: Jon Finnegan &  
Vincent Martorello

Resolution 19-59  
ITEM 7.J.

Council Action: 2/25/2019

### Description

Resolution making changes to the positions assigned to the Parks & Recreation Department.

### Background/Discussion

The Parks & Recreation Director has conducted a thorough evaluation of existing resources and department needs and has determined there is a need to abolish one (1) Recreation Superintendent position and one (1) Parks Superintendent position, and to add two (2) Park Worker II positions, one (1) Recreation and Event Manager, and one (1) Recreation and Event Coordinator position.

The combination of these changes will allow us to handle additional responsibilities of maintaining baseball and softball fields in parks throughout the City in addition to the ones at the Recreation Complex. Further, it will allow us to handle the additional responsibilities of mowing and snow removal of all City-owned property. It will also allow us to continue to maintain and potentially increase our effectiveness of managing and scheduling our special events and outdoor recreation activities. We attempted to outsource the development, management and coordination of an outdoor programming and promotion plan for Tom Hanafan Park and other parks within the City, but were unsuccessful. We expected those costs to be ~\$70,000-100,000. With these changes, we will no longer allocate any funding for that purpose.

This is an ideal time to make the requested changes because both of the positions to be abolished are vacant. In addition, the net financial impact of these changes as well as the reduction in dollars allocated for event programming and promotion, is a cost savings of ~\$50,000-80,000 annually.

### Recommendation

Approval of this resolution.

### ATTACHMENTS:

Description	Type	Upload Date
Job Description - Rec and Event Mgr	Resolution	2/15/2019
Job Description - Rec and Event Coord	Resolution	2/15/2019
Resolution 19-59	Resolution	2/19/2019



# City of Council Bluffs

## Job Description

### Recreation & Events Manager

**Department:** Parks & Recreation

**Supervisor:** Director of Parks & Recreation

**Location:** City Hall

**FLSA Status:** Exempt

**Prepared By:** Mallory Davis, Recruiter

**Prepared Date:** February 2019

**Summary:** An employee in this class is responsible for planning, promoting, implementing, and supervising all special event and outdoor recreation programs and services, including but not limited to: coordination of all Parks and Recreation special events, outdoor recreation programming, Tom Hanafan Park programming, select facility rentals, and equipment rentals.

**Essential Duties and Responsibilities:** includes the following.

- Works with the Director and community partners to establish priorities, goals, and objectives
- Evaluates programs, activities, and services provided
- Ensures employees are held to City's safety, security, and loss control standards
- Creates a positive experience for staff and patrons through professional and courteous behavior and effective problem solving resolution
- Identifies operational changes needed to achieve service, revenue generation, and cost containment goals
- Develops operational, educational, recreation, and programming strategies for Tom Hanafan Park and other City parks including but not limited to Bayliss, Vincent Bluff, and the Recreation Complex
- Pursues educational grants, special events, and rentals maximizing facility usage and outdoor activities
- Serves as the liaison for community outreach projects and special events
- Establishes appropriate fee schedules and staff procedures
- Evaluates activities, programs, and sites for participation and effectiveness
- Creates, develops, evaluates, and facilitates successful, well-attended and when applicable profitable events and programs
- Identifies new special events utilizing the diverse facilities and parks that the City has to offer

- Meets with outside groups and guide staff; attends meetings; and identifies needs, resources, and work with local, State, and Federal agencies and Associations to develop goals and outdoor recreation strategic plan
- Develops and evaluates program costs and revenues as assigned
- Develops, implements, and updates facility safety standards and customer service standards
- Professionally responds to inquiries, questions, and complaints from participants
- Responds to emergencies involving participants and staff
- Communicates professionally and effectively and works cooperatively with all Department staff, other departments, agencies, and the general public
- Supervises the implementation and compliance of policies and procedures
- Provides onsite supervision and program leadership as needed
- Participates and collaborates with other federal, regional, state, and local educational/non-profit agencies, districts, and programs to promote and coordinate offerings and negotiate and/or administer contractual agreements for services/facilities
- Works with staff and the Communications Officer to develop and administer on-going marketing plans and strategies to effectively promote programs and activities of the Department
- Directs and participates in the development, review, and evaluation of programs offered to ensure that program services meet community needs
- Implements, monitors, and reviews service delivery processes
- Ensures departmental program services are in compliance with relevant laws, regulations, and guidelines
- Prepares/recommends annual department budget and monthly budget projections
- Monitors expenditures and revenues to remain within established budgetary constraints
- Monitors subsidy levels
- Makes necessary adjustments to programs and services to meet the City's goals and objectives
- Oversees department supply and material purchasing
- Authorizes repairs or services within authorized spending limits
- Actively pursues alternative revenue-generating opportunities for the Department in conjunction with the Director
- Regular and predictable attendance is required
- Other duties as assigned

