



**Study Session Agenda  
City of Council Bluffs, Iowa  
November 4, 2019, 3:45 PM  
Council Chambers, 2nd Floor, City Hall  
209 Pearl Street**

**STUDY SESSION AGENDA**

A. Review Agenda



**Council Agenda, City of Council Bluffs, Iowa  
Regular Meeting November 4, 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 October 21, 2019 City Council Meeting Minutes.
- C. Resolution 19-247  
Resolution accepting the work of Western Engineering Co, Inc. as complete and authorizing release of the retainage after 30 days if no claims are filed in connection with the 23rd Avenue Soccer Complex Improvements.
- D. Resolution 19-248  
Resolution setting a Public Hearing for November 18, 2019 at 7:00 p.m. to authorize the re-purpose and use of GO Bond Series 2016A funds for the levee project
- E. Claims

**4. PUBLIC HEARINGS**

- A. Resolution 19-249  
Resolution to vacate and dispose of the East north/south alley platted in Block 20, Howard's Addition. Location: West of South 10th Street, between 18th Avenue and 19th Avenue. SAV-19-007

**5. ORDINANCES ON 1ST READING**

- A. Ordinance 6403  
Ordinance to Amend Title 9 Traffic by amending Chapter 9.09.020 "Definitions-Motorized scooters, electrified bicycles and other personal transport vehicles"

## **6. RESOLUTIONS**

### **A. Resolution 19-250**

Resolution approving Annual Urban Renewal Report for Fiscal Year 2018-2019

### **B. Resolution 19-251**

Resolution authorizing for annual certification for Tax Increment Financing Indebtedness.

### **C. Resolution 19-252**

Resolution directing the advertisement for sale of \$7,630,000 (dollar amount subject to change) General Obligation Bonds, Series 2019, and approving electronic bidding procedures and Official Statement.

### **D. Resolution 19-253**

Resolution to add a part-time Division Secretary position and abolish a part-time Clerk Typist position in the Police Department.

### **E. Resolution 19-254**

Resolution authorizing the Mayor to execute Iowa Department of Natural Resources Contract No. CRDLWBMBALM-0008 in connection with Lake Manawa Dredging.

### **F. Resolution 19-255**

Resolution authorizing the Council to accept a bid from Brick Gentry P.C. and authorizing and directing staff to assist Brick Gentry P.C. and to take all steps necessary to complete the proposed activities

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

### **A. Liquor Licenses**

1. Goldmine Bar & Grill, 1601 Harry Langdon Blvd
2. Great Wall, 900 Woodbury Ave
3. Oskies For Sports, 1851 Madison Ave, Ste 724
4. Pizza King, 1101 N Broadway

### **B. Tangier Shrine Circus**

## **8. OTHER BUSINESS**

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

## **10. 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 Meeting Minutes October 21, 2019**

### **CALL TO ORDER**

Mayor Matthew Walsh called the meeting to order on Monday October 21, 2019 at 7:00 p.m.

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

Staff Present: Richard Wade and Allison Head.

### **CONSENT AGENDA**

Approval of Agenda & tape recordings of these proceedings to be incorporated into the official minutes.

Reading, correction and approval of the October 7, 2019 City Council Meeting Minutes.

Resolution 19-237

Resolution of intent to vacate and setting a Public Hearing for November 4, 2019 at 7:00 p.m. for the East north/south alley platted in Block 20, Howard's Addition. Location: West of South 10th Street, between 18th Avenue and 19th Avenue. SAV-19-007

August FY20 Financial Reports

Claims

Sharon White and Nate Watson moved and seconded approval of Consent Agenda, amending the agenda to remove items 7A, Resolution 19-239 and 7G, Resolution 19-245 from the agenda.. Unanimous, 5-0 vote.

### **MAYORS PROCLAMATIONS**

- A. Extra Mile Day
- B. National Lead Poisoning Prevention Week, Courtney Harter accepted proclamation.

### **PUBLIC HEARINGS**

Resolution 19-238

Resolution granting final plat approval of a one-lot minor commercial subdivision to be known as Lake Manawa Centre Subdivision, Replat 2. Location: 3205 and 3207 Manawa Centre Drive. SUB-19-010

Sharon White and Mike Wolf moved and seconded approval of Resolution 19-238. Unanimous, 5-0 vote.



## **ORDINANCES ON 2ND READING**

### **Ordinance 6402**

Ordinance to Amend Title 3, Business Regulation and Licenses of the 2015 Municipal Code of Council Bluffs, Iowa by repealing existing Chapter 3.58 "Street Sales" and replacing it with a new Chapter 3.58 entitled "Mobile Food Vendors".

Roger Sandau and Sharon White moved and seconded approval of Second Consideration of Ordinance 6402, as amended to change Pottawattamie County to proper authorities.. Unanimous, 5-0 vote.

Nate Watson and Mike Wolf moved and seconded approval of Motion to waive Third Consideration of Ordinance 6204. Ordinance passes to law.. Unanimous, 5-0 vote.

## **RESOLUTIONS**

### **Resolution 19-239**

Resolution authorizing the City Clerk to certify assessments against properties to the Pottawattamie County Treasurer for unreimbursed costs incurred by the City for the abatement of weeds and the removal of solid waste nuisances upon properties and directing them to be collected in the same manner as a property tax.

Resolution deleted from agenda via consent agenda motion.

### **Resolution 19-240**

Resolution authorizing the mayor to execute an agreement with Ehrhart Griffin & Associates for engineering services in connection with the East Manawa Sewer Rehab, Phase IX. Project # PW21-09

Nate Watson and Melissa Head moved and seconded approval of Resolution 19-240. Voice Vote, 4-0 vote. (Abstain: White)

### **Resolution 19-241**

Resolution authorizing the mayor to execute an agreement with Snyder & Associates, Inc. for engineering services in connection with the South 1st Street Neighborhood Rehab, Phase XI. Project # PW21-12

Sharon White and Mike Wolf moved and seconded approval of Resolution 19-241. Unanimous, 5-0 vote.

Resolution 19-242

Resolution to dispose of City property legally described as Lots 9 and 10, Block 6 and the east ½ of the vacated alley on the west and the west ½ of the adjacent alley on the east lying south of the railroad, Howards Subdivision. Location: formerly addressed as 1212 17th Avenue. OTB-19-026

Roger Sandau and Melissa Head moved and seconded approval of Resolution 19-242. Unanimous, 5-0 vote.

Resolution 19-243

Resolution approving Request for Proposals for approximately 2.5 acres of land at 28th Street and 2nd Avenue.

Mike Wolf and Sharon White moved and seconded approval of Resolution 19-243. Unanimous, 5-0 vote.

Resolution 19-244

Resolution approving minimum development requirements, competitive criteria, and procedures for disposition of certain property located within the Urban Renewal Area; and soliciting proposals in accordance with the Request for Proposals for approximately 2.5 acres of land at 28th Street and 2nd Avenue.

Nate Watson and Sharon White moved and seconded approval of Resolution 19-244. Unanimous, 5-0 vote.

Resolution 19-245

Resolution appointing Jon Finnegan as the City's representative to engage in collective bargaining negotiations.

Resolution deleted from agenda via consent agenda motion.

Resolution 19-246

Resolution adopting the planned commercial development plan for Lot 1, Lake Manawa Centre Subdivision, Replat 2. Location: 3205 and 3207 Manawa Centre Drive. PC-19-002

Sharon White and Melissa Head moved and seconded approval of Resolution 19-1246. Unanimous, 5-0 vote.

## **APPLICATIONS FOR PERMITS AND CANCELLATIONS**

Liquor Licenses: 1) Casey's General Store #2096, 2301 S 24th Street, 2) Council Bluffs Sinclair, 1305 N 25th Street, 3) Hard Luck Saloon, 626 16th Ave, 4) Iowa Western Community College, 2700 College Rd, 5) Mega Saver, 3540 W Broadway.

Veterans Day Parade

Roger Sandau and Melissa Head moved and seconded approval of Applications for permits and cancellations, Item 8A 1-5, liquor licenses and Item 8B, Veterans Day Parade, Saturday November 9, 2019. Unanimous, 5-0 vote.

## **OTHER BUSINESS**

Wolf expressed the importance of Council members correcting inaccurate information on Facebook.

## **CITIZENS REQUEST TO BE HEARD**

Bruce Kelly, 864 McKenzie Avenue

## **ADJOURNMENT**

Mayor Walsh adjourned the meeting at 7:16 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

## Council Communication

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

Resolution 19-247  
ITEM 3.C.

Council Action: 11/4/2019

### Description

Resolution accepting the work of Western Engineering Co, Inc. as complete and authorizing release of the retainage after 30 days if no claims are filed in connection with the 23rd Avenue Soccer Complex Improvements.

### Background/Discussion

In 1996 the City assumed ownership of the former Alter Landfill. In 1999, the Iowa Department of Natural Resources (IDNR) issued closure permit 78-SDP-19-98C for renovation of the facility into a recreational development.

The landfill site was transformed into an athletic complex containing ball fields, as well as walkways and an asphalt parking lot for 150 vehicles.

As conditions of the closure permit, annual groundwater sampling, cover monitoring and maintenance are required.

The 2017 IDNR inspection revealed deficiencies with the landfill cover requirements.

This project repairs the noted deficiencies to comply with IDNR regulations and allows the property to remain as a soccer complex into the future.

The project was funded with General Funds.

	<u>Total</u>
Original Contract Amount	\$180,723.00
Change Orders (+0.42%)	\$762.49
Final Contract Amount	\$181,485.49
Less Previous Payments	\$172,411.22
Retainage Due Contractor	\$9,074.27

The Contractor completed the project on time and did not receive any non-compliance notices.

### Recommendation

Approval of this resolution.

### ATTACHMENTS:

Description	Type	Upload Date
Resolution 19-247	Resolution	10/30/2019

**RESOLUTION**  
**NO 19-247**

**RESOLUTION ACCEPTING THE WORK OF  
WESTERN ENGINEERING CO, INC., IN CONNECTION WITH THE  
23<sup>RD</sup> AVENUE SOCCER COMPLEX IMPROVEMENTS  
AND AUTHORIZING THE FINANCE DIRECTOR TO ISSUE  
A CITY CHECK IN THE AMOUNT OF \$9,074.27**

WHEREAS, the City of Council Bluffs, Iowa, entered into an agreement with Western Engineering Co, Inc., Harlan, Iowa, for the 23<sup>rd</sup> Avenue Soccer Complex Improvements; and

WHEREAS, said contractor has fully completed the construction of said improvements in accordance with the terms and conditions of said contract; and

WHEREAS, a request for final payment in the amount of \$9,074.27 to Western Engineering Co, Inc. has been submitted to the city council for approval and payment; and

WHEREAS, final payment is due 30 days after acceptance of the work; and

WHEREAS, the city council of the City of Council Bluffs has been advised and does believe that said \$9,074.27 constitutes a valid obligation of the City and should in its best interest be paid.

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

Said improvements are hereby accepted as having been fully completed in accordance with plans and specifications.

AND BE IT FURTHER RESOLVED

That the finance director is hereby authorized and directed to issue a city check in the amount of \$9,074.27 payable to Western Engineering Co, Inc. from budget code Division I A16900-640700.

ADOPTED  
AND  
APPROVED

November 4, 2019

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

ATTEST:

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

## Council Communication

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

Resolution 19-248  
ITEM 3.D.

Council Action: 11/4/2019

### Description

Resolution setting a Public Hearing for November 18, 2019 at 7:00 p.m. to authorize the re-purpose and use of GO Bond Series 2016A funds for the levee project

### Background/Discussion

The GO Bonds, series 2016A, approved for FY17 CIP have a temporary period ending 12-12-2019. There is currently \$464,645 in unspent bond proceeds and premium, that if not expended by 12-12-2019, the City will be required to pay the IRS 90% of the unspent bond proceeds due to arbitrage rules and regulations, outlined in the Internal Revenue Code Section 148.

The City's desire is to allocate \$102,764 of bond premium to the Debt Service fund to use toward future premium and interest payments. The remaining \$361,810 will be re-purposed to use toward the levee project, regarding the construction, reconstruction and improvement of real and personal property useful for the protection or reclamation of property within the corporate limits of the city from floods or high waters.

### Recommendation

Approval of this resolution.

### ATTACHMENTS:

Description	Type	Upload Date
PH Notice	Resolution	10/29/2019
Resolution 19-248	Resolution	10/30/2019

NOTICE OF MEETING OF THE CITY COUNCIL OF THE  
CITY OF COUNCIL BLUFFS, IOWA, ON THE MATTER OF  
THE PROPOSED APPLICATION OF EXCESS BOND  
PROCEEDS OF SAID CITY, AND THE HEARING THEREON

PUBLIC NOTICE is hereby given that the Council of the City of Council Bluffs, Iowa, will hold a public hearing on the 18th day of November, 2019, at \_\_\_\_\_ o'clock \_\_.M., in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at which meeting the Council proposes to take additional action for the application of not to exceed \$362,000 of the general corporate purpose portion of the bond proceeds of the General Obligation Bonds, Series 2016A, dated December 13, 2016, for the additional essential corporate purpose of construction, reconstruction and improvement of real and personal property useful for the protection or reclamation of property within the corporate limits of the city from floods or high waters.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of said City, to the above action. After all objections have been received and considered, the Council will at this meeting or an any adjournment thereof, take additional action to authorize the use of the excess bond proceeds, or will abandon the proposal.

This notice is given by order of the Council of Council Bluffs, Iowa, as provided by Section 384.25 of the City Code of Iowa.

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

---

City Clerk of Council Bluffs, Iowa

### **Resolution 19-248**

Resolution directing the City Clerk to publish notice and setting a Public Hearing to authorize the re-purpose and use of excess GO Bond Series 2016A funds towards the levee project.

**WHEREAS**, the Internal Revenue Code Section 148, requires the City of Council Bluffs to pay 90% of any unspent bond proceeds, after the three-year temporary period, to the IRS.

**WHEREAS**, the City of Council Bluffs desires to reallocate the unspent 2016A bond proceeds to the Debt Service fund and the levee project.

Now, therefore, be it resolved by the City Council of the City of Council Bluffs, Iowa:

That the City Clerk is hereby directed to set a public hearing to authorize the re-purpose and use of excess GO Bond Series 2016A funds towards the levee project on November 18, 2019 at 7:00 p.m.

Adopted and Approved: November 4, 2019

---

Matthew J. Walsh, Mayor

---

Jodi Quakenbush, City Clerk



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-PK-2038

### NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Barbara L Washburn DAY PHONE: 402-5781895  
ADDRESS: 439 South Seneca Drive DOB: 10 years old  
DATE & TIME OF LOSS/ACCIDENT: Sat Oct 19 at 4:30 pm English Bulldog  
LOCATION OF LOSS/ACCIDENT: Baylis Park Council Bluffs Iowa  
DESCRIPTION OF LOSS/ACCIDENT: Bulldog stepped in a drain hole in the  
park while walking through the grassy  
part of park. She was on a leash  
Her foot went down in the hole  
and at first I thought she tripped on a stick but then she was  
limping a bit  
TOTAL DAMAGES CLAIMED: \$ (USE BACK OF FORM, IF NECESSARY)  
WITNESS(ES) (Name(s), Address(es), Phone No(s)): NO one witnessed it and it happened so fast.

WAS POLICE REPORT FILED ☐ YES ☒ NO

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

Valley View Vet Clinic 19287 Cornifer Lane  
PO Bluffs Iowa

HAVE YOU RESUMED NORMAL ACTIVITIES? ☐ YES ☒ NO we haven't walked how any  
distance since

IF YOU INCURRED PROPERTY DAMAGE, PLEASE DESCRIBE AND PROVIDE COPIES OF ESTIMATES, INVOICES, PHOTOGRAPHS, AND ANY

OTHER RELEVANT INFORMATION: NO property damage  
we have just been watching to make sure  
she can move around without crying  
in pain

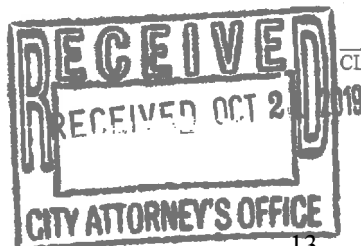
LIST INSURANCE PROVIDER AND COVERAGE: we pay for anything done at the Vet  
out of our own pocket. Being seen Oct 21  
at 11:30 am at  
Valley View Vet

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/CLERK  
22 OCT 19

DATE Oct 21-2019



Barbara  
CLAIMANT'S SIGNATURE

AM 10:58

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-PD-2037

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Kari Jean Peterson DAY PHONE: 531-77-4914  
ADDRESS: 1903 Avenue B DOB: 01/17/1986

DATE & TIME OF LOSS/ACCIDENT: October 5th 2019 @ 11:50 pm

LOCATION OF LOSS/ACCIDENT: Council Bluffs Skatepark

DESCRIPTION OF LOSS/ACCIDENT: I was stopped by the police and asked to show my ID for being at the park after hours they searched me and wrote me a citation but stated they lost my ID

TOTAL DAMAGES CLAIMED: \$ 20.00 (USE BACK OF FORM, IF NECESSARY)

WITNESS(ES) (Name(s), Address(es), Phone No(s))

None available other than the 7 officers I dealt with that night

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: without my ID I cannot purchase cigarettes or alcohol nor go into a porn shop or strip club let alone go anywhere because its

LIST INSURANCE PROVIDER AND COVERAGE: None

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)

DATE 10/16/2019

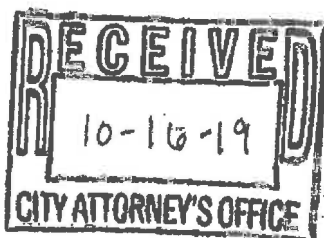
Kari Peterson  
CLAIMANT'S SIGNATURE

They told me to talk to the city attorney about being reimbursed

illegal to go anywhere without and if something happened to me I would be found as a Jane doe  
CLERK RCVD

16 OCT 19

PM 2:41



## Council Communication

Department: Community

Development

Case/Project No.: SAV-19-007

Submitted by: Moises Monrroy,

Planner

Resolution 19-249

ITEM 4.A.

Council Action: 11/4/2019

### Description

Resolution to vacate and dispose of the East north/south alley platted in Block 20, Howard's Addition.  
Location: West of South 10th Street, between 18th Avenue and 19th Avenue. SAV-19-007

### Background/Discussion

See attachments.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
SAV-19-007 Staff Report	Other	10/11/2019
Attachment A - Location and Zoning Map	Map	10/11/2019
Attachment B - Site Photos	Other	10/11/2019
Resolution 19-249	Resolution	10/30/2019

### City Council Communication

Department: Community Development  Case #SAV-19-007  Property Owner/Applicant: Kathy and Wayne Goff 2037 23 <sup>rd</sup> Avenue Council Bluffs, IA 51501	Resolution of Intent No. _____  Resolution to Dispose No. _____	Planning Commission: 10/8/19  Set Public Hearing: 10/21/19  Public Hearing: 11/4/19
---	---	---

#### Subject/Title

**Request:** Public hearing on the request of Kathy and Wayne Goff to vacate and dispose of the East north/south alley platted in Block 20, Howard's Addition.

**Location:** West of South 10<sup>th</sup> Street, between 18<sup>th</sup> Avenue and 19<sup>th</sup> Avenue.

#### Background/Discussion

The Community Development Department has received an application from Kathy and Wayne Goff to vacate and dispose of the East north/south alley platted in Block 20, Howard's Addition. The subject alley is unimproved and measures 12 feet in width by 284 feet in length. A city trail, formerly part of Wabash Railroad, transects the subject alleyway. The applicants own property directly west of the subject alley, legally described as Lots 10, 11, 21 and 22, except railroad right-of-way, all in Block 20, Howard's Addition. If vacated, the applicants intend to acquire the portion adjoining their property to maintain control over mowing and landscaping.

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.*

There are eight property owners with land that abuts the subject alleyway. The owners of these properties are as follows:

- West – Residential property owned by Kathy and Wayne Goff (1018 19<sup>th</sup> Avenue)  
Trail owned by the City of Council Bluffs
- East – Residential property owned by Kenneth W. and Angela D. Leathers (1800 South 10<sup>th</sup> Street)  
Residential property owned by Jason D. Bliley (1808 South 10<sup>th</sup> Street)  
Residential property owned by Jason H. Clayton (1816 South 10<sup>th</sup> Street)  
Residential property owned by Elmer L. Jr. and Tracie L. Pruett (1822 South 10<sup>th</sup> Street)  
Residential property owned by Amy Vance Properties LLC (1826 South 10<sup>th</sup> Street)  
Vacant lot owned by Thomas E. and Lanette L. Flood  
Trail owned by the City of Council Bluffs

All abutting property owners were mailed petitions asking if they are in favor of/opposed to the vacation request and if they were willing to/not willing to acquire the portion of the alley adjacent to their property, if vacated. Responses to these petitions are 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 19<sup>th</sup> Avenue or South 10<sup>th</sup> Street, except the property at 1808 South 10<sup>th</sup> Street. The city trail transects the parcel, depriving it from frontage on South 10<sup>th</sup> Street. While the subject alley is adjacent to this parcel, it is unimproved and provides no access to a public street. Thus, the parcel is effectively landlocked regardless whether the subject alley is vacated. A driveway located in the city-owned trail currently provides access to the parcel from South 10<sup>th</sup> Street. Mr. Bliley can continue to use the

driveway to access his property and has the option to retain an ingress/egress easement over the portion of the trail which transects his property.

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 alley from 18<sup>th</sup> Avenue to 19<sup>th</sup> Avenue.
4. *To reduce or eliminate hazardous and dangerous traffic conditions.*  
The subject 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:
  - The Fire Department stated they have no comments on the request.
  - The Police Department stated they have no objections to the request.
  - The Public Works Department stated they have no infrastructure within the alley. They also stated that if the alley is vacated, the Maintenance and Operations Division will remove the alley return at 19<sup>th</sup> Avenue and pour curb as soon as the vacation is executed.
  - Council Bluffs Water Works stated they have no water main or appurtenances in the subject alleyway.
  - MidAmerican Energy Company stated they no objection to the request provided an easement is retained to provide access to maintain the two existing distribution poles and associated overhead electric facilities on the south end of the north/south alley.
  - Cox Communications stated they have cable lines on MidAmerican Energy's poles, therefore an easement would have to be retained to allow for maintenance of said cable lines.
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 subject north/south alley.
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.*  
All abutting property owners were notified about this vacation request. Each abutting property owner is eligible to receive their portion in consideration of the vacation application fee, which has already been paid. The following responses were received:
  - Kathy and Wayne Goff stated they are in favor of the request and are willing to acquire the portion of the East north/south alley adjacent to their property.
  - Kenneth W. and Angela D. Leathers stated they are in favor of the request and are willing to acquire the portion of the East north/south alley adjacent to their property.
  - Jason D. Bliley stated he is in favor of the request and are willing to acquire the portion of the East north/south alley adjacent to his property.

- Jason H. Clayton stated he is favor of the request and are willing to acquire the portion of the East north/south alley adjacent to his property.
- Amy Vance Properties LLC stated they are in favor of the request and are willing to acquire the portion of the East north/south alley adjacent to their property.
- There has been no reply from Elmer L. Jr. and Tracie L. Pruett or Thomas E. and Lanette L. Flood regarding the vacation request at the time this staff report was mailed out.

#### **Recommendation**

The Community Development Department recommends approval to vacate and dispose of the East north/south alley platted in Block 20, Howard's Addition, subject to an easement being be retained over the subject alleyway for utility access and maintenance purposes and all portions of the alleyway being be disposed of to an abutting property owner(s).

#### **Public Hearing**

Staff speaker on behalf of request:

1. Moises Monnroy, 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 vacate and dispose of the East north/south alley platted in Block 20, Howard's Addition, subject to an easement being be retained over the subject alleyway for utility access and maintenance purposes and all portions of the alleyway being be disposed of to an abutting property owner(s).

VOTE: AYE 8    NAY 0    ABSTAIN 0    ABSENT 3    VACANT 0    Motion: Carried

#### **Attachments**

Attachment A: Location and Zoning Map  
Attachment B: Site Photos


Prepared by: Moises Monnroy, Planner, Community Development Department



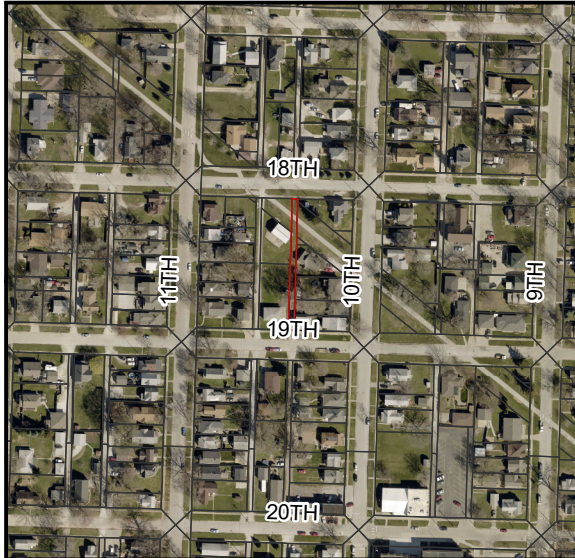
# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION

## CASE #SAV-19-007 LOCATION/ZONING MAP

### Legend

 Subject Alley

0 30 60  
1 Inch = 63 Feet



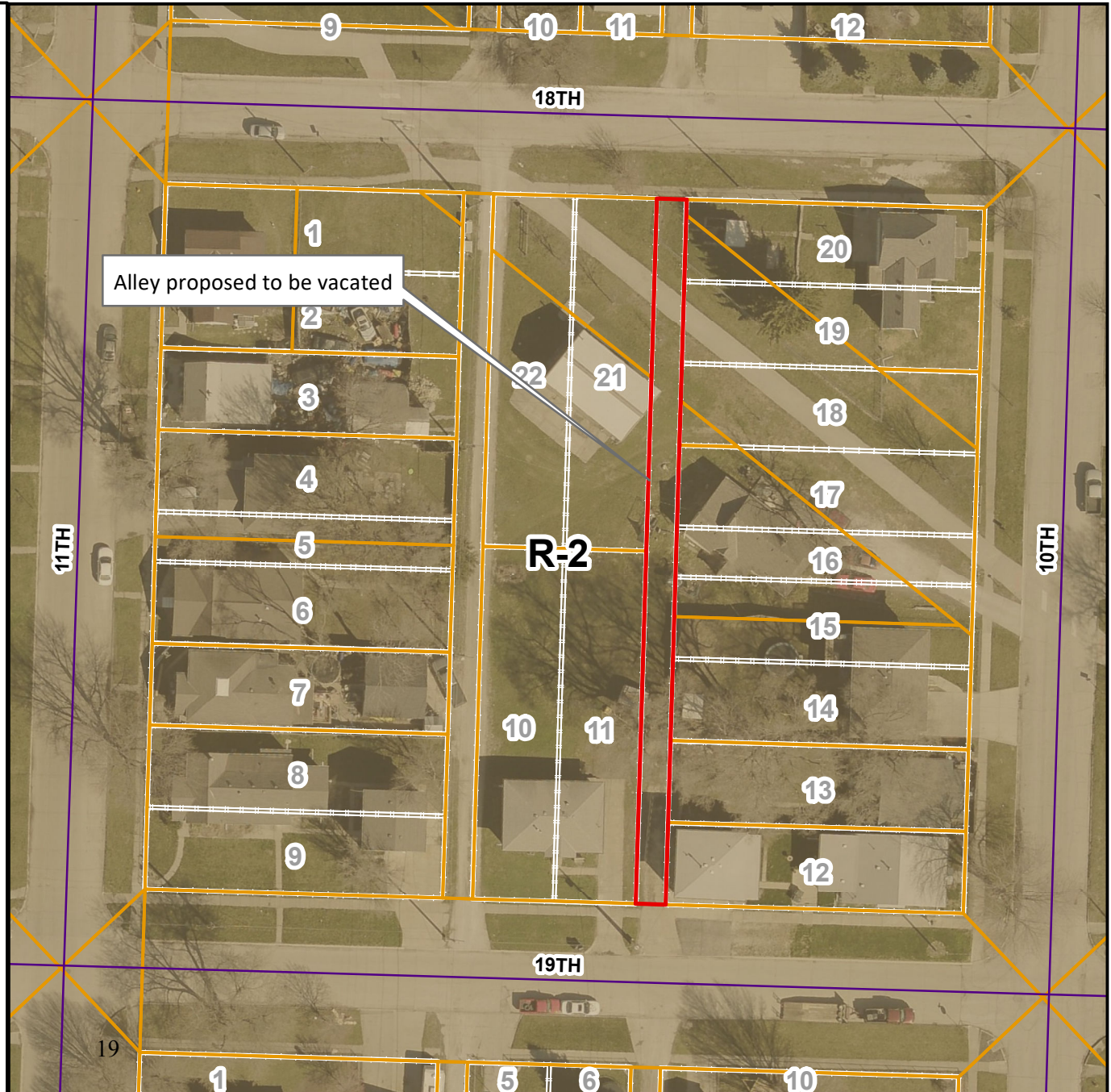
Last Amended: 9/20/19



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 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.





ATTACHMENT B





*Return to: City Clerk, 209 Pearl Street, Council Bluffs, IA 51503 – Phone: (712) 890-5261*  
*Prepared by: Community Development Dept., Council Bluffs, IA 51503 – Phone: (712) 328-4629*

---

**RESOLUTION NO. 19-249**

**A RESOLUTION TO VACATE AND DISPOSE OF THE EAST NORTH/SOUTH ALLEY PLATTED IN BLOCK 20, HOWARD’S ADDITION, LYING WEST OF SOUTH 10<sup>TH</sup> STREET, BETWEEN 18<sup>TH</sup> AVENUE AND 19<sup>TH</sup> AVENUE, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.**

- WHEREAS,** following public hearing and having given careful study to the proposal, the City Council determines that city-owned right-of-way described as follows: the East north/south alley platted in Block 20, Howard’s Addition, lying west of South 10<sup>th</sup> Street, between 18<sup>th</sup> Avenue and 19<sup>th</sup> Avenue, City of Council Bluffs, Pottawattamie County, Iowa; and
- WHEREAS,** a public meeting was held on this matter on the 4<sup>th</sup> day of November, 2019; and
- WHEREAS,** pursuant to Iowa Code Section 354.23, the City Council declares its intent to dispose 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); and
- WHEREAS,** this conveyance is subject to the reservation of a permanent and perpetual utilities easement of way in favor of the City of Council Bluffs, for the maintenance of any and all utilities equipment presently in place, and for such reconstruction, re-emplacement and repair thereof which said City and its licensees and/or franchise grantees may in the future deem necessary and proper, and for the removal of any improvements emplaced thereon by the grantees, or their successors or assigns, necessitated by the reconstruction, re-emplacement, or repair of such utilities, such removal to be at the sole expense of grantees or their successors or assigns and without cost to the City, its licensees and/or franchise grantees, and without obligation to repair or replace such improvements, and subject to any and all other easements and right-of-way of record and those not of record.

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

That the above-described city right-of-way is hereby vacated and conveyed as follows:

Kathy and Wayne Goff and all successors in interest: The West ½ of the vacated north/south alley abutting Lots 11 and 21, except the railroad right-of-way, and the East ½ of the vacated north/south alley abutting Lots 13 and 18, except the railroad right-of-way, all in Block 20, Howard's Addition, Council Bluffs, Pottawattamie County, in consideration of the vacation application fee already paid.

Amy Vance Properties LLC and all successors in interest: The East ½ of the vacated north/south alley abutting Lot 12, Block 20, Howard's Addition, Council Bluffs, Pottawattamie County, in consideration of the vacation application fee already paid.

Jason H. Clayton and all successors in interest: The East ½ of the vacated north/south alley abutting Lot 14 and the South 17 feet of Lot 15, except the railroad right-of-way, all in Block 20, Howard's Addition, Council Bluffs, Pottawattamie County, in consideration of the vacation application fee already paid.

Jason D. Bliley and all successors in interest: The East ½ of the vacated north/south alley abutting Lot 15, except the South 17 feet, and Lots 16 and 17, except the railroad right-of-way, all in Block 20, Howard's Addition, Council Bluffs, Pottawattamie County, in consideration of the vacation application fee already paid.

Kenneth W. and Angela D. Leathers and all successors in interest: The East ½ of the vacated north/south alley abutting Lot 20, except the railroad right-of-way, Block 20, Howard's Addition, Council Bluffs, Pottawattamie County, in consideration of the vacation application fee already paid.

**BE IT FURTHER RESOLVED**

That the Mayor and the City Clerk be and are hereby authorized, empowered and directed to execute this resolution conveying the City's interest in the above described alley right-of-way in consideration of the vacation application fee already paid; and

**BE IT FURTHER RESOLVED**

That the City Clerk is directed to deliver this resolution and attached documents to the County Recorder according to Iowa Code Section 354.23.

ADOPTED  
AND  
APPROVED:

November 4, 2019.

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

ATTEST:

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

STATE OF IOWA    )  
COUNTY OF        )ss  
POTTAWATTAMIE)

On this \_\_\_\_\_ day of \_\_\_\_\_, before me the undersigned, a Notary Public in and for said County and said State, personally appeared Matthew J. Walsh and Jodi Quakenbush, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk respectively, of the said City of Council Bluffs, Iowa, a Municipal Corporation, that the seal affixed hereto is the seal of said Municipal Corporation; that said instrument was signed and sealed on behalf of the said City of Council Bluffs, Iowa, by authority of its City Council; and that said Matthew J. Walsh and said Jodi Quakenbush, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

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

## Council Communication

Department: Legal  
Case/Project No.:  
Submitted by: Richard Wade

Ordinance 6403  
ITEM 5.A.

Council Action: 11/4/2019

### Description

Ordinance to Amend Title 9 Traffic by amending Chapter 9.09.020 "Definitions-Motorized scooters, electrified bicycles and other personal transport vehicles"

### Background/Discussion

Police officers have recently had several encounters with motorized scooters, electrified bicycles and also some self-made/fabricated transport vehicles. A review has been done of our current Section 9.09.020 and information has been gathered from other similar cities. Some clarifications have been made to this section to simplify and clarify what type of transport vehicles are legal or not legal and to assist our officers during these encounters.

### Recommendation

It is recommended to approve this amendment.

### ATTACHMENTS:

Description	Type	Upload Date
Ordinance 6403	Ordinance	10/30/2019
Redline Version	Ordinance	10/30/2019

**ORDINANCE NO. 6403**

**AN ORDINANCE TO AMEND TITLE 9-TRAFFIC BY AMENDING CHAPTER 9.09.020 “DEFINITIONS-MOTORIZED SCOOTERS, ELECTRIFIED BICYCLES AND OTHER PERSONAL TRANSPORT VEHICLES” OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA.**

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

**SECTION 1.** That Title 9-Traffic of the 2015 Municipal Code of Council Bluffs, Iowa, is hereby amended by amending Section 9.09.020 “Definitions-Motorized Scooters, Electrified Bicycles and Other Personal Transport Vehicles” to read as follows:

**9.09.020 Definitions - Motorized Scooters, Electrified Bicycles And Other Personal Transport Vehicles**

For the purpose of this chapter, the following words, terms, and phrases shall have the following meanings:

Motorized scooters, electrified bicycles and other personal transport vehicles: A device with at least two wheels in contact with the ground, that is designed to be stood on or sat upon by the operator, with handlebars for steering, and equipped with and powered by an electric motor of less than 750 watts (one horsepower) that is incapable of propelling the device up a three percent grade, on dry concrete pavement, at a speed of greater than twenty (20) miles per hour, and has the capability to be propelled by human power alone. Note under this definition, a gasoline powered bicycle, retrofitted or otherwise, is never a bicycle in in City limits and is either a motorcycle or a motorized bicycle that requires registration, insurance, and licensure to operate according to Iowa Code.

Operator: Any person who operates or is in actual physical control of a motorized scooter, electrified bicycle or other personal transport vehicle.

Roadway: That portion of the street or highway improved, designed, or ordinarily used for vehicular traffic, and does not include the sidewalks or any other area of public property between the roadway portion of the street or highway and the abutting private property line.

Sidewalk: That portion of the street between the curb lines and the adjacent property lines.

Street or highway: The entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular traffic.

(Ord. 5802 § 1 (part), 2004)

**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.

PASSED  
AND  
APPROVED

November 18, 2019.

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

Attest: \_\_\_\_\_  
JODI QUAKENBUSH City Clerk

First Consideration: 11-4-19  
Second Consideration: 11-18-19  
Public Hearing: N/A  
Third Consideration: \_\_\_\_\_  
Final Publication/Effective: \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND TITLE 9-TRAFFIC BY AMENDING CHAPTER 9.09.020 “DEFINITIONS-MOTORIZED SCOOTERS, ELECTRIFIED BICYCLES AND OTHER PERSONAL TRANSPORT VEHICLES” OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA.**

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

**SECTION 1.** That Title 9-Traffic of the 2015 Municipal Code of Council Bluffs, Iowa, is hereby amended by amending Section 9.09.020 “Definitions-Motorized Scooters, Electrified Bicycles and Other Personal Transport Vehicles” to read as follows:

**9.09.020 Definitions - Motorized Scooters, Electrified Bicycles And Other Personal Transport Vehicles**

For the purpose of this chapter, the following words, terms, and phrases shall have the following meanings:

Motorized scooters, electrified bicycles and other personal transport vehicles: A device with at least two wheels in contact with the ground, that is designed to be stood on or sat upon by the operator, with handlebars for steering, and equipped with and powered by an electric motor of less than 750 watts (one horsepower) that is incapable of propelling the device up a three percent grade, on dry concrete pavement, at a speed of greater than twenty (20) miles per hour, and has the capability to be propelled by human power alone. Note under this definition, a gasoline powered bicycle, retrofitted or otherwise, is never a bicycle in in City limits and is either a motorcycle or a motorized bicycle that requires registration, insurance, and licensure to operate according to Iowa Code.

Operator: Any person who operates or is in actual physical control of a motorized scooter, electrified bicycle or other personal transport vehicle.

Roadway: That portion of the street or highway improved, designed, or ordinarily used for vehicular traffic, and does not include the sidewalks or any other area of public property between the roadway portion of the street or highway and the abutting private property line.

Sidewalk: That portion of the street between the curb lines and the adjacent property lines.

Street or highway: The entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular traffic.

(Ord. 5802 § 1 (part), 2004)

**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.

PASSED  
AND \_\_\_\_\_, 2019.  
APPROVED

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

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH City Clerk

First Consideration: \_\_\_\_\_  
Second Consideration: \_\_\_\_\_  
Public Hearing: \_\_\_\_\_  
Third Consideration: \_\_\_\_\_



## Council Communication

Department: Community  
Development  
Case/Project No.:  
Submitted by: Brenda Carrico

Resolution 19-250  
ITEM 6.A.

Council Action: 11/4/2019

### Description

Resolution approving Annual Urban Renewal Report for Fiscal Year 2018-2019

### Background/Discussion

See attachments

### Recommendation

The Community Development and Finance Departments recommend approval of the Annual Urban Renewal Report for Fiscal Year 2018-2019.

### ATTACHMENTS:

Description	Type	Upload Date
Staff report	Other	10/25/2019
Annual Urban Renewal Report for FY 2018-2019	Other	10/25/2019
Resolution 19-250	Resolution	10/30/2019

## Council Communication

Departments: Community Development and Finance	Resolution No.: 19-	City Council: November 4, 2019
<b>Subject/Title</b>		
Annual Urban Renewal Report for Fiscal Year 2018-2019		
<b>Background/Discussion</b>		
<p>Since 2012, the City has been reporting on its urban renewal areas and providing information concerning active urban renewal areas and any associated tax increment financing (TIF) districts. The primary emphasis of this report is to provide more information about past use of TIF revenue and projected future use.</p> <p>Copies of plans, amendments, resolutions and ordinances have to be loaded into the state website for the urban renewal areas currently in effect. This year's report covers the period of July 1, 2018 to June 30, 2019.</p> <p>In addition, the report asks for the following information:</p> <ul style="list-style-type: none"><li>• all projects in progress and those that were completed in the prior fiscal year;</li><li>• all expenditures paid from TIF in the prior fiscal year;</li><li>• the amount of outstanding debt payable from TIF;</li><li>• the amount of new TIF debt incurred in the prior fiscal year;</li><li>• details of each TIF rebate agreement, including the names of recipients, amount of rebate paid in the prior fiscal year and the number of new jobs created and the amount of private investment;</li><li>• the total taxable valuation in the TIF area and the amount of that valuation claimed for TIF purposes;</li><li>• a Public Building Analysis of any new projects using TIF revenue to fund the improvement of public (tax exempt) property; and</li><li>• the amounts spent for improvements related to housing for low and moderate-income families and the amounts spent for direct assistance to housing for such families.</li></ul> <p>The report must be approved by the City Council before being considered complete. The report is due December 1, 2019. If the December 1<sup>st</sup> deadline is missed, the State will not certify the City budget.</p> <p>The Community Development and Finance Departments collaborated on the completion of this report and have provided it for your review.</p>		
<b>Staff Recommendation</b>		
The Community Development and Finance Departments recommend approval of the Annual Urban Renewal Report for Fiscal Year 2018-2019.		
<b>Attachment</b>		
The Annual Urban Renewal Report for Fiscal Year 2018-2019 is attached.		

Submitted by: Brenda Carrico, Program Coordinator, Community Development Department  
Approved by: Brenda Carrico, Program Coordinator, Community Development Department

# Annual Urban Renewal Report, Fiscal Year 2018 - 2019

## Levy Authority Summary

Local Government Name: COUNCIL BLUFFS  
Local Government Number: 78G732

Active Urban Renewal Areas	U.R. #	# of Tif Taxing Districts
COUNCIL BLUFFS ORIGINAL 1983 MALL URBAN RENEWAL	78001	2
COUNCIL BLUFFS WEST BROADWAY 1987 URBAN RENEWAL	78029	3
COUNCIL BLUFFS MARCC 2000 URBAN RENEWAL	78030	3
COUNCIL BLUFFS MADISON-LINDBERG AVE URBAN RENEWAL	78043	1
COUNCIL BLUFFS MARKET PLACE URBAN RENEWAL	78045	1
COUNCIL BLUFFS PLAYLAND PARK URBAN RENEWAL	78046	3
COUNCIL BLUFFS HAWKEYE HEIGHTS URBAN RENEWAL	78047	1
COUNCIL BLUFFS SOUTH MAIN URBAN RENEWAL	78048	1
COUNCIL BLUFFS OLD AIRPORT URBAN RENEWAL	78049	2
COUNCIL BLUFFS FRANKLIN AVE URBAN RENEWAL	78052	1
COUNCIL BLUFFS 2013 BLUFFS NORTHWAY URBAN RENEWAL	78053	1
COUNCIL BLUFFS BLUFFS VISION URBAN RENEWAL	78054	0
COUNCIL BLUFFS 2019 MID-CITY CORRIDOR URBAN RENEWAL	78901	0
COUNCIL BLUFFS 24 PARK PLACE URBAN RENEWAL	78902	0

**TIF Debt Outstanding:** 25,943,334

<b>TIF Sp. Rev. Fund Cash Balance as of 07-01-2018:</b>	<b>114,064</b>	<b>0</b>	<b>Amount of 07-01-2018 Cash Balance Restricted for LMI</b>
---	----------------	----------	---

TIF Revenue:	4,183,808
TIF Sp. Revenue Fund Interest:	0
Property Tax Replacement Claims	0
Asset Sales & Loan Repayments:	0
<b>Total Revenue:</b>	<b>4,183,808</b>

Rebate Expenditures:	1,212,892
Non-Rebate Expenditures:	3,008,695
Returned to County Treasurer:	0
<b>Total Expenditures:</b>	<b>4,221,587</b>

<b>TIF Sp. Rev. Fund Cash Balance as of 06-30-2019:</b>	<b>76,285</b>	<b>0</b>	<b>Amount of 06-30-2019 Cash Balance Restricted for LMI</b>
---	---------------	----------	---

**Year-End Outstanding TIF  
Obligations, Net of TIF Special  
Revenue Fund Balance:** 21,645,462

♣ Annual Urban Renewal Report, Fiscal Year 2018 - 2019

**Urban Renewal Area Data Collection**

Local Government Name: COUNCIL BLUFFS (78G732)  
 Urban Renewal Area: COUNCIL BLUFFS ORIGINAL 1983 MALL URBAN RENEWAL  
 UR Area Number: 78001  
 UR Area Creation Date: 03/1969  
 UR Area Purpose: Removal of slum and blight

Tax Districts within this Urban Renewal Area	Base No.	Increment No.	Increment Value Used
COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/1983 ORIG COUNCIL BLUFFS UR TIF INCREM	78144	78145	0
COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/1983 COUNCIL BLUFFS UR TIF INCREM	78147	78148	3,668,658

**Urban Renewal Area Value by Class - 1/1/2017 for FY 2019**

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	4,610,456	36,442,817	0	0	-5,556	48,115,415	0	48,115,415
Taxable	0	2,564,379	32,798,539	0	0	-5,556	40,923,179	0	40,923,179
Homestead Credits									18

**TIF Sp. Rev. Fund Cash Balance as of 07-01-2018:** **70,263** **0** **Amount of 07-01-2018 Cash Balance Restricted for LMI**

TIF Revenue: 139,930  
 TIF Sp. Revenue Fund Interest: 0  
 Property Tax Replacement Claims: 0  
 Asset Sales & Loan Repayments: 0  
**Total Revenue: 139,930**

Rebate Expenditures: 111,810  
 Non-Rebate Expenditures: 54,986  
 Returned to County Treasurer: 0  
**Total Expenditures: 166,796**

**TIF Sp. Rev. Fund Cash Balance as of 06-30-2019:** **43,397** **0** **Amount of 06-30-2019 Cash Balance Restricted for LMI**

# Projects For COUNCIL BLUFFS ORIGINAL 1983 MALL URBAN RENEWAL

## Former NonPareil Building

Description:	117 Pearl Street
Classification:	Commercial - office properties
Physically Complete:	Yes
Payments Complete:	No

## Hughes-Irons Work

Description:	149 & 153 West Broadway
	Mixed use property (ie: a significant portion is residential and significant portion is commercial)
Classification:	
Physically Complete:	Yes
Payments Complete:	No

## Sawyer Building

Description:	125 West Broadway
	Mixed use property (ie: a significant portion is residential and significant portion is commercial)
Classification:	
Physically Complete:	Yes
Payments Complete:	No

## The Rise on Broadway

Description:	103-115 West Broadway
	Mixed use property (ie: a significant portion is residential and significant portion is commercial)
Classification:	
Physically Complete:	Yes
Payments Complete:	No

# Debts/Obligations For COUNCIL BLUFFS ORIGINAL 1983 MALL URBAN RENEWAL

## 10 YEAR - 80% Rebate - Nonpareil Bldg

Debt/Obligation Type:	Rebates
Principal:	54,944
Interest:	0
Total:	54,944
Annual Appropriation?:	Yes
Date Incurred:	11/24/2010
FY of Last Payment:	2020

## 15 Yr - 85% Rebate - MAX \$625,000- Hughes Iron Bldg

Debt/Obligation Type:	Rebates
Principal:	298,911
Interest:	0
Total:	298,911
Annual Appropriation?:	Yes
Date Incurred:	11/26/2011
FY of Last Payment:	2027

## 15 yr 90% rebate, Max \$900,000 Sawyer Bldg

Debt/Obligation Type:	Rebates
Principal:	875,318
Interest:	0
Total:	875,318
Annual Appropriation?:	Yes
Date Incurred:	08/24/2013
FY of Last Payment:	2032

## 15 year, 80% rebate, max of \$750,000

Debt/Obligation Type:	Rebates
Principal:	750,000
Interest:	0
Total:	750,000
Annual Appropriation?:	Yes
Date Incurred:	07/01/2016
FY of Last Payment:	2035

## 15 year, 80% rebate, max of \$750,000

Debt/Obligation Type:	Rebates
Principal:	0
Interest:	0
Total:	0
Annual Appropriation?:	Yes



## Non-Rebates For COUNCIL BLUFFS ORIGINAL 1983 MALL URBAN RENEWAL

TIF Expenditure Amount:	54,986
Tied To Debt:	15 year, 80% rebate, max of \$750,000
Tied To Project:	Former NonPareil Building



## Rebates For COUNCIL BLUFFS ORIGINAL 1983 MALL URBAN RENEWAL

### Former NonPareil Building

TIF Expenditure Amount:	27,472
Rebate Paid To:	AMERICAN NATIONAL BANK
Tied To Debt:	15 Yr - 85% Rebate - MAX \$625,000- Hughes Iron Bldg
Tied To Project:	Former NonPareil Building
Projected Final FY of Rebate:	2020

### Hughes-Irons Work

TIF Expenditure Amount:	52,336
Rebate Paid To:	Hughes-Iron Facilities Corporation
Tied To Debt:	15 yr 90% rebate, Max \$900,000 Sawyer Bldg
Tied To Project:	Hughes-Irons Work
Projected Final FY of Rebate:	2027

### Sawyer Building

TIF Expenditure Amount:	32,002
Rebate Paid To:	American National Bank
Tied To Debt:	15 yr 90% rebate, Max \$900,000 Sawyer Bldg
Tied To Project:	Sawyer Building
Projected Final FY of Rebate:	2032

256 Characters Left

Sum of Private Investment Made Within This Urban Renewal Area  
during FY 2019

♣ Annual Urban Renewal Report, Fiscal Year 2018 - 2019

**TIF Taxing District Data Collection**

Local Government Name:	COUNCIL BLUFFS (78G732)
Urban Renewal Area:	COUNCIL BLUFFS ORIGINAL 1983 MALL URBAN RENEWAL (78001)
TIF Taxing District Name:	COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/1983 ORIG COUNCIL BLUFFS
UR TIF INCREM	
TIF Taxing District Inc. Number:	78145
TIF Taxing District Base Year:	1983
FY TIF Revenue First Received:	
Subject to a Statutory end date?	No

UR Designation	
Slum	03/1969
Blighted	03/1969
Economic Development	No

**TIF Taxing District Value by Class - 1/1/2017 for FY 2019**

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	0	0	0	0	0	0	0
Taxable	0	0	0	0	0	0	0	0	0
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	1,688,134	0	0	0	0

FY 2019 TIF Revenue Received: 0

**TIF Taxing District Data Collection**

Local Government Name:	COUNCIL BLUFFS (78G732)
Urban Renewal Area:	COUNCIL BLUFFS ORIGINAL 1983 MALL URBAN RENEWAL (78001)
TIF Taxing District Name:	COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/1983 COUNCIL BLUFFS UR TIF
INCREM	
TIF Taxing District Inc. Number:	78148
TIF Taxing District Base Year:	1983
FY TIF Revenue First Received:	1985
Subject to a Statutory end date?	No

UR Designation	
Slum	03/1969
Blighted	03/1969
Economic Development	No

**TIF Taxing District Value by Class - 1/1/2017 for FY 2019**

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	4,610,456	36,442,817	0	0	-5,556	48,115,415	0	48,115,415
Taxable	0	2,564,379	32,798,539	0	0	-5,556	40,923,179	0	40,923,179
Homestead Credits									18

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	20,116,497	28,004,474	3,668,658	24,335,816	928,217

FY 2019 TIF Revenue Received: 139,930

## Urban Renewal Area Data Collection

Local Government Name: COUNCIL BLUFFS (78G732)  
 Urban Renewal Area: COUNCIL BLUFFS WEST BROADWAY 1987 URBAN RENEWAL  
 UR Area Number: 78029  
 UR Area Creation Date: 10/1987  
 UR Area Purpose: Removal of slum and blight

Tax Districts within this Urban Renewal Area	Base No.	Increment No.	Increment Value Used
COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/1987 COUNCIL BLUFFS WEST BROADWAY UR TIF INCREM	78149	78150	34,249,684
COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/2015 COUNCIL BLUFFS WEST BROADWAY AMEND UR TIF INCREM	78351	78352	0
COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/2017 WEST BROADWAY AMEND 2 UR TIF INCREM	78357	78358	0

## Urban Renewal Area Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	3,061,658	85,732,463	331,100	0	-5,556	89,771,802	0	89,771,802
Taxable	0	1,702,917	77,159,216	297,990	0	-5,556	79,668,125	0	79,668,125
Homestead Credits									16

**TIF Sp. Rev. Fund Cash Balance as of 07-01-2018:** **8,042** **0** **Amount of 07-01-2018 Cash Balance Restricted for LMI**

TIF Revenue: 1,294,874  
 TIF Sp. Revenue Fund Interest: 0  
 Property Tax Replacement Claims: 0  
 Asset Sales & Loan Repayments: 0  
**Total Revenue: 1,294,874**

Rebate Expenditures: 48,278  
 Non-Rebate Expenditures: 1,243,095  
 Returned to County Treasurer: 0  
**Total Expenditures: 1,291,373**

**TIF Sp. Rev. Fund Cash Balance as of 06-30-2019:** **11,543** **0** **Amount of 06-30-2019 Cash Balance Restricted for LMI**

## Projects For COUNCIL BLUFFS WEST BROADWAY 1987 URBAN RENEWAL

### West Broadway/Bunge Property

Description:	Site acquisition & demolition of Bunge Properties
Classification:	Acquisition of property
Physically Complete:	No
Payments Complete:	No

### DD West Broadway LLC (22nd & Broadway)

Description:	Rebate TIF
Classification:	Commercial - retail
Physically Complete:	Yes
Payments Complete:	No

### West Broadway/Echo Property

Description:	Site acquisition & demolition of Echo Property
Classification:	Acquisition of property
Physically Complete:	No
Payments Complete:	No

## Debts/Obligations For COUNCIL BLUFFS WEST BROADWAY 1987 URBAN RENEWAL

### DD West Broadway LLC (22nd & Broadway)

Debt/Obligation Type:	Rebates
Principal:	386,224
Interest:	0
Total:	386,224
Annual Appropriation?:	Yes
Date Incurred:	04/07/2014
FY of Last Payment:	2026

### West Broadway/Bunge property

Debt/Obligation Type:	Gen. Obligation Bonds/Notes
Principal:	2,074,496
Interest:	383,881
Total:	2,458,377
Annual Appropriation?:	Yes
Date Incurred:	01/01/2012
FY of Last Payment:	2022

### West Broadway/Echo Property

Debt/Obligation Type:	Gen. Obligation Bonds/Notes
Principal:	2,015,876
Interest:	0
Total:	2,015,876
Annual Appropriation?:	Yes
Date Incurred:	01/01/2012
FY of Last Payment:	2021

## Non-Rebates For COUNCIL BLUFFS WEST BROADWAY 1987 URBAN RENEWAL

TIF Expenditure Amount:	316,202
Tied To Debt:	West Broadway/Bunge property
Tied To Project:	West Broadway/Bunge Property
TIF Expenditure Amount:	926,893
Tied To Debt:	West Broadway/Echo Property
Tied To Project:	West Broadway/Echo Property

## Rebates For COUNCIL BLUFFS WEST BROADWAY 1987 URBAN RENEWAL

### DD West Broadway

TIF Expenditure Amount:	48,278
Rebate Paid To:	DD West Broadway LLC
Tied To Debt:	DD West Broadway LLC (22nd & Broadway)
Tied To Project:	DD West Broadway LLC (22nd & Broadway)
Projected Final FY of Rebate:	2026



### TIF Taxing District Data Collection

Local Government Name:	COUNCIL BLUFFS (78G732)
Urban Renewal Area:	COUNCIL BLUFFS WEST BROADWAY 1987 URBAN RENEWAL (78029)
TIF Taxing District Name:	COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/1987 COUNCIL BLUFFS WEST BROADWAY UR TIF INCREM
TIF Taxing District Inc. Number:	78150
TIF Taxing District Base Year:	1987
FY TIF Revenue First Received:	2005
Subject to a Statutory end date?	No

UR Designation	
Slum	10/1987
Blighted	10/1987
Economic Development	No

### TIF Taxing District Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	3,061,658	85,732,463	331,100	0	-5,556	89,771,802	0	89,771,802
Taxable	0	1,702,917	77,159,216	297,990	0	-5,556	79,668,125	0	79,668,125
Homestead Credits									16

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	35,494,586	54,282,772	34,249,684	20,033,088	764,102

FY 2019 TIF Revenue Received: 1,294,874

### TIF Taxing District Data Collection

Local Government Name:	COUNCIL BLUFFS (78G732)
Urban Renewal Area:	COUNCIL BLUFFS WEST BROADWAY 1987 URBAN RENEWAL (78029)
TIF Taxing District Name:	COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/2015 COUNCIL BLUFFS WEST BROADWAY AMEND UR TIF INCREM
TIF Taxing District Inc. Number:	78352
TIF Taxing District Base Year:	2014
FY TIF Revenue First Received:	
Subject to a Statutory end date?	No

UR Designation	
Slum	No
Blighted	No
Economic Development	No

### TIF Taxing District Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	0	0	0	0	0	0	0
Taxable	0	0	0	0	0	0	0	0	0
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	23,686,242	0	0	0	0

FY 2019 TIF Revenue Received: 0

## TIF Taxing District Data Collection

Local Government Name: COUNCIL BLUFFS (78G732)  
 Urban Renewal Area: COUNCIL BLUFFS WEST BROADWAY 1987 URBAN RENEWAL (78029)  
 TIF Taxing District Name: COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/2017 WEST BROADWAY  
 AMEND 2 UR TIF INCREM  
 TIF Taxing District Inc. Number: 78358  
 TIF Taxing District Base Year: 2016  
 FY TIF Revenue First Received:  
 Subject to a Statutory end date? No

UR Designation	
Slum	No
Blighted	No
Economic Development	No

## TIF Taxing District Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	0	0	0	0	0	0	0
Taxable	0	0	0	0	0	0	0	0	0
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	343,806	0	0	0	0

FY 2019 TIF Revenue Received: 0

## Urban Renewal Area Data Collection

Local Government Name: COUNCIL BLUFFS (78G732)  
 Urban Renewal Area: COUNCIL BLUFFS MARCC 2000 URBAN RENEWAL  
 UR Area Number: 78030  
 UR Area Creation Date: 05/2001  
 UR Area Purpose: Economic development

Tax Districts within this Urban Renewal Area	Base No.	Increment No.	Increment Value Used
COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/2000 COUNCIL BLUFFS MARCC UR TIF INCREM	78252	78253	20,785,647
COUNCIL BLUFFS CITY AG/COUNCIL BLUFFS SCH/2000 COUNCIL BLUFFS MARCC UR TIF INCREM	78254	78255	0
COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/2000 COUNCIL BLUFFS MARCC AMENDED UR TIF INCREM	78305	78306	0

## Urban Renewal Area Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	47,981,800	0	0	0	47,981,800	0	47,981,800
Taxable	0	0	43,183,620	0	0	0	43,183,620	0	43,183,620
Homestead Credits									0

**TIF Sp. Rev. Fund Cash Balance as of 07-01-2018:** **3,876** **0** **Amount of 07-01-2018 Cash Balance Restricted for LMI**

TIF Revenue: 792,806  
 TIF Sp. Revenue Fund Interest: 0  
 Property Tax Replacement Claims: 0  
 Asset Sales & Loan Repayments: 0  
**Total Revenue: 792,806**

Rebate Expenditures: 0  
 Non-Rebate Expenditures: 787,458  
 Returned to County Treasurer: 0  
**Total Expenditures: 787,458**

**TIF Sp. Rev. Fund Cash Balance as of 06-30-2019:** **9,224** **0** **Amount of 06-30-2019 Cash Balance Restricted for LMI**

## Projects For COUNCIL BLUFFS MARCC 2000 URBAN RENEWAL

### BASS PRO DEVELOPMENT

Description:	BASS PRO RETAIL CENTER
Classification:	Commercial - retail
Physically Complete:	Yes
Payments Complete:	No

## Debts/Obligations For COUNCIL BLUFFS MARCC 2000 URBAN RENEWAL

### BASS PRO DEVELOPMENT

Debt/Obligation Type:	Rebates
Principal:	1,181,187
Interest:	0
Total:	1,181,187
Annual Appropriation?:	Yes
Date Incurred:	06/29/2007
FY of Last Payment:	2020

## Non-Rebates For COUNCIL BLUFFS MARCC 2000 URBAN RENEWAL

TIF Expenditure Amount:	787,458
Tied To Debt:	BASS PRO DEVELOPMENT
Tied To Project:	BASS PRO DEVELOPMENT

# ▲ Annual Urban Renewal Report, Fiscal Year 2018 - 2019

## TIF Taxing District Data Collection

Local Government Name:	COUNCIL BLUFFS (78G732)
Urban Renewal Area:	COUNCIL BLUFFS MARCC 2000 URBAN RENEWAL (78030)
TIF Taxing District Name:	COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/2000 COUNCIL BLUFFS
MARCC UR TIF INCREM	
TIF Taxing District Inc. Number:	78253
TIF Taxing District Base Year:	2000
FY TIF Revenue First Received:	2005
Subject to a Statutory end date?	Yes
Fiscal year this TIF Taxing District statutorily ends:	2022

	UR Designation
Slum	No
Blighted	No
Economic Development	05/2001

## TIF Taxing District Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	47,981,800	0	0	0	47,981,800	0	47,981,800
Taxable	0	0	43,183,620	0	0	0	43,183,620	0	43,183,620
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	1,614,045	43,183,620	20,785,647	22,397,973	854,304

FY 2019 TIF Revenue Received: 792,806

## TIF Taxing District Data Collection

Local Government Name:	COUNCIL BLUFFS (78G732)
Urban Renewal Area:	COUNCIL BLUFFS MARCC 2000 URBAN RENEWAL (78030)
TIF Taxing District Name:	COUNCIL BLUFFS CITY AG/COUNCIL BLUFFS SCH/2000 COUNCIL BLUFFS
MARCC UR TIF INCREM	
TIF Taxing District Inc. Number:	78255
TIF Taxing District Base Year:	2000
FY TIF Revenue First Received:	
Subject to a Statutory end date?	Yes
Fiscal year this TIF Taxing District statutorily ends:	2022

	UR Designation
Slum	No
Blighted	No
Economic Development	05/2001

## TIF Taxing District Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	0	0	0	0	0	0	0
Taxable	0	0	0	0	0	0	0	0	0
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	1,313	0	0	0	0

FY 2019 TIF Revenue Received: 0

## TIF Taxing District Data Collection

Local Government Name: COUNCIL BLUFFS (78G732)  
 Urban Renewal Area: COUNCIL BLUFFS MARCC 2000 URBAN RENEWAL (78030)  
 TIF Taxing District Name: COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/2000 COUNCIL BLUFFS  
 MARCC AMENDED UR TIF INCREM  
 TIF Taxing District Inc. Number: 78306  
 TIF Taxing District Base Year: 2005  
 FY TIF Revenue First Received: 2006  
 Subject to a Statutory end date? Yes  
 Fiscal year this TIF Taxing District  
 statutorily ends: 2022

UR Designation	
Slum	No
Blighted	No
Economic Development	05/2001

## TIF Taxing District Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	0	0	0	0	0	0	0
Taxable	0	0	0	0	0	0	0	0	0
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	26,000,000	0	0	0	0

FY 2019 TIF Revenue Received: 0



♣ Annual Urban Renewal Report, Fiscal Year 2018 - 2019

**Urban Renewal Area Data Collection**

Local Government Name: COUNCIL BLUFFS (78G732)  
 Urban Renewal Area: COUNCIL BLUFFS MADISON-LINDBERG AVE URBAN RENEWAL  
 UR Area Number: 78043  
 UR Area Creation Date: 01/2005  
 UR Area Purpose: Removal of slum and blight

**Tax Districts within this Urban Renewal Area**

	Base No.	Increment No.	Increment Value Used
COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/2005 COUNCIL BLUFFS MADISON LINDBERG AVE UR TIF INCREM	78297	78298	0

**Urban Renewal Area Value by Class - 1/1/2017 for FY 2019**

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	0	0	0	0	0	0	0
Taxable	0	0	0	0	0	0	0	0	0
Homestead Credits									0

**TIF Sp. Rev. Fund Cash Balance  
as of 07-01-2018:**

0

0

**Amount of 07-01-2018 Cash Balance  
Restricted for LMI**

TIF Revenue: 0  
 TIF Sp. Revenue Fund Interest: 0  
 Property Tax Replacement Claims: 0  
 Asset Sales & Loan Repayments: 0  
**Total Revenue: 0**

Rebate Expenditures: 0  
 Non-Rebate Expenditures: 0  
 Returned to County Treasurer: 0  
**Total Expenditures: 0**

**TIF Sp. Rev. Fund Cash Balance  
as of 06-30-2019:**

0

0

**Amount of 06-30-2019 Cash Balance  
Restricted for LMI**

256 Characters Left

Sum of Private Investment Made Within This Urban Renewal Area  
during FY 2019

## TIF Taxing District Data Collection

Local Government Name: COUNCIL BLUFFS (78G732)  
 Urban Renewal Area: COUNCIL BLUFFS MADISON-LINDBERG AVE URBAN RENEWAL (78043)  
 TIF Taxing District Name: COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/2005 COUNCIL BLUFFS  
 MADISON LINDBERG AVE UR TIF INCREM  
 TIF Taxing District Inc. Number: 78298  
 TIF Taxing District Base Year: 2005  
 FY TIF Revenue First Received: 2009  
 Subject to a Statutory end date? Yes  
 Fiscal year this TIF Taxing District  
 statutorily ends: 2015

UR Designation	
Slum	01/2005
Blighted	01/2005
Economic Development	No

## TIF Taxing District Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	0	0	0	0	0	0	0
Taxable	0	0	0	0	0	0	0	0	0
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	34,067	0	0	0	0

FY 2019 TIF Revenue Received: 0

## Urban Renewal Area Data Collection

Local Government Name: COUNCIL BLUFFS (78G732)  
 Urban Renewal Area: COUNCIL BLUFFS MARKET PLACE URBAN RENEWAL  
 UR Area Number: 78045  
 UR Area Creation Date: 04/2007  
 UR Area Purpose: Economic development

## Tax Districts within this Urban Renewal Area

	Base No.	Increment No.	Increment Value Used
CO BLUFFS CITY/LEWIS CENTRAL SCH/2007 COUNCIL BLUFFS MARKETPLACE UR TIF INCREM	78319	78320	19,926,551

## Urban Renewal Area Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	29,451,200	0	0	0	29,451,200	0	29,451,200
Taxable	0	0	26,506,080	0	0	0	26,506,080	0	26,506,080
Homestead Credits									0

<b>TIF Sp. Rev. Fund Cash Balance as of 07-01-2018:</b>	<b>0</b>	<b>0</b>	<b>Amount of 07-01-2018 Cash Balance Restricted for LMI</b>
---	----------	----------	---

TIF Revenue:	697,876
TIF Sp. Revenue Fund Interest:	0
Property Tax Replacement Claims	0
Asset Sales & Loan Repayments:	0
<b>Total Revenue:</b>	<b>697,876</b>

Rebate Expenditures:	86,717
Non-Rebate Expenditures:	611,159
Returned to County Treasurer:	0
<b>Total Expenditures:</b>	<b>697,876</b>

<b>TIF Sp. Rev. Fund Cash Balance as of 06-30-2019:</b>	<b>0</b>	<b>0</b>	<b>Amount of 06-30-2019 Cash Balance Restricted for LMI</b>
---	----------	----------	---

## Projects For COUNCIL BLUFFS MARKET PLACE URBAN RENEWAL

### Marketplace, LLC

Description:	Rebate TIF
Classification:	Commercial - retail
Physically Complete:	Yes
Payments Complete:	No

## Debts/Obligations For COUNCIL BLUFFS MARKET PLACE URBAN RENEWAL

**60% rebate for FY13-14, 90% rebate thereafter, maximum \$8.75 million**

Debt/Obligation Type:	Rebates
Principal:	154,000
Interest:	0
Total:	154,000
Annual Appropriation?:	Yes
Date Incurred:	08/24/2013
FY of Last Payment:	2029

### Iowa Finance Authority Economic Dev Bonds

Debt/Obligation Type:	TIF Revenue Bonds/Notes
Principal:	4,675,000
Interest:	2,347,713
Total:	7,022,713
Annual Appropriation?:	Yes
Date Incurred:	05/20/2015
FY of Last Payment:	2029

## Non-Rebates For COUNCIL BLUFFS MARKET PLACE URBAN RENEWAL

TIF Expenditure Amount:	611,159
Tied To Debt:	Iowa Finance Authority Economic Dev Bonds
Tied To Project:	Marketplace, LLC

## Rebates For COUNCIL BLUFFS MARKET PLACE URBAN RENEWAL

### 3271 MARKETPLACE DRIVE

TIF Expenditure Amount:	86,717
Rebate Paid To:	LEGACY COUNCIL BLUFFS MARKET PLACE llc
Tied To Debt:	60% rebate for FY13-14, 90% rebate thereafter, maximum \$8.75 million
Tied To Project:	Marketplace, LLC
Projected Final FY of Rebate:	2029



256 Characters Left

Sum of Private Investment Made Within This Urban Renewal Area  
during FY 2019

## TIF Taxing District Data Collection

Local Government Name: COUNCIL BLUFFS (78G732)  
 Urban Renewal Area: COUNCIL BLUFFS MARKET PLACE URBAN RENEWAL (78045)  
 TIF Taxing District Name: CO BLUFFS CITY/LEWIS CENTRAL SCH/2007 COUNCIL BLUFFS  
 MARKETPLACE UR TIF INCREM  
 TIF Taxing District Inc. Number: 78320  
 TIF Taxing District Base Year: 2007  
 FY TIF Revenue First Received: 2010  
 Subject to a Statutory end date? Yes  
 Fiscal year this TIF Taxing District  
 statutorily ends: 2029

UR Designation	
Slum	No
Blighted	No
Economic Development	04/2007

## TIF Taxing District Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	29,451,200	0	0	0	29,451,200	0	29,451,200
Taxable	0	0	26,506,080	0	0	0	26,506,080	0	26,506,080
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	37,940	26,506,080	19,926,551	6,579,529	230,431

FY 2019 TIF Revenue Received: 697,876

# ▲ Annual Urban Renewal Report, Fiscal Year 2018 - 2019

## Urban Renewal Area Data Collection

Local Government Name: COUNCIL BLUFFS (78G732)  
 Urban Renewal Area: COUNCIL BLUFFS PLAYLAND PARK URBAN RENEWAL  
 UR Area Number: 78046  
 UR Area Creation Date: 06/2003  
 UR Area Purpose: Removal of slum and blight

Tax Districts within this Urban Renewal Area	Base No.	Increment No.	Increment Value Used
COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/2006 COUNCIL BLUFFS PLAYLAND PARK UR TIF INCREM	78315	78316	9,865,091
COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/2010 COUNCIL BLUFFS PLAYLAND PARK AMEND UR TIF INCREM	78331	78332	0
COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/2013 COUNCIL BLUFFS PLAYLAND PARK AMEND #3 UR TIF INCREM	78347	78348	0

## Urban Renewal Area Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	0	0	0	0	12,962,000	0	12,962,000
Taxable	0	0	0	0	0	0	10,207,576	0	10,207,576
Homestead Credits									0

**TIF Sp. Rev. Fund Cash Balance as of 07-01-2018:** 0 0 **Amount of 07-01-2018 Cash Balance Restricted for LMI**

TIF Revenue: 376,274  
 TIF Sp. Revenue Fund Interest: 0  
 Property Tax Replacement Claims 0  
 Asset Sales & Loan Repayments: 0  
**Total Revenue: 376,274**

Rebate Expenditures: 228,206  
 Non-Rebate Expenditures: 148,068  
 Returned to County Treasurer: 0  
**Total Expenditures: 376,274**

**TIF Sp. Rev. Fund Cash Balance as of 06-30-2019:** 0 0 **Amount of 06-30-2019 Cash Balance Restricted for LMI**

## Projects For COUNCIL BLUFFS PLAYLAND PARK URBAN RENEWAL

### Riverfront Apartments

Description:	Rebate TIF
Classification:	Commercial - apartment/condos (residential use, classified commercial)
Physically Complete:	Yes
Payments Complete:	No

### Office Building

Description:	Rebate TIF
Classification:	Commercial - office properties
Physically Complete:	Yes
Payments Complete:	No

### Parking garage

Description:	Rebate TIF
Classification:	Commercial - office properties
Physically Complete:	Yes
Payments Complete:	No

### BDC Apartments (Lot 1, Block 2)

Description:	Rebate TIF
Classification:	Commercial - apartment/condos (residential use, classified commercial)
Physically Complete:	No
Payments Complete:	No

## Debts/Obligations For COUNCIL BLUFFS PLAYLAND PARK URBAN RENEWAL

### 10 YEAR 60% REBATE

Debt/Obligation Type:	Rebates
Principal:	879,644
Interest:	0
Total:	879,644
Annual Appropriation?:	No
Date Incurred:	06/29/2007
FY of Last Payment:	2022

### GO BONDS 2010C

Debt/Obligation Type:	Gen. Obligation Bonds/Notes
Principal:	704,130
Interest:	111,404
Total:	815,534
Annual Appropriation?:	No
Date Incurred:	07/30/2010
FY of Last Payment:	2025

### 40 semi annual payments, 75%

Debt/Obligation Type:	Rebates
Principal:	0
Interest:	0
Total:	0
Annual Appropriation?:	Yes
Date Incurred:	07/11/2016
FY of Last Payment:	2039

### Parking garage

Debt/Obligation Type:	Other Debt
Principal:	0
Interest:	0
Total:	0
Annual Appropriation?:	Yes
Date Incurred:	10/24/2017
FY of Last Payment:	2039

### 18 year, 75% rebate (Lot 1, Blk 2)

Debt/Obligation Type:	Rebates
Principal:	0
Interest:	0
Total:	0
Annual Appropriation?:	Yes

Date Incurred:	12/20/2016
FY of Last Payment:	2038

## Non-Rebates For COUNCIL BLUFFS PLAYLAND PARK URBAN RENEWAL

TIF Expenditure Amount:	148,068
Tied To Debt:	GO BONDS 2010C
Tied To Project:	Riverfront Apartments

## Rebates For COUNCIL BLUFFS PLAYLAND PARK URBAN RENEWAL

### 113 S. 38TH STREET

TIF Expenditure Amount:	228,206
Rebate Paid To:	RIVER PARK APARTMENTS
Tied To Debt:	10 YEAR 60% REBATE
Tied To Project:	Riverfront Apartments
Projected Final FY of Rebate:	2022

### 4201 River's Edge Parkway

TIF Expenditure Amount:	0
Rebate Paid To:	River's Edge One, LLC
Tied To Debt:	40 semi annual payments, 75%
Tied To Project:	Office Building
Projected Final FY of Rebate:	2039

### Parking garage

TIF Expenditure Amount:	0
Rebate Paid To:	River's Edge Parking, LLC
Tied To Debt:	Parking garage
Tied To Project:	Parking garage
Projected Final FY of Rebate:	2039

### Lot 1, Block 2, Broadmoor Apartments

TIF Expenditure Amount:	0
Rebate Paid To:	River's Edge Apartments, LLC
Tied To Debt:	18 year, 75% rebate (Lot 1, Blk 2)
Tied To Project:	BDC Apartments (Lot 1, Block 2)
Projected Final FY of Rebate:	2038