**Supervisory Responsibilities:**

Directly supervises the Recreation & Events Coordinator and Seasonal Aquatics Coordinator within the Parks & Recreation Department. Carries out supervisory responsibilities in accordance with the organization's policies and applicable laws. Responsibilities include interviewing, hiring, and training employees; planning, assigning, and directing work; appraising performance; rewarding and disciplining employees; addressing complaints and resolving problems.

**Qualifications:**

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

**Education and/or Experience:**

- Bachelor's Degree in related area of study
- Master's Degree, desirable
- Five (5) to seven (7) years of related experience
- Three (3) to five (5) years of supervisory experience
- Any equivalent combination of education and experience which provides the required knowledge, skills, and abilities

**Certificates, Licenses, Registrations:**

- First Aid and CPR/AED

**Physical Demands:**

- While performing the duties of this job, the employee is frequently required to stand; walk; sit; use hands to finger, handle, or feel; reach with hands and arms; climb or balance; stoop, kneel, crouch, or crawl; and see, talk, and hear.
- The employee must be able to occasionally lift and work with up to fifty (50) pounds.
- The employee must be able to frequently lift and work with up to ten (10) pounds.
- The employee must be able to continuously lift and work with up to five (5) pounds.
- Work is primarily performed in an office environment but may have exposure to adverse weather conditions related to outdoor recreation events.

**Other Skills and Abilities:**

- Extensive experience in coordinating and planning large-scale, community, and creative events
- Strong organization skills with exceptional attention to detail while managing multiple tasks and changing priorities
- Considerable knowledge of the methods involved in developing, implementing, and evaluating recreational programs
- Particular knowledge related to outdoor recreation and historic educational program design desired
- Knowledge of grant writing and sponsorship recruitment
- Maintain appropriate records and prepare accurate reports
- Exercise good judgment, problem solving, and decision making skills
- Work independently with accountability
- Excellent written and verbal communication skills
- Establish and maintain positive working relationships with staff, volunteers, participants, community groups, and the public
- Ability to work a variety of shifts, length of shifts, and days of the week as events/programs require



# City of Council Bluffs

## Job Description

### Recreation & Events Coordinator

**Department:** Parks & Recreation

**Supervisor:** Recreation & Events Manager

**Location:** City Hall

**FLSA Status:** Non-Exempt

**Prepared By:** Mallory Davis, Recruiter

**Prepared Date:** February 2019

**Summary:** An employee in this class is responsible for the planning, coordinating, and implementing of the year-round youth sports programs, special events, and activities for the Department.

**Essential Duties and Responsibilities:** includes the following.

- Assumes primary responsibility for promoting and scheduling City youth sports programs
- Coordinates the rental of the Pavilion and parks for recreation activities and events
- Works closely with coaches and instructors in a professional manner
- Serves as liaison for department assigned recreation activities, including but not limited to, planning, organizing, implementing, leading, and evaluating the activity
- Serves as a liaison to the community in regards to community partnership; development coordination; proposals; special use permits; and rentals
- Attends outreach events such as fairs/expos, community meetings, committee meetings, etc.
- Promotes outdoor recreation activities working with Communications Officer to prepare publicity for agency publications, flyers, and posters as well as internal programmatic resources
- Presents program information at a variety of meetings and public speaking opportunities
- Professionally responds to inquiries, questions, and complaints from participants
- Responds to emergencies involving participants and staff
- Works cooperatively with all staff, other agencies, and the general public
- Coordinates with other City departments in implementing specialized events
- Orders and/or purchases supplies required for activities such as special events, program activities, and community partnership events within authorized spending limits
- Maintains monthly records, reports, forms, and documentation required of program area
- Regular and predictable attendance is required
- Other duties as assigned

**Supervisory Responsibilities:**

This job has no supervisory responsibilities.