# ▲ Annual Urban Renewal Report, Fiscal Year 2018 - 2019

## TIF Taxing District Data Collection

Local Government Name:	COUNCIL BLUFFS (78G732)
Urban Renewal Area:	COUNCIL BLUFFS PLAYLAND PARK URBAN RENEWAL (78046)
TIF Taxing District Name:	COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/2006 COUNCIL BLUFFS PLAYLAND PARK UR TIF INCREM
TIF Taxing District Inc. Number:	78316
TIF Taxing District Base Year:	2006
FY TIF Revenue First Received:	2009
Subject to a Statutory end date?	No

	UR Designation
Slum	06/2003
Blighted	06/2003
Economic Development	No

## TIF Taxing District Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	0	0	0	0	12,962,000	0	12,962,000
Taxable	0	0	0	0	0	0	10,207,576	0	10,207,576
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	808,462	10,207,576	9,865,091	342,485	13,063

FY 2019 TIF Revenue Received: 376,274

## TIF Taxing District Data Collection

Local Government Name:	COUNCIL BLUFFS (78G732)
Urban Renewal Area:	COUNCIL BLUFFS PLAYLAND PARK URBAN RENEWAL (78046)
TIF Taxing District Name:	COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/2010 COUNCIL BLUFFS PLAYLAND PARK AMEND UR TIF INCREM
TIF Taxing District Inc. Number:	78332
TIF Taxing District Base Year:	2010
FY TIF Revenue First Received:	
Subject to a Statutory end date?	No

	UR Designation
Slum	No
Blighted	No
Economic Development	No

## TIF Taxing District Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	0	0	0	0	0	0	0
Taxable	0	0	0	0	0	0	0	0	0
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	1,495	0	0	0	0

FY 2019 TIF Revenue Received: 0

## TIF Taxing District Data Collection

Local Government Name: COUNCIL BLUFFS (78G732)  
 Urban Renewal Area: COUNCIL BLUFFS PLAYLAND PARK URBAN RENEWAL (78046)  
 TIF Taxing District Name: COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/2013 COUNCIL BLUFFS  
 PLAYLAND PARK AMEND #3 UR TIF INCREM  
 TIF Taxing District Inc. Number: 78348

TIF Taxing District Base Year: 2013  
 FY TIF Revenue First Received:  
 Subject to a Statutory end date? No

UR Designation	
Slum	No
Blighted	No
Economic Development	No

## TIF Taxing District Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	0	0	0	0	0	0	0
Taxable	0	0	0	0	0	0	0	0	0
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	91,831	0	0	0	0

FY 2019 TIF Revenue Received: 0

♣ Annual Urban Renewal Report, Fiscal Year 2018 - 2019

### Urban Renewal Area Data Collection

Local Government Name: COUNCIL BLUFFS (78G732)  
 Urban Renewal Area: COUNCIL BLUFFS HAWKEYE HEIGHTS URBAN RENEWAL  
 UR Area Number: 78047  
 UR Area Creation Date: 02/2007  
 UR Area Purpose: Economic development

### Tax Districts within this Urban Renewal Area

	Base No.	Increment No.	Increment Value Used
COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/2007 COUNCIL BLUFFS HAWKEYE HEIGHTS UR TIF INCREM	78317	78318	2,863,953

### Urban Renewal Area Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	0	0	0	0	8,468,600	0	8,468,600
Taxable	0	0	0	0	0	0	6,669,022	0	6,669,022
Homestead Credits									0

<b>TIF Sp. Rev. Fund Cash Balance as of 07-01-2018:</b>	<b>21,217</b>	<b>0</b>	<b>Amount of 07-01-2018 Cash Balance Restricted for LMI</b>
---	---------------	----------	---

TIF Revenue:	109,237
TIF Sp. Revenue Fund Interest:	0
Property Tax Replacement Claims	0
Asset Sales & Loan Repayments:	0
<b>Total Revenue:</b>	<b>109,237</b>

Rebate Expenditures:	123,488
Non-Rebate Expenditures:	0
Returned to County Treasurer:	0
<b>Total Expenditures:</b>	<b>123,488</b>

<b>TIF Sp. Rev. Fund Cash Balance as of 06-30-2019:</b>	<b>6,966</b>	<b>0</b>	<b>Amount of 06-30-2019 Cash Balance Restricted for LMI</b>
---	--------------	----------	---

## Projects For COUNCIL BLUFFS HAWKEYE HEIGHTS URBAN RENEWAL

### Council Bluffs Retirement

Description:	Rebate TIF
Classification:	Commercial - apartment/condos (residential use, classified commercial)
Physically Complete:	Yes
Payments Complete:	No

## Debts/Obligations For COUNCIL BLUFFS HAWKEYE HEIGHTS URBAN RENEWAL

### 10 YEAR 65% YEAR I - 50% YEAR 2-10

Debt/Obligation Type:	Rebates
Principal:	123,488
Interest:	0
Total:	123,488
Annual Appropriation?:	Yes
Date Incurred:	03/10/2007
FY of Last Payment:	2019

## **Rebates For COUNCIL BLUFFS HAWKEYE HEIGHTS URBAN RENEWAL**

### **PRIMROSE RETIREMENT COMMUNITY**

TIF Expenditure Amount:	123,488
Rebate Paid To:	TSMC Management, LLC
Tied To Debt:	10 YEAR 65% YEAR 1 - 50% YEAR 2-10
Tied To Project:	Council Bluffs Retirement
Projected Final FY of Rebate:	2019

## TIF Taxing District Data Collection

Local Government Name: COUNCIL BLUFFS (78G732)  
 Urban Renewal Area: COUNCIL BLUFFS HAWKEYE HEIGHTS URBAN RENEWAL (78047)  
 TIF Taxing District Name: COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/2007 COUNCIL BLUFFS  
 HAWKEYE HEIGHTS UR TIF INCREM  
 TIF Taxing District Inc. Number: 78318  
 TIF Taxing District Base Year: 2007  
 FY TIF Revenue First Received: 2010  
 Subject to a Statutory end date? Yes  
 Fiscal year this TIF Taxing District  
 statutorily ends: 2027

UR Designation	
Slum	No
Blighted	No
Economic Development	02/2007

## TIF Taxing District Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	0	0	0	0	8,468,600	0	8,468,600
Taxable	0	0	0	0	0	0	6,669,022	0	6,669,022
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	156,234	6,669,022	2,863,953	3,805,069	145,133

FY 2019 TIF Revenue Received: 109,237

## Urban Renewal Area Data Collection

Local Government Name: COUNCIL BLUFFS (78G732)  
 Urban Renewal Area: COUNCIL BLUFFS SOUTH MAIN URBAN RENEWAL  
 UR Area Number: 78048  
 UR Area Creation Date: 06/1998  
 UR Area Purpose: Slum and blight

## Tax Districts within this Urban Renewal Area

	Base No.	Increment No.	Increment Value Used
COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/2007 COUNCIL BLUFFS SOUTH MAIN UR TIF INCREM	78321	78322	1,253,804

## Urban Renewal Area Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	3,926,644	12,515,654	18,250,300	0	-7,408	35,985,431	0	35,985,431
Taxable	0	2,184,038	11,264,092	16,425,270	0	-7,408	30,889,935	0	30,889,935
Homestead Credits									26

<b>TIF Sp. Rev. Fund Cash Balance as of 07-01-2018:</b>	<b>7,284</b>	<b>0</b>	<b>Amount of 07-01-2018 Cash Balance Restricted for LMI</b>
---	--------------	----------	---

TIF Revenue:	47,796
TIF Sp. Revenue Fund Interest:	0
Property Tax Replacement Claims	0
Asset Sales & Loan Repayments:	0
<b>Total Revenue:</b>	<b>47,796</b>

Rebate Expenditures:	54,487
Non-Rebate Expenditures:	0
Returned to County Treasurer:	0
<b>Total Expenditures:</b>	<b>54,487</b>

<b>TIF Sp. Rev. Fund Cash Balance as of 06-30-2019:</b>	<b>593</b>	<b>0</b>	<b>Amount of 06-30-2019 Cash Balance Restricted for LMI</b>
---	------------	----------	---



## Projects For COUNCIL BLUFFS SOUTH MAIN URBAN RENEWAL

### Prime Square

Description:	Rebate TIF
Classification:	Low and Moderate Income Housing
Physically Complete:	Yes
Payments Complete:	No

## Debts/Obligations For COUNCIL BLUFFS SOUTH MAIN URBAN RENEWAL

### 10 YEAR 60% REBATE

Debt/Obligation Type:	Rebates
Principal:	54,487
Interest:	0
Total:	54,487
Annual Appropriation?:	No
Date Incurred:	10/22/2005
FY of Last Payment:	2019

## Rebates For COUNCIL BLUFFS SOUTH MAIN URBAN RENEWAL

### PRIME SQUARE SENIOR LIVING

TIF Expenditure Amount:	54,487
Rebate Paid To:	CBIA LLLP
Tied To Debt:	10 YEAR 60% REBATE
Tied To Project:	Prime Square
Projected Final FY of Rebate:	2019

256 Characters Left

Sum of Private Investment Made Within This Urban Renewal Area  
during FY 2019

## TIF Taxing District Data Collection

Local Government Name: COUNCIL BLUFFS (78G732)  
 Urban Renewal Area: COUNCIL BLUFFS SOUTH MAIN URBAN RENEWAL (78048)  
 TIF Taxing District Name: COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/2007 COUNCIL BLUFFS  
 SOUTH MAIN UR TIF INCREM  
 TIF Taxing District Inc. Number: 78322  
 TIF Taxing District Base Year: 2007  
 FY TIF Revenue First Received: 2010  
 Subject to a Statutory end date? No

UR Designation	
Slum	06/1998
Blighted	06/1998
Economic Development	No

## TIF Taxing District Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	3,926,644	12,515,654	18,250,300	0	-7,408	35,985,431	0	35,985,431
Taxable	0	2,184,038	11,264,092	16,425,270	0	-7,408	30,889,935	0	30,889,935
Homestead Credits									26

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	30,295,901	5,696,938	1,253,804	4,443,134	169,470

FY 2019 TIF Revenue Received: 47,796

# ▲ Annual Urban Renewal Report, Fiscal Year 2018 - 2019

## Urban Renewal Area Data Collection

Local Government Name: COUNCIL BLUFFS (78G732)  
 Urban Renewal Area: COUNCIL BLUFFS OLD AIRPORT URBAN RENEWAL  
 UR Area Number: 78049

UR Area Creation Date: 02/2006

UR Area Purpose: Economic development

Tax Districts within this Urban Renewal Area	Base No.	Increment No.	Increment Value Used
CO BLUFFS CITY/LEWIS CENTRAL SCH/2007 COUNCIL BLUFFS OLD AIRPORT UR TIF INCREM	78323	78324	4,700,645
CO BLUFFS CITY AG/LEWIS CENTRAL SCH/2007 COUNCIL BLUFFS OLD AIRPORT UR TIF INCREM	78329	78330	0

## Urban Renewal Area Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	66,946,600	0	0	0	66,946,600	0	66,946,600
Taxable	0	0	60,251,940	0	0	0	60,251,940	0	60,251,940
Homestead Credits									0

**TIF Sp. Rev. Fund Cash Balance as of 07-01-2018:** **0** **0** **Amount of 07-01-2018 Cash Balance Restricted for LMI**

TIF Revenue: 164,628  
 TIF Sp. Revenue Fund Interest: 0  
 Property Tax Replacement Claims: 0  
 Asset Sales & Loan Repayments: 0  
**Total Revenue: 164,628**

Rebate Expenditures: 0  
 Non-Rebate Expenditures: 163,929  
 Returned to County Treasurer: 0  
**Total Expenditures: 163,929**

**TIF Sp. Rev. Fund Cash Balance as of 06-30-2019:** **699** **0** **Amount of 06-30-2019 Cash Balance Restricted for LMI**

## Projects For COUNCIL BLUFFS OLD AIRPORT URBAN RENEWAL

### Metro Crossing, LLC

Description:	Rebate TIF
Classification:	Commercial - retail
Physically Complete:	Yes
Payments Complete:	Yes

## Debts/Obligations For COUNCIL BLUFFS OLD AIRPORT URBAN RENEWAL

### GO BONDS 2007B

Debt/Obligation Type:	Gen. Obligation Bonds/Notes
Principal:	163,929
Interest:	0
Total:	163,929
Annual Appropriation?:	No
Date Incurred:	04/29/2007
FY of Last Payment:	2019



## Non-Rebates For COUNCIL BLUFFS OLD AIRPORT URBAN RENEWAL

TIF Expenditure Amount:	163,929
Tied To Debt:	GO BONDS 2007B
Tied To Project:	Metro Crossing, LLC

# ▲ Annual Urban Renewal Report, Fiscal Year 2018 - 2019

## TIF Taxing District Data Collection

Local Government Name:	COUNCIL BLUFFS (78G732)
Urban Renewal Area:	COUNCIL BLUFFS OLD AIRPORT URBAN RENEWAL (78049)
TIF Taxing District Name:	CO BLUFFS CITY/LEWIS CENTRAL SCH/2007 COUNCIL BLUFFS OLD AIRPORT
UR TIF INCREM	
TIF Taxing District Inc. Number:	78324
TIF Taxing District Base Year:	2007
FY TIF Revenue First Received:	2010
Subject to a Statutory end date?	Yes
Fiscal year this TIF Taxing District statutorily ends:	2026

UR Designation	
Slum	No
Blighted	No
Economic Development	02/2006

## TIF Taxing District Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	66,946,600	0	0	0	66,946,600	0	66,946,600
Taxable	0	0	60,251,940	0	0	0	60,251,940	0	60,251,940
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	3,498,026	60,251,940	4,700,645	55,551,295	1,945,540

FY 2019 TIF Revenue Received: 164,628

## TIF Taxing District Data Collection

Local Government Name:	COUNCIL BLUFFS (78G732)
Urban Renewal Area:	COUNCIL BLUFFS OLD AIRPORT URBAN RENEWAL (78049)
TIF Taxing District Name:	CO BLUFFS CITY AG/LEWIS CENTRAL SCH/2007 COUNCIL BLUFFS OLD
AIRPORT UR TIF INCREM	
TIF Taxing District Inc. Number:	78330
TIF Taxing District Base Year:	2007
FY TIF Revenue First Received:	
Subject to a Statutory end date?	Yes
Fiscal year this TIF Taxing District statutorily ends:	2026

UR Designation	
Slum	No
Blighted	No
Economic Development	02/2006

## TIF Taxing District Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	0	0	0	0	0	0	0
Taxable	0	0	0	0	0	0	0	0	0
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	819	0	0	0	0

FY 2019 TIF Revenue Received: 0

## Urban Renewal Area Data Collection

Local Government Name: COUNCIL BLUFFS (78G732)  
 Urban Renewal Area: COUNCIL BLUFFS FRANKLIN AVE URBAN RENEWAL  
 UR Area Number: 78052

UR Area Creation Date:

UR Area Purpose:

Tax Districts within this Urban Renewal Area	Base No.	Increment No.	Increment Value Used
COUNCIL BLUFFS CITY/LEWIS CENTRAL SCH/2013 COUNCIL BLUFFS FRANKLIN AVE UR TIF INCREM	78339	78340	4,070,710

## Urban Renewal Area Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	7,790,200	0	0	0	-11,112	7,779,088	0	7,779,088
Taxable	0	4,332,978	0	0	0	-11,112	4,321,866	0	4,321,866
Homestead Credits									24

**TIF Sp. Rev. Fund Cash Balance as of 07-01-2018:** **3,382** **0** **Amount of 07-01-2018 Cash Balance Restricted for LMI**

TIF Revenue: 142,569  
 TIF Sp. Revenue Fund Interest: 0  
 Property Tax Replacement Claims: 0  
 Asset Sales & Loan Repayments: 0  
**Total Revenue: 142,569**

Rebate Expenditures: 142,088  
 Non-Rebate Expenditures: 0  
 Returned to County Treasurer: 0  
**Total Expenditures: 142,088**

**TIF Sp. Rev. Fund Cash Balance as of 06-30-2019:** **3,863** **0** **Amount of 06-30-2019 Cash Balance Restricted for LMI**

## Projects For COUNCIL BLUFFS FRANKLIN AVE URBAN RENEWAL

### FRANKLIN AVE

Description:	REBATE TIF
Classification:	Residential property (classified residential)
Physically Complete:	Yes
Payments Complete:	No

## Debts/Obligations For COUNCIL BLUFFS FRANKLIN AVE URBAN RENEWAL

### 100% TIF, 24 SEMI ANNUAL PMT

Debt/Obligation Type:	Rebates
Principal:	1,289,240
Interest:	0
Total:	1,289,240
Annual Appropriation?:	Yes
Date Incurred:	09/26/2011
FY of Last Payment:	2027

## Rebates For COUNCIL BLUFFS FRANKLIN AVE URBAN RENEWAL

### FRANKLIN AVE

TIF Expenditure Amount:	142,088
Rebate Paid To:	MCCARTHY CONSTRUCITON INC
Tied To Debt:	100% TIF, 24 SEMI ANNUAL PMT
Tied To Project:	FRANKLIN AVE
Projected Final FY of Rebate:	2027

## TIF Taxing District Data Collection

Local Government Name: COUNCIL BLUFFS (78G732)  
 Urban Renewal Area: COUNCIL BLUFFS FRANKLIN AVE URBAN RENEWAL (78052)  
 TIF Taxing District Name: COUNCIL BLUFFS CITY/LEWIS CENTRAL SCH/2013 COUNCIL BLUFFS  
 FRANKLIN AVE UR TIF INCREM  
 TIF Taxing District Inc. Number: 78340  
 TIF Taxing District Base Year: 2013  
 FY TIF Revenue First Received:  
 Subject to a Statutory end date? No

UR Designation	
Slum	No
Blighted	No
Economic Development	No

## TIF Taxing District Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	7,790,200	0	0	0	-11,112	7,779,088	0	7,779,088
Taxable	0	4,332,978	0	0	0	-11,112	4,321,866	0	4,321,866
Homestead Credits									24

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	180,245	4,321,866	4,070,710	251,156	8,796

FY 2019 TIF Revenue Received: 142,569

## Urban Renewal Area Data Collection

Local Government Name: COUNCIL BLUFFS (78G732)  
 Urban Renewal Area: COUNCIL BLUFFS 2013 BLUFFS NORTHWAY URBAN RENEWAL  
 UR Area Number: 78053

UR Area Creation Date:

UR Area Purpose:

Tax Districts within this Urban Renewal Area	Base No.	Increment No.	Increment Value Used
COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/2013 COUNCIL BLUFFS BLUFFS NORTHWAY UR TIF INCREM	78341	78342	10,954,290

## Urban Renewal Area Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	13,284,100	0	0	0	13,284,100	0	13,284,100
Taxable	0	0	11,955,690	0	0	0	11,955,690	0	11,955,690
Homestead Credits									0

**TIF Sp. Rev. Fund Cash Balance as of 07-01-2018:** **0** **0** **Amount of 07-01-2018 Cash Balance Restricted for LMI**

TIF Revenue: 417,818  
 TIF Sp. Revenue Fund Interest: 0  
 Property Tax Replacement Claims: 0  
 Asset Sales & Loan Repayments: 0  
**Total Revenue: 417,818**

Rebate Expenditures: 417,818  
 Non-Rebate Expenditures: 0  
 Returned to County Treasurer: 0  
**Total Expenditures: 417,818**

**TIF Sp. Rev. Fund Cash Balance as of 06-30-2019:** **0** **0** **Amount of 06-30-2019 Cash Balance Restricted for LMI**



## Projects For COUNCIL BLUFFS 2013 BLUFFS NORTHWAY URBAN RENEWAL

### BLUFFS NORTHWAY URBAN REVEWAL

Description:	REBATE TIF
Classification:	Commercial - retail
Physically Complete:	Yes
Payments Complete:	No

## Debts/Obligations For COUNCIL BLUFFS 2013 BLUFFS NORTHWAY URBAN RENEWAL

### 12 YR 100% REBATE

Debt/Obligation Type:	Rebates
Principal:	3,301,182
Interest:	0
Total:	3,301,182
Annual Appropriation?:	Yes
Date Incurred:	01/17/2013
FY of Last Payment:	2027

## **Rebates For COUNCIL BLUFFS 2013 BLUFFS NORTHWAY URBAN RENEWAL**

### **WALMART N. 16TH ST**

TIF Expenditure Amount:	417,818
Rebate Paid To:	WALMART REALESTATE TRUST
Tied To Debt:	12 YR 100% REBATE
Tied To Project:	BLUFFS NORTHWAY URBAN REVEWAL
Projected Final FY of Rebate:	2027

## TIF Taxing District Data Collection

Local Government Name: COUNCIL BLUFFS (78G732)  
 Urban Renewal Area: COUNCIL BLUFFS 2013 BLUFFS NORTHWAY URBAN RENEWAL (78053)  
 TIF Taxing District Name: COUNCIL BLUFFS CITY/COUNCIL BLUFFS SCH/2013 COUNCIL BLUFFS  
 BLUFFS NORTHWAY UR TIF INCREM  
 TIF Taxing District Inc. Number: 78342  
 TIF Taxing District Base Year: 2013  
 FY TIF Revenue First Received:  
 Subject to a Statutory end date? No

UR Designation	
Slum	No
Blighted	No
Economic Development	No

## TIF Taxing District Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	13,284,100	0	0	0	13,284,100	0	13,284,100
Taxable	0	0	11,955,690	0	0	0	11,955,690	0	11,955,690
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2019	2,283,212	11,000,888	10,954,290	46,598	1,777

FY 2019 TIF Revenue Received: 417,818

# ▲ Annual Urban Renewal Report, Fiscal Year 2018 - 2019

## Urban Renewal Area Data Collection

Local Government Name: COUNCIL BLUFFS (78G732)  
 Urban Renewal Area: COUNCIL BLUFFS BLUFFS VISION URBAN RENEWAL  
 UR Area Number: 78054  
 UR Area Creation Date: 12/2015  
 UR Area Purpose: Economic development

Tax Districts within this Urban Renewal Area	Base No.	Increment No.	Increment Value Used
--	-------------	------------------	----------------------------

## Urban Renewal Area Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	0	0	0	0	0	0	0
Taxable	0	0	0	0	0	0	0	0	0
Homestead Credits									0

TIF Sp. Rev. Fund Cash Balance as of 07-01-2018:	0	0	Amount of 07-01-2018 Cash Balance Restricted for LMI
---	---	---	---

TIF Revenue:	0
TIF Sp. Revenue Fund Interest:	0
Property Tax Replacement Claims	0
Asset Sales & Loan Repayments:	0
<b>Total Revenue:</b>	<b>0</b>
Rebate Expenditures:	0
Non-Rebate Expenditures:	0
Returned to County Treasurer:	0
<b>Total Expenditures:</b>	<b>0</b>

TIF Sp. Rev. Fund Cash Balance as of 06-30-2019:	0	0	Amount of 06-30-2019 Cash Balance Restricted for LMI
---	---	---	---

## Projects For COUNCIL BLUFFS BLUFFS VISION URBAN RENEWAL

### MAC Ventures LLC

Description:	Fieldhouse and hotel development
Classification:	Recreational facilities (lake development, parks, ball fields, trails)
Physically Complete:	Yes
Payments Complete:	No

## Debts/Obligations For COUNCIL BLUFFS BLUFFS VISION URBAN RENEWAL

### 15 year, 90% rebate

Debt/Obligation Type:	Rebates
Principal:	4,118,280
Interest:	0
Total:	4,118,280
Annual Appropriation?:	Yes
Date Incurred:	04/25/2016
FY of Last Payment:	2034

## Rebates For COUNCIL BLUFFS BLUFFS VISION URBAN RENEWAL

### MAC Ventures

TIF Expenditure Amount:	0
Rebate Paid To:	MAC Ventures, LLC
Tied To Debt:	15 year, 90% rebate
Tied To Project:	MAC Ventures LLC
Projected Final FY of Rebate:	2034



256 Characters Left

Sum of Private Investment Made Within This Urban Renewal Area  
during FY 2019

## Urban Renewal Area Data Collection

Local Government Name: COUNCIL BLUFFS (78G732)  
 Urban Renewal Area: COUNCIL BLUFFS 2019 MID-CITY CORRIDOR URBAN RENEWAL  
 UR Area Number: 78901  
 UR Area Creation Date: 02/2019  
 UR Area Purpose: Slum and blight

## Tax Districts within this Urban Renewal Area

Base No. Increment No. Increment Value Used

## Urban Renewal Area Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	0	0	0	0	0	0	0
Taxable	0	0	0	0	0	0	0	0	0
Homestead Credits									0

**TIF Sp. Rev. Fund Cash Balance as of 07-01-2018:** 0 0 **Amount of 07-01-2018 Cash Balance Restricted for LMI**

TIF Revenue: 0  
 TIF Sp. Revenue Fund Interest: 0  
 Property Tax Replacement Claims: 0  
 Asset Sales & Loan Repayments: 0  
**Total Revenue: 0**

Rebate Expenditures: 0  
 Non-Rebate Expenditures: 0  
 Returned to County Treasurer: 0  
**Total Expenditures: 0**

**TIF Sp. Rev. Fund Cash Balance as of 06-30-2019:** 0 0 **Amount of 06-30-2019 Cash Balance Restricted for LMI**

256 Characters Left

Sum of Private Investment Made Within This Urban Renewal Area  
during FY 2019

## Urban Renewal Area Data Collection

Local Government Name: COUNCIL BLUFFS (78G732)  
 Urban Renewal Area: COUNCIL BLUFFS 24 PARK PLACE URBAN RENEWAL  
 UR Area Number: 78902  
 UR Area Creation Date: 03/2019  
 UR Area Purpose: Economic Development

**Tax Districts within this Urban Renewal Area**

	Base No.	Increment No.	Increment Value Used
--	-------------	------------------	----------------------------

## Urban Renewal Area Value by Class - 1/1/2017 for FY 2019

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	0	0	0	0	0	0	0
Taxable	0	0	0	0	0	0	0	0	0
Homestead Credits									0

<b>TIF Sp. Rev. Fund Cash Balance as of 07-01-2018:</b>	<b>0</b>	<b>0</b>	<b>Amount of 07-01-2018 Cash Balance Restricted for LMI</b>
---	----------	----------	---

TIF Revenue:	0
TIF Sp. Revenue Fund Interest:	0
Property Tax Replacement Claims	0
Asset Sales & Loan Repayments:	0
<b>Total Revenue:</b>	<b>0</b>
Rebate Expenditures:	0
Non-Rebate Expenditures:	0
Returned to County Treasurer:	0
<b>Total Expenditures:</b>	<b>0</b>

<b>TIF Sp. Rev. Fund Cash Balance as of 06-30-2019:</b>	<b>0</b>	<b>0</b>	<b>Amount of 06-30-2019 Cash Balance Restricted for LMI</b>
---	----------	----------	---

256 Characters Left

Sum of Private Investment Made Within This Urban Renewal Area  
during FY 2019

**RESOLUTION NO. 19-250**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS APPROVING  
THE ANNUAL URBAN RENEWAL REPORT FOR FISCAL YEAR 2018-2019.**

- WHEREAS,** the Urban Renewal Reporting Act of 2012 (HF 2460) requires the preparation of an annual report on active urban renewal areas and associated tax increment financing districts; and
- WHEREAS,** this report must be approved the City Council before being considered complete; and
- WHEREAS,** the Community Development and Finance Departments worked together to complete and prepare this report in accordance with the requirements of state law; and
- WHEREAS,** this report is due to the Department of Management by December 1<sup>st</sup> of each year; and
- WHEREAS,** after review and consideration of the report, the City Council approves and hereby authorizes the submission of this report.

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

The Annual Urban Renewal Report for Fiscal Year 2018-2019 is hereby approved and City staff is authorized to submit this report to the Department of Management.

ADOPTED  
AND  
APPROVED:

November 4, 2019

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

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

## Council Communication

Department: Finance  
Case/Project No.: Resolution 19-  
Submitted by: Kathy Knott

Resolution 19-251  
ITEM 6.B.

Council Action: 11/4/2019

### Description

Resolution authorizing for annual certification for Tax Increment Financing Indebtedness.

### Background/Discussion

According to Iowa Code Section 403.19, a city shall certify to the County Auditor on or before December 1, the amount of loans, indebtedness, or bonds which qualify for payment from a Tax Increment Financing (TIF) district for each established urban renewal area. This certification provides for the division of taxes collected attributable to specific projects.

The following projects require debt certification on or before December 1, 2019 for the collection of TIF funds in Fiscal Year 2021.

West Broadway-2200 W. Broadway, 2012C Bonds, 2016B Bonds  
Original 1983 Mall-149 W. Broadway, 125 W. Broadway, 103 W. Broadway  
Metro Crossing-Power Drive Extension  
Playland Park-River Park Apartments, 2010C Bonds, Rivers Edge Parking, Noddle Office Building, Rivers Edge Apartments  
Marketplace-Legacy CB, Iowa Finance Authority Bonds  
Bluffs Northway-Walmart  
Franklin Ave-Kingsride Dr  
Bluffs Vision-MAC Ventures, URN Consulting

### Recommendation

Council to approve the resolution authorizing grant appropriation, certificate of indebtedness, and direct the filing of certification to the County Auditor.

### **ATTACHMENTS:**

Description	Type	Upload Date
TIF Summary	Other	10/29/2019
TIF Certification sheets	Other	10/29/2019
Resolution 19-251	Resolution	10/30/2019

### FY21 TIF REQUESTS

	District	TIF Paid To	Final Pymt Year	Comments	FY19 TIF Requested	FY20 TIF Request	FY21 TIF Request
Fund 127	MACC	Bass Pro - City	2022		787,458	393,729	0
Fund 131	W.Broadway	2012C Bonds Bunge	2025		320,000	320,000	320,000
		D&D 10 Yr 80%	2027		51,000	51,000	50,000
		2016B Bonds Echo	2021		926,539	880,000	300,000
		Echo Acquisition & Demo, URN Consultin	2020		0	119,503	0
Fund 132	1983 Mall Downtown	Nonpareil 10 Yr 80%	2020		29,000	29,000	0
		Hughes Iron 15 Years 85% MAX \$625,000	2027		55,000	52,000	52,000
		Sawyer Bldg 15 Years 80% Max 900,000	2032		0	0	88,000
		The Rise 15 Years 80% MAX \$750,000	2034		0	43,000	71,000
Fund 135	Metro Crossing	Power Drive Extention	2022				1,575,000
Fund 136	Playland Park	Riverpark Apt 10 Yr 60%	2022		250,326	220,000	230,000
		GO Bond 2010C	2024		123,410	49,000	132,000
		Parking Garage	2038	TIF will begin in FY21	0	0	MAX
		Noddle Office Building 20 Yr 75% Max \$9,000,000	2040	TIF will begin in FY21	0	0	226,000
		Rivers Edge Apt 18 Yr 75% Max \$11,175,000	2038	TIF will begin in FY21	0	0	78,000
Fund 138	Market place	IFA & Legacy 90% Max \$8,750,000	2029		700,000	700,000	705,000
Fund 141	Bluffs Northway	Wal Mart 12 Yr 100% Max \$5,000,000	2027		415,000	420,000	420,000
Fund 142	Franklin Ave	McCarthy 12 Years 100%	2027		143,000	145,000	156,000
Fund 143	Bluffs Vision	MAC Ventures Field House 15 Yr 90%	2034	Receiving 0 of the requested 109k	0	109,000	0
		MAC Ventures Hotel 15 Yr 90%	2034		0	279,000	274,000
		MAC Ventures Retail 15 Yr 90%	2034	Receiving 0 of the requested 28k	0	28,000	0
		URN Consulting	2021	TIF will begin in FY21	0	0	2,070
Totals					3,800,733	3,838,232	4,679,070



**CODE OF IOWA SECTION 403.19 TAX INCREMENT FINANCING (TIF) INDEBTEDNESS  
CERTIFICATION TO COUNTY AUDITOR**

Due To County Auditor By December 1 Prior To The Fiscal Year TIF Increment Tax Is Requested  
Use One Certification Per Urban Renewal Area

City: Council Bluffs County: Pottawattamie

Urban Renewal Area Name: West Broadway 1987

Urban Renewal Area Number: 78029 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the Urban Renewal Area within the City and County named above the City has outstanding loans, advances, indebtedness, or bonds, none of which have been previously certified, in the collective amount shown below, all of which qualify for repayment from the special fund referred to in paragraph 2 of Section 403.19 of the Code of Iowa.

Urban Renewal Area Indebtedness Not Previously Certified\*: \$ 50,000

\*There must be attached a supporting itemized listing of the dates that individual loans, advances, indebtedness, or bonds were initially approved by the governing body. (Complete and attach 'CITY TIF FORM 1.1'.)

The County Auditor shall provide the available TIF increment tax in subsequent fiscal years without further certification until the above-stated amount of indebtedness is paid to the City. However, for any fiscal year a City may elect to receive less than the available TIF increment tax by certifying the requested amount to the County Auditor on or before the preceding December 1. (File 'CITY TIF FORM 2' with the County Auditor by the preceding December 1 for each of those fiscal years where all of the TIF increment tax is not requested.)

A City reducing certified TIF indebtedness by any reason other than application of TIF increment tax received from the County Treasurer shall certify such reduced amounts to the County Auditor no later than December 1 of the year of occurrence. (File 'CITY TIF FORM 3' with the County Auditor when TIF indebtedness has been reduced by any reason other than application of TIF increment tax received from the County Treasurer.)

Notes/Additional Information:

---

---

---

---

---

---

---

---

---

---

Dated this 4th day of November, 2019

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
712-890-5303  
Telephone

**TIF INDEBTEDNESS NOT PREVIOUSLY CERTIFIED ELIGIBLE FOR TAX COLLECTIONS NEXT FISCAL YEAR**City: Council Bluffs County: PottawattamieUrban Renewal Area Name: West Broadway 1987Urban Renewal Area Number: 78029 (Use five-digit Area Number Assigned by the County Auditor)

Individual TIF Indebtedness Type/Description/Details:	Date Approved*:	Total Amount:
1. D & D This grant requires an annual cerification of debt which is currently estimated to be \$50,000. Our intent is to collect 80% of the captured revenue as calculated with certified levy rates for FY21. Parcel # 754426359008 <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.	11-04-2019	50,000
2. _____ _____ _____ _____ <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.	_____	_____
3. _____ _____ _____ _____ <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.	_____	_____
4. _____ _____ _____ _____ <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.	_____	_____
5. _____ _____ _____ _____ <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.	_____	_____

If more indebtedness entry lines are needed continue to Form 1.1 Page 2.

**Total For City TIF Form 1.1 Page 1:** 50,000

\* "Date Approved" is the date that the local governing body initially approved the TIF indebtedness.

City: Council Bluffs County: Pottawattamie

Urban Renewal Area Name: West Broadway 1987

Urban Renewal Area Number: 78029 (Use five-digit Area Number Assigned by the County Auditor)

Provide sufficient detail so that the County Auditor will know how to specifically administer your request. For example you may have multiple indebtedness certifications in an Urban Renewal Area, and want the maximum tax for rebate agreement property that the County has segregated into separate taxing districts, but only want a portion of the available increment tax from the remainder of the taxing districts in the Area.

Dated this 4th day of November, 2019

Signature of Authorized Official

712-890-5303  
Telephone

**CODE OF IOWA SECTION 403.19 TAX INCREMENT FINANCING (TIF) INDEBTEDNESS  
CERTIFICATION TO COUNTY AUDITOR**

**Due To County Auditor By December 1 Prior To The Fiscal Year TIF Increment Tax Is Requested  
Use One Certification Per Urban Renewal Area**

City: Council Bluffs County: Pottawattamie

Urban Renewal Area Name: Original 1983 Mall

Urban Renewal Area Number: 78001 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the Urban Renewal Area within the City and County named above the City has outstanding loans, advances, indebtedness, or bonds, none of which have been previously certified, in the collective amount shown below, all of which qualify for repayment from the special fund referred to in paragraph 2 of Section 403.19 of the Code of Iowa.

Urban Renewal Area Indebtedness Not Previously Certified\*: \$ 211,000

\*There must be attached a supporting itemized listing of the dates that individual loans, advances, indebtedness, or bonds were initially approved by the governing body. (Complete and attach 'CITY TIF FORM 1.1'.)

The County Auditor shall provide the available TIF increment tax in subsequent fiscal years without further certification until the above-stated amount of indebtedness is paid to the City. However, for any fiscal year a City may elect to receive less than the available TIF increment tax by certifying the requested amount to the County Auditor on or before the preceding December 1. (File 'CITY TIF FORM 2' with the County Auditor by the preceding December 1 for each of those fiscal years where all of the TIF increment tax is not requested.)

A City reducing certified TIF indebtedness by any reason other than application of TIF increment tax received from the County Treasurer shall certify such reduced amounts to the County Auditor no later than December 1 of the year of occurrence. (File 'CITY TIF FORM 3' with the County Auditor when TIF indebtedness has been reduced by any reason other than application of TIF increment tax received from the County Treasurer.)

Notes/Additional Information:

---

---

---

---

---

---

---

---

---

---

Dated this 4th day of November, 2019

\_\_\_\_\_  
Signature of Authorized Official

712-890-5303  
Telephone

**TIF INDEBTEDNESS NOT PREVIOUSLY CERTIFIED ELIGIBLE FOR TAX COLLECTIONS NEXT FISCAL YEAR**City: Council Bluffs County: PottawattamieUrban Renewal Area Name: Original 1983 MallUrban Renewal Area Number: 78001 (Use five-digit Area Number Assigned by the County Auditor)

Individual TIF Indebtedness Type/Description/Details:	Date Approved*:	Total Amount:
1. <u>149 W. Broadway (Hughes-Iron Works)</u> This grant requires an annual appropriation of debt which is currently estimated to be \$52,000. Our intent is to collect 85% of the capture incremental revenue based on FY21 certified levy rates. Parcel # <u>754425479002</u> <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.	<u>11-04-2019</u>	<u>52,000</u>
2. <u>125 W. Broadway (Sawyer Building)</u> This grant requires an annual appropriation of debt which is currently estimated to be \$88,000. Our intent is to collect 80% of the capture incremental revenue based on FY21 certified levy rates. Parcel # <u>754425479009</u> <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.	<u>11-04-2019</u>	<u>88,000</u>
3. <u>103 W. Broadway (The Rise)</u> This grant requires an annual appropriation of debt which is currently estimated to be \$71,000. Our intent is to collect 80% of the capture incremental revenue based on FY21 certified levy rates. Parcel # <u>754425479011</u> <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.	<u>11-04-2019</u>	<u>71,000</u>
4. _____ _____ _____ _____ <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.	_____	_____
5. _____ _____ _____ _____ <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.	_____	_____

If more indebtedness entry lines are needed continue to Form 1.1 Page 2.

**Total For City TIF Form 1.1 Page 1: 211,000**

\* "Date Approved" is the date that the local governing body initially approved the TIF indebtedness.

**SPECIFIC DOLLAR REQUEST FOR AVAILABLE TIF INCREMENT TAX FOR NEXT FISCAL YEAR  
CERTIFICATION TO COUNTY AUDITOR**

Due To County Auditor By December 1 Prior To The Fiscal Year  
Where Less Than The Legally Available TIF Increment Tax Is Requested  
Use One Certification Per Urban Renewal Area

City: Council Bluffs County: Pottawattamie

Urban Renewal Area Name: Original 1983 Mall

Urban Renewal Area Number: 78001 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the next fiscal year and for the Urban Renewal Area within the City and County named above, the City requests less than the maximum legally available TIF increment tax as detailed below.

Provide sufficient detail so that the County Auditor will know how to specifically administer your request. For example you may have multiple indebtedness certifications in an Urban Renewal Area, and want the maximum tax for rebate agreement property that the County has segregated into separate taxing districts, but only want a portion of the available increment tax from the remainder of the taxing districts in the Area.

Specific Instructions To County Auditor For Administering The Request That This Urban Renewal Area Generate Less Than The Maximum Available TIF Increment Tax:	Amount Requested:
I would like to certify less than the maximum available TIF revenue for the Original 1983 Urban Renewal Area. The grant for 149 W. Broadway requires an annual certification of debt which is currently estimated to be \$52,000. Our intent is to collect 85% of the captured incremental revenue as calculated with certified levy rates for FY21.	52,000
I would like to certify less than the maximum available TIF revenue for the Original 1983 Urban Renewal Area. The grant for 125 W. Broadway requires an annual certification of debt which is currently estimated to be \$88,000. Our intent is to collect 80% of the captured incremental revenue as calculated with certified levy rates for FY21.	88,000
I would like to certify less than the maximum available TIF revenue for the Original 1983 Urban Renewal Area. The grant for 103 W. Broadway requires an annual certification of debt which is currently estimated to be \$71,000. Our intent is to collect 80% of the captured incremental revenue as calculated with certified levy rates for FY21.	71,000

Dated this 4th day of November, 2019

Signature of Authorized Official

712-890-5303  
Telephone

**CODE OF IOWA SECTION 403.19 TAX INCREMENT FINANCING (TIF) INDEBTEDNESS  
CERTIFICATION TO COUNTY AUDITOR**

**Due To County Auditor By December 1 Prior To The Fiscal Year TIF Increment Tax Is Requested  
Use One Certification Per Urban Renewal Area**

City: Council Bluffs County: Pottawattamie

Urban Renewal Area Name: Council Bluffs Old Airport - Metro Crossig UR (Pott Co District 00207, 00340)

Urban Renewal Area Number: 78049 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the Urban Renewal Area within the City and County named above the City has outstanding loans, advances, indebtedness, or bonds, none of which have been previously certified, in the collective amount shown below, all of which qualify for repayment from the special fund referred to in paragraph 2 of Section 403.19 of the Code of Iowa.

Urban Renewal Area Indebtedness Not Previously Certified\*: \$ 1,575,000

\*There must be attached a supporting itemized listing of the dates that individual loans, advances, indebtedness, or bonds were initially approved by the governing body. (Complete and attach 'CITY TIF FORM 1.1'.)

The County Auditor shall provide the available TIF increment tax in subsequent fiscal years without further certification until the above-stated amount of indebtedness is paid to the City. However, for any fiscal year a City may elect to receive less than the available TIF increment tax by certifying the requested amount to the County Auditor on or before the preceding December 1. (File 'CITY TIF FORM 2' with the County Auditor by the preceding December 1 for each of those fiscal years where all of the TIF increment tax is not requested.)

A City reducing certified TIF indebtedness by any reason other than application of TIF increment tax received from the County Treasurer shall certify such reduced amounts to the County Auditor no later than December 1 of the year of occurrence. (File 'CITY TIF FORM 3' with the County Auditor when TIF indebtedness has been reduced by any reason other than application of TIF increment tax received from the County Treasurer.)

Notes/Additional Information:

---

---

---

---

---

---

---

---

---

---

Dated this 4th day of November, 2019

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
712-890-5303  
Telephone

**TIF INDEBTEDNESS NOT PREVIOUSLY CERTIFIED ELIGIBLE FOR TAX COLLECTIONS NEXT FISCAL YEAR**City: Council Bluffs County: PottawattamieUrban Renewal Area Name: Council Bluffs Old Airport - Metro Crossig UR (Pott Co District 00207, 00340)Urban Renewal Area Number: 78049 (Use five-digit Area Number Assigned by the County Auditor)

Individual TIF Indebtedness Type/Description/Details:	Date Approved*:	Total Amount:
1. Power Drive Extension Certifying \$1,575,000 for FY21 internal fund loan.	11-04-2019	1,575,000
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
2.		
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
3.		
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
4.		
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
5.		
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		

If more indebtedness entry lines are needed continue to Form 1.1 Page 2.

**Total For City TIF Form 1.1 Page 1: 1,575,000**

\* "Date Approved" is the date that the local governing body initially approved the TIF indebtedness.



City: Council Bluffs County: Pottawattamie

Urban Renewal Area Name: Council Bluffs Old Airport - Metro Crossing UR (Pott Co District 00207, 00340)

Urban Renewal Area Number: 78049 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the next fiscal year and for the Urban Renewal Area within the City and County named above, the City requests less than the maximum legally available TIF increment tax as detailed below.

Provide sufficient detail so that the County Auditor will know how to specifically administer your request. For example you may have multiple indebtedness certifications in an Urban Renewal Area, and want the maximum tax for rebate agreement property that the County has segregated into separate taxing districts, but only want a portion of the available increment tax from the remainder of the taxing districts in the Area.

Dated this 4th day of November, 2019

Signature of Authorized Official

712-890-5303  
Telephone

**CODE OF IOWA SECTION 403.19 TAX INCREMENT FINANCING (TIF) INDEBTEDNESS  
CERTIFICATION TO COUNTY AUDITOR**

**Due To County Auditor By December 1 Prior To The Fiscal Year TIF Increment Tax Is Requested  
Use One Certification Per Urban Renewal Area**

City: Council Bluffs County: Pottawattamie

Urban Renewal Area Name: Council Bluffs Playland Park Urban Renewal (Pott Co District 00015 & 00018)

Urban Renewal Area Number: 78046 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the Urban Renewal Area within the City and County named above the City has outstanding loans, advances, indebtedness, or bonds, none of which have been previously certified, in the collective amount shown below, all of which qualify for repayment from the special fund referred to in paragraph 2 of Section 403.19 of the Code of Iowa.

Urban Renewal Area Indebtedness Not Previously Certified\*: \$ 1,079,369

\*There must be attached a supporting itemized listing of the dates that individual loans, advances, indebtedness, or bonds were initially approved by the governing body. (Complete and attach 'CITY TIF FORM 1.1'.)

The County Auditor shall provide the available TIF increment tax in subsequent fiscal years without further certification until the above-stated amount of indebtedness is paid to the City. However, for any fiscal year a City may elect to receive less than the available TIF increment tax by certifying the requested amount to the County Auditor on or before the preceding December 1. (File 'CITY TIF FORM 2' with the County Auditor by the preceding December 1 for each of those fiscal years where all of the TIF increment tax is not requested.)

A City reducing certified TIF indebtedness by any reason other than application of TIF increment tax received from the County Treasurer shall certify such reduced amounts to the County Auditor no later than December 1 of the year of occurrence. (File 'CITY TIF FORM 3' with the County Auditor when TIF indebtedness has been reduced by any reason other than application of TIF increment tax received from the County Treasurer.)

Notes/Additional Information:

---

---

---

---

---

---

---

---

---

---

Dated this 4th day of November, 2019

\_\_\_\_\_  
Signature of Authorized Official

712-890-5303

\_\_\_\_\_  
Telephone

**TIF INDEBTEDNESS NOT PREVIOUSLY CERTIFIED ELIGIBLE FOR TAX COLLECTIONS NEXT FISCAL YEAR**City: Council Bluffs County: PottawattamieUrban Renewal Area Name: Council Bluffs Playland Park Urban Renewal (Pott Co District 00015 & 00018)Urban Renewal Area Number: 78046 (Use five-digit Area Number Assigned by the County Auditor)

Individual TIF Indebtedness Type/Description/Details:	Date Approved*:	Total Amount:
<b>1. Rivers Edge Parking</b> This grant requires an annual appropriation of debt which is currently \$775,369. Our intent is to collect up to \$775,369, no more. Parcel # 754428357005  <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.	11-04-2019	775,369
<b>2. Noddle Office Building</b> This grant requires an annual appropriation of debt which is currently estimated to be \$226,000. Our intent is to collect 75% of the capture incremental revenue based on FY21 certified levy rates. Parcel # 754428357001  <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.	11-04-2019	226,000
<b>3. Rivers Edge Apartments</b> This grant requires an annual appropriation of debt which is currently estimated to be \$78,000. Our intent is to collect 75% of the capture incremental revenue based on FY21 certified levy rates. Parcel # 754428358001  <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.	11-04-2019	78,000
<b>4.</b>      <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
<b>5.</b>      <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		

If more indebtedness entry lines are needed continue to Form 1.1 Page 2.

**Total For City TIF Form 1.1 Page 1: 1,079,369**

\* "Date Approved" is the date that the local governing body initially approved the TIF indebtedness.

**SPECIFIC DOLLAR REQUEST FOR AVAILABLE TIF INCREMENT TAX FOR NEXT FISCAL YEAR  
CERTIFICATION TO COUNTY AUDITOR**

Due To County Auditor By December 1 Prior To The Fiscal Year  
Where Less Than The Legally Available TIF Increment Tax Is Requested  
Use One Certification Per Urban Renewal Area

City: Council Bluffs County: Pottawattamie

Urban Renewal Area Name: Council Bluffs Playland Park Urban Renewal (Pott Co District 00015 & 00018)

Urban Renewal Area Number: 78046 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the next fiscal year and for the Urban Renewal Area within the City and County named above, the City requests less than the maximum legally available TIF increment tax as detailed below.

Provide sufficient detail so that the County Auditor will know how to specifically administer your request. For example you may have multiple indebtedness certifications in an Urban Renewal Area, and want the maximum tax for rebate agreement property that the County has segregated into separate taxing districts, but only want a portion of the available increment tax from the remainder of the taxing districts in the Area.

Specific Instructions To County Auditor For Administering The Request That This Urban Renewal Area Generate Less Than The Maximum Available TIF Increment Tax:	Amount Requested:
I would like to certify less than the maximum available TIF revenue for the Playland Area Urban Renewal Area. I would like to request incremental revenue we have estimated at \$230,000 for the Riverpark Apartments. Our intent is to collect 60% of the captured incremental revenue as calculated with certified levy rate for FY21. Parcel # 754433126002	230,000
I would like to certify less than the maximum available TIF revenue for 2010C Bonds. The total amount being requested for FY21 is \$132,000.	132,000
I would like to certify the maximum available TIF revenue for the Playland Area Urban Renewal Area up to \$775,369. Our intent is to collect up to \$775,369, no more. Parcel # 754428357005	775,369
I would like to certify less than the maximum available TIF revenue for Playland Park Urban Renewal Area. The grant for the Noddle Office Building requires an annual certification of debt which is currently estimated to be \$226,000. Our intent is to collect 75% of the captured incremental revenue as calculated with certified levy rates for FY21. Parcel #754428357001	226,000
I would like to certify less than the maximum available TIF revenue for Playland Park Urban Renewal Area. The grant for Rivers Edge Apartments requires an annual certification of debt which is currently estimated to be \$78,000. Our intent is to collect 75% of the captured incremental revenue as calculated with certified levy rates for FY21. Parcel #754428358001	78,000

Dated this 4th day of November, 2019

Signature of Authorized Official

712-890-5303  
Telephone

**CODE OF IOWA SECTION 403.19 TAX INCREMENT FINANCING (TIF) INDEBTEDNESS  
CERTIFICATION TO COUNTY AUDITOR**

Due To County Auditor By December 1 Prior To The Fiscal Year TIF Increment Tax Is Requested  
Use One Certification Per Urban Renewal Area

City: Council Bluffs County: Pottawattamie

Urban Renewal Area Name: Marketplace

Urban Renewal Area Number: 78045 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the Urban Renewal Area within the City and County named above the City has outstanding loans, advances, indebtedness, or bonds, none of which have been previously certified, in the collective amount shown below, all of which qualify for repayment from the special fund referred to in paragraph 2 of Section 403.19 of the Code of Iowa.

Urban Renewal Area Indebtedness Not Previously Certified\*: \$ 705,000

\*There must be attached a supporting itemized listing of the dates that individual loans, advances, indebtedness, or bonds were initially approved by the governing body. (Complete and attach 'CITY TIF FORM 1.1'.)

The County Auditor shall provide the available TIF increment tax in subsequent fiscal years without further certification until the above-stated amount of indebtedness is paid to the City. However, for any fiscal year a City may elect to receive less than the available TIF increment tax by certifying the requested amount to the County Auditor on or before the preceding December 1. (File 'CITY TIF FORM 2' with the County Auditor by the preceding December 1 for each of those fiscal years where all of the TIF increment tax is not requested.)

A City reducing certified TIF indebtedness by any reason other than application of TIF increment tax received from the County Treasurer shall certify such reduced amounts to the County Auditor no later than December 1 of the year of occurrence. (File 'CITY TIF FORM 3' with the County Auditor when TIF indebtedness has been reduced by any reason other than application of TIF increment tax received from the County Treasurer.)

Notes/Additional Information:

---

---

---

---

---

---

---

---

---

---

Dated this 4th day of November, 2019

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
712-890-5303  
Telephone

**TIF INDEBTEDNESS NOT PREVIOUSLY CERTIFIED ELIGIBLE FOR TAX COLLECTIONS NEXT FISCAL YEAR**City: Council Bluffs County: PottawattamieUrban Renewal Area Name: MarketplaceUrban Renewal Area Number: 78045 (Use five-digit Area Number Assigned by the County Auditor)

Individual TIF Indebtedness Type/Description/Details:	Date Approved*:	Total Amount:
1. This grant requires an annual appropriation of debt which is currently estimated to be \$705,000. Our intent is to collect 90% of the captured incremental revenue based on FY21 certified levy rates.	11-04-2019	705,000
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
2.		
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
3.		
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
4.		
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
5.		
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		

If more indebtedness entry lines are needed continue to Form 1.1 Page 2.

**Total For City TIF Form 1.1 Page 1:** 705,000

\* "Date Approved" is the date that the local governing body initially approved the TIF indebtedness.

### Use One Certification Per Urban Renewal Area

Provide sufficient detail so that the County Auditor will know how to specifically administer your request. For example you may have multiple indebtedness certifications in an Urban Renewal Area, and want the maximum tax for rebate agreement property that the County has segregated into separate taxing districts, but only want a portion of the available increment tax from the remainder of the taxing districts in the Area.

123

**CODE OF IOWA SECTION 403.19 TAX INCREMENT FINANCING (TIF) INDEBTEDNESS  
CERTIFICATION TO COUNTY AUDITOR**

**Due To County Auditor By December 1 Prior To The Fiscal Year TIF Increment Tax Is Requested  
Use One Certification Per Urban Renewal Area**

City: Council Bluffs County: Pottawattamie

Urban Renewal Area Name: Bluffs Northway Urban Renewal (Walmart)

Urban Renewal Area Number: 78990 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the Urban Renewal Area within the City and County named above the City has outstanding loans, advances, indebtedness, or bonds, none of which have been previously certified, in the collective amount shown below, all of which qualify for repayment from the special fund referred to in paragraph 2 of Section 403.19 of the Code of Iowa.

Urban Renewal Area Indebtedness Not Previously Certified\*: \$ 420,000

\*There must be attached a supporting itemized listing of the dates that individual loans, advances, indebtedness, or bonds were initially approved by the governing body. (Complete and attach 'CITY TIF FORM 1.1'.)

The County Auditor shall provide the available TIF increment tax in subsequent fiscal years without further certification until the above-stated amount of indebtedness is paid to the City. However, for any fiscal year a City may elect to receive less than the available TIF increment tax by certifying the requested amount to the County Auditor on or before the preceding December 1. (File 'CITY TIF FORM 2' with the County Auditor by the preceding December 1 for each of those fiscal years where all of the TIF increment tax is not requested.)

A City reducing certified TIF indebtedness by any reason other than application of TIF increment tax received from the County Treasurer shall certify such reduced amounts to the County Auditor no later than December 1 of the year of occurrence. (File 'CITY TIF FORM 3' with the County Auditor when TIF indebtedness has been reduced by any reason other than application of TIF increment tax received from the County Treasurer.)

Notes/Additional Information:

---

---

---

---

---

---

---

---

---

---

Dated this 4th day of November, 2019

\_\_\_\_\_  
Signature of Authorized Official

712-890-5303  
\_\_\_\_\_  
Telephone



**TIF INDEBTEDNESS NOT PREVIOUSLY CERTIFIED ELIGIBLE FOR TAX COLLECTIONS NEXT FISCAL YEAR**City: Council Bluffs County: PottawattamieUrban Renewal Area Name: Bluffs Northway Urban Renewal (Walmart)Urban Renewal Area Number: 78990 (Use five-digit Area Number Assigned by the County Auditor)

Individual TIF Indebtedness Type/Description/Details:	Date Approved*:	Total Amount:
1. A redevelopment agreement requires an annual appropriation of debt which is currently estimated to be \$420,000. Our intent is to collect 100% of the captured incremental revenue based on FY21 certified levy rates.  Parcel # 754423405001, 754423405002, 754423405003 <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.	11-04-2019	420,000
2. _____ _____ _____ _____  <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.	_____	_____
3. _____ _____ _____ _____  <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.	_____	_____
4. _____ _____ _____ _____  <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.	_____	_____
5. _____ _____ _____ _____  <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.	_____	_____

If more indebtedness entry lines are needed continue to Form 1.1 Page 2.

**Total For City TIF Form 1.1 Page 1:** 420,000

\* "Date Approved" is the date that the local governing body initially approved the TIF indebtedness.

City: Council Bluffs County: Pottawattamie

Urban Renewal Area Number: 78990 (Use five-digit Area Number Assigned by the County Auditor)

Provide sufficient detail so that the County Auditor will know how to specifically administer your request. For example you may have multiple indebtedness certifications in an Urban Renewal Area, and want the maximum tax for rebate agreement property that the County has segregated into separate taxing districts, but only want a portion of the available increment tax from the remainder of the taxing districts in the Area.

Dated this 4th day of November, 2019

712-890-5303  
Telephone

**CODE OF IOWA SECTION 403.19 TAX INCREMENT FINANCING (TIF) INDEBTEDNESS  
CERTIFICATION TO COUNTY AUDITOR**

Due To County Auditor By December 1 Prior To The Fiscal Year TIF Increment Tax Is Requested  
Use One Certification Per Urban Renewal Area

City: Council Bluffs County: Pottawattamie

Urban Renewal Area Name: Franklin Avenue Urban Renewal

Urban Renewal Area Number: 78052 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the Urban Renewal Area within the City and County named above the City has outstanding loans, advances, indebtedness, or bonds, none of which have been previously certified, in the collective amount shown below, all of which qualify for repayment from the special fund referred to in paragraph 2 of Section 403.19 of the Code of Iowa.

Urban Renewal Area Indebtedness Not Previously Certified\*: \$ 156,000

\*There must be attached a supporting itemized listing of the dates that individual loans, advances, indebtedness, or bonds were initially approved by the governing body. (Complete and attach 'CITY TIF FORM 1.1'.)

The County Auditor shall provide the available TIF increment tax in subsequent fiscal years without further certification until the above-stated amount of indebtedness is paid to the City. However, for any fiscal year a City may elect to receive less than the available TIF increment tax by certifying the requested amount to the County Auditor on or before the preceding December 1. (File 'CITY TIF FORM 2' with the County Auditor by the preceding December 1 for each of those fiscal years where all of the TIF increment tax is not requested.)

A City reducing certified TIF indebtedness by any reason other than application of TIF increment tax received from the County Treasurer shall certify such reduced amounts to the County Auditor no later than December 1 of the year of occurrence. (File 'CITY TIF FORM 3' with the County Auditor when TIF indebtedness has been reduced by any reason other than application of TIF increment tax received from the County Treasurer.)

Notes/Additional Information:

---

---

---

---

---

---

---

---

---

---

Dated this 4th day of November, 2019

\_\_\_\_\_  
Signature of Authorized Official

712-890-5303

\_\_\_\_\_  
Telephone

**TIF INDEBTEDNESS NOT PREVIOUSLY CERTIFIED ELIGIBLE FOR TAX COLLECTIONS NEXT FISCAL YEAR**City: Council Bluffs County: PottawattamieUrban Renewal Area Name: Franklin Avenue Urban RenewalUrban Renewal Area Number: 78052 (Use five-digit Area Number Assigned by the County Auditor)

Individual TIF Indebtedness Type/Description/Details:	Date Approved*:	Total Amount:
1. This grant requires an annual appropriation of debt which is currently estimated to be \$156,000. Our intent is to collect 100% of the captured incremental revenue based on FY21 certified levy rates.	11-04-2019	156,000
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
2.		
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
3.		
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
4.		
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
5.		
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		

If more indebtedness entry lines are needed continue to Form 1.1 Page 2.

**Total For City TIF Form 1.1 Page 1: 156,000**

\* "Date Approved" is the date that the local governing body initially approved the TIF indebtedness.

City: Council Bluffs County: Pottawattamie

Urban Renewal Area Number: 78052 (Use five-digit Area Number Assigned by the County Auditor)

Provide sufficient detail so that the County Auditor will know how to specifically administer your request. For example you may have multiple indebtedness certifications in an Urban Renewal Area, and want the maximum tax for rebate agreement property that the County has segregated into separate taxing districts, but only want a portion of the available increment tax from the remainder of the taxing districts in the Area.

Dated this 4th day of November, 2019

129

**CODE OF IOWA SECTION 403.19 TAX INCREMENT FINANCING (TIF) INDEBTEDNESS  
CERTIFICATION TO COUNTY AUDITOR**

**Due To County Auditor By December 1 Prior To The Fiscal Year TIF Increment Tax Is Requested  
Use One Certification Per Urban Renewal Area**

City: Council Bluffs County: Pottawattamie

Urban Renewal Area Name: Bluffs Vision

Urban Renewal Area Number: 78054 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the Urban Renewal Area within the City and County named above the City has outstanding loans, advances, indebtedness, or bonds, none of which have been previously certified, in the collective amount shown below, all of which qualify for repayment from the special fund referred to in paragraph 2 of Section 403.19 of the Code of Iowa.

Urban Renewal Area Indebtedness Not Previously Certified\*: \$ 276,070

\*There must be attached a supporting itemized listing of the dates that individual loans, advances, indebtedness, or bonds were initially approved by the governing body. (Complete and attach 'CITY TIF FORM 1.1'.)

The County Auditor shall provide the available TIF increment tax in subsequent fiscal years without further certification until the above-stated amount of indebtedness is paid to the City. However, for any fiscal year a City may elect to receive less than the available TIF increment tax by certifying the requested amount to the County Auditor on or before the preceding December 1. (File 'CITY TIF FORM 2' with the County Auditor by the preceding December 1 for each of those fiscal years where all of the TIF increment tax is not requested.)

A City reducing certified TIF indebtedness by any reason other than application of TIF increment tax received from the County Treasurer shall certify such reduced amounts to the County Auditor no later than December 1 of the year of occurrence. (File 'CITY TIF FORM 3' with the County Auditor when TIF indebtedness has been reduced by any reason other than application of TIF increment tax received from the County Treasurer.)

Notes/Additional Information:

---

---

---

---

---

---

---

---

---

---

Dated this 4th day of November, 2019

\_\_\_\_\_  
Signature of Authorized Official

712-890-5303

\_\_\_\_\_  
Telephone

**TIF INDEBTEDNESS NOT PREVIOUSLY CERTIFIED ELIGIBLE FOR TAX COLLECTIONS NEXT FISCAL YEAR**City: Council Bluffs County: PottawattamieUrban Renewal Area Name: Bluffs VisionUrban Renewal Area Number: 78054 (Use five-digit Area Number Assigned by the County Auditor)

Individual TIF Indebtedness Type/Description/Details:	Date Approved*:	Total Amount:
1. 2501 Bass Pro Drive (Hotel) This grant requires an annual appropriation of debt which is currently estimated to be \$274,000. Our intent is to collect 90% of the capture incremental revenue based on FY21 certified levy rates. Parcel # 744403327009 <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.	11-04-2019	274,000
2. URN Consulting Certifying \$2,070 for FY21 internal fund loan.  <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.	11-04-2019	2,070
3.  <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
4.  <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
5.  <input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		

If more indebtedness entry lines are needed continue to Form 1.1 Page 2.

**Total For City TIF Form 1.1 Page 1: 276,070**

\* "Date Approved" is the date that the local governing body initially approved the TIF indebtedness.

City: Council Bluffs County: Pottawattamie

Urban Renewal Area Name: Bluffs Vision

Urban Renewal Area Number: 78054 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the next fiscal year and for the Urban Renewal Area within the City and County named above, the City requests less than the maximum legally available TIF increment tax as detailed below.

Provide sufficient detail so that the County Auditor will know how to specifically administer your request. For example you may have multiple indebtedness certifications in an Urban Renewal Area, and want the maximum tax for rebate agreement property that the County has segregated into separate taxing districts, but only want a portion of the available increment tax from the remainder of the taxing districts in the Area.

Dated this 4th day of November, 2019

Signature of Authorized Official

712-890-5303  
Telephone



**RESOLUTION NO. 19-251**

A Resolution to authorize the Certification of Indebtedness and direct the filing of the Tax Increment Financing (TIF) Indebtedness Certification report with the County for West Broadway, Original 1983 Downtown Mall, Metro Crossing, Playland Park, Marketplace, Bluffs Northway, Franklin Avenue, and Bluffs Vision Urban Renewal Areas.

**WHEREAS**, the City of Council Bluffs has entered into development agreements within West Broadway, Original 1983 Mall, Metro Crossing, Playland Park, Marketplace, Bluffs Northway, Franklin Avenue, and Bluffs Vision Urban Renewal Districts and;

**WHEREAS**, West Broadway (2200 W. Broadway-D & D, 2012C Bonds, 2016B Bonds) Original 1983 Mall (149 W. Broadway-Hughes Iron, 125 W. Broadway-Sawyer Building, 103 W. Broadway-The Rise), Metro Crossing (Power Drive Extension) Playland Park (103 S. 38<sup>th</sup> St-Riverpark Apartments, 2010C Bonds, 100 N. 42<sup>nd</sup> St-Rivers Edge Parking, 4200 Rivers Edge Pkwy-Noddle Office Building, 4104 Rivers Edge Pkwy-Rivers Edge Apartments), Marketplace (Legacy CB LLC and BOKF), Bluffs Northway (Walmart), Franklin Avenue (McCarthy Construction), Bluffs Vision (MAC Ventures Field House, Hotel, and Retail and URN Consulting) for Certification of Indebtedness, and;

**WHEREAS**, according to Iowa Code Section 403.19, a City shall certify new debt to the County Auditor on or before December 1, the amount of loans, indebtedness, or bonds which qualify for payment from a Tax Increment Financing (TIF) district for each established urban renewal area. This certification provides for the division of taxes collected attributable to specific projects.

**WHEREAS**, the certification of the aforementioned TIF rebates is in the best interest of the City:

**NOW, THEREFORE, BE IT RESOLVED**

**BY THE CITY COUNCIL**

**OF THE**

**CITY OF COUNCIL BLUFFS, IOWA:**

That the Finance Director is hereby authorized to appropriate the grant, approve the Certification of Indebtedness and direct the filing of Certification to the County Auditor for West Broadway, Original 1983 Downtown Mall, Metro Crossing, Playland Park, Marketplace, Bluffs Northway, Franklin Avenue, and Bluffs Vision Urban Renewal Areas.

ADOPTED

AND

APPROVED:

November 04, 2019

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

Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush,

City Clerk

## Council Communication

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

Resolution 19-252  
ITEM 6.C.

Council Action: 11/4/2019

### Description

Resolution directing the advertisement for sale of \$7,630,000 (dollar amount subject to change) General Obligation Bonds, Series 2019, and approving electronic bidding procedures and Official Statement.

### Background/Discussion

The General Obligation Bonds previously approved for FY20 CIP via Public Hearing, shall be combined for the purpose of issuance in a single issuance of \$7,630,000 (dollar amount subject to change). In conjunction with PFM Financial Advisors LLC, the City has caused an Official Statement to be prepared outlining the details of the proposed sale of Bonds as well as to receive bids to purchase such Bonds by means of both sealed and electronic internet communication.

### Recommendation

Approval of this resolution.

### ATTACHMENTS:

Description	Type	Upload Date
Notice of Bond Sale	Other	10/25/2019
Preliminary OS	Other	10/29/2019
Resolution 19-252	Resolution	10/30/2019

## NOTICE OF BOND SALE

Time and Place of Sealed Bids: Bids for the sale of Bonds of the City of Council Bluffs, State of Iowa, hereafter described, must be received at the office of the Director of Finance, City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503; Telephone: 712-890-5303 (the "Issuer") before 10:00 o'clock A.M., on the 18th day of November, 2019. The bids will then be publicly opened and referred for action to the meeting of the City Council in conformity with the TERMS OF OFFERING.

The Bonds: The Bonds to be offered are the following:

GENERAL OBLIGATION BONDS, SERIES 2019, in the amount of \$7,630,000\*, to be dated December 30, 2019 (the "Bonds")

\*Subject to principal adjustment pursuant to official Terms of Offering.

Manner of Bidding: Open bids will not be received. Bids will be received in any of the following methods:

- Sealed Bidding: Sealed bids may be submitted and will be received at the office of the Director of Finance at City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503.
- Electronic Internet Bidding: Electronic internet bids will be received at the office of the Director of Finance at City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503, or at the office of PFM Financial Advisors LLC, 801 Grand Avenue, Suite 3300, Des Moines, Iowa 50309. The bids must be submitted through the PARITY® competitive bidding system.
- Electronic Facsimile Bidding: Electronic facsimile bids will be received at the office of the Director of Finance at City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503 (facsimile number: 712-328-4997) and/or the City's Municipal Advisor, PFM Financial Advisors LLC, 801 Grand Avenue, Suite 3300, Des Moines, Iowa 50309 (facsimile number: 515-243-6994). Electronic facsimile bids will be treated as sealed bids.

Consideration of Bids: After the time for receipt of bids has passed, the close of sealed bids will be announced. Sealed bids will then be publicly opened and announced. Finally, electronic internet bids will be accessed and announced.

Sale and Award: The sale and award of the Bonds will be held at the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa at a meeting of the City Council on the above date at 7:00 o'clock P.M.

Official Statement: The Issuer has issued an Official Statement of information pertaining to the Bonds to be offered, including a statement of the Terms of Offering and an Official Bid

Form, which is incorporated by reference as a part of this notice. The Official Statement may be obtained by request addressed to the City Clerk, City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503; Telephone: 712-328-4601 or the Issuer's Municipal Advisor, PFM Financial Advisors LLC, 801 Grand Avenue, Suite 3300, Des Moines, Iowa, 50309, Telephone: 515-243-2600.

Terms of Offering: All bids shall be in conformity with and the sale shall be in accordance with the Terms of Offering as set forth in the Official Statement.

Legal Opinion: The Bonds will be sold subject to the opinion of Ahlers & Cooney, P.C., Attorneys of Des Moines, Iowa, as to the legality and their opinion will be furnished together with the printed Bonds without cost to the purchaser and all bids will be so conditioned. Except to the extent necessary to issue their opinion as to the legality of the Bonds, the attorneys will not examine or review or express any opinion with respect to the accuracy or completeness of documents, materials or statements made or furnished in connection with the sale, issuance or marketing of the Bonds.

Rights Reserved: The right is reserved to reject any or all bids, and to waive any irregularities as deemed to be in the best interests of the public.

By order of the City Council of the City of Council Bluffs, State of Iowa.

---

City Clerk, City of Council Bluffs, State of  
Iowa

## PRELIMINARY OFFICIAL STATEMENT DATED NOVEMBER 4, 2019

### New Issue

**Rating:** Application Made to Moody's Investors Service

*Assuming compliance with certain covenants, in the opinion of Ahlers & Cooney, P.C., Bond Counsel, under present law and assuming continued compliance with the requirements of the Internal Revenue Code of 1986, as amended (the "Code"), interest on the Bonds is excludable from gross income for federal income tax purposes. Interest on the Bonds is not an item of tax preference for purposes of the federal alternative minimum tax. Interest on the Bonds is NOT exempt from present State of Iowa income taxes. The Bonds will be designated as "qualified tax-exempt obligations". See "TAX MATTERS" herein for a more detailed discussion.*

## CITY OF COUNCIL BLUFFS, IOWA

### \$7,630,000\* General Obligation Bonds, Series 2019

BIDS RECEIVED: Monday, November 18, 2019, 10:00 A.M., Central Time

AWARD: Monday, November 18, 2019, 7:00 P.M., Central Time

**Dated:** Date of Delivery (December 30, 2019)

**Principal Due:** June 1 as shown inside front cover

The \$7,630,000\* General Obligation Bonds, Series 2019 (the "Bonds") are being issued pursuant to Division III of Chapter 384 of the Code of Iowa and a resolution to be adopted by the City Council of the City of Council Bluffs, Iowa (the "City"). The Bonds are being issued to provide funds for various new money purposes. (See "AUTHORITY AND PURPOSE" section herein for more detailed project descriptions.) The Bonds are general obligations of the City for which the City will pledge its power to levy direct ad valorem taxes against all taxable property within the City without limitation as to rate or amount to the repayment of the Bonds.

The Bonds will be issued as fully registered Bonds without coupons and, when issued, will be registered in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC"). DTC will act as securities depository for the Bonds. Individual purchases may be made in book-entry-only form, in the principal amount of \$5,000 and integral multiples thereof. Purchasers will not receive certificates representing their interest in the Bonds purchased. Principal of the Bonds, payable annually on each June 1, beginning June 1, 2020 and interest on the Bonds, payable initially on June 1, 2020 and thereafter on each December 1 and June 1, will be paid to DTC by the City's Registrar/Paying Agent, UMB Bank, N.A., West Des Moines, Iowa (the "Registrar"). DTC will in turn remit such principal and interest to its participants for subsequent disbursements to the beneficial owners of the Bonds as described herein. Interest and principal shall be paid to the registered holder of a bond as shown on the records of ownership maintained by the Registrar as of the 15<sup>th</sup> day of the month preceding such interest payment date (the "Record Date").

---

### THE BONDS WILL MATURE AS LISTED ON THE INSIDE FRONT COVER

---

<b>MINIMUM BID:</b>	\$7,553,700
<b>GOOD FAITH DEPOSIT:</b>	Required of Purchaser Only
<b>TAX MATTERS:</b>	Federal: Tax-Exempt State: Taxable See "TAX MATTERS" for more information.

The Bonds are offered, subject to prior sale, withdrawal or modification, when, as and if issued and subject to the legal opinion of Ahlers & Cooney, P.C., Bond Counsel, Des Moines, Iowa, to be furnished upon delivery of the Bonds. It is expected the Bonds in the definitive form will be available on or about December 30, 2019 via Fast Automated Securities Transfer delivery with the Registrar holding the Bonds on behalf of DTC. The Preliminary Official Statement in the form presented is deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission, subject to revisions, corrections or modifications as determined to be appropriate, and is authorized to be distributed in connection with the offering of the Bonds for sale.

\*Preliminary; subject to change.

## CITY OF COUNCIL BLUFFS, IOWA

### **\$7,630,000\* General Obligation Bonds, Series 2019**

#### **MATURITY:**

The Bonds will mature June 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount*</u>
2020	\$1,820,000
2021	480,000
2022	490,000
2023	500,000
2024	505,000
2025	515,000
2026	525,000
2027	535,000
2028	545,000
2029	560,000
2030	570,000
2031	585,000

#### **\*PRINCIPAL**

##### **ADJUSTMENT:**

Preliminary; subject to change. The aggregate principal amount of the Bonds, and each scheduled maturity thereof, are subject to increase or reduction by the City or its designee after the determination of the successful bidder. The City may increase or decrease each maturity in increments of \$5,000 but the total amount to be issued will not exceed \$7,800,000. Interest rates specified by the successful bidder for each maturity will not change. Final adjustments shall be in the sole discretion of the City.

The dollar amount of the purchase price proposed by the successful bidder will be changed if the aggregate principal amount of the Bonds is adjusted as described above. Any change in the principal amount of any maturity of the Bonds will be made while maintaining, as closely as possible, the successful bidder's net compensation, calculated as a percentage of bond principal. The successful bidder may not withdraw or modify its bid as a result of any post-bid adjustment. Any adjustment shall be conclusive, and shall be binding upon the successful bidder.

#### **INTEREST:**

Interest on the Bonds will be payable June 1, 2020 and semiannually thereafter.