**Qualifications:**

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

**Education and/or Experience:**

- Bachelor's Degree in related area of study
- Two (2) to four (4) years of related experience
- Any equivalent combination of education and experience which provides the required knowledge, skills, and abilities

**Certificates, Licenses, Registrations:**

- First Aid and CPR/AED

**Physical Demands:**

- While performing the duties of this job, the employee is frequently required to stand; walk; sit; use hands to finger, handle, or feel; reach with hands and arms; climb or balance; stoop, kneel, crouch, or crawl; and see, talk, and hear.
- The employee must be able to occasionally lift and work with up to fifty (50) pounds.
- The employee must be able to frequently lift and work with up to twenty (20) pounds.
- The employee must be able to continuously lift and work with up to ten (10) pounds.
- The employee must be able to work both in and out of doors, in all weather conditions, and in high noise levels.
- The employee will likely be required to stand and be mobile for the majority of the work period.

**Other Skills and Abilities:**

- Knowledge of recreation program development and scheduling
- Knowledge of instructor/staff recruitment, screening, retention, placement, and evaluation
- Knowledge of program planning, organizing, and implementation
- Familiarity with outdoor recreation activities and special projects
- Problem solving skills
- Human relations skills and public speaking
- Proficient technological skills including Microsoft Office, social media, database management, and the ability to learn new technology
- Work independently with accountability
- Excellent written and verbal communication skills
- Establish and maintain satisfactory working relationships with staff, volunteers, participants, community groups, and the public
- Ability to work a variety of shifts, length of shifts, and days of the week as event/program requires

RESOLUTION 19-59

A RESOLUTION MAKING CHANGES TO THE POSITIONS ASSIGNED TO THE  
PARKS & RECREATION DEPARTMENT

- WHEREAS, A thorough evaluation of existing resources and department needs has been conducted by the Director of Parks & Recreation; and
- WHEREAS, This evaluation showed a need to and abolish two (2) positions and create four (4) positions assigned to the Parks & Recreation Department; and
- WHEREAS, Said changes will have an impact on the authorized strength of the City; and
- WHEREAS, Said changes are deemed to be in the best interest of the City of Council Bluffs, Iowa:

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

That the following position changes are hereby adopted and approved:

Abolish one (1) Recreation Superintendent position

Abolish one (1) Parks Superintendent position

Add two (2) Park Worker II positions

Add one (1) Recreation and Events Manager position

Add one (1) Recreation and Events Coordinator position

Adopted  
and  
Approved

February 25, 2019

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MATTHEW WALSH, MAYOR

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JODI QUAKENBUSH, CITY CLERK



## Council Communication

Department: City Clerk  
Case/Project No.:  
Submitted by:

Liquor Licenses  
ITEM 8.A.

Council Action: 2/25/2019

### Description

- 1) The Barrel, 144 West Broadway (New Application)
- 2) Lansky's, 1131 North Broadway
- 3) Saint Albert's Catholic Schools, 400 Gleason Avenue (14 day License)
- 4) Soppes Southend Bar & Grill, 2327 South 24th Street (New Application)
- 5) Super Saver, 1141 North Broadway

### Background/Discussion

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Applications	Other	2/19/2019



State of Iowa  
ALCOHOLIC  
BEVERAGES DIVISION

Home  
About  
Alcohol  
Tobacco  
Links  
Contact

NEW Applicant #

<input type="checkbox"/> RENEWAL	<input checked="" type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>du</u>	Local Amt _____	
FIRE <u>AF</u>	Endorsed _____	
BUILDING <u>2</u>	Issued _____	
ZONING <u>12</u>	Expires _____	
Council _____		