#### **OPTIONAL**

##### **REDEMPTION:**

The Bonds due after June 1, 2028 will be subject to call prior to redemption on said date or on any day thereafter upon terms of par plus accrued interest to date of call. Written notice of such call shall be given at least thirty (30) days prior to the date fixed for redemption to the registered owners of the Bonds to be redeemed at the address shown on the registration books.

## COMPLIANCE WITH S.E.C. RULE 15c2-12

The Bonds are subject to Section 240.15c2-12 of the Securities Exchange Act of 1934.

**Preliminary Official Statement:** This Preliminary Official Statement was prepared for the City for dissemination to prospective bidders. Its primary purpose is to disclose information regarding the Bonds to prospective bidders in the interest of receiving competitive bids in accordance with the NOTICE OF BOND SALE and the TERMS OF OFFERING contained herein. Unless an addendum is received prior to the sale, this document shall be deemed the "Near Final Official Statement".

**Review Period:** This Preliminary Official Statement has been distributed to the City's staff as well as to prospective bidders for an objective review of its disclosure. Comments, omissions or inaccuracies must be submitted to PFM Financial Advisors LLC (the "Municipal Advisor") at least two business days prior to the sale. Requests for additional information or corrections in the Preliminary Official Statement received on or before this date will not be considered a qualification of a bid received. If there are any changes, corrections or additions to the Preliminary Official Statement, prospective bidders will be informed by an addendum at least one business day prior to the sale.

**Final Official Statement:** Upon award of sale of the Bonds, the legislative body will authorize the preparation of a final Official Statement that includes the offering prices, interest rates, selling compensation, aggregate principal amount, principal amount per maturity, anticipated delivery date and other information required by law and the identity of the underwriter (the "Syndicate Manager") and syndicate members. Copies of the final Official Statement will be delivered to the Syndicate Manager within seven business days following the bid acceptance.

## REPRESENTATIONS

No dealer, broker, salesman or other person has been authorized by the City, the Municipal Advisor or the underwriter to give any information or to make any representations other than those contained in this Preliminary Official Statement or the final Official Statement and, if given or made, such information and representations must not be relied upon as having been authorized by the City, the Municipal Advisor, Bond Counsel or the underwriter. This Preliminary Official Statement does not constitute any offer to sell or the solicitation of an offer to buy, nor shall there be any sale of the Bonds by any person in any jurisdiction in which it is unlawful for such person to make such offer, solicitation or sale. The information set forth herein has been obtained from the City and other sources which are believed to be reliable, but it is not to be construed as a representation by the Municipal Advisor, Bond Counsel or underwriter. The information and expressions of opinion herein are subject to change without notice, and neither the delivery of this Preliminary Official Statement or the final Official Statement, nor any sale made hereunder, shall, under any circumstances, create any implication that there has been no change in the affairs of the City since the date hereof. This Preliminary Official Statement is submitted in connection with the sale of the securities referred to herein and may not be reproduced or used, in whole or in part, for any other purpose.

This Preliminary Official Statement and any addenda thereto were prepared relying on information from the City and other sources, which are believed to be reliable.

Bond Counsel has not participated in the preparation of this Preliminary Official Statement and is not expressing any opinion as to the completeness or accuracy of the information contained herein.

Compensation of the Municipal Advisor, payable entirely by the City, is contingent upon the sale of the issue.

# City of Council Bluffs, Iowa

## Elected Officials

Matt Walsh	Mayor
Melissa Head	Council Member
Roger Sandau	Council Member
Nate Watson	Council Member
Sharon White	Council Member
Mike Wolf	Council Member

## Administration

Kathy Knott, Director of Finance  
Jodi Quakenbush, City Clerk  
Richard Wade, City Attorney

## Bond Counsel

Ahlers & Cooney, P.C.  
Des Moines, Iowa

## Municipal Advisor

PFM Financial Advisors LLC  
Des Moines, Iowa



## TABLE OF CONTENTS

NOTICE OF BOND SALE .....	i
TERMS OF OFFERING.....	ii
SCHEDULE OF BOND YEARS.....	ix

### EXHIBIT 1 - FORMS OF ISSUE PRICE CERTIFICATES

### PRELIMINARY OFFICIAL STATEMENT

INTRODUCTION .....	1
AUTHORITY AND PURPOSE .....	1
INTEREST.....	2
OPTIONAL REDEMPTION .....	2
PAYMENT OF AND SECURITY FOR THE BONDS .....	2
BOOK-ENTRY-ONLY ISSUANCE.....	3
FUTURE FINANCING .....	4
LITIGATION.....	5
DEBT PAYMENT HISTORY.....	5
LEGALITY .....	5
TAX MATTERS.....	6
BONDHOLDER'S RISKS .....	8
RATING .....	12
MUNICIPAL ADVISOR.....	12
CONTINUING DISCLOSURE.....	12
CERTIFICATION .....	13

### APPENDIX A - GENERAL INFORMATION ABOUT THE CITY OF COUNCIL BLUFFS, IOWA

### APPENDIX B - FORM OF LEGAL OPINION

### APPENDIX C - JUNE 30, 2018 COMPREHENSIVE ANNUAL FINANCIAL REPORT

### APPENDIX D - FORM OF CONTINUING DISCLOSURE CERTIFICATE

### OFFICIAL BID FORM

## NOTICE OF BOND SALE

**Time and Place of Sealed Bids:** Bids for the sale of Bonds of the City of Council Bluffs, State of Iowa, hereafter described, must be received at the office of the Director of Finance, City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503; Telephone: 712-890-5303 (the "Issuer") before 10:00 o'clock A.M., on the 18th day of November, 2019. The bids will then be publicly opened and referred for action to the meeting of the City Council in conformity with the TERMS OF OFFERING.

**The Bonds:** The Bonds to be offered are the following:

GENERAL OBLIGATION BONDS, SERIES 2019, in the amount of \$7,630,000\*, to be dated December 30, 2019 (the "Bonds")

\*Subject to principal adjustment pursuant to official Terms of Offering.

**Manner of Bidding:** Open bids will not be received. Bids will be received in any of the following methods:

- **Sealed Bidding:** Sealed bids may be submitted and will be received at the office of the Director of Finance at City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503.
- **Electronic Internet Bidding:** Electronic internet bids will be received at the office of the Director of Finance at City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503, or at the office of PFM Financial Advisors LLC, 801 Grand Avenue, Suite 3300, Des Moines, Iowa 50309. The bids must be submitted through the PARITY® competitive bidding system.
- **Electronic Facsimile Bidding:** Electronic facsimile bids will be received at the office of the Director of Finance at City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503 (facsimile number: 712-328-4997) and/or the City's Municipal Advisor, PFM Financial Advisors LLC, 801 Grand Avenue, Suite 3300, Des Moines, Iowa 50309 (facsimile number: 515-243-6994). Electronic facsimile bids will be treated as sealed bids.

**Consideration of Bids:** After the time for receipt of bids has passed, the close of sealed bids will be announced. Sealed bids will then be publicly opened and announced. Finally, electronic internet bids will be accessed and announced.

**Sale and Award:** The sale and award of the Bonds will be held at the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa at a meeting of the City Council on the above date at 7:00 o'clock P.M.

**Official Statement:** The Issuer has issued an Official Statement of information pertaining to the Bonds to be offered, including a statement of the Terms of Offering and an Official Bid Form, which is incorporated by reference as a part of this notice. The Official Statement may be obtained by request addressed to the City Clerk, City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503; Telephone: 712-328-4601 or the Issuer's Municipal Advisor, PFM Financial Advisors LLC, 801 Grand Avenue, Suite 3300, Des Moines, Iowa, 50309, Telephone: 515-243-2600.

**Terms of Offering:** All bids shall be in conformity with and the sale shall be in accordance with the Terms of Offering as set forth in the Official Statement.

**Legal Opinion:** The Bonds will be sold subject to the opinion of Ahlers & Cooney, P.C., Attorneys of Des Moines, Iowa, as to the legality and their opinion will be furnished together with the printed Bonds without cost to the purchaser and all bids will be so conditioned. Except to the extent necessary to issue their opinion as to the legality of the Bonds, the attorneys will not examine or review or express any opinion with respect to the accuracy or completeness of documents, materials or statements made or furnished in connection with the sale, issuance or marketing of the Bonds.

**Rights Reserved:** The right is reserved to reject any or all bids, and to waive any irregularities as deemed to be in the best interests of the public.

By order of the City Council of the City of Council Bluffs, State of Iowa.

---

City Clerk, City of Council Bluffs, State of Iowa

## TERMS OF OFFERING

### CITY OF COUNCIL BLUFFS, IOWA

Bids for the purchase of the City of Council Bluffs, Iowa's (the "City") \$7,630,000\* General Obligation Bonds, Series 2019 (the "Bonds") will be received on Monday, November 18, 2019 before 10:00 A.M. Central Time after which time they will be tabulated. The City Council will consider award of the Bonds at 7:00 P.M. Central Time, on the same day. Questions regarding the sale of the Bonds should be directed to the City's Municipal Advisor, PFM Financial Advisors LLC (the "Municipal Advisor"), 801 Grand Avenue, Suite 3300, Des Moines, Iowa, 50309 or by telephoning 515-243-2600. Information can also be obtained from Ms. Kathy Knott, Director of Finance, City of Council Bluffs, 209 Pearl Street, Council Bluffs, Iowa 51503, or by telephoning 712-890-5313.

In addition to the provisions of the official NOTICE OF BOND SALE, this section sets forth the description of certain terms of the Bonds as well as the TERMS OF OFFERING with which all bidders and bid proposals are required to comply, as follows:

### DETAILS OF THE BONDS

GENERAL OBLIGATION BONDS, SERIES 2019, in the principal amount of \$7,630,000\* to be dated the date of delivery (anticipated to be December 30, 2019) in the denomination of \$5,000 or multiples thereof, will mature June 1, as follows:

<u>Year</u>	<u>Amount*</u>	<u>Year</u>	<u>Amount*</u>
2020	\$1,820,000	2026	\$525,000
2021	480,000	2027	535,000
2022	490,000	2028	545,000
2023	500,000	2029	560,000
2024	505,000	2030	570,000
2025	515,000	2031	585,000

\* Preliminary; subject to change.

### ADJUSTMENT TO BOND MATURITY AMOUNTS

The aggregate principal amount of the Bonds, and each scheduled maturity thereof, are subject to increase or reduction by the City or its designee after the determination of the successful bidder. The City may increase or decrease each maturity in increments of \$5,000 but the total amount to be issued will not exceed \$7,800,000. Interest rates specified by the successful bidder for each maturity will not change. Final adjustments shall be in the sole discretion of the City.

The dollar amount of the purchase price proposed by the successful bidder will be changed if the aggregate principal amount of the Bonds is adjusted as described above. Any change in the principal amount of any maturity of the Bonds will be made while maintaining, as closely as possible, the successful bidder's net compensation, calculated as a percentage of bond principal. The successful bidder may not withdraw or modify its bid as a result of any post-bid adjustment. Any adjustment shall be conclusive, and shall be binding upon the successful bidder.

### INTEREST

Interest on the Bonds will be payable on June 1, 2020 and semiannually on the 1<sup>st</sup> day of December and June thereafter. Interest and principal shall be paid to the registered holder of a bond as shown on the records of ownership maintained by the Registrar as of the 15<sup>th</sup> day of the month (whether or not a business day) preceding such interest payment date (the "Record Date"). Interest will be computed on the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to rules of the Municipal Securities Rulemaking Board.

## OPTIONAL REDEMPTION

The Bonds due after June 1, 2028 will be subject to call prior to maturity in whole, or from time to time in part, in any order of maturity and within a maturity by lot on said date or on any date thereafter at the option of the City, upon terms of par plus accrued interest to date of call. Written notice of such call shall be given at least thirty (30) days prior to the date fixed for redemption to the registered owners of the Bonds to be redeemed at the address shown on the registration books.

## TERM BOND OPTION

Bidders shall have the option of designating the Bonds as serial bonds or term bonds, or both. The bid must designate whether each of the principal amounts shown above represent a serial maturity or a mandatory redemption requirement for a term bond maturity. (See the OFFICIAL BID FORM for more information.) In any event, the above principal amount scheduled shall be represented by either serial bond maturities or mandatory redemption requirements, or a combination of both.

## GOOD FAITH DEPOSIT

A good faith deposit (the "Deposit") in the amount of \$76,300 is required from the lowest bidder only. The lowest bidder is required to submit such Deposit, payable to the order of the City, not later than 12:00 P.M. Central Time on the day of sale of the Bonds and in the form of either (i) a cashier's check provided to the City or its Municipal Advisor or (ii) a wire transfer as instructed by the City's Municipal Advisor. If not so received, the bid of the lowest bidder may be rejected and the City may direct the second lowest bidder to submit a Deposit and thereafter may award the sale of the Bonds to the same. No interest on a Deposit will accrue to the successful bidder (the "Purchaser"). The Deposit will be applied to the purchase price of the Bonds. In the event a Purchaser fails to honor its accepted bid proposal, the Deposit will be retained by the City.

## FORM OF BIDS AND AWARD

All bids shall be unconditional for the Bonds for a price not less than \$7,553,700, plus accrued interest, and shall specify the rate or rates of interest in conformity to the limitations set forth under the "BIDDING PARAMETERS" section. Bids must be submitted on or in substantial compliance with the OFFICIAL BID FORM provided by the City. The Bonds will be awarded to the bidder offering the lowest interest rate to be determined on a true interest cost (the "TIC") basis assuming compliance with the "ESTABLISHMENT OF ISSUE PRICE" and "GOOD FAITH DEPOSIT" sections. The TIC shall be determined by the present value method, i.e., by ascertaining the semiannual rate, compounded semiannually, necessary to discount to present value as of the dated date of the Bonds, the amount payable on each interest payment date and on each stated maturity date or earlier mandatory redemption, so that the aggregate of such amounts will equal the aggregate purchase price offered therefore. The TIC shall be stated in terms of an annual percentage rate and shall be that rate of interest, which is twice the semiannual rate so ascertained (also known as the Canadian Method). The TIC shall be as determined by the Municipal Advisor based on the TERMS OF OFFERING and all amendments, and on the bids as submitted. The Municipal Advisor's computation of the TIC of each bid shall be controlling. In the event of tie bids for the lowest TIC, the Bonds will be awarded by lot.

The City will reserve the right to: (i) waive non-substantive informalities of any bid or of matters relating to the receipt of bids and award of the Bonds, (ii) reject all bids without cause and (iii) reject any bid which the City determines to have failed to comply with the terms herein.

## BIDDING PARAMETERS

Each bidder's proposal must conform to the following limitations:

1. Each annual maturity must bear a single rate of interest from the dated date of the Bonds to the date of maturity.
2. Rates of interest bid must be in multiples of one-eighth or one-twentieth of one percent.
3. The initial price to the public for each maturity must be 98% or greater.

## RECEIPT OF BIDS

Forms of Bids: Bids must be submitted on or in substantial compliance with the NOTICE OF BOND SALE, TERMS OF OFFERING and OFFICIAL BID FORM provided by the City or through PARITY® competitive bidding system (the "Internet Bid System"). Neither the City nor its agents shall be responsible for malfunction or mistake made by any person, or as a result of the use of the Internet Bid System or any other means used to deliver or complete a bid. The use of such facilities or means is at the sole risk of the prospective bidder who shall be bound by the terms of the bid as received.

No bid will be accepted after the time specified in the NOTICE OF BOND SALE and TERMS OF OFFERING. The time as maintained by the Internet Bid System shall constitute the official time with respect to all bids submitted. A bid may be withdrawn before the bid deadline using the same method used to submit the bid. If more than one bid is received from a bidder, the last bid received shall be considered.

Sealed Bidding: Sealed bids may be submitted and will be received at the office of the Director of Finance at City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503.

Electronic Internet Bidding: Electronic internet bids will be received at the office of the Director of Finance at City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503 or at the office of PFM Financial Advisors LLC, 801 Grand Avenue, Suite 3300, Des Moines, Iowa 50309. Electronic internet bids must be submitted through the Internet Bid System. Information about the Internet Bid System may be obtained by calling 212-849-5021.

Each bidder shall be solely responsible for making necessary arrangements to access the Internet Bid System for purposes of submitting its internet bid in a timely manner and in compliance with the requirements of the NOTICE OF BOND SALE, TERMS OF OFFERING and OFFICIAL BID FORM. The City is permitting bidders to use the services of the Internet Bid System solely as a communication mechanism to conduct the electronic internet bidding and the Internet Bid System is not an agent of the City. Provisions of the NOTICE OF BOND SALE, TERMS OF OFFERING and OFFICIAL BID FORM shall control in the event of conflict with information provided by the Internet Bid System.

Electronic Facsimile Bidding: Electronic facsimile bids will be received at the office of the Director of Finance at City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503 (facsimile number: 712-328-4997) or the City's Municipal Advisor, PFM Financial Advisors LLC, 801 Grand Avenue, Suite 3300, Des Moines, Iowa 50309 (facsimile number: 515-243-6994). Electronic facsimile bids will be treated as sealed bids.

Electronic facsimile bids received after the deadline will be rejected. Bidders electing to submit bids via facsimile transmission bear full responsibility for the transmission of such bid. Neither the City nor its agents shall be responsible for malfunction or mistake made by any person, or as a result of the use of the facsimile facilities or any other means used to deliver or complete a bid. The use of such facilities or means is at the sole risk of the prospective bidder who shall be bound by the terms of the bid as received. Neither the City nor its agents will assume liability for the inability of the bidder to reach the above named facsimile numbers prior to the time of sale specified above. Time of receipt shall be the time recorded by the facsimile operator receiving the bids.

## BOOK-ENTRY-ONLY ISSUANCE

The Bonds will be issued by means of a book-entry-only system with no physical distribution of bond certificates made to the public. The Bonds will be issued in fully registered form and one bond certificate, representing the aggregate principal amount of the Bonds maturing in each year will be registered in the name of Cede & Co. as nominee of The Depository Trust Company (“DTC”), New York, New York, which will act as securities depository of the Bonds. Individual purchases of the Bonds may be made in the principal amount of \$5,000 or any multiple thereof of a single maturity through book entries made on the books and records of DTC and its participants. Principal and interest are payable by the Registrar to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants will be the responsibility of such participants and other nominees of beneficial owners. The Purchaser, as a condition of delivery of the Bonds, will be required to deposit the bond certificates with DTC.

## MUNICIPAL BOND INSURANCE AT PURCHASER’S OPTION

If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefore at the option of the bidder, the purchase of any such insurance policy or the issuance of any such commitment shall be at the sole option and expense of the Purchaser. Any increased costs of issuance of the Bonds resulting from such purchase of insurance shall be paid by the Purchaser, except that, if the City has requested and received a rating on the Bonds from a rating agency, the City will pay that initial rating fee. Any other rating agency fees shall be the responsibility of the Purchaser. Failure of the municipal bond insurer to issue the policy after the Bonds have been awarded to the Purchaser shall not constitute cause for failure or refusal by the Purchaser to accept delivery on the Bonds. The City reserves the right in its sole discretion to accept or deny changes to the financing documents requested by the insurer selected by the Purchaser.

## DELIVERY

The Bonds will be delivered to the Purchaser via Fast Automated Securities Transfer delivery with the Registrar holding the Bonds on behalf of DTC, against full payment in immediately available cash or federal funds. The Bonds are expected to be delivered within forty-five days after the sale. Should delivery be delayed beyond sixty days from the date of sale for any reason except failure of performance by the Purchaser, the Purchaser may withdraw their bid and thereafter their interest in and liability for the Bonds will cease. When the Bonds are ready for delivery, the City will give the Purchaser five working days’ notice of the delivery date and the City will expect payment in full on that date; otherwise, reserving the right at their option to determine that the Purchaser failed to comply with the offer of purchase.

## ESTABLISHMENT OF ISSUE PRICE

The Purchaser shall assist the City in establishing the issue price of the Bonds and shall execute and deliver to the City at closing an “issue price” or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the Bonds, together with the supporting pricing wires or equivalent communications, substantially in the form attached hereto in “EXHIBIT 1 - FORMS OF ISSUE PRICE CERTIFICATES” to the TERMS OF OFFERING, with such modifications as may be appropriate or necessary in the reasonable judgment of the Purchaser, the City and Bond Counsel, will need to be signed by the Purchaser. All actions to be taken by the City under the TERMS OF OFFERING to establish the issue price of the Bonds may be taken on behalf of the City by the Municipal Advisor identified herein and any notice or report to be provided to the City may be provided to the Municipal Advisor.

The City intends the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining “competitive sale” for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the “competitive sale requirements”) because (i) the City shall disseminate this TERMS OF OFFERING to potential underwriters in a manner that is reasonably designed to reach potential underwriters, (ii) all bidders shall have an equal opportunity to

bid, (iii) the City may receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds, and (iv) the City anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the highest price (or lowest interest cost), as set forth in the TERMS OF OFFERING.

Any bid submitted pursuant to the TERMS OF OFFERING shall be considered a firm offer for the purchase of the Bonds, as specified in the bid.

In the event the competitive sale requirements are not satisfied for the Bonds, the City shall so advise the Purchaser. The City may determine to treat (i) the first price at which 10% of a maturity of the Bonds (the “10% test”) is sold to the public as the issue price of that maturity, and/or (ii) the initial offering price to the public as of the sale date of any maturity of the Bonds as the issue price of that maturity (the “hold-the-offering-price rule”), in each case applied on a maturity-by-maturity basis. The Purchaser shall advise the City if any maturity of the Bonds satisfies the 10% test as of the date and time of the award of the Bonds. The City shall promptly advise the Purchaser, at or before the time of award of the Bonds, which maturities of the Bonds shall be subject to the 10% test or shall be subject to the hold-the-offering-price rule. Bids will not be subject to cancellation in the event the City determines to apply the hold-the-offering-price rule to any maturity of the Bonds. **Prospective bidders should prepare their bids on the assumption that some or all of the maturities of each respective series of the Bonds will be subject to the hold-the-offering-price rule in order to establish the issue price of the Bonds.**

By submitting a bid, the Purchaser shall (i) confirm the underwriters have offered or will offer the Bonds to the public on or before the date of award at the offering price or prices (the “initial offering price”), or at the corresponding yield or yields, set forth in the bid submitted by the Purchaser, and (ii) agree, on behalf of the underwriters participating in the purchase of the Bonds, that the underwriters will neither offer nor sell unsold Bonds of any maturity to which the hold-the-offering-price rule shall apply to any person at a price that is higher than the initial offering price to the public during the period starting on the sale date and ending on the earlier of (a) the close of the fifth (5th) business day after the sale date, or (b) the date on which the underwriters have sold at least 10% of that maturity of the Bonds to the public at a price that is no higher than the initial offering price to the public.

The Purchaser shall promptly advise the City when the underwriters have sold 10% of that maturity of the Bonds to the public at a price that is no higher than the initial offering price to the public, if that occurs prior to the close of the fifth (5th) business day after the sale date.

The City acknowledges that in making the representation set forth above, the Purchaser will rely on (i) the agreement of each underwriter to comply with the hold-the-offering-price rule, as set forth in an agreement among underwriters and the related pricing wires, (ii) in the event a selling group has been created in connection with the initial sale of the Bonds to the public, the agreement of each dealer who is a member of the selling group to comply with the hold-the-offering-price rule, as set forth in a selling group agreement and the related pricing wires, and (iii) in the event, an underwriter is a party to a retail distribution agreement that was employed in connection with the initial sale of the Bonds to the public, the agreement of each broker-dealer that is a party to such agreement to comply with the hold-the-offering-price rule, as set forth in the retail distribution agreement and the related pricing wires. The City further acknowledges that each underwriter shall be solely liable for its failure to comply with its agreement regarding the hold-the-offering-price rule and that no underwriter shall be liable for the failure of any other underwriter, or of any dealer who is a member of a selling group, or of any broker-dealer that is a party to a retail distribution agreement to comply with its corresponding agreement regarding the hold-the-offering-price rule as applicable to the Bonds.

By submitting a bid, each bidder confirms that (i) any agreement among underwriters, any selling group agreement and each retail distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such retail distribution agreement, as applicable, to (a) report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the Purchaser that either the 10% test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public, and (b) comply with the hold-the-offering-price rule, if applicable, in each

case if and for so long as directed by the Purchaser and as set forth in the related pricing wires; and (ii) any agreement among underwriters relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter that is a party to a retail distribution agreement to be employed in connection with the initial sale of the Bonds to the public to require each broker-dealer that is a party to such retail distribution agreement to (a) report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the Purchaser or such underwriter that either the 10% test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public, and (b) comply with the hold-the-offering-price rule, if applicable, in each case if and for so long as directed by the Purchaser or such underwriter and as set forth in the related pricing wires.

Sales of any Bonds to any person that is a related party to an underwriter shall not constitute sales to the public for purposes of this TERMS OF OFFERING. Further, for purposes of this TERMS OF OFFERING, (i) “public” means any person other than an underwriter or a related party, (ii) “underwriter” means (a) any person that agrees pursuant to a written contract with the City (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the public, and (b) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause “(a)” to participate in the initial sale of the Bonds to the public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the public); (iii) a Purchaser of any of the Bonds is a “related party” to an underwriter if the underwriter and the Purchaser are subject, directly or indirectly, to (a) at least 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (b) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (c) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other); and (iv) “sale date” means the date that the Bonds are awarded by the City to the Purchaser.

#### OFFICIAL STATEMENT

The City has authorized the preparation of a Preliminary Official Statement containing pertinent information relative to the Bonds. The Preliminary Official Statement will be further supplemented by offering prices, interest rates, selling compensation, aggregate principal amount, principal amount per maturity, anticipated delivery date, and underwriter, together with any other information required by law or deemed appropriate by the City, shall constitute a final Official Statement of the City with respect to the Bonds, as that term is defined in Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended (the “Rule”). By awarding the Bonds to any underwriter or underwriting syndicate submitting an OFFICIAL BID FORM therefore, the City agrees that, no more than seven (7) business days after the date of such award, it shall provide without cost to the senior managing underwriter of the syndicate to which the Bonds are awarded up to 15 copies of the final Official Statement to permit each “Participating Underwriter” (as that term is defined in Rule) to comply with the provisions of such Rule. The City shall treat the senior managing underwriter of the syndicate to which the Bonds are awarded as its designated agent for purposes of distributing copies of the final Official Statement to the Participating Underwriter. Any underwriter executing and delivering an OFFICIAL BID FORM with respect to the Bonds agrees thereby that if its bid is accepted by the City, (i) it shall accept such designation and (ii) it shall enter into a contractual relationship with all Participating Underwriters of the Bonds for purposes of assuring the receipt by each such Participating Underwriter of the final Official Statement.

#### CONTINUING DISCLOSURE

The City will covenant in a Continuing Disclosure Certificate for the benefit of the owners and beneficial owners of the Bonds to provide annually certain financial information and operating data relating to the City (the “Annual Report”), and to provide notices of the occurrence of certain enumerated events. The Annual Report is to be filed by the City no later than two hundred seventy (270) days after the close of each fiscal year, commencing with the Fiscal Year ending June 30, 2019, with the Municipal Securities Rulemaking Board, at its internet repository named “Electronic Municipal Market Access” (“EMMA”). The notices of events, if any, are also to be filed with



EMMA. See APPENDIX D – FORM OF CONTINUING DISCLOSURE CERTIFICATE. The specific nature of the information to be contained in the Annual Report or the notices of events, and the manner in which such materials are to be filed, are summarized in APPENDIX D – FORM OF CONTINUING DISCLOSURE CERTIFICATE. These covenants have been made in order to assist the Purchaser in complying with section (b)(5) of the Rule.

The City is not aware of any instance in the previous five years in which it has failed to comply, in all material respects, with previous undertakings in a written contract or agreement specified in paragraph (b)(5)(i) of the Rule.

Breach of the undertakings will not constitute a default or an “Event of Default” under the Bonds or the resolution for the Bonds. A broker or dealer is to consider a known breach of the undertakings, however, before recommending the purchase or sale of the Bonds in the secondary market. Thus, a failure on the part of the City to observe the undertakings may adversely affect the transferability and liquidity of the Bonds and their market price.

#### CUSIP NUMBERS

It is anticipated that the Committee on Uniform Security Identification Procedures (“CUSIP”) numbers will be printed on the Bonds and the Purchaser must agree in the bid proposal to pay the cost thereof. In no event will the City, Bond Counsel or Municipal Advisor be responsible for the review or express any opinion that the CUSIP numbers are correct. Incorrect CUSIP numbers on said Bonds shall not be cause for the Purchaser to refuse to accept delivery of said Bonds.

BY ORDER OF THE CITY COUNCIL  
City of Council Bluffs, Iowa  
/s/ Matt Walsh, Mayor

## SCHEDULE OF BOND YEARS

**\$7,630,000\***

### **CITY OF COUNCIL BLUFFS, IOWA General Obligation Bonds, Series 2019**

Bonds Dated: December 30, 2019  
Interest Due: June 1, 2020 and each December 1 and June 1 to maturity  
Principal Due: June 1, 2020-2031

<u><b>Year</b></u>	<u><b>Principal*</b></u>	<u><b>Bond Years</b></u>	<u><b>Cumulative Bond Years</b></u>
2020	\$1,820,000	763.39	763.39
2021	480,000	681.33	1,444.72
2022	490,000	1,185.53	2,630.25
2023	500,000	1,709.72	4,339.97
2024	505,000	2,231.82	6,571.79
2025	515,000	2,791.01	9,362.81
2026	525,000	3,370.21	12,733.01
2027	535,000	3,969.40	16,702.42
2028	545,000	4,588.60	21,291.01
2029	560,000	5,274.89	26,565.90
2030	570,000	5,939.08	32,504.99
2031	585,000	6,680.38	39,185.36

Average Maturity (dated date): 5.136 Years

\* Preliminary; subject to change.

## **EXHIBIT 1**

### **FORMS OF ISSUE PRICE CERTIFICATES**

---

**COMPETITIVE SALES WITH AT LEAST THREE BIDS FROM ESTABLISHED UNDERWRITERS**


---

**ISSUE PRICE CERTIFICATE**

\$\_\_\_\_\_ **General Obligation Bonds, Series 2019**  
**City of Council Bluffs, Iowa**

The undersigned, on behalf of [NAME OF UNDERWRITER] ("Purchaser"), hereby certifies as set forth below with respect to the sale of the above-captioned obligations (the "Bonds").

**1. Reasonably Expected Initial Offering Price.**

a) As of the Sale Date, the reasonably expected initial offering prices of the Bonds to the Public by Purchaser are the prices listed in Schedule A (the "Expected Offering Prices"). The Expected Offering Prices are the prices for the Maturities of the Bonds used by Purchaser in formulating its bid to purchase the Bonds. Attached as Schedule B is a true and correct copy of the bid provided by Purchaser to purchase the Bonds.

b) Purchaser was not given the opportunity to review other bids prior to submitting its bid.<sup>1)</sup>

c) The bid submitted by Purchaser constituted a firm offer to purchase the Bonds.

**2. Defined Terms.**

a) *Issuer* means City of Council Bluffs, Iowa.

b) *Maturity* means Bonds with the same credit and payment terms. Bonds with different maturity dates, or Bonds with the same maturity date but different stated interest rates, are treated as separate Maturities.

c) *Public* means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter. The term "related party" for purposes of this certificate generally means any two or more persons who have greater than 50 percent common ownership, directly or indirectly.

d) *Sale Date* means the first day on which there is a binding contract in writing for the sale of a Maturity of the Bonds. The Sale Date of the Bonds is November 18, 2019.

e) *Underwriter* means (i) the Purchaser or any person that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the Public).

1) Treas. Reg. §1.148-1(f)(3)(i)(B) requires that all bidders have an equal opportunity to bid to purchase bonds. If the bidding process affords an equal opportunity for bidders to review other bids prior to submitting their bids, then this representation should be modified to describe the bidding process.

The representations set forth in this certificate are limited to factual matters only. Nothing in this certificate represents Purchaser's interpretation of any laws, including specifically Sections 103 and 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations thereunder. The undersigned understands that the foregoing information will be relied upon by the Issuer and its advisors with respect to certain of the representations set forth in the Tax Exemption Certificate and with respect to compliance with the federal income tax rules affecting the Bonds, and by Bond Counsel in connection with rendering its opinion that the interest on the Bonds is excluded from gross income for federal income tax purposes, the preparation of the Internal Revenue Service Form 8038-G, and other federal income tax advice that it may give to the Issuer from time to time relating to the Bonds.

[UNDERWRITER]

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

Name: \_\_\_\_\_

Dated: December 30, 2019

**SCHEDULE A**

**EXPECTED OFFERING PRICES**

**\$\_\_\_\_\_ General Obligation Bonds, Series 2019  
City of Council Bluffs, Iowa**

*(Attached)*

**SCHEDULE B**

**COPY OF UNDERWRITER'S BID**

**\$\_\_\_\_\_ General Obligation Bonds, Series 2019  
City of Council Bluffs, Iowa**

*(Attached)*

---

**COMPETITIVE SALES WITH FEWER THAN THREE BIDS FROM ESTABLISHED UNDERWRITERS  
HOLD OFFERING PRICE**

---

**ISSUE PRICE CERTIFICATE**

\$ \_\_\_\_\_ **General Obligation Bonds, Series 2019**  
**City of Council Bluffs, Iowa**

The undersigned, on behalf of [NAME OF UNDERWRITER/REPRESENTATIVE] ("Purchaser") [the "Representative")], on behalf of itself and [NAMES OF OTHER UNDERWRITERS] (together, the "Underwriting Group"), hereby certifies as set forth below with respect to the sale and issuance of the above-captioned obligations (the "Bonds").

**1. Sale of the General Rule Maturities.** As of the date of this certificate, for each Maturity of the General Rule Maturities, the first price at which at least 10% of such Maturity was sold to the Public is the respective price listed in Schedule A.

**2. Initial Offering Price of the Hold-the-Offering-Price Maturities.**

a) [Purchaser][The Underwriting Group] offered the Hold-the-Offering-Price Maturities to the Public for purchase at the respective initial offering prices listed in Schedule A (the "Initial Offering Prices") on or before the Sale Date. A copy of the pricing wire or equivalent communication for the Bonds is attached to this certificate as Schedule B.

b) As set forth in the Official Terms of Offering and bid award, [Purchaser][the members of the Underwriting Group] [has][have] agreed in writing that, (i) for each Maturity of the Hold-the-Offering-Price Maturities, [it][they] would neither offer nor sell any of the Bonds of such Maturity to any person at a price that is higher than the Initial Offering Price for such Maturity during the Holding Period for such Maturity (the "hold-the-offering-price rule"), and (ii) any selling group agreement shall contain the agreement of each dealer who is a member of the selling group, and any retail distribution agreement shall contain the agreement of each broker-dealer who is a party to the retail distribution agreement, to comply with the hold-the-offering-price rule. Pursuant to such agreement, no Underwriter (as defined below) has offered or sold any Maturity of the Hold-the-Offering-Price Maturities at a price that is higher than the respective Initial Offering Price for that Maturity of the Bonds during the Holding Period.

**3. Defined Terms.**

a) *General Rule Maturities* means those Maturities of the Bonds listed in Schedule A hereto as the "General Rule Maturities."

b) *Hold-the-Offering-Price Maturities* means those Maturities of the Bonds listed in Schedule A hereto as the "Hold-the-Offering-Price Maturities."

c) *Holding Period* means, with respect to a Hold-the-Offering-Price Maturity, the period starting on the Sale Date and ending on the earlier of (i) the close of the fifth business day after the Sale Date, or (ii) the date on which [Purchaser][the Underwriters] [has][have] sold at least 10% of such Hold-the-Offering-Price Maturity to the Public at prices that are no higher than the Initial Offering Price for such Hold-the-Offering-Price Maturity.



d) *Issuer* means City of Council Bluffs, Iowa.

e) *Maturity* means Bonds with the same credit and payment terms. Bonds with different maturity dates, or Bonds with the same maturity date but different stated interest rates, are treated as separate maturities.

f) *Public* means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter. The term "related party" for purposes of this certificate generally means any two or more persons who have greater than 50 percent common ownership, directly or indirectly.

g) *Sale Date* means the first day on which there is a binding contract in writing for the sale of a Maturity of the Bonds. The Sale Date of the Bonds is November 18, 2019.

h) *Underwriter* means (i) the Purchaser or any person that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the Public).

i) The representations set forth in this certificate are limited to factual matters only. Nothing in this certificate represents [the Purchaser][the Representative's] interpretation of any laws, including specifically Sections 103 and 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations thereunder. The undersigned understands that the foregoing information will be relied upon by the Issuer and its advisors with respect to certain of the representations set forth in the Tax Exemption Certificate and with respect to compliance with the federal income tax rules affecting the Bonds, and by Bond Counsel in connection with rendering its opinion that the interest on the Bonds is excluded from gross income for federal income tax purposes, the preparation of the Internal Revenue Service Form 8038-G, and other federal income tax advice that it may give to the Issuer from time to time relating to the Bonds.

[UNDERWRITER][REPRESENTATIVE]

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

Name:\_\_\_\_\_

Dated: December 30, 2019

**SCHEDULE A**

**SALE PRICES OF THE GENERAL RULE MATURITIES AND  
INITIAL OFFERING PRICES OF THE HOLD-THE-OFFERING-PRICE MATURITIES**

**\$\_\_\_\_\_ General Obligation Bonds, Series 2019  
City of Council Bluffs, Iowa**

*(Attached)*

**SCHEDULE B**

**PRICING WIRE OR EQUIVALENT COMMUNICATION**

**\$\_\_\_\_\_ General Obligation Bonds, Series 2019  
City of Council Bluffs, Iowa**

*(Attached)*

**PRELIMINARY OFFICIAL STATEMENT**  
**CITY OF COUNCIL BLUFFS, IOWA**  
**\$7,630,000\* General Obligation Bonds, Series 2019**

**INTRODUCTION**

This Preliminary Official Statement contains information relating to the City of Council Bluffs, Iowa (the “City”) and its issuance of \$7,630,000\* General Obligation Bonds, Series 2019 (the “Bonds”). This Preliminary Official Statement has been executed on behalf of the City and its Director of Finance and may be distributed in connection with the sale of the Bonds authorized therein. Inquiries may be made to the City’s Municipal Advisor, PFM Financial Advisors LLC (the “Municipal Advisor”), 801 Grand Avenue, Suite 3300, Des Moines, Iowa 50309 or by telephoning 515-243-2600. Information can also be obtained from Ms. Kathy Knott, Director of Finance, City of Council Bluffs, 209 Pearl Street, Council Bluffs, Iowa 51503, or by telephoning 712-328-4685.

**AUTHORITY AND PURPOSE**

The Bonds are being issued pursuant to Division III of Chapter 384 of the Code of Iowa and a resolution to be adopted by the City Council of the City. The Bonds are being issued to pay costs of 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; 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; equipping of the fire department; rehabilitation and improvement of parks already owned, and facilities, equipment and improvements commonly found in city parks; acquisition, restoration, or demolition of abandoned, dilapidated, or dangerous buildings, structures or properties or the abatement of a nuisance; acquisition, construction, reconstruction, enlargement, improvement, and equipping, including information technology hardware and software, of city buildings; construction, reconstruction, enlargement, improvement, and equipping of recreation grounds and trails, recreation buildings, and recreation centers; 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 construction, reconstruction, enlargement, improvement and equipping of the golf course.

The estimated Sources and Uses of the Bonds are as follows:

Sources of Funds\*

Par Amount of Bonds	\$7,630,000.00
---------------------	----------------

Uses of Funds\*

Deposit to Project Fund	\$7,500,000.00
Underwriter’s Discount	76,300.00
Cost of Issuance & Contingency	<u>53,700.00</u>
Total Uses	\$7,630,000.00

\* Preliminary; subject to change.

## **INTEREST**

Interest on the Bonds will be payable on June 1, 2020 and semiannually on the 1<sup>st</sup> day of December and June thereafter. Interest and principal shall be paid to the registered holder of a bond as shown on the records of ownership maintained by the Registrar as of the 15<sup>th</sup> day of the month (whether or not a business day) preceding such interest payment date (the “Record Date”). Interest will be computed on the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to rules of the Municipal Securities Rulemaking Board.

## **OPTIONAL REDEMPTION**

The Bonds due after June 1, 2028 will be subject to call prior to maturity in whole, or from time to time in part, in any order of maturity and within a maturity by lot on said date or on any date thereafter at the option of the City, upon terms of par plus accrued interest to date of call. Written notice of such call shall be given at least thirty (30) days prior to the date fixed for redemption to the registered owners of the Bonds to be redeemed at the address shown on the registration books.

## **PAYMENT OF AND SECURITY FOR THE BONDS**

The Bonds are general obligations of the City and the unlimited taxing powers of the City are irrevocably pledged for their payment. Upon issuance of the Bonds, the City will levy taxes for the years and in amounts sufficient to provide 100% of annual principal and interest due on the Bonds. If, however, the amount credited to the debt service fund for payment of the Bonds is insufficient to pay principal and interest, whether from transfers or from original levies, the City must use funds in its treasury and is required to levy ad valorem taxes upon all taxable property in the City without limit as to rate or amount sufficient to pay the debt service deficiency.

Iowa Code section 76.2 provides that when an Iowa political subdivision issues general obligation bonds, “the governing authority of these political subdivisions before issuing bonds shall, by resolution, provide for the assessment of an annual levy upon all the taxable property in the political subdivision sufficient to pay the interest and principal of the bonds within a period named not exceeding twenty years. A certified copy of this resolution shall be filed with the county auditor or the auditors of the counties in which the political subdivision is located; and the filing shall make it a duty of the auditors to enter annually this levy for collection from the taxable property within the boundaries of the political subdivision until funds are realized to pay the bonds in full.”

Nothing in the resolution for the Bonds prohibits or limits the ability of the City to use legally available moneys other than the proceeds of the general ad valorem property taxes levied, as described in the preceding paragraph, to pay all or any portion of the principal of or interest on the Bonds. If, and to the extent such other legally available moneys are used to pay the principal of or interest on the Bonds, the City may, but shall not be required to (i) reduce the amount of taxes levied for such purpose, as described in the preceding paragraph; or (ii) use proceeds of taxes levied, as described in the preceding paragraph, to reimburse the fund or account from which such other legally available moneys are withdrawn for the amount withdrawn from such fund or account to pay the principal of or interest on the Bonds.

The resolution authorizing the Bonds doesn’t restrict the City’s ability to issue or incur additional general obligation debt, although issuance of additional general obligation debt is subject to the same constitutional and statutory limitations that apply to the issuance of the Bonds. For a further description of the City’s outstanding general obligation debt upon issuance of the Bonds and the annual debt service on the Bonds, see “DIRECT DEBT” under “CITY INDEBTEDNESS” included in APPENDIX A herein. For a description of certain constitutional and statutory limits on the issuance of general obligation debt, see “DEBT LIMIT” under “CITY INDEBTEDNESS” included in APPENDIX A herein.

## BOOK-ENTRY-ONLY ISSUANCE

*The information contained in the following paragraphs of this subsection “Book-Entry-Only Issuance” has been extracted from a schedule prepared by Depository Trust Company (“DTC”) entitled “SAMPLE OFFERING DOCUMENT LANGUAGE DESCRIBING DTC AND BOOK-ENTRY-ONLY ISSUANCE.” The information in this section concerning DTC and DTC’s book-entry-only system has been obtained from sources that the City believes to be reliable, but the City takes no responsibility for the accuracy thereof.*

The Depository Trust Company (“DTC”), New York, NY, will act as securities depository for the securities (the “Securities”). The Securities will be issued as fully-registered securities registered in the name of Cede & Co. (DTC’s partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered Security certificate will be issued for each issue of the Securities, each in the aggregate principal amount of such issue, and will be deposited with DTC. If, however, the aggregate principal amount of any issue exceeds \$500 million, one certificate will be issued with respect to each \$500 million of principal amount, and an additional certificate will be issued with respect to any remaining principal amount of such issue.

DTC, the world’s largest securities depository, is a limited-purpose trust company organized under the New York Banking Law, a “banking organization” within the meaning of the New York Banking Law, a member of the Federal Reserve System, a “clearing corporation” within the meaning of the New York Uniform Commercial Code, and a “clearing agency” registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments from over 100 countries that DTC’s participants (the “Direct Participants”) deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants’ accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation (“DTCC”). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly (the “Indirect Participants”). DTC has Standard & Poor’s rating: AA+. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at [www.dtcc.com](http://www.dtcc.com).

Purchases of Securities under the DTC system must be made by or through Direct Participants, which will receive a credit for the Securities on DTC’s records. The ownership interest of each actual purchaser of each Security (the “Beneficial Owner”) is in turn to be recorded on the Direct and Indirect Participants’ records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Securities are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in Securities, except in the event that use of the book-entry system for the Securities is discontinued.

To facilitate subsequent transfers, all Securities deposited by Direct Participants with DTC are registered in the name of DTC’s partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Securities with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not affect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Securities; DTC’s records reflect only the identity of the Direct Participants to whose accounts such Securities are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of Securities may wish to take certain steps to augment the transmission to them of notices of significant events with respect to the Securities, such as redemptions, tenders, defaults, and proposed amendments to the Security documents. For example, Beneficial Owners of Securities may wish to ascertain that the nominee holding the Securities for their benefit has agreed to obtain and transmit notices to Beneficial Owners. In the alternative, Beneficial Owners may wish to provide their names and addresses to the Registrar and request that copies of notices be provided directly to them.

Redemption notices shall be sent to DTC. If less than all of the Securities within an issue are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.

Neither DTC nor Cede & Co., nor any other DTC nominee, will consent or vote with respect to Securities unless authorized by a Direct Participant in accordance with DTC's MMI Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the City as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts Securities are credited on the record date identified in a listing attached to the Omnibus Proxy.

Redemption proceeds, distributions, and dividend payments on the Securities will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the City or Agent, on payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC, Agent, or the City, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, distributions, and dividend payments to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC, is the responsibility of the City or Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

A Beneficial Owner shall give notice to elect to have its Securities purchased or tendered, through its Participant, to Tender/Remarketing Agent, and shall effect delivery of such Securities by causing the Direct Participant to transfer the Participant's interest in the Securities, on DTC's records, to Tender/Remarketing Agent. The requirement for physical delivery of Securities in connection with an optional tender or a mandatory purchase will be deemed satisfied when the ownership rights in the Securities are transferred by Direct Participants on DTC's records and followed by a book-entry credit of tendered Securities to Tender/Remarketing Agent's DTC account.

DTC may discontinue providing its services as depository with respect to the Securities at any time by giving reasonable notice to the City or Agent. Under such circumstances, in the event that a successor depository is not obtained, Security certificates are required to be printed and delivered.

The City may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository). In that event, Security certificates will be printed and delivered to DTC.

The information in this section concerning DTC and DTC's book-entry system has been obtained from sources that the City believes to be reliable, but the City takes no responsibility for the accuracy thereof.

## **FUTURE FINANCING**

The City does not anticipate any additional general obligation borrowing needs within 90 days of this Preliminary Official Statement.

## **LITIGATION – Need update from the City**

The City is not aware of any threatened or pending litigation affecting the validity of the Bonds. However, the City settled litigation arising from a suit filed in the United States District Court. Terms of this settlement are outlined in the following paragraph.

On October 17, 2013, a stipulation of dismissal with prejudice was brought before the United States District Court for the Southern District of Iowa, Central Division that dismissed a suit against the City and others, (*McGee v. Pottawattamie, et al.*, No. 4:05-cv-00255 and *Harrington v. County of Pottawattamie, et al.*, No. 4:05-cv-00178). The dismissal with prejudice resulted in a settlement agreement making the City liable for \$6,199,997, with interest at 1.377% per annum. Per the terms of the agreement, the City made payments totaling \$2,300,000 in October 2013 and annual payments of \$528,571 to be paid on July 1 from 2014 to 2019. A final payment of \$728,571 is to be made on July 1, 2020. The City intends to fund such payments through the Tort & Liability Levy.

In addition, the City is a party to other litigation matters involving its operations. However, such litigation is not deemed to be material to the repayment of the Bonds.

## **DEBT PAYMENT HISTORY**

The City knows of no instance in which it has defaulted in the payment of principal or interest on its debt.

## **LEGALITY**

The Bonds are subject to approval as to certain matters by Ahlers & Cooney, P.C. of Des Moines, Iowa as Bond Counsel. Bond Counsel has not participated in the preparation of this Preliminary Official Statement other than to review or prepare information describing the terms of the Bonds and Iowa and Federal law pertinent to the validity of and the tax status of interest on the Bonds, which can be found generally under the sections “AUTHORITY AND PURPOSE”, “OPTIONAL REDEMPTION”, “PAYMENT AND SECURITY FOR THE BONDS” and “TAX MATTERS”, herein. Additionally, Bond Counsel has provided its legal opinion and Continuing Disclosure Certificate, included in APPENDIX B and APPENDIX D, respectively, within this Preliminary Official Statement. Bond Counsel is not expressing any opinion as to the completeness or accuracy of the information contained in the Preliminary Official Statement. The FORM OF LEGAL OPINION as set out in APPENDIX B to this Preliminary Official Statement, will be delivered at closing.

The legal opinion, to be delivered concurrently with the delivery of the Bonds, expresses the professional judgment of the attorneys rendering the opinion as to legal issues expressly addressed therein. By rendering a legal opinion, the opinion giver does not become an insurer or guarantor of the result indicated by that expression of professional judgment, or of the transaction on which the opinion is rendered, or of the future performance of parties to the transaction. Nor does the rendering of an opinion guarantee the outcome of any legal dispute that may arise out of the transaction.

There is no bond trustee or similar person to monitor or enforce the provisions of the resolution for the Bonds. The owners of the Bonds should, therefore, be prepared to enforce such provisions themselves if the need to do so arises. In the event of a default in the payment of principal of or interest on the Bonds, there is no provision for acceleration of maturity of the principal of the Bonds. Consequently, the remedies of the owners of the Bonds (consisting primarily of an action in the nature of mandamus requiring the City and certain other public officials to perform the terms of the resolution for the Bonds) may have to be enforced from year to year. The obligation to pay general ad valorem property taxes is secured by a statutory lien upon the taxed property, but is not an obligation for which a property owner may be held personally liable in the event of a deficiency. The owners of the Bonds cannot foreclose on property within the boundaries of the City or sell such property in order to pay the debt service on the Bonds. See “LEVIES AND TAX COLLECTIONS” included in APPENDIX A herein, for a description of property tax collection and enforcement.



In addition, the enforceability of the rights and remedies of owners of the Bonds may be subject to limitation as set forth in Bond Counsel's opinion. The opinion will state, in part, that the obligation of the City with respect to the Bonds may be subject to bankruptcy, insolvency, reorganization, moratorium and other similar laws affecting creditors' rights, heretofore or hereafter, enacted to the extent constitutionally applicable, to the exercise of judicial discretion in appropriate cases.

## **TAX MATTERS**

Tax Exemptions and Related Considerations: Federal tax law contains a number of requirements and restrictions that apply to the Bonds. These include investment restrictions, periodic payments of arbitrage profits to the United States, requirements regarding the proper use of bond proceeds and facilities financed with bond proceeds, and certain other matters. The City has covenanted to comply with all requirements that must be satisfied in order for the interest on the Bonds to be excludable from gross income for federal income tax purposes. Failure to comply with certain of such covenants could cause interest on the Bonds to become includable in gross income for federal income tax purposes retroactively to the date of issuance of the Bonds.

Subject to the City's compliance with the above referenced covenants, under present law, in the opinion of Bond Counsel, interest on the Bonds is excludable from gross income for federal income tax purposes. Interest on the Bonds is not an item of tax preference for purposes of the federal alternative minimum tax.

Prospective purchasers of the Bonds should be aware that ownership of the Bonds may result in collateral federal income tax consequences to certain taxpayers, including, without limitation, corporations subject to the branch profits tax, financial institutions, certain insurance companies, certain S corporations, individual recipients of Social Security or Railroad Retirement benefits and taxpayers who may be deemed to have incurred (or continued) indebtedness to purchase or carry tax-exempt obligations. Bond Counsel will not express any opinion as to such collateral tax consequences. Prospective purchasers of the Bonds should consult their tax advisors as to collateral federal income tax consequences.

Interest on the Bonds is included in gross income for State of Iowa income tax purposes.

Ownership of the Bonds may result in other state and local tax consequences to certain taxpayers. Bond Counsel expresses no opinion regarding any such collateral consequences arising with respect to the Bonds. The prospective purchaser of the Bonds should consult their tax advisors regarding the applicability of any such state and local taxes.

The City does not reasonably expect to issue any additional Tax Exempt Obligations in calendar year 2019, which must be taken into account, and intends to designate the Bonds as "qualified tax-exempt obligations" under the exception provided in Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), which affords banks and certain other financial institutions more favorable treatment of their deduction for interest expense than would otherwise be allowed under Section 265(b)(2) of the Code.

Qualified Tax-Exempt Obligations: The City will designate the Bonds as "qualified tax-exempt obligations" under the exception provided in Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code").

Tax Accounting Treatment of Discount and Premium Bonds: The initial public offering price of the Bonds may be less than the amount payable on such Bonds at maturity (the "Discount Bonds"). An amount equal to the difference between the initial public offering price of Discount Bonds (assuming that a substantial amount of the Discount Bonds of that maturity are sold to the public at such price) and the amount payable at maturity constitutes original issue discount to the initial purchaser of such Discount Bonds. Owners of Discount Bonds should consult with their own tax advisors with respect to the determination of accrued original issue discount on Discount Bonds for federal income tax purposes and with respect to the state and local tax consequences of owning and disposing of Discount Bonds. It is possible that, under applicable provisions governing determination of state and local income taxes, accrued interest on Discount Bonds may be deemed to be received in the year of accrual even though there will not be a corresponding cash payment.

The initial public offering price of the Bonds may be greater than the amount payable on such Premium Bonds at maturity (the “Premium Bonds”). An amount equal to the difference between the initial public offering price of Premium Bonds (assuming that a substantial amount of the Premium Bonds of that maturity are sold to the public at such price) and the amount payable at maturity constitutes a premium to the initial purchaser of such Premium Bonds. Purchasers of the Premium Bonds should consult with their own tax advisors with respect to the determination of amortizable bond premium on Premium Bonds for federal income tax purposes and with respect to the state and local tax consequences of owning and disposing of Premium Bonds.

Other Tax Advice: In addition to the income tax consequences described above, potential investors should consider the additional tax consequences of the acquisition, ownership, and disposition of the Bonds. For instance, state income tax law may differ substantially from state to state, and the foregoing is not intended to describe any aspect of the income tax laws of any state. Therefore, potential investors should consult their own tax advisors with respect to federal tax issues and with respect to the various state tax consequences of an investment in Bonds.

Audits: The Internal Revenue Service (the “Service”) has an ongoing program of auditing tax-exempt obligations to determine whether, in the view of the Service, interest on such tax-exempt obligations is includable in the gross income of the owners thereof for federal income tax purposes. It cannot be predicted whether or not the Service will commence an audit of the Bonds. If an audit is commenced, under current procedures the Service may treat the City as a taxpayer and the bondholders may have no right to participate in such procedure. The commencement of an audit could adversely affect the market value and liquidity of the Bonds until the audit is concluded, regardless of the ultimate outcome.

Withholdings: Payments of interest on, and proceeds of the sale, redemption or maturity of, tax-exempt obligations, including the Bonds, are in certain cases required to be reported to the Service. Additionally, backup withholding may apply to any such payments to any bond owner who fails to provide an accurate Form W-9 Request for Taxpayer Identification Number and Certification, or a substantially identical form, or to any Bond owner who is notified by the Service of a failure to report any interest or dividends required to be shown on federal income tax returns. The reporting and backup withholding requirements do not affect the excludability of such interest from gross income for federal tax purposes.

Legislation: Legislation affecting tax-exempt obligations is regularly considered by the United States Congress and may be considered by the Iowa legislature. Judicial interpretation of state or federal laws, rules or regulations may also affect the tax treatment. There can be no assurance that legislation enacted or proposed, or actions by a court, after the date of issuance of the Bonds will not have an adverse effect on the tax status of interest or other income on the Bonds or the market value or marketability of the Bonds. These adverse effects could result, for example, from changes to federal or state income tax rates, changes in the structure of federal or state income taxes (including replacement with another type of tax), or repeal (or reduction in the benefit) of the exclusion of interest on the Bonds from gross income for federal or state income tax purposes for all or certain taxpayers.

Current and future legislative proposals, including some that carry retroactive effective dates, if enacted into law, or clarification of the Code may cause interest on the Bonds to be subject, directly or indirectly, to federal income taxation, or otherwise prevent owners of the Bonds from realizing the full current benefit of the tax status of such interest. Recent proposals have been made that could significantly reduce the benefit of, or otherwise affect, the exclusion from gross income of interest on obligations like the Bonds. The introduction or enactment of any such legislative proposals or clarification of the Code may also affect, perhaps significantly, the market price for, or marketability of, the Bonds. The prospective purchaser of the Bonds should consult their own tax advisors regarding any pending or proposed tax legislation, as to which Bond Counsel expresses no opinion.

The opinions expressed by Bond Counsel are based upon existing legislation and regulations as interpreted by relevant judicial and regulatory authorities as of the date of issuance and delivery of the Bonds, and Bond Counsel has expressed no opinion as of any date subsequent thereto or with respect to any proposed or pending legislation, regulatory initiatives or litigation.

Enforcement: Holders of the Bonds shall have and possess all the rights of action and remedies afforded by the common law, the Constitution and statutes of the State of Iowa and of the United States of America for the enforcement of payment of the Bonds, including, but not limited to, the right to a proceeding in law or in equity by suit, action or mandamus to enforce and compel performance of the duties required by Iowa law and the resolution authorizing issuance of the Bonds. There is no bond trustee or similar person to monitor or enforce the terms of the resolution for issuance of the Bonds. In the event of a default in the payment of principal of or interest on the Bonds, there is no provision for acceleration of maturity of the principal of the Bonds. Consequently, the remedies of the owners of the Bonds (consisting primarily of an action in the nature of mandamus requiring the City and certain other public officials to perform the terms of the Resolution for the Bonds) may have to be enforced from year to year. The enforceability of the rights and remedies of owners of the Bonds may be subject to limitation as set forth in Bond Counsel's opinion.

The obligation to pay general ad valorem property taxes is secured by a statutory lien upon the taxed property, but is not an obligation for which a property owner may be held personally liable in the event of a deficiency. The owners of the Bonds cannot foreclose on property within the boundaries of the City or sell such property in order to pay the debt service on the Bonds. In addition, the enforceability of the rights and remedies of owners of the Bonds may be subject to limitation as set forth in Bond Counsel's opinion. The opinion to be delivered concurrently with the delivery of the Bonds will be qualified as to the enforceability of the various legal instruments by limitations imposed by general principles of equity and public policy and by bankruptcy, reorganization, insolvency or other similar laws affecting the rights of creditors generally, and to the exercise of judicial discretion in appropriate cases.

No representation is made, and no assurance is given, that the enforcement of any remedies with respect to such assets will result in sufficient funds to pay all amounts due under the resolution for the Bonds, including principal of and interest on the Bonds.

The Opinion: The opinion expressed by Bond Counsel are based upon existing legislation and regulations as interpreted by relevant judicial and regulatory authorities as of the date of issuance and delivery of the Bonds, and Bond Counsel has expressed no opinion as of any date subsequent thereto or with respect to any proposed or pending legislation, regulatory initiatives or litigation.

Bond Counsel's opinion is not a guarantee of a result, or of the transaction on which the opinion is rendered, or of the future performance of parties to the transaction, but represents its legal judgment based upon its review of existing statutes, regulations, published rulings and court decisions and the representations and covenants of the City described in this section. No ruling has been sought from the Service with respect to the matters addressed in the opinion of Bond Counsel and Bond Counsel's opinions is not binding on the Service. Bond Counsel assumes no obligation to update its opinions after the issue date to reflect any further action, fact or circumstance, or change in law or interpretation, or otherwise.

*ALL POTENTIAL PURCHASERS OF THE BONDS SHOULD CONSULT WITH THEIR TAX ADVISORS WITH RESPECT TO FEDERAL, STATE AND LOCAL TAX CONSEQUENCES OF OWNERSHIP OF THE BONDS (INCLUDING BUT NOT LIMITED TO THOSE LISTED ABOVE).*

## **BONDHOLDER'S RISKS**

An investment in the Bonds is subject to certain risks. No person should purchase the Bonds unless such person understands the risks described below and is willing to bear those risks. There may be other risks not listed below which may adversely affect the value of the Bonds. In order to identify risk factors and make an informed investment decision, potential investors should be thoroughly familiar with this entire Preliminary Official Statement (including the Appendices hereto) in order to make a judgment as to whether the Bonds are an appropriate investment.

Secondary Market Not Established: There is no established secondary market for the Bonds, and there is no assurance that a secondary market will develop for the purchase and sale of the Bonds. Prices of municipal bonds traded in the

secondary market, if any, are subject to adjustment upward and downward in response to changes in the credit markets and changes in the operating performance of the entities operating the facilities subject to bonded indebtedness. From time to time it may be necessary to suspend indefinitely secondary market trading in selected issues of municipal bonds as a result of the financial condition or market position, prevailing market conditions, lack of adequate current financial information about the entity, operating the subject facilities, or a material adverse change in the operations of that entity, whether or not the subject Bonds are in default as to principal and interest payments, and other factors which, may give rise to uncertainty concerning prudent secondary market practices.

Municipal bonds are generally viewed as long-term investments, subject to material unforeseen changes in the investor's circumstances, and may require commitment of the investor's funds for an indefinite period of time, perhaps until maturity.

*EACH PROSPECTIVE PURCHASER IS RESPONSIBLE FOR ASSESSING THE MERITS AND RISKS OF AN INVESTMENT AND MUST BE ABLE TO BEAR THE ECONOMIC RISK OF SUCH INVESTMENT. THE SECONDARY MARKET FOR THE BONDS, IF ANY, COULD BE LIMITED.*

Ratings Loss: Moody's Investors Service, Inc. ("Moody's") has assigned a rating of 'A' to the Bonds. Generally, a rating agency bases its rating on the information and materials furnished to it and on investigations, studies and assumptions of its own. There is no assurance the ratings will continue for any given period of time, or that such ratings will not be revised, suspended or withdrawn, if, in the judgment of Moody's, circumstances so warrant. A revision, suspension or withdrawal of a rating may have an adverse effect on the market price of the Bonds.

Rating agencies are currently not regulated by any regulatory body. Future regulation of rating agencies could materially alter the methodology, rating levels, and types of ratings available, for example, and these changes, if ever, could materially affect the market value of the Bonds.

Matters Relating to Enforceability: Holders of the Bonds shall have and possess all the rights of action and remedies afforded by the common law, the Constitution and statutes of the State of Iowa and of the United States of America for the enforcement of payment of the Bonds, including but not limited to, the right to a proceeding in the law or in equity by suit, action or mandamus to enforce and compel performance of the duties required by Iowa law and the resolution for the Bonds.

The practical realization of any rights upon any default will depend upon the exercise of various remedies specified in the resolution for the Bonds. The opinion, to be delivered concurrently with the delivery of the Bonds, will be qualified as to the enforceability of the various legal instruments by limitations imposed by general principals of equity and public policy and by bankruptcy, reorganization, insolvency or other similar laws affecting the rights of creditors generally.

No representation is made and no assurance is given that the enforcement of any remedies with respect to such assets will result in sufficient funds to pay all amounts due under the Resolution for the Bonds, including principal of and interest on the Bonds.

Forward-Looking Statements: This Preliminary Official Statement contains statements relating to future results that are "forward-looking statements" as defined in the Private Securities Litigation Reform Act of 1995. When used in this Preliminary Official Statement, the words "estimate," "forecast," "intend," "expect" and similar expressions identify forward-looking statements. Any forward-looking statement is subject to uncertainty. Accordingly, such statements are subject to risks that could cause actual results to differ, possibly materially, from those contemplated in such forward-looking statements. Inevitably, some assumptions used to develop forward-looking statements will not be realized or unanticipated events and circumstances may occur. Therefore, investors should be aware there are likely to be differences between forward-looking statements and the actual results. These differences could be material and could impact the availability of funds of the City to pay debt service when due on the Bonds.

Financial Condition of the City From Time to Time: No representation is made as to the future financial condition of the City. Certain risks discussed herein could adversely affect the financial condition and or operations of the City in future. However, the Bonds are secured by an unlimited ad valorem property tax as described more fully in the “PAYMENT OF AND SECURITY FOR THE BONDS” herein.

Redemption Prior to Maturity: In considering whether to make an investment in the Bonds, it should be noted the Bonds are subject to optional redemption, as outlined herein, without Bondholder discretion or consent. See “OPTIONAL REDEMPTION” herein.

Tax Matters and Loss of Tax Exemption: As discussed under the heading “TAX MATTERS” herein, the interest on the Bonds could become includable in gross income for purposes of federal income taxation retroactive to the date of delivery of the Bonds, as a result of acts or omissions of the City in violation of its covenants in the resolution for the Bonds. Should such an event of taxability occur, the Bonds would not be subject to a special prepayment and would remain outstanding until maturity or until prepaid under the prepayment provisions contained in the Bonds, and there is no provision for an adjustment of the interest rates on the Bonds.

It is possible legislation will be proposed or introduced that could result in changes in the way tax exemption is calculated, or whether interest on certain securities are exempt from taxation at all. Prospective purchasers should consult with their own tax advisors regarding any pending or proposed federal income tax legislation. The likelihood of legislation being enacted cannot be reliably predicted.

It is also possible actions of the City, after the closings of the Bonds, will alter the tax status of the Bonds, and in the extreme, remove the tax-exempt status from the Bonds. In that instance, the Bonds are not subject to mandatory prepayment and the interest rates on the Bonds does not increase or otherwise reset. A determination of taxability on the Bonds after closing could materially adversely affect the value and marketability of the Bonds.

Pending Federal Tax Legislation: From time to time, there are Presidential proposals, proposals of various federal committees, and legislative proposals pending in Congress that could, if enacted, alter or amend one or more of the federal (or state) tax matters described herein in certain respects or would adversely affect the market value of the Bonds or otherwise prevent holders of the Bonds from realizing the full benefit of the tax exemption of interest on the Bonds. Further, such proposals may impact the marketability or market value of the Bonds simply by being proposed. It cannot be predicted whether, or in what forms, any of such proposals, either pending or that may be introduced, may be enacted and there can be no assurance that such proposals will not apply to the Bonds. In addition, regulatory actions are from time to time announced or proposed and litigation threatened or commenced, which if implemented or concluded in a particular manner, could adversely affect the market value, marketability or tax status of the Bonds. It cannot be predicted whether any such regulatory action will be implemented, how any particular litigation or judicial action will be resolved, or whether the Bonds would be impacted thereby.

Changes in Property Taxation: From time to time the Iowa General Assembly has altered the method of property taxation and could do so again. Such alterations could adversely affect the City’s financial condition. Historically, changes to property tax calculations and impositions are imposed on a prospective basis. However, there is no assurance future changes to property taxation by the Iowa General Assembly will not be applied retroactively. It is impossible to predict the outcome of future property taxation changes by the Iowa General Assembly or resulting impacts on the City’s financial condition. However, the Bonds are secured by an unlimited ad valorem property tax as described more fully in the “PAYMENT OF AND SECURITY FOR THE BONDS” herein.

Cybersecurity: The City, like many other public and private entities, relies on a large and complex technology environment to conduct its operations. As such, it may face multiple cybersecurity threats including but not limited to, hacking, viruses, malware and other attacks on computer or other sensitive digital systems and networks. There can be no assurances that any security and operational control measures implemented by the City will be completely successful to guard against and prevent cyber threats and attacks. Failure to properly maintain functionality, control, security, and integrity of the City’s information systems could impact business operations and/or digital networks and systems and the costs of remedying any such damage could be significant. Along with significant liability claims or

regulatory penalties, any security breach could have a material adverse impact on the City's operations and financial condition.

The City maintains insurance coverage as a per claim/occurrence limit of \$3 million and the 1<sup>st</sup> party has a per claim/occurrence limit of \$1.5 million and the total policy aggregate is \$3 million for all claims/occurrences. The City cannot predict whether these policies would be sufficient in the event of a cyber breach. However, the Bonds are secured by an unlimited ad valorem property tax as described more fully in the "PAYMENT OF AND SECURITY FOR THE BONDS" herein.

Pensions: Pursuant to GASB 68, the City reported a liability of \$14,417,869 within its Comprehensive Annual Financial Report as of June 30, 2018 for its proportionate share of the net pension liability related to IPERS, as defined herein. The net pension liability is the amount by which the total actuarial liability exceeds the pension plan's net assets or fiduciary net position (essentially the market value) available for paying benefits. The net pension liability was measured as of June 30, 2017, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The City's proportion of the net pension liability was based on the City's share of contributions to the pension plan relative to the contributions of all IPERS participating employers. At June 30, 2017, the City's collective proportion was 0.21644347% which was a decrease of 0.005681% from its proportion measured as of June 30, 2016. See "EMPLOYEES AND PENSIONS" included in APPENDIX A to this Preliminary Official Statement for more summary information related to the City's contributions, and the City's June 30, 2018 Comprehensive Annual Financial Report, included in APPENDIX C to this Preliminary Official Statement, for additional information related to the City's deferred outflows and inflows of resources related to pensions, actuarial assumptions, discount rate and discount rate sensitivity. Changes to the City's pension contributions, or available sources to fund said contributions, may adversely affect the City's financial condition. However, the Bonds are secured by an unlimited ad valorem property tax as described more fully in the "PAYMENT OF AND SECURITY FOR THE BONDS" herein.

Continuing Disclosure: A failure by the City to comply with continuing disclosure obligations (see "CONTINUING DISCLOSURE" herein) will not constitute an event of default on the Bonds. Any such failure must be disclosed in accordance with Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended (the "Rule"), and may adversely affect the transferability and liquidity of the Bonds and their market price.

Bankruptcy: The rights and remedies available to holders of the Bonds may be limited by and are subject to the provisions of federal bankruptcy laws, to other laws or equitable principles that may affect the enforcement of creditor's rights, to the exercise of judicial discretion in appropriate cases and to limitations in legal remedies against exercise of judicial discretion in appropriate cases and to limitations on legal remedies against municipal corporations in the State of Iowa. The various opinions of counsel to be delivered with respect to the Bonds and the resolution for the Bonds, including the opinion of Bond Counsel, will be similarly qualified. If the City were to file a petition under Chapter 9 of the Bankruptcy Code, the owners of the Bonds could be prohibited from taking any steps to enforce their rights under the resolution for the Bonds. In the event the City fails to comply with its covenants under the resolution for the Bonds or fails to make payments on the Bonds, there can be no assurance of the availability of remedies adequate to protect the interests of the holders of the Bonds.

Suitability of Investment: The interest rate borne by the Bonds is intended to compensate the investor for assuming the risk of investing in the Bonds. Each prospective investor should carefully examine this Preliminary Official Statement and its own financial condition to make a judgment as to its ability to bear the economic risk of such an investment, and whether or not the Bonds are an appropriate investment for such investor.

Tax Levy Procedures: The Bonds are general obligations of the City, payable from and secured by a continuing ad valorem tax levied against all of the property valuation within the City. As part of the budgetary process each fiscal year, the City will have an obligation to request a debt service levy to be applied against all of the taxable property within the City. A failure on the part of the City to make a timely levy request or a levy request by the City that is inaccurate or is insufficient to make full payments of the debt service of the Bonds for a particular fiscal year may cause

bondholders to experience a delay in the receipt of distributions of principal of and/or interest on the Bonds. In the event of a default in the payment of principal of or interest on the Bonds, there is no provision for acceleration of maturity of the principal of the Bonds. Consequently, the remedies of the owners of the Bonds (consisting primarily of an action in the nature of mandamus requiring the City and certain other public officials to perform the terms of the resolution for the Bonds) may have to be enforced from year to year.

Federal Funds Orders and State Funds Legislation: Various federal executive orders, and Iowa Code Chapter 27A (collectively “ICE Enforcement Initiatives”), impose requirements intended to ensure compliance with the federal immigration detention processes. The ICE Enforcement Initiatives impose various penalties for non-compliance, including the loss of state and/or federal funding under certain circumstances. The loss of state and/or federal funds in any significant amount would negatively impact the City’s overall financial position and could affect its rating. However, the Bonds are secured by a debt service levy upon real property in the jurisdictional limits of the City, and are not secured by state or federal funds. See “PAYMENT OF AND SECURITY FOR THE BONDS” herein.

DTC-Beneficial Owners: Beneficial Owners of the Bonds may experience some delay in the receipt of distributions of principal of and interest on the Bonds since such distributions will be forwarded by the Registrar to DTC and DTC will credit such distributions to the accounts of the Participants which will, thereafter, credit them to the accounts of the Beneficial Owner either directly or indirectly through Indirect Participants. Neither the City nor the Registrar will have any responsibility or obligation to assure any such notice or payment is forwarded by DTC to any Participants or by any Participant to any Beneficial Owner.

In addition, since transactions in the Bonds can be effected only through DTC Participants, Indirect Participants and certain banks, the ability of a Beneficial Owner to pledge the Bonds to persons or entities that do not participate in the DTC system, or otherwise to take actions in respect of such Bonds, may be limited due to lack of a physical certificate. Beneficial Owners will be permitted to exercise the rights of registered Owners only indirectly through DTC and the Participants. See “BOOK-ENTRY-ONLY ISSUANCE” herein.

Summary: The foregoing is intended only as a summary of certain risk factors attendant to an investment in the Bonds. In order for potential investors to identify risk factors and make an informed investment decision, potential investors should become thoroughly familiar with this entire Preliminary Official Statement and the Appendices hereto to make a judgment as to whether the Bonds are an appropriate investment.

## **RATING**

The City has requested a rating on the Bonds from Moody’s. Moody’s currently maintains an underlying rating on the City’s long-term general obligation debt of ‘Aa2’. Such rating on long-term debt reflects only the view of the rating agency and any explanation of the significance of such rating may only be obtained from Moody’s. There is no assurance that such rating will continue for any period of time or that it will not be revised or withdrawn. Any revision or withdrawal of the rating may have an effect on the market price of the Bonds.

## **MUNICIPAL ADVISOR**

The City has retained PFM Financial Advisors LLC, Des Moines, Iowa as Municipal Advisor in connection with the preparation of the issuance of the Bonds. In preparing the Preliminary Official Statement, the Municipal Advisor has relied on government officials, and other sources to provide accurate information for disclosure purposes. The Municipal Advisor is not obligated to undertake, and has not undertaken, an independent verification of the accuracy, completeness, or fairness of the information contained in the Preliminary Official Statement. PFM Financial Advisors LLC is an independent advisory firm and is not engaged in the business of underwriting, trading or distributing municipal securities or other public securities.

## **CONTINUING DISCLOSURE**

The City will covenant in a Continuing Disclosure Certificate for the benefit of the owners and beneficial owners of the Bonds to provide annually certain financial information and operating data relating to the City (the “Annual Report”), and to provide notices of the occurrence of certain enumerated events. The Annual Report is to be filed by the City no later than two hundred seventy (270) days after the close of each fiscal year, commencing with the Fiscal Year ending June 30, 2019, with the Municipal Securities Rulemaking Board, at its internet repository named “Electronic Municipal Market Access” (“EMMA”). The notices of events, if any, are also to be filed with EMMA. See APPENDIX D – FORM OF CONTINUING DISCLOSURE CERTIFICATE. The specific nature of the information to be contained in the Annual Report or the notices of events, and the manner in which such materials are to be filed, are summarized in APPENDIX D – FORM OF CONTINUING DISCLOSURE CERTIFICATE. These covenants have been made in order to assist the Purchaser in complying with section (b)(5) of the Rule.