Help	License Search	License List	On-Demand Reporting	Keg Registration Search	User Profile	Logoff
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- > License
- > Privileges
- > **Applicant**
- > Status Of Business
- > Ownership
- > Criminal History
- > Violations
- > Premises
- > General Premises
- > Applicant Signature
- > Dram Cert
- > Local Endorse
- > History

### Applicant LC\_V\_84127, The Barrel, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.  
The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor Name/Partnership Name(s): J & L Management LLC

(Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): The Barrel

Address of Premise: 144 W Broadway

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (712) 355-8152

Cell / Home Phone: (712) 355-8152

Same Address

Mailing Address: 3303 37th Ave

Mailing Address Line 2:

City: Council Bluffs

Zip: 51501

State: Iowa

Contact Name: Matt Jacobs

Phone: (712) 355-8152

Email Address: mattjacobs43@gmail.com

Prev

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#### Contact Us

Iowa Alcoholic Beverages Division  
1918 SE Hulsizer Road, Ankeny, IA 50021  
Toll Free 866.IowaABD (866.469.2223)  
Local 515.281.7400

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## Applicant BW0091828, Lansky's, Council Bluffs

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The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor Name/Partnership Name(s): Horizon Restaurants Inc (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Lansky's

Address of Premise: 1131 N Broadway

Address Line 2: \_\_\_\_\_

City: Council Bluffs

County: Pottawattamie

Zip: 51503-0000

Business Phone: (712) 329-5400

Cell / Home Phone: \_\_\_\_\_

Same Address

Mailing Address: 4601 S. 50th St.

Mailing Address Line 2: \_\_\_\_\_

City: Omaha

State: Nebraska

Zip: 68117

Contact Name: Missy Mullen

Phone: (402) 731-5243

Email Address: missy@lanskys.biz

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1918 SE Hulsizer Road, Ankeny, IA 50021  
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## Applicant LC\_V\_84017, Saint Albert Catholic Schools, Council Bluffs Council

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Corporation Name/Sole Proprietor Name/Partnership Name(s): Saint Albert Catholic Schools (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Saint Albert Catholic Schools

Address of Premise: 400 Gleason Ave

Address Line 2:

City: Council Bluffs

County: Iowa

Zip: 51503

Business Phone: (712) 329-9000

Cell / Home Phone:

Same Address

Mailing Address: 400 Gleason Ave

Mailing Address Line 2:

City: Council Bluffs

State: Iowa

Zip: 51503

Contact Name: JoAnn Jensen

Phone: (712) 329-9000

Email Address: jensenj@saintalbertschools.c

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**Applicant LC\_V\_84065, Soppes Southend Bar and Grill, Council Bluffs**

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Corporation Name/Sole Proprietor Name/Partnership Name(s): 2327 S 24th St LLC (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Soppes Southend Bar and Grill

Address of Premise: 2327 S 24th Street

Address Line 2: \_\_\_\_\_

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (402) 980-3380

Cell / Home Phone: (402) 980-3380

[Same Address](#)

Mailing Address: 201 Park Avenue

Mailing Address Line 2: \_\_\_\_\_

City: Council Bluffs

Zip: 51503

State: Iowa

Contact Name: Jodi Schuning

Phone: (402) 980-3380

Email Address: jschuning@gmail.com

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Formerly:  
Hog Stop



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**Applicant LE0000704, Super Saver Iv, Council Bluffs**

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CITY CLERK  
(712) 890-5261

License

City Clerk

Status Of Business

Ownership

Criminal History

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History

Corporation Name/Sole Proprietor  
Name/Partnership Name(s): B And R Stores Inc

(Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Super Saver Iv

Address of Premise: 1141 N Broadway

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501-0000

Business Phone: (712) 322-8778

Cell / Home Phone:

Same Address

Mailing Address: Box 5824

Mailing Address Line 2:

City: Lincoln

Zip: 68505

State: Nebraska

Contact Name: Rob Steider

Phone: (402) 464-6297

Email Address: kipp@brstores.com

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