The City is not aware of any instance in the previous five years in which it has failed to comply, in all material respects, with previous undertakings in a written contract or agreement specified in paragraph (b)(5)(i) of the Rule.

Breach of the undertakings will not constitute a default or an “Event of Default” under the Bonds or the resolution for the Bonds. A broker or dealer is to consider a known breach of the undertakings, however, before recommending the purchase or sale of the Bonds in the secondary market. Thus, a failure on the part of the City to observe the undertakings may adversely affect the transferability and liquidity of the Bonds and their market price.

## **CERTIFICATION**

The City has authorized the distribution of this Preliminary Official Statement for use in connection with the initial sale of the Bonds. I have reviewed the information contained within the Preliminary Official Statement prepared on behalf of the City by PFM Financial Advisors LLC, Des Moines, Iowa, and to the best of my knowledge, information and belief, said Preliminary Official Statement does not contain any untrue statement of a material fact or omit to state a material fact required to be stated therein or necessary in order to make the statements made therein, in light of the circumstances under which they were made, not misleading regarding the issuance of \$7,630,000\* General Obligation Bonds, Series 2019.

CITY OF COUNCIL BLUFFS, IOWA  
/s/ Matt Walsh, Mayor

\* Preliminary; subject to change.



## **APPENDIX A**

### **GENERAL INFORMATION ABOUT THE CITY OF COUNCIL BLUFFS, IOWA**

*The \$7,630,000\* GENERAL OBLIGATION BONDS, SERIES 2019 (the “Bonds”) are general obligations of the City of Council Bluffs, Iowa (the “City”) for which the City will pledge its power to levy direct ad valorem taxes against all taxable property within the City without limitation as to rate or amount to the repayment of the Bonds.*

\* Preliminary; subject to change.

## CITY PROPERTY VALUES

### IOWA PROPERTY VALUATIONS

In compliance with Section 441.21 of the Code of Iowa, the State Director of Revenue annually directs the county auditors to apply prescribed statutory percentages to the assessments of certain categories of real property. The 2018 final Actual Values were adjusted by the Pottawattamie County auditor. The reduced values, determined after the application of rollback percentages, are the Taxable Values subject to tax levy. For assessment year 2018, the taxable value rollback rate was 56.9180% of actual value for residential property; 56.1324% of actual value for agricultural property; 75% of the actual value for multiresidential property; and 90% of actual value for commercial, industrial and railroad property. No adjustment was ordered for utility property because its assessed value did not increase enough to qualify for reduction. Utility property is limited to an 8% annual growth.

The Legislature's intent has been to limit the growth of statewide taxable valuations for the specific classes of property to 3% annually. Political subdivisions whose taxable values are thus reduced or are unusually low in growth are allowed to appeal the valuations to the State Appeal Board, in order to continue to fund present services.

### PROPERTY VALUATIONS (1/1/2018 Valuations for Taxes Payable July 1, 2019 to June 30, 2020)

	<u>100% Actual Value</u>	<u>Taxable Value (With Rollback)</u>
Residential	\$2,406,224,028	\$1,367,236,543
Commercial	1,088,322,768	970,703,488
Industrial	109,114,389	98,189,369
Railroad	20,193,286	18,173,957
Multiresidential	203,666,596	150,887,494
Utilities w/o Gas & Electric	<u>20,171,685</u>	<u>20,171,685</u>
Gross valuation	\$3,847,692,752	\$2,625,362,536
Less military exemption	<u>(4,802,236)</u>	<u>(4,802,236)</u>
Net valuation	\$3,842,890,516	\$2,620,560,300
TIF Increment (used to compute debt service levies and constitutional debt limit)	\$100,883,278	\$100,883,278
Taxed separately		
Ag. Land & Building	\$19,182,100 <sup>1)</sup>	\$10,767,368 <sup>1)</sup>
Gas & Electric Utilities	\$1,158,638,480	\$189,060,478

1) Includes \$3,704 of military exemption on agricultural property.

Source: Iowa Department of Management

**2018 GROSS TAXABLE VALUATION BY CLASS OF PROPERTY <sup>1)</sup>**

	<u>Taxable Valuation</u>	<u>Percent Total</u>
Residential	\$1,367,236,543	48.58%
Commercial, Industrial and Utility	1,089,064,542	38.70%
Gas & Electric Utilities	189,060,478	6.72%
Multiresidential	150,887,494	5.36%
Railroad	<u>18,173,957</u>	<u>0.64%</u>
Total Gross Taxable Valuation	\$2,814,423,014	100.00%

1) Excludes Taxable TIF Increment, Ag. Land and Ag. Buildings.

Source: Iowa Department of Management

**TREND OF VALUATIONS**

<u>Assessment Year</u>	<u>Payable Fiscal Year</u>	<u>100% Actual Valuation</u>	<u>Taxable Valuation (With Rollback)</u>	<u>Taxable TIF Increment</u>
2014	2015-16	\$4,598,860,551	\$2,461,535,598	\$137,992,204
2015	2016-17	4,658,908,187	2,547,695,493	98,171,483
2016	2017-18	4,839,011,160	2,569,125,780	128,501,899
2017	2018-19	5,259,987,480	2,721,387,838	112,339,033
2018	2019-20	5,121,594,374	2,809,624,482	100,883,278

The 100% Actual Valuations, before rollback and after reduction of military exemption, include Ag. Land, Ag. Buildings, TIF Increment, and Gas & Electric Utilities. The Taxable Valuations, with the rollback and after the reduction of military exemption, include Gas & Electric Utilities and exclude the Taxable TIF Increment, Ag. Land and Ag. Buildings. Iowa cities certify operating levies against Taxable Valuation excluding the Taxable TIF Increment and debt service levies are certified against Taxable Valuation including the Taxable TIF Increment.

Source: Iowa Department of Management

## LARGER TAXPAYERS

Set forth in the following table are the persons or entities which represent larger taxpayers within the boundaries of the City, as provided by the Pottawattamie County Auditor's office. No independent investigation has been made of and no representation is made herein as to the financial condition of any of the taxpayers listed below or that such taxpayers will continue to maintain their status as major taxpayers in the City. With the exception of the electric and natural gas providers (which is subject to an excise tax in accordance with Iowa Code chapter 437A), the City's mill levy is applicable to all of the properties included in the table, and thus taxes expected to be received by the City from such taxpayers will be in proportion to the assessed valuations of the properties. The total tax bill for each of the properties is dependent upon the mill levies of the other taxing entities which overlap the properties.

<u>Taxpayer – Legal Name</u>	<u>Taxpayer – Business Name</u>	<u>Valuation Category</u>	<u>1/1/2018 Taxable Valuation</u>
Mid-American Electric	Mid-American Energy	Utility	\$139,714,324
Horseshoe Council Bluffs LLC	Horseshoe Casino	Commercial	69,506,460
Gable Corp.	Google	Commercial	66,873,642
Pinnacle Entertainment Inc.	Ameristar Casino	Commercial	51,803,190
Harrah's Council Bluffs LLC	Harrah's Casino	Commercial	48,998,520
W-PT Metro Center Owner VIII LLC	Metro Crossings Retail Center	Commercial	38,056,230
Wal-Mart Real Estate Business Trust	Wal-Mart	Commercial	22,026,510
Tetra LLC	Google	Commercial	21,992,850
Black Hills Energy Corp.	Black Hills Energy Corp	Utility	18,186,104
Blue Start Foods Inc.	Blue Star Foods Inc.	Commercial	15,369,120

Source: Pottawattamie County Auditor's Office.

## PROPERTY TAX LEGISLATION

From time to time, legislative proposals are pending in Congress and the Iowa General Assembly that would, if enacted, alter or amend one or more of the property tax matters described herein. It cannot be predicted whether or in what forms any of such proposals, either pending or that may be introduced, may be enacted, and there can be no assurance that such proposals will not apply to valuation, assessment or levy procedures for taxes levied by the City or have an adverse impact on the future tax collections of the City. Purchasers of the Bonds should consult their tax advisors regarding any pending or proposed federal or state tax legislation. The opinions expressed by Bond Counsel are based upon existing legislation as of the date of issuance and delivery of the Bonds and Bond Counsel has expressed no opinion as of any date subsequent thereto or with respect to any pending federal or state tax legislation.

During the 2019 legislative session, the Iowa General Assembly enacted Senate File 634 (the "2019 Act"). This bill modifies the process for hearing and approval of the total maximum property tax dollars under certain levies in the City's budget, including levies for the General Fund, the Emergency Fund, Trust and Agency Funds for pensions, insurance, transit, civic centers, certain bridges, sanitary disposal, and emergency management. The bill also includes a provision that will require the affirmative vote of 2/3 of the City Council when the maximum property tax dollars under these levies exceed an amount determined under a prescribed formula.

The 2019 Act does not change the process for hearing and approval of the Debt Service Levy pledged for repayment of the Bonds. It is too early to evaluate the affect the 2019 Act will have on the overall financial position of the City or its ability to fund essential services.

During the 2013 legislative session, the Iowa General Assembly enacted Senate File 295 (the "2013 Act"). Among other things, the Act (i) reduced the maximum annual taxable value growth percent, due to revaluation of existing residential and agricultural property to 3%, (ii) assigned a "rollback" (the percentage of a property's value that is subject to tax) to commercial, industrial and railroad property of 90%, (iii) created a new property tax classification for multi-residential properties (apartments, nursing homes, assisted living facilities and certain other rental property) and assigned a declining rollback percentage to such properties for each year until the residential rollback percentage is reached in the 2022 assessment year, after which the rollback percentage for such properties will be equal to the residential rollback percentage each assessment year, and (iv) exempted a specified portion of the assessed value of telecommunication properties.

The 2013 Act includes a standing appropriation to replace some of the tax revenues lost by local governments, including tax increment districts, resulting from the new rollback for commercial and industrial property. The appropriation does not replace losses to local governments resulting from the 2013 Act's provisions that reduce the annual revaluation growth limit for residential and agricultural properties to 3%, the gradual transition for multi-residential properties from the residential rollback percentage, or the reduction in the percentage of telecommunications property that is subject to taxation.

The City has not attempted to quantify the financial impact of the 2013 Act's provisions on the City's future operations.

Notwithstanding any decrease in property tax revenues that may result from the 2013 Act or the 2019 Act, Iowa Code section 76.2 provides that when an Iowa political subdivision issues bonds, "[t]he governing authority of these political subdivisions before issuing bonds shall, by resolution, provide for the assessment of an annual levy upon all the taxable property in the political subdivision sufficient to pay the interest and principal of the bonds within a period named not exceeding twenty years. A certified copy of this resolution shall be filed with the county auditor or the auditors of the counties in which the political subdivision is located; and the filing shall make it a duty of the auditors to enter annually this levy for collection from the taxable property within the boundaries of the political subdivision until funds are realized to pay the bonds in full."

## CITY INDEBTEDNESS

### DEBT LIMIT

Article XI, Section 3 of the State of Iowa Constitution limits the amount of debt outstanding at any time of any county, municipality or other political subdivision to no more than 5% of the actual value of all taxable property within the corporate limits, as taken from the last state and county tax list. The debt limit for the City, based on its 2018 actual valuation currently applicable to the Fiscal Year 2019-20, is as follows:

2018 Actual Valuation of Property	\$5,121,594,374
Legal Debt Limit of 5%	<u>0.05</u>
Legal Debt Limit	\$256,079,719
Less: G.O. Debt Subject to Debt Limit	(63,035,000) *
Less: Development Agreements Subject to Debt Limit	(1,464,560) <sup>1)</sup>
Less: IFA Marketplace TIF Revenue Debt	(398,900)
Less: Playland Park TIF Lease Purchase Agreement	(0)
Less: Other Debt Subject to Debt Limit	<u>(728,571) <sup>2)</sup></u>
Net Debt Limit	\$190,452,688 *

- 1) As estimated by the City pursuant to development agreements for urban renewal projects under the authority of Iowa Code Chapter 403. The Iowa Supreme Court has not formally ruled on the question of whether contracts to rebate the tax increment generated by a particular development constitutes indebtedness of a city for constitutional debt limit purposes. The amount reported above includes rebate agreements that may not be debt.
- 2) Includes settlement agreement to be paid by the Tort & Liability Levy. See "LITIGATION" section herein for more information.

### DIRECT DEBT

#### General Obligation Debt Paid by Property Taxes and Tax Increment (Includes the Bonds)

<u>Date of Issue</u>	<u>Original Amount</u>	<u>Purpose</u>	<u>Final Maturity</u>	<u>Principal Outstanding As of 12/30/19</u>
11/12C	\$14,880,000	Corporate Purpose	6/27	\$7,845,000
5/13A	2,535,000	Refunding	6/20	450,000
4/14A	7,630,000	Corporate Purpose	6/26	4,415,000
3/15A	8,145,000	Refunding & Corporate Purpose	6/30	4,485,000
3/15B	3,620,000	Refunding	6/21	1,535,000
12/16A	6,095,000	Corporate Purpose	6/26	5,895,000
12/16B	2,810,000	Corporate Purpose	6/21	1,145,000
8/17A	9,540,000	Corporate Purpose	6/37	8,390,000
6/18A	22,605,000	Corporate Purpose & Refunding	6/38	21,245,000
12/19	7,630,000*	Corporate Purpose	6/31	<u>7,630,000*</u>
Total G.O. Debt Subject to Debt Limit				\$63,035,000*

\* Preliminary; subject to change.

**Annual Fiscal Year Debt Service Payments on the General Obligation Debt Paid by Property Taxes and Tax Increment (Includes the Bonds)**

Fiscal Year	<u>Current Outstanding</u>		<u>Bonds</u>		<u>Total Outstanding</u>	
	<u>Principal</u>	<u>Principal &amp; Interest</u>	<u>Principal*</u>	<u>Principal &amp; Interest*</u>	<u>Principal*</u>	<u>Principal &amp; Interest*</u>
2019-20	\$6,305,000	\$7,233,644 <sup>1)</sup>	\$1,820,000	\$1,883,229	\$8,125,000	\$9,116,873
2020-21	5,945,000	7,602,654	480,000	597,803	6,425,000	8,200,457
2021-22	5,195,000	6,655,394	490,000	599,259	5,685,000	7,254,653
2022-23	5,390,000	6,666,719	500,000	600,488	5,890,000	7,267,207
2023-24	5,575,000	6,655,094	505,000	596,488	6,080,000	7,251,582
2024-25	5,120,000	6,001,169	515,000	597,297	5,635,000	6,598,466
2025-26	4,685,000	5,392,094	525,000	597,769	5,210,000	5,989,863
2026-27	3,050,000	3,605,156	535,000	597,847	3,585,000	4,203,003
2027-28	1,795,000	2,248,956	545,000	597,468	2,340,000	2,846,424
2028-29	1,870,000	2,260,056	560,000	601,295	2,430,000	2,861,351
2029-30	1,925,000	2,258,956	570,000	599,255	2,495,000	2,858,211
2030-31	1,010,000	1,284,856	<u>585,000</u>	600,005	1,595,000	1,884,861
2031-32	1,045,000	1,288,788			1,045,000	1,288,788
2032-33	1,075,000	1,285,850			1,075,000	1,285,850
2033-34	1,105,000	1,281,144			1,105,000	1,281,144
2034-35	1,145,000	1,286,306			1,145,000	1,286,306
2035-36	1,180,000	1,284,650			1,180,000	1,284,650
2036-37	1,220,000	1,285,975			1,220,000	1,285,975
2037-38	<u>770,000</u>	795,988			<u>770,000</u>	795,988
Total	\$55,405,000		\$7,630,000*		\$63,035,000*	

\* Preliminary; subject to change.

1) Excludes December 1, 2019 interest payment in the amount of \$928,645.

## REVENUE DEBT

### Council Bluffs Water Works Issued Revenue Debt Supported by Net Revenues of the Water Works

The Council Bluffs Water Works (the “Water Works”) is a related organization to the City. The Mayor, with City Council concurrence, appoints individuals to the Water Works’ Board of Trustees. The Water Works’ Board of Trustees maintains oversight responsibility and, therefore, is responsible for selection of management personnel and all financial matters. The authority to adopt the annual budget, incur debt and fix rates and charges is vested in the Board of Trustees. The Council Bluffs Water Works has revenue debt payable solely from the net revenues of the utility as follows:

<u>Date of Issue</u>	<u>Original Amount</u>	<u>Purpose</u>	<u>Final Maturity</u>	<u>Principal Outstanding As of 12/30/19</u>
9/08	\$10,344,944	Water Improvements (SRF)	12/30	\$6,466,000
4/10	4,713,290	Water Improvements (SRF)	12/40	3,715,000
4/10	20,000,000	Water Improvements (SRF)	12/31	13,490,000
1/15	1,200,000	Water Improvements (SRF)	6/34	905,000
9/18	5,025,000	Water Improvements (SRF)	6/39	<u>5,025,000<sup>1)</sup></u>
Total				\$29,601,000

<sup>1)</sup> Based on the estimated amortization schedule established prior to final project draws. The Water Works has drawn \$1,447,355 as of the date of this Preliminary Official Statement.

### City Issued Sewer Revenue Debt Supported by Net Revenues of the Sewer Utility

<u>Date of Issue</u>	<u>Original Amount</u>	<u>Purpose</u>	<u>Final Maturity</u>	<u>Principal Outstanding As of 12/30/19</u>
5/12	\$5,160,000	Sewer Improvements (SRF)	6/32	\$3,715,000

### Iowa Finance Authority Issued Revenue Debt Supported by Marketplace Urban Renewal Area Tax Increment (Subject to Annual Appropriation by the City Council)

On May 5, 2015, the Iowa Finance Authority (“IFA”) issued \$5,950,000 in Economic Development Revenue Bonds and loaned the proceeds thereof to the City, which the City used to make an economic development grant in accordance with the Marketplace Urban Renewal plan, fund a debt service reserve for the bonds and pay the costs of issuing the bonds. The loan is payable solely from the bond proceeds, tax increment financing (“TIF”) receipts generated by increased property values in the designated portions of the Marketplace Urban Renewal area, credited to the Special Revenue, Tax Increment Financing Fund and paid to the trustee pursuant to the financing agreement and moneys in the debt reserve trust account. TIF receipts are generally projected to produce 100% of the debt service requirements over the life of the bonds. The TIF revenues are subject to annual appropriation by the City Council. The payment of such TIF revenues do not constitute a continuing obligation of the City in any fiscal year beyond the fiscal year for which TIF revenues have been appropriated. Pursuant to the financing agreement, the City established a Trust Account through the Bank of Kansas City as trustee. Funds in the trust account are to be used to retire the IFA bonds.

The City has revenue debt payable solely from the TIF revenues of the Marketplace Urban Renewal Area as follows:

<u>Date of Issue</u>	<u>Original Amount</u>	<u>Purpose</u>	<u>Final Maturity</u>	<u>Principal Outstanding As of 12/30/19</u>	<u>Annual Appropriation Subject to Debt Limit</u>
5/15	\$5,950,000	Economic Development	8/29	\$4,045,000	\$398,900 <sup>1)</sup>

1) Excludes \$301,100 principal and interest payment made on August 1, 2019. City originally appropriated \$700,000 for FY 2019-20.



**City Issued Lease Purchase Agreement Supported by Playland Park Urban Renewal Area Tax Increment  
(Subject to Annual Appropriation by the City Council)**

This lease purchase agreement shall not constitute a general obligation of the City, and the full faith and credit of the City is not pledged for the payment of the lease payments. The lease payments are payable from and secured solely and only by the Available Tax Increment Revenues from the Playland Park Urban Renewal area as defined in the Lease Purchase Agreement. Each lease payment is subject to annual appropriation by the City Council. In the event that available tax increment revenues are insufficient or the City Council doesn't appropriate the annual lease payment, Iowa West Foundation (the "Guarantor") shall pay the shortfall amount directly to the developer. Subject to the right of annual appropriation, the Guarantor may receive reimbursement of any shortfall amount only in the event that excess available tax increment revenues are available.

The City has lease purchase debt payable solely from the TIF revenues of the Playland Park Urban Renewal Area as follows:

<u>Date of Issue</u>	<u>Total Lease Payments</u>	<u>Purpose</u>	<u>Final Maturity</u>	<u>Lease Payments Outstanding As of 12/30/19</u>	<u>Annual Appropriation Subject to Debt Limit</u>
7/19	\$15,393,930	Parking Garage	6/39	\$15,006,245	\$0 <sup>1)</sup>

1) \$0 was appropriated for Fiscal Year 2019-20.

**OVERLAPPING DEBT**

	<u>1/1/2018 Taxable Valuation</u> <sup>1)</sup>	<u>Taxable Valuation Within the City</u>	<u>Percent In City</u>	<u>G.O. Debt</u> <sup>2)</sup>	<u>City's Proportionate Share</u>
Pottawattamie County	\$5,308,437,030	\$2,921,271,424	55.03%	\$7,190,000	\$3,956,657
Lewis Central CSD	1,349,307,828	963,226,327	71.39%	0	0
Council Bluffs CSD	2,360,026,122	1,958,045,097	82.97%	27,500,000	22,816,750
Iowa Western CC	10,744,790,169	2,921,271,424	27.19%	64,190,000	<u>17,453,261</u>
City's Share of Overlapping Debt					\$44,226,668

- 1) Taxable Valuation excludes military exemption and includes Ag. Land & Buildings, Taxable TIF Increment and all Utilities.
- 2) Includes general obligation bonds, PPEL Bonds, certificates of participation and new jobs training certificates. Estimated as of October 22, 2019 based on publically available information.. The City undertakes no responsibility for and makes no representations as to the accuracy or completeness of the information related to the indebtedness of overlapping entities.

**DEBT RATIOS**

	<u>G.O. Debt</u>	<u>Debt/Actual Market Value (\$5,121,594,374)</u> <sup>1)</sup>	<u>Debt/62,230 Population</u> <sup>2)</sup>
Total General Obligation Debt	\$63,035,000*	1.23%*	\$1,012.94*
Other City Debt <sup>3)</sup>	\$1,127,471	0.02%	\$18.12
City's Share of Overlapping Debt	\$44,226,668	0.86%	\$710.70

- 1) Based on the City's January 1, 2018 100% Actual Valuation; includes Ag Land, Ag Buildings, all Utilities and TIF Increment.
- 2) Based on the City's 2010 U.S. Census population.
- 3) Includes the appropriated \$398,900 IFA Market Place TIF revenue debt, \$0 appropriated for Playland LPA TIF revenue debt and the \$728,571 settlement agreement debt.

\* Preliminary; subject to change.

## LEVIES AND TAX COLLECTIONS

<u>Fiscal Year</u>	<u>Levy</u> <sup>1)</sup>	<u>Total Collections</u> <sup>2)</sup>	<u>Percent Collected</u>
2015-16	\$44,185,487	\$44,051,341	99.70%
2016-17	45,593,942	45,385,447	99.54%
2017-18	46,466,624	46,303,649	99.65%
2018-19	46,787,000		
2019-20	48,301,901	-----In process of collection-----	

Collections include delinquent taxes from all prior years. Taxes in Iowa are delinquent each October 1 and April 1 and a late payment penalty of 1% per month of delinquency is enforced as of those dates. If delinquent taxes are not paid, the property may be offered at the regular tax sale on the third Monday of June following the delinquency date. Purchasers at the tax sale must pay an amount equal to the taxes, special assessments, interest and penalties due on the property and funds so received are applied to taxes. A property owner may redeem from the regular tax sale but, failing redemption within three years, the tax sale purchaser is entitled to a deed which in general conveys the title free and clear of all liens except future tax installments.

1) As listed on the Adoption of Budget and Certification of City Taxes

2) Based on Audited Financial Statements and includes "Property Tax" and "Utility Excise Tax"

## TAX RATES

	<u>FY 2015-16</u>	<u>FY 2016-17</u>	<u>FY 2017-18</u>	<u>FY 2018-19</u>	<u>FY 2019-20</u>
	<u>\$/ \$1,000</u>	<u>\$/ \$1,000</u>	<u>\$/ \$1,000</u>	<u>\$/ \$1,000</u>	<u>\$/ \$1,000</u>
Pottawattamie County	8.69118	8.34680	8.14576	8.09573	8.09573
City of Council Bluffs	17.75000	17.75000	17.90720	18.26000	18.26000
Council Bluffs CSD	16.85672	16.85685	17.00314	17.24201	17.05801
Lewis Central CSD	12.59359	12.40230	12.34640	12.28156	12.26138
Agricultural Extension (West)	0.03078	0.02980	0.09040	0.08828	0.26689
Assessor	0.33057	0.33719	0.34745	0.35557	0.35653
Iowa Western Comm. College	1.13910	1.51663	1.28565	1.30877	1.30529
State of Iowa	<u>0.00330</u>	<u>0.00330</u>	<u>0.00310</u>	<u>0.00290</u>	<u>0.00280</u>
Total Tax Rate City Resident (Council Bluffs CSD)	44.80165	44.84057	44.78270	45.35326	45.34525
Total Tax Rate City Resident (Lewis Central CSD)	40.53852	40.38602	40.12596	40.39281	40.54862

## LEVY LIMITS

A city's general fund tax levy is limited to \$8.10 per \$1,000 of taxable value, with provision for an additional \$0.27 per \$1,000 levy for an emergency fund which can be used for general fund purposes (Code of Iowa, Chapter 384, Division I). Cities may exceed the \$8.10 limitation upon authorization by a special levy election. Further, there are limited special purpose levies, which may be certified outside of the above-described levy limits (Code of Iowa, Section 384.12). The amount of the City's general fund levy subject to the \$8.10 limitation is \$8.10 for Fiscal Year 2019-20. The City has implemented the \$0.27 per \$1,000 emergency levy for Fiscal Year 2019-20. Finally, the City levies a portion of its costs for operation and maintenance of publicly owned transit, operation and maintenance of City owned Civic Center, aviation authority, liability, property and self-insurance expenses and employee benefits in addition to the \$8.10 general fund limit as authorized by law. Debt service levies are not limited.

**FUNDS ON HAND (CASH AND INVESTMENTS AS OF June 30, 2019)**

General Fund	\$30,087,428
Special Districts and Funds	3,111,074
Road Use Tax	5,841,790
Debt Service	1,395,220
Tax Increment Funds	963,184
Sewer Enterprise Funds	5,085,531
Refuse & Recycling Enterprise	4,205,955
City Sales Tax	15,067,158
Community Development	783,841
Capital Projects & Permanent Fund	<u>11,170,439</u>
Total Cash and Investments	\$77,711,620

Source: City of Council Bluffs

## THE CITY

### CITY GOVERNMENT

The City was incorporated in 1853. The City operated under a Council-Manager at large form of government, per 372.6 Iowa Code from April 1, 1950 to December 31, 1987. Since January 1, 1988 the City has been under Mayor-Council form of government, per 372.4 Iowa Code. The Mayor is responsible for the day-to-day operation of the City and it is the responsibility of the City Council to establish City policy and to certify the budget. In November 2017, Mayor Matt Walsh was elected to another four-year term.

### EMPLOYEES AND PENSIONS

The City has 494 full-time employee equivalents (excluding seasonal employees). Of the City's budgeted full time equivalents, 138 are police officers and employees of the police department and 107 are sworn firefighters, officers and employees of the fire department (including ambulance operations) in all ranks. All full-time employees, excluding police officers and fire fighters, are enrolled in the Iowa Public Employees Retirement System ("IPERS") which is a cost-sharing multiple-employer defined benefit pension plan administered by the State of Iowa. Plan members are required to pay 5.95% of their annual covered salary and the City is required to contribute 8.93% of annual covered payroll for the current year.

Iowa Public Employees Retirement System: The City contributes to IPERS, which is a cost-sharing multiple-employer, contributory defined benefit public employee retirement system administered by IPERS. IPERS provides retirement and death benefits, which are established by state statute, to plan members and beneficiaries. IPERS is authorized to adjust the total contribution rate up or down each year, by no more than 1 percentage point, based upon the actuarially required contribution rate. The City's contributions to IPERS for the Fiscal Years ended June 30, 2016, 2017 and 2018 as shown below equal the required contributions for each year.

	<u>FY 2015-16</u>	<u>FY 2016-17</u>	<u>FY 2017-18</u>
IPERS City Contribution	\$1,423,486	\$1,442,772	\$1,442,481

Pursuant to Governmental Accounting Standards Board ("GASB") Statement No. 68, the City reported a liability of \$14,417,869 within its CAFR as of June 30, 2018 for its proportionate share of the net pension liability. The net pension liability is the amount by which the total actuarial liability exceeds the pension plan's net assets or fiduciary net position (essentially the market value) available for paying benefits. The net pension liability was measured as of June 30, 2017, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The City's proportion of the net pension liability was based on the City's share of contributions to the pension plan relative to the contributions of all IPERS participating employers. At June 30, 2017, the City's collective proportion was 0.21644347% which was an decrease of 0.005681% from its proportion measured as of June 30, 2016.

The City cannot predict the levels of funding that will be required in the future as any IPERS unfunded pension benefit obligation could be reflected in future years in higher contribution rates. The investment of moneys, assumptions underlying the same and the administration of IPERS is not subject to the direction of the City. Thus, it is not possible to predict, control or prepare for future unfunded accrued actuarial liabilities of IPERS ("UAALs"). The UAAL is the difference between total actuarially accrued liabilities and actuarially calculated assets available for the payment of such benefits. The UAAL is based on assumptions as to retirement age, mortality, projected salary increases attributed to inflation, across-the-board raises and merit raises, adjustments, cost-of-living adjustments, valuation of current assets, investment return and other matters. Such UAAL could be substantial in the future, requiring significantly increased contributions from the City which could affect other budgetary matters.

For additional information on the City's Pension Plan, including information related to deferred outflows and inflows of resources related to pensions, expenses, actuarial assumption, discount rate and discount rate sensitivities refer to

Note 8 beginning on page 52 of the City's June 30, 2018 CAFR contained as APPENDIX C of this Preliminary Official Statement.

The IPERS Comprehensive Annual Financial Report ("CAFR") is available on the IPERS website, <https://www.ipers.org/financial-and-investment>, or by contacting IPERS at 7401 Register Drive P.O. Box 9117, Des Moines, IA 50321. However, the information presented in such financial reports or on such websites is not incorporated into this Preliminary Official Statement by any references.

***Bond Counsel, the City and the Municipal Advisor undertake no responsibility for and make no representations as to the accuracy or completeness of the information available from the IPERS discussed above or included on the IPERS website, including, but not limited to, updates of such information on the State Auditor's website or links to other Internet sites accessed through the IPERS website.***

Municipal Fire and Police Retirement System of Iowa: The City contributes to MFPRSI, which is a cost-sharing multiple-employer defined benefit pension plan. MFPRSI provides retirement, disability, and death benefits to plan members and beneficiaries. Benefit provisions are established by state statute, and vest after four years of credited service. The City's police officers and fire fighters are enrolled in the MFPRSI.

MFPRSI plan members are required to contribute a percentage of their annual covered salary, and the City is required to contribute at an actuarially determined rate of annual covered payroll. The contribution requirements of plan members and the City are established, and may be amended by state statute. The City contributed the required amount to MFPRSI for each year as follows:

	<u>FY 2015-16</u>	<u>FY 2016-17</u>	<u>FY 2017-18</u>
MFPRSI City Contribution	\$4,453,179	\$4,247,227	\$4,341,885

Pursuant to GASB Statement No. 68, the City reported a liability of \$34,097,103 with its CAFR as of June 30, 2018 for its proportionate share of the net pension liability. The net pension liability is the amount by which the total actuarial liability exceeds the pension plan's net assets or fiduciary net position (essentially the market value) available for paying benefits. The net pension liability was measured as of June 30, 2017, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The City's proportion of the net pension liability was based on the City's share of contributions to the pension plan relative to the contributions of all MFPRSI participating employers. At June 30, 2017, the City's proportion was 5.813905% which was a decrease of 0.10357% from its proportion measured as of June 30, 2016.

For additional information regarding the City's Pension Plan refer to Note 8 beginning on page 52 of the City's June 30, 2018 CAFR contained as APPENDIX C of this Preliminary Official Statement.

The MFPRSI Independent Auditors Report is available on the MFPRSI website, <http://www.mfprsi.org/about-mfprsi/publications/>, or by contacting MFPRSI at 7155 Lake Drive, Suite 201, West Des Moines, IA 50266. However, the information presented in such financial reports or on such websites is not incorporated into this Preliminary Official Statement by any references.

***Bond Counsel, the City and the Municipal Advisor undertake no responsibility for and make no representations as to the accuracy or completeness of the information available from MFPRSI discussed above or included on the MFPRSI websites, including, but not limited to, updates of such information on the State Auditor's website or links to other Internet sites accessed through the MFPRSI websites.***

## OTHER POST EMPLOYMENT BENEFITS

Plan Description: The City operates a single-employer health benefit plan which provides medical/prescription drug and dental benefits for employees, retirees and their spouses. Group insurance benefits are established under Iowa Code Chapter 509A.13. There are 468 active and 37 retired members currently in the plan. Retired participants must be age 55 or older at retirement.

The medical/prescription drug benefits are provided through a partially self-funded fully-insured plan with Wellmark. Retirees under age 65 pay the same premium for the medical/prescription drug benefits as active employees, which results in an implicit rate subsidy and an OPEB liability.

Funding Policy: The contribution requirements of plan members are established and may be amended by the City. The City currently finances the retiree benefit plan on a pay-as-you-go basis. The General, Special Revenue, Road Use Tax and Enterprise, Sewer and Refuse and Disposal Funds primarily fund OPEB costs.

Annual OPEB Cost and Net OPEB Obligation: The City's annual OPEB cost is calculated based on the annual required contribution (ARC) of the City, an amount actuarially determined in accordance with GASB Statement No. 45. The ARC represents a level of funding which, if paid on an ongoing basis, is projected to cover normal cost each year and amortize any unfunded actuarial liabilities over a period not to exceed 30 years. The following table shows the components of the City's annual OPEB cost for the year ended June 30, 2018, the amount actually contributed to the plan and changes in the City's net OPEB obligation:

	Total OPEB <u>Liability</u>
Total OPEB liability beginning of year	\$3,030,786
Changes for the year:	
Service Cost	353,825
Interest	135,388
Changes of assumptions	511,863
Benefit payments	<u>(229,369)</u>
Net changes	<u>\$771,707</u>
Total OPEB liability end of year	<u><u>\$3,802,493</u></u>

For additional information regarding the City's OPEB, including information related to deferred outflows and inflows of resources related to pensions, expenses, actuarial assumptions, discount rate and discount rate sensitivities, refer to Note 9 Other Postemployment Benefits (OPEB) on page 60 of the City's June 30, 2018 CAFR contained as APPENDIX C of this Preliminary Official Statement.

## UNION CONTRACTS

The City is currently under contract with the following unions:

<u>Union Name</u>	<u>Number of Employees</u>	<u>Current Contract Expiration Date</u>
Police Union	92	June 30, 2020
Fire Union	99	June 30, 2020
AFSCME Blue Collar Union	88	June 30, 2020
CWA	78	June 30, 2020

## GENERAL INFORMATION

### LOCATION AND TRANSPORTATION

The City, with a 2010 Census population of 62,230, is located directly east of Omaha, Nebraska. The City is the county seat of Pottawattamie County and covers an area of 39.7 square miles. The City owns a municipal airport, including land and buildings. The City contracts for the operation and management of the airport.

The City is at the crossroads of two national roadways, Interstates 80 and 29. Public Transportation in the Council Bluffs-Omaha area is provided by Metropolitan Area Transit (the "MAT"). MAT operates a fleet of approximately 108 buses with regular line service throughout the area. In addition, passenger rail service is provided to City residents through Amtrak. Air freight and passenger service is provided to the City through Eppley Airfield located in Omaha, Nebraska.

### LARGER EMPLOYERS <sup>1)</sup>

<u>Employer</u>	<u>Type of Business</u>	<u>Approximate Number of Employees</u>
Council Bluffs Community Schools	Public Education	1,375
Tyson Fresh Meats	Food Processing	1,350
Harrah's Casino	Gaming/Real Estate	920
Ameristar Casino and Hotels	Gaming/Real Estate	850
Methodist Jennie Edmundson Hospital	Health Services	845 <sup>2)</sup>
ConAgra Frozen Foods	Food Processing	700
Iowa Western Community College	Public Community College	625 <sup>3)</sup>
City of Council Bluffs	Municipal Government	494
JBS USA Food Co. <sup>4)</sup>	Food and Meat Processing	350
Walmart	Retail	320

1) This does not purport to be a comprehensive list and is based on data from company websites and an October 2019 best efforts telephone survey of individual employers. Some employers do not respond to inquiries.

2) Includes full-time, part-time and active medical staff.

3) Includes all full-time and part-time positions at all campus locations.

4) Formerly Plumrose USA Inc.

A representative list of larger employers in the greater Omaha, Nebraska metro area is as follows:

<u>Employer</u>	<u>Type of Business</u>	<u>Approximate Number of Employees</u>
Offutt Air Force Base	U.S. Military Base	9,500
Omaha Public Schools	Public Education	8,025
CHI Health System	Health Care	7,500 <sup>1)</sup>
First Data	Credit Card Processing	4,900
Nebraska Medicine	Education	4,700
University of Nebraska Medical Center	Medical School	3,600 <sup>2)</sup>
Children's Hospital & Medical Center	Health Services	3,500
Union Pacific Railroad	Transportation	3,300
Hy-Vee Inc.	Grocery Store/Retail Trade	3,250
Methodist Health System	Health Care	2,400

1) Total includes campus hospitals, clinics and all support systems in the Omaha/Council Bluffs area.

2) Total includes surgical residents and students from the University of Nebraska Medical Center.

Source: Greater Omaha Chamber of Commerce and Company Website Inquiries.

## BUILDING PERMITS

City officials report the following construction activity for each calendar year, as well as year-to-date information as of September 30, 2019. Permits for the City are reported on a calendar year basis.

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
<u>Single Family Homes:</u>					
No. of new homes:	103	66	82	118	87
Valuation:	\$18,308,209	\$14,383,086	\$19,025,334	\$31,432,548	\$21,912,855
<u>Single Family Homes</u> <u>Additions &amp; Alterations:</u>					
No. of permits issued:	1,250	763	1,000	845	614
Valuation:	\$8,740,109	\$3,537,396	\$7,206,736	\$7,569,976	\$4,885,391
<u>Multiple Family Dwellings:</u>					
No. of new buildings:	0	0	0	0	0
Valuation:	\$0	\$0	\$0	\$0	\$0
<u>Commercial/Industrial/Other:</u>					
No. of new buildings:	30	26	26	20	15
Valuation:	\$84,792,140	\$66,795,514	\$256,096,986	\$285,640,650	\$82,669,246
<u>Commercial/Industrial/Other</u> <u>Additions &amp; Alterations:</u>					
No. of permits issued:	183	145	146	161	92
Valuation:	\$38,540,022	\$33,576,685	\$41,571,688	\$199,818,953	\$152,765,699
Total Permits:	1,566	1,000	1,254	1,144	808
Total Valuations:	\$150,380,480	\$118,292,681	\$323,900,744	\$524,462,127	\$262,233,191

Source: The City of Council Bluffs.

## U.S. CENSUS DATA

### Population Trend

1980 U.S. Census	56,449
1990 U.S. Census	54,315
2000 U.S. Census	58,268
2010 U.S. Census	62,230

Source: U.S. Census Bureau website.



## UNEMPLOYMENT RATES

		Pottawattamie County	State of Iowa
Annual Averages:	2015	3.7%	3.8%
	2016	3.4%	3.6%
	2017	2.8%	3.1%
	2018	2.3%	2.5%
	2019 (through Aug.)	2.3%	2.4%

Source: Iowa Workforce Development Center website.

## EDUCATION

Public education is provided by the Council Bluffs Community School District and by the Lewis Central Community School District. The Council Bluffs Community School District, with a certified enrollment for the 2019-20 school year of 9,053.9 owns and operates 11 elementary schools, 2 middle schools, 2 senior high schools, and 1 learning support centers. The Lewis Central Community School District, with a certified enrollment for the 2019-20 school year of 2,542.8 owns and operates 2 elementary schools, 1 middle school and 1 senior high school. Education service is also provided by Saint Alberts Catholic Schools, with certified enrollment for the 2019-20 school year of 579.

## FINANCIAL SERVICES

Financial services for the residents of the City are provided by Midstates Bank, N. A. and by branch offices of American National Bank, Availa Bank, First National Bank of Omaha, Glenwood State Bank, Great Western Bank, Security National Bank of Omaha, Treynor State Bank and U.S. Bank N. A. as well as several credit unions. Glenwood State Bank and Midstates Bank, N.A. report the following deposits as of June 30 of each year.

<u>Year</u>	<u>Glenwood State Bank</u> <sup>1)</sup>	<u>Midstates Bank, N.A.</u>
2015	\$31,224,000	\$284,948,000
2016	33,626,000	298,757,000
2017	33,712,000	286,844,000
2018	33,783,000	288,388,000
2019	32,772,000	427,216,000

1) Frontier Savings Bank merger with Glenwood State Bank effective January 2019.

Source: Federal Deposit Insurance Corporation's (FDIC) website.

## FINANCIAL STATEMENTS

The City's COMPREHENSIVE ANNUAL FINANCIAL REPORT for the Fiscal Year ended June 30, 2018 is reproduced in APPENDIX C. The City's certified public accountant has not consented to distribution of the audited financial statements and has not undertaken added review of their presentation. Further information regarding financial performance and copies of the City's prior Comprehensive Annual Financial Report may be obtained from the City's Municipal Advisor, PFM Financial Advisors LLC.

## **APPENDIX B**

### FORM OF LEGAL OPINION

## **APPENDIX C**

**JUNE 30, 2018 COMPREHENSIVE ANNUAL FINANCIAL REPORT**

## **APPENDIX D**

### **FORM OF CONTINUING DISCLOSURE CERTIFICATE**

## OFFICIAL BID FORM

To: The City Council of  
Council Bluffs, Iowa

Sale Date: November 18, 2019  
10:00 AM, CT

RE: \$7,630,000\* General Obligation Bonds, Series 2019 (the "Bonds")

This bid is a firm offer for the purchase of the Bonds identified in the NOTICE OF BOND SALE and TERMS OF OFFERING and on the terms set forth in this bid form and is not subject to any conditions, except as permitted by the NOTICE OF BOND SALE and TERMS OF OFFERING. By submitting this bid, we confirm we have an established industry reputation for underwriting new issuance of municipal bonds.

For all or none of the above Bonds, in accordance with the NOTICE OF BOND SALE and TERMS OF OFFERING, we will pay you \$\_\_\_\_\_ (not less than \$7,553,700) plus accrued interest to date of delivery for fully registered Bonds bearing interest rates and maturing in the stated years as follows:

<u>Coupon</u>	<u>Maturity</u>	<u>Yield</u>	<u>Coupon</u>	<u>Maturity</u>	<u>Yield</u>
_____	2020	_____	_____	2026	_____
_____	2021	_____	_____	2027	_____
_____	2022	_____	_____	2028	_____
_____	2023	_____	_____	2029	_____
_____	2024	_____	_____	2030	_____
_____	2025	_____	_____	2031	_____

\* Preliminary; subject to change. The aggregate principal amount of the Bonds, and each scheduled maturity thereof, are subject to increase or reduction by the City or its designee after the determination of the successful bidder. The City may increase or decrease each maturity in increments of \$5,000 but the total amount to be issued will not exceed \$7,800,000. Interest rates specified by the successful bidder for each maturity will not change. Final adjustments shall be in the sole discretion of the City.

The dollar amount of the purchase price proposed by the successful bidder will be changed if the aggregate principal amount of the Bonds is adjusted as described above. Any change in the principal amount of any maturity of the Bonds will be made while maintaining, as closely as possible, the successful bidder's net compensation, calculated as a percentage of bond principal. The successful bidder may not withdraw or modify its bid as a result of any post-bid adjustment. Any adjustment shall be conclusive, and shall be binding upon the successful bidder.

We hereby designate that the following Bonds to be aggregated into term bonds maturing on June 1 of the following years and in the following amounts (leave blank if no term bonds are specified):

<u>Years Aggregated</u>	<u>Maturity Year</u>	<u>Aggregate Amount</u>
_____ through _____	_____	_____
_____ through _____	_____	_____

In making this offer we accept all of the terms and conditions of the NOTICE OF BOND SALE and TERMS OF OFFERING published in the Preliminary Official Statement dated November 4, 2019. In the event of failure to deliver these Bonds in accordance with the NOTICE OF BOND SALE and TERMS OF OFFERING as printed in the Preliminary Official Statement and made a part hereof, we reserve the right to withdraw our offer. All blank spaces of this offer are intentional and are not to be construed as an omission.

Not as a part of our offer, the above quoted prices being controlling, but only as an aid for the verification of the offer, we have made the following computations:

NET INTEREST COST: \$ \_\_\_\_\_

TRUE INTEREST COST: \_\_\_\_\_% (Calculated to dated date of December 30, 2019)

Account Manager: \_\_\_\_\_ By: \_\_\_\_\_

Account Members: \_\_\_\_\_

The foregoing offer is hereby accepted by and on behalf of the City Council of the City of Council Bluffs, Iowa this 18<sup>th</sup> day of November 2019.

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

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

Title: \_\_\_\_\_

Title: \_\_\_\_\_

**Resolution 19-252**

**ITEMS TO INCLUDE ON AGENDA FOR NOVEMBER 4, 2019**

**CITY OF COUNCIL BLUFFS, IOWA**

\$7,630,000 (Dollar Amount Subject to Change) General Obligation Bonds, Series 2019.

- Resolution directing the advertisement for sale and approving electronic bidding procedures and Official Statement.

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

November 4, 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 DIRECTING THE ADVERTISEMENT FOR SALE OF \$7,630,000 (DOLLAR AMOUNT SUBJECT TO CHANGE) GENERAL OBLIGATION BONDS, SERIES 2019, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND OFFICIAL STATEMENT" and moved its adoption. Council Member \_\_\_\_\_ seconded the Resolution to adopt. The roll was called and the vote was,

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

\_\_\_\_\_

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

Whereupon, the Mayor declared the resolution duly adopted as follows:

Resolution 19-252

RESOLUTION DIRECTING THE ADVERTISEMENT FOR  
SALE OF \$7,630,000 (DOLLAR AMOUNT SUBJECT TO  
CHANGE) GENERAL OBLIGATION BONDS, SERIES 2019,  
AND APPROVING ELECTRONIC BIDDING PROCEDURES  
AND OFFICIAL STATEMENT

**WHEREAS**, the Issuer is in need of funds to pay 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,

essential corporate purposes, and it is deemed necessary and advisable that General Obligation Bonds, to the amount of not to exceed \$6,680,000 be authorized for said purposes; and

WHEREAS, pursuant to notice published as required by Section 384.25 of the Code of Iowa, this Council has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of the Bonds, and the Council is therefore now authorized to proceed with the issuance of said Bonds for such purposes; and

WHEREAS, the City is also in need of funds to pay costs of acquisition, construction, reconstruction, enlargement, improvement, and equipping, including information technology hardware and software, of city buildings, a general corporate purpose, and it is deemed necessary and advisable that General Obligation Bonds, to the amount of not to exceed \$700,000 be authorized for said purpose; 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, pursuant to notice published as required by Section 384.26 of the Code of Iowa, the Council of the City has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Bonds for general corporate purposes in the amounts as above set forth, and, no petition for referendum having been received, the Council is therefore now authorized to proceed with the issuance of said Bonds for such purposes; and

WHEREAS, the City is also in need of funds to pay 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,

general corporate purposes, and it is deemed necessary and advisable that General Obligation Bonds, to the amount of not to exceed \$160,000 be authorized for said purposes; 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, pursuant to notice published as required by Section 384.26 of the Code of Iowa, the Council of the City has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Bonds for general corporate purposes in the amounts as above set forth, and, no petition for referendum having been received, the Council is therefore now authorized to proceed with the issuance of said Bonds for such purposes; and

WHEREAS, the City is also in need of funds to pay costs of construction, reconstruction, enlargement, improvement, and equipping of the golf course, a general corporate purpose, and it is deemed necessary and advisable that General Obligation Bonds, to the amount of not to exceed \$260,000 be authorized for said purpose; 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, pursuant to notice published as required by Section 384.26 of the Code of Iowa, the Council of the City has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Bonds for general corporate purposes in the amounts as above set forth, and, no petition for referendum having been received, the Council is therefore now authorized to proceed with the issuance of said Bonds for such purposes; and

WHEREAS, pursuant to Section 384.28 of the Code of Iowa, it is hereby found and determined that the various general obligation bonds authorized as hereinabove described shall be combined for the purpose of issuance in a single issue of \$7,630,000 (dollar amount subject to change) General Obligation Bonds as hereinafter set forth; and

WHEREAS, in conjunction with its Municipal Advisor, PFM Financial Advisors LLC, the City has caused an Official Statement to be prepared outlining the details of the proposed sale of the Bonds; and

WHEREAS, the Council has received information from its Municipal Advisor evaluating and recommending the procedure hereinafter described for electronic, facsimile and internet bidding to maintain the integrity and security of the competitive bidding process and to facilitate the delivery of bids by interested parties; and

WHEREAS, the Council deems it in the best interests of the City and the residents thereof to receive bids to purchase such Bonds by means of both sealed and electronic internet communication.

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

Section 1. That the receipt of electronic bids by facsimile machine and through the Parity Competitive Bidding System described in the Notice of Sale and Official Statement are hereby found and determined to provide reasonable security and to maintain the integrity of the competitive bidding process, and to facilitate the delivery of bids by interested parties in connection with the offering at public sale.

Section 2. That General Obligation Bonds, Series 2019, of City of Council Bluffs, State of Iowa, in the amount of \$7,630,000 (dollar amount subject to change), to be issued as referred to in the preamble of this Resolution, to be dated December 30, 2019, be offered for sale pursuant to the published advertisement.

Section 3. That the preliminary Official Statement in the form presented to this meeting be and the same hereby is approved as to form and deemed final for purposes of Rule 15c2-12 of

the Securities and Exchange Commission, subject to such revisions, corrections or modifications as the Mayor and City Clerk, upon the advice of bond counsel and the City's Municipal Advisor, shall determine to be appropriate, and is authorized to be distributed in connection with the offering of the Bonds for sale.

Section 4. That the Clerk is hereby directed to publish notice of sale of the Bonds at least once, the last one of which shall be not less than four clear days nor more than twenty days before the date of the sale. Publication shall be made in the "Daily Nonpareil", a legal newspaper, printed wholly in the English language, published within the county in which the Bonds are to be offered for sale or an adjacent county. The notice is given pursuant to Chapter 75 of the Code of Iowa, and shall state that this Council, on the 18th day of November, 2019, at 7:00 o'clock P.M., will hold a meeting to receive and act upon bids for said Bonds, which bids were previously received and opened by City Officials at 10:00 o'clock A.M. on said date. The notice shall be in substantially the following form:

(To be published on or before November 12, 2019)

## NOTICE OF BOND SALE

Time and Place of Sealed Bids: Bids for the sale of Bonds of the City of Council Bluffs, State of Iowa, hereafter described, must be received at the office of the Director of Finance, City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503; Telephone: 712-890-5303 (the "Issuer") before 10:00 o'clock A.M., on the 18th day of November, 2019. The bids will then be publicly opened and referred for action to the meeting of the City Council in conformity with the TERMS OF OFFERING.

The Bonds: The Bonds to be offered are the following:

GENERAL OBLIGATION BONDS, SERIES 2019, in the amount of \$7,630,000\*, to be dated December 30, 2019 (the "Bonds")

\*Subject to principal adjustment pursuant to official Terms of Offering.

Manner of Bidding: Open bids will not be received. Bids will be received in any of the following methods:

- Sealed Bidding: Sealed bids may be submitted and will be received at the office of the Director of Finance at City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503.
- Electronic Internet Bidding: Electronic internet bids will be received at the office of the Director of Finance at City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503, or at the office of PFM Financial Advisors LLC, 801 Grand Avenue, Suite 3300, Des Moines, Iowa 50309. The bids must be submitted through the PARITY® competitive bidding system.
- Electronic Facsimile Bidding: Electronic facsimile bids will be received at the office of the Director of Finance at City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503 (facsimile number: 712-328-4997) and/or the City's Municipal Advisor, PFM Financial Advisors LLC, 801 Grand Avenue, Suite 3300, Des Moines, Iowa 50309 (facsimile number: 515-243-6994). Electronic facsimile bids will be treated as sealed bids.

Consideration of Bids: After the time for receipt of bids has passed, the close of sealed bids will be announced. Sealed bids will then be publicly opened and announced. Finally, electronic internet bids will be accessed and announced.

Sale and Award: The sale and award of the Bonds will be held at the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa at a meeting of the City Council on the above date at 7:00 o'clock P.M.

Official Statement: The Issuer has issued an Official Statement of information pertaining to the Bonds to be offered, including a statement of the Terms of Offering and an Official Bid Form, which is incorporated by reference as a part of this notice. The Official Statement may be obtained by request addressed to the City Clerk, City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503; Telephone: 712-890-5261 or the Issuer's Municipal Advisor, PFM Financial Advisors LLC, 801 Grand Avenue, Suite 3300, Des Moines, Iowa, 50309, Telephone: 515-243-2600.

Terms of Offering: All bids shall be in conformity with and the sale shall be in accordance with the Terms of Offering as set forth in the Official Statement.

Legal Opinion: The Bonds will be sold subject to the opinion of Ahlers & Cooney, P.C., Attorneys of Des Moines, Iowa, as to the legality and their opinion will be furnished together with the printed Bonds without cost to the purchaser and all bids will be so conditioned. Except to the extent necessary to issue their opinion as to the legality of the Bonds, the attorneys will not examine or review or express any opinion with respect to the accuracy or completeness of documents, materials or statements made or furnished in connection with the sale, issuance or marketing of the Bonds.

Rights Reserved: The right is reserved to reject any or all bids, and to waive any irregularities as deemed to be in the best interests of the public.

By order of the City Council of the City of Council Bluffs, State of Iowa.

---

City Clerk, City of Council Bluffs, State of  
Iowa

(End of Notice)

PASSED AND APPROVED this 4th day of November, 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)

STATE OF IOWA )  
 ) SS  
COUNTY OF POTTAWATTAMIE )

NOTICE OF BOND SALE  
(\$7,630,000 (Dollar Amount Subject to Change) General Obligation Bonds,  
Series 2019)

November 10, 2019.

City Clerk, City of Council Bluffs, State of  
Iowa

01645294-1\10342-151



## Council Communication

Department: Human Resources  
Case/Project No.:  
Submitted by: Tim Carmody and  
Jon Finnegan

Resolution 19-253  
ITEM 6.D.

Council Action: 11/4/2019

### Description

Resolution to add a part-time Division Secretary position and abolish a part-time Clerk Typist position in the Police Department.

### Background/Discussion

The police department has one (1) part-time clerk typist in the department, and the employee in that position has worked here for 24 years. Over that time, she has taken on more responsibilities, and the work she is doing today is more consistent with a Division Secretary position than it is a Clerk Typist. For that reason, we would like to abolish the Clerk Typist position and create a Division Secretary position. The cost of this change will be less than \$2,500.

### Recommendation

Approval of the Resolution.

### ATTACHMENTS:

Description	Type	Upload Date
Resolution 19-253	Resolution	10/30/2019

A RESOLUTION MAKING CHANGES TO THE AUTHORIZED STRENGTH OF THE CITY

- WHEREAS, A thorough evaluation of existing resources has been conducted by the Chief of Police and Director of Human Resources; and
- WHEREAS, This evaluation showed a need to add one (1) part-time position, and abolish one (1) part-time position to 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 effective the date approved by Council:

Add one (1) part-time Division Secretary position  
Abolish one (1) part-time Clerk Typist position

Adopted  
and  
Approved

November 4, 2019

---

MATTHEW WALSH, MAYOR

---

JODI QUAKENBUSH, CITY CLERK

## Council Communication

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

Resolution 19-254  
ITEM 6.E.

Council Action: 11/4/2019

### Description

Resolution authorizing the Mayor to execute Iowa Department of Natural Resources Contract No. CRDLWBMBALM-0008 in connection with Lake Manawa Dredging.

### Background/Discussion

Lake Manawa is a 785 acre natural oxbow lake that is owned, operated, and maintained by the Iowa DNR and located within Council Bluffs.

Iowa DNR is working to improve the water quality within Lake Manawa. Planned dredging creates additional depth and volume at Lake Manawa, both important to achieving long-term water quality goals. Historic lake dredging work deepened significant portions of the lake, and in 2016 an additional 500,000 cubic yards of material was removed. The resulting maximum lake depth is 22.5 feet; however large expanses of the lake still average between 6 to 7 feet of water.

The City of Council Bluffs owns or sponsors multiple levee segments, which encompass the City Federal Levee System, providing flood protection from the Missouri River, Mosquito Creek, and Indian Creek. In order to meet the criteria for levee certification, seepage improvements are necessary for several reaches of levee. These projects require significant amounts of borrow material and finding suitable material at a reasonable price has been a challenge for the program.

The DNR's and City's purpose of entering into this Cooperative Agreement is to remove 500,000 cubic yards of material from Lake Manawa and temporarily stockpile on state property. The DNR's other purpose for entering into this Cooperative Agreement is to have the City remove the material from state property and return the stockpile area to pre-dredge conditions. The City of Council Bluffs will use the stockpiled material for planned levee projects.

Annual CIP budgets include a programmed amount in Local Option Sales Tax funds for levee improvements. In addition to LOST funds, the City is able to capture a portion of the State sales tax revenues through the Iowa Flood Mitigation Program. Through this program, the City is eligible to receive \$57M over a 20-year period. The accelerated schedule of the levee program requires a funding strategy that will allow large expenditures to occur in the next few years. The financing plan will likely include borrowing money for the short-term and then leveraging the IFMP reimbursements to pay back the loan over a longer period of time. The City's consultant, PFM, is exploring multiple scenarios for borrowing the necessary funds. The City's cost for the dredge material is a not to exceed amount of \$1,500,000 and will be paid with funds from the levee program.

### Recommendation

Approval of this resolution.

**ATTACHMENTS:**

Description	Type	Upload Date
Agreement	Other	10/29/2019
Resolution 19-254	Resolution	10/30/2019

**IOWA DEPARTMENT OF NATURAL RESOURCES  
CONTRACT NUMBER CRDLWBMBALM-0008**

**Between  
IOWA DEPARTMENT OF NATURAL RESOURCES  
And  
THE CITY OF COUNCIL BLUFFS, IOWA**

This Cooperative Agreement was approved by the Natural Resource Commission on November 14, 2019.

IN WITNESS THEREOF, the parties hereto have entered into this Cooperative Agreement on the day and year last specified below.

**DEPARTMENT OF NATURAL RESOURCES**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Kayla Lyon, Director

**CITY OF COUNCIL BLUFFS**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Matt Walsh, Mayor

For DNR use only:

1. Retain the original contract in the project file and send a hardcopy with the first invoice.
2. a) Fax contract to 515-725-8202 (check one box below before faxing)

OR

- b) Email scanned copy to your Division's Contract Rep:

DIVISION	DIVISION CONTRACT REP
<input type="checkbox"/> Conservation & Recreation	Kim.Rasler@dnr.iowa.gov
<input type="checkbox"/> Director's Office	Karen.Fynaardt@dnr.iowa.gov
<input type="checkbox"/> Environmental Services	Jerah.Sheets@dnr.iowa.gov
<input type="checkbox"/> Management Services	Jennifer.StJohn@dnr.iowa.gov

If you do not have faxing or scanning/emailing capabilities, you may mail a copy of the contract to Iowa DNR, Attention: (your respective bureau's contract rep), 502 E 9<sup>th</sup> St, Des Moines IA 50319.

## COOPERATIVE AGREEMENT - SPECIAL CONDITIONS

This Cooperative Agreement is entered into between the Iowa Department of Natural Resources (DNR) and The City of Council Bluffs (Contractor or City). The parties agree as follows:

### Section 1 IDENTITY OF THE PARTIES

---

- 1.1 Parties.** DNR is authorized to enter into this Contract. DNR's address is: Wallace State Office Building, 502 East 9<sup>th</sup> Street, Des Moines, Iowa 50319. The City of Council Bluffs, a municipality is organized under the laws of the State of Iowa. The Contractor's address is: 209 Pearl Street, Council Bluffs, Iowa 51503.
- 1.2 Project Managers.** Each party has designated a Project Manager, who shall be responsible for oversight and negotiation of any contract modifications, as follows:

<b>DNR Contract Manager:</b>	Michelle Balmer, Lake Restoration Program 502 E. 9th St., Des Moines, IA 50319 Phone: 515-725-8448 Email: <a href="mailto:michelle.balmer@dnr.iowa.gov">michelle.balmer@dnr.iowa.gov</a>
<b>DNR Project Manager:</b>	George Antoniou, Lake Restoration Program Coordinator 502 E. 9th St., Des Moines, IA 50319 Phone: 515-725-8449 Email: <a href="mailto:george.antoniou@dnr.iowa.gov">george.antoniou@dnr.iowa.gov</a>
<b>City of Council Bluffs Project Manager:</b>	Matthew S. Cox, P.E., Public Works Director/City Engineer 209 Pearl Street, Council Bluffs, IA 51503 Phone: 712-890-5926 Email: <a href="mailto:mcox@councilbluffs-ia.gov">mcox@councilbluffs-ia.gov</a>

### Section 2 STATEMENT OF PURPOSE

---

- 2.1 Statutory Authority.** DNR enters into this Cooperative Agreement based on statutory authority provided in Iowa Code Section 456A.24.
- 2.2 Background.** Lake Manawa is a 785 acre natural oxbow lake located on the historic Missouri River floodplain with a watershed to lake ratio of 3:1. The DNR contracted with Tetra Tech, Inc. in 2009 to provide a diagnostic feasibility study for Lake Manawa as part of DNR Lake Restoration Program planning activities. This study included specifics on a suite of water quality improvement efforts, one of which is planned dredging. The dredging project is a vital component of an overall water quality improvement project, as it would create additional depth and volume at Lake Manawa, both important to achieving long-term water quality goals. Historic lake dredging work deepened significant portions of the lake, and in 2016 an additional 500,000 cubic yards of material was removed. The resulting maximum lake depth is 22.5 feet; however large expanses of the lake still average between 6 to 7 feet of water.

The Tetra Tech study also prioritized areas of the lake to conduct dredging activities based upon potential effect of dredging on the overall lake seepage and quality of material. The unique quality of the sand material provides an opportunity to recycle it for other uses such as levee or other construction projects. The DNR and City met from December 2016 through May 2018 to discuss the feasibility of entering into a future joint dredging project at Lake Manawa to achieve water quality improvement objectives and produce material usable for City of Council Bluffs levee construction; and, in July of 2018 entered into a Memorandum of Understanding to obtain additional information related to feasibility and cost associated with dredging sand material from Lake Manawa (Memorandum of Understanding attached as Exhibit A of this contract).

- 2.3 Purpose.** The DNR's and City of Council Bluffs's purpose of entering into this Cooperative Agreement is to remove 500,000 cubic yards of material from Lake Manawa and temporarily stockpile on state property. The DNR's other purpose for entering into this Cooperative Agreement is to have the City remove the material from state property and return the stockpile area to pre-dredge conditions. The City of Council Bluffs other purpose for entering into this Cooperative Agreement is to use the stockpiled material for planned levee projects.

### **Section 3 DURATION OF COOPERATIVE AGREEMENT**

- 3.1 Term of Cooperative Agreement.** The term of this Cooperative Agreement shall be November 14, 2019 through December 31, 2023, unless terminated earlier in accordance with the Termination section of this Cooperative Agreement. However, this Cooperative Agreement shall not begin until it has been signed by both parties.
- 3.2 Approval of Cooperative Agreement.** If the amount of compensation to be paid by DNR according to the terms of this Cooperative Agreement is equal to or greater than \$25,000.00, or if this Cooperative Agreement is entered into pursuant to Iowa Code chapter 28E, then performance shall not commence unless by November 14, 2019, this Cooperative Agreement has been approved by the Natural Resource Commission.

### **Section 4 DEFINITIONS**

"Contractor" shall mean The City of Council Bluffs (the City).

"Deliverables" shall mean services to be provided by, or on behalf of, the Contractor pursuant to this Cooperative Agreement. Deliverables shall include everything produced by the City that is related to the Tasks, such as reports, meetings, documentation, designs, copy, artwork, data, information, graphics, images, processes, techniques, materials, plans, papers, forms, studies, modifications, content, concepts, and all other tangible and intangible works, materials and property of every kind and nature that are related to the Deliverables.

"Task Milestone Date" shall mean a deadline for accomplishing a Task required by this Cooperative Agreement.

### **Section 5 STATEMENT OF WORK – RESPONSIBILITIES OF THE PARTIES**

- 5.1** The responsibilities of the City of Council Bluffs shall be to perform the following tasks by the Task Milestone Dates set out in the following table:

<b>Obligation</b>	<b>Task Milestone Date</b>
<b>Task 1:</b> Dredging and Stockpiling of Material <b>Description:</b> The City shall reimburse DNR for removal of 500,000 cubic yards of sediment from Lake Manawa and stockpiling the material on state property. Detailed plans for this Task are attached as Exhibit B and Exhibit C of this contract.	No later than November 15, 2020
<b>Task 2:</b> Material Removal <b>Description:</b> The City shall remove the 500,000 cubic yards of stockpiled material from state property between the dates of November 15, 2020 and December 31, 2023. The City shall be responsible for securing all necessary permits, certificates, and licenses required to transport the material from state land to point of use and restore site as nearly as possible to its original condition.	No later than December 31, 2023

- 5.2** The responsibilities of DNR shall be to perform the following tasks by the Task Milestone Dates set out in the following table:

<b>Obligation</b>	<b>Task Milestone Date</b>
<b>Task 1:</b> Dredging and Stockpiling of Material <b>Description:</b> DNR shall remove 500,000 cubic yards of sediment from Lake Manawa and stockpile the material into a single stockpile on state property. Detailed plans for this Task are attached as Exhibit B of this contract. DNR shall stockpile material that contains sands with total fines comprising 12% or less and 3% or less organics, as measured by dried weight. Fines are defined as any material passing the #200 sieve as determined by sieve analysis conforming C136. Material will be tested by the Contractor approximately	No later than November 15, 2020

every 10,000 cubic yards, or at a more frequent interval as determined by the DNR field engineer if Contractor's testing determines a wide variance in testing results. Contractor may only test of material at a less frequent interval by joint written agreement between the DNR and the City. Details for material specifications are attached as Exhibit C of this contract and provided under [SECTION 02482 DREDGING, PART 2 PRODUCTS, 2.01 MATERIAL].	
<b>Task 2: Material Removal</b> <b>Description:</b> The DNR shall grant the City access to the stockpile area and allow the City to conduct activities related to removal of the stockpiled material through issuance of a Sovereign Lands Permit to the City.	No later than November 15, 2020

## Section 6 MONITORING AND REVIEW

**6.1 Task Milestone Dates.** The parties agree to complete their respective obligations under this Cooperative Agreement by the Task Milestone Dates set out in Section 5.1.

Failure by either party to complete the above-designated portions of its obligations by the Task Milestone Dates set out herein shall constitute material breach of this Cooperative Agreement and shall be grounds for the other party to immediately terminate this Cooperative Agreement for cause.

**6.2 Review Meetings.** Commencing with beginning performance of this Cooperative Agreement, the Project Managers shall meet quarterly to discuss progress made during the performance of this Cooperative Agreement. The meetings shall occur, either in person or by telephone conference call. Meetings may be postponed only on a case-by-case basis by mutual written agreement of the parties.

**6.3 Status Reports.** Prior to each review meeting, each Project Manager shall provide a status report listing:

- Accomplishments during the previous period,
- Activities planned for the upcoming period,
- Tasks completed or Deliverables produced during the previous period,
- An updated schedule of upcoming Deliverables,
- Any problems or concerns encountered since the last meeting, and
- (Fill in any other items that should be included in reports)

At the next scheduled meeting after which any party has identified in writing a problem, the party responsible for resolving the problem shall provide a report setting forth activities undertaken, or to be undertaken, to resolve the problem, together with the anticipated completion dates of such activities. Any party may recommend alternative courses of action or changes that shall facilitate problem resolution.

**6.4 DNR right to review and observe.** Each party shall have the right to review and observe, at any time, completed work or work in progress. Each party agrees to provide access, upon request and without cost to the other party, to inspect its facilities and books and records relating to invoicing and time records for the purpose of monitoring and evaluating performance of this Cooperative Agreement.

**Section 7 COMPENSATION Sources of Funding.** DNR's source of funding for this Cooperative Agreement is Iowa Code Chapter 456A.24 Lake Restoration Plan and Report, also known as the Lake Restoration Program.

**7.1 Not-to-exceed total amount of Cooperative Agreement.** DNR contribution for work performed according to the terms of this Cooperative Agreement shall not exceed **\$4,035,000.00**. Payment by the City of Council Bluffs for work performed according to the terms of this Cooperative Agreement shall not exceed **\$1,500,000.00**. Payment shall be for satisfactory completion of the Statement of Work outlined in this Cooperative Agreement, provided that the parties have complied with the terms of this Cooperative Agreement.

**7.2 Budget.** The budget for this Cooperative Agreement shall be as follows:



### City of Council Bluffs Contribution

<b>Total amount of City monetary contribution</b>	Not to exceed \$1,500,000.00
<b>Total amount of City in-kind contribution</b>	\$0.00
<b>Total amount of City contribution</b>	Not to exceed \$1,500,000.00

Contribution by the City to the DNR shall be 30% of dredge related expenditures incurred under DNR Engineering Project # 19-04-78-03. Dredge related expenditures shall be defined as bid tab items 1, 2, 3, 4, 5, and 6. Contribution by the City shall not exceed \$3.00 per cubic yard (\$1,500,000) of material stockpiled under Task 1 activities.

### DNR Contribution

<b>Total amount of DNR monetary contribution</b>	Not to exceed \$4,035,000.00
<b>Total amount of DNR in-kind contribution</b>	\$0.00
<b>Total amount of DNR contribution</b>	Not to exceed \$4,035,000.00

**7.3 Submission of Invoices.** For work performed by DNR, invoices shall be submitted to the City according to the following schedule:

Task Milestone Date	Amount Due	Invoice Due No Later Than:
<b>Task 1:</b> Dredging and Stockpiling of Material	Not to exceed \$375,000.00	February 15, 2020
	Total requested reimbursement from the City for work performed by the DNR not to exceed \$750,000.00	May 15, 2020
	Total requested reimbursement from the City for work performed by the DNR not to exceed \$1,125,000.00	August 15, 2020
	Total requested reimbursement from the City for work performed by the DNR not to exceed \$1,500,000.00	November 15, 2020

The invoices shall itemize the work performed pursuant to the Cooperative Agreement. Each invoice shall comply with all applicable rules concerning payment of such claims and shall contain appropriate documentation necessary to support the fees or charges included in the invoice. The party receiving the invoice shall have the right to dispute any invoice item submitted for payment and to withhold payment of any disputed amount if that party reasonably believes the invoice is inaccurate or incorrect in any way.

Original invoices to **the City** shall be submitted to:

Matthew S. Cox, P.E., Public Works Director/City Engineer  
209 Pearl Street, Council Bluffs, IA 51503  
Phone: 712-890-5926  
Email: mcox@councilbluffs-ia.gov

- 7.4 Payment of Invoices.** DNR shall pay approved invoices in arrears and in conformance with Iowa Code section 8A.514. If the other party is subject to the provisions of Iowa Code section 8A.514, then the other party shall pay approved invoices in arrears and in conformance with Iowa Code section 8A.514. Unless otherwise agreed to in writing by the parties, neither party shall be entitled to receive any other payment or compensation for any services provided under this Cooperative Agreement.
- 7.5 No advance payment.** No advance payments shall be made for any Deliverables provided by the City pursuant to this Cooperative Agreement.
- 7.6 Delay of Payment.** If either party determines that the other party has failed to perform or deliver any Deliverable required by this Cooperative Agreement, then compensation may be withheld until such Deliverable is performed or delivered according to the terms of this Cooperative Agreement.

**COOPERATIVE AGREEMENT**  
**GENERAL CONDITIONS WHEN OTHER PARTY IS A GOVERNMENTAL ENTITY**

**Section 1 COMPLIANCE WITH THE LAW**

---

The parties shall comply with all applicable federal, state, and local laws, rules, ordinances, regulations and orders when performing the services under this Contract, including without limitation, all laws applicable to the prevention of discrimination in employment and the use of targeted small businesses as suppliers. The parties, and their employees and agents shall also comply with all federal, state and local laws regarding business permits and licenses that may be required to carry out the work performed under this Contract. The parties represents that they will comply with all federal, state, foreign and local laws applicable to their performance under this Contract.

**Section 2 TERMINATION**

---

- 2.1. Termination Due to Lack of Funds or Change in Law.** DNR shall have the right to terminate this Contract without penalty by giving sixty (60) days written notice to the Contractor as a result of any of the following:
- 2.1.1** The legislature or governor fail in the sole opinion of DNR to appropriate funds sufficient to allow DNR to either meet its obligations under this Contract or to operate as required and to fulfill its obligations under this Contract; or if funds anticipated for the continued fulfillment of the Contract are, at any time, not forthcoming or are insufficient, either through the failure of DNR to appropriate funds or funding from a federal source is reduced or discontinued for any reason, or through discontinuance or material alteration of the program for which funds were provided; or
  - 2.1.2** If funds are de-appropriated, reduced, not allocated, or receipt of funds is delayed, or if any funds or revenues needed by DNR to make any payment hereunder are insufficient or unavailable for any other reason as determined by DNR in its sole discretion; or
  - 2.1.3** If DNR's authorization to conduct its business or engage in activities or operations related to the subject matter of this Contract is withdrawn or materially altered or modified; or
  - 2.1.4** If DNR's duties, programs or responsibilities are modified or materially altered; or
  - 2.1.5** If there is a decision of any court, administrative law judge or an arbitration panel or any law, rule, regulation or order is enacted, promulgated or issued that materially or adversely affects DNR's ability to fulfill any of its obligations under this Contract.
- 2.2. Immediate Termination by DNR.** DNR may terminate this Contract for any of the following reasons effective immediately without advance notice and without penalty:
- 2.2.1** In the event the Contractor is required to be certified or licensed as a condition precedent to providing services, the revocation or loss of such license or certification will result in immediate termination of the Contract effective as of the date on which the license or certification is no longer in effect;
  - 2.2.2** DNR determines that the actions, or failure to act, of the Contractor, and its agents and employees have caused, or reasonably could cause, any person's life, health or safety to be jeopardized;
  - 2.2.3** The Contractor fails to comply with confidentiality laws or provisions;
  - 2.2.4** The Contractor furnished any statement, representation or certification in connection with this Contract or the RFP which is materially false, deceptive, incorrect or incomplete.
- 2.3. Termination for Cause.** The occurrence of any one or more of the following events shall constitute cause for DNR to declare the Contractor in default of its obligations under this Contract.
- 2.3.1** The Contractor fails to perform, to DNR's satisfaction, any material requirement of this Contract or is in violation of a material provision of this Contract, including, but without limitation, the express warranties made by the Contractor;

- 2.3.2** DNR determines that satisfactory performance of this Contract is substantially endangered or that a default is likely to occur;
  - 2.3.3** The Contractor fails to make substantial and timely progress toward performance of the Contract;
  - 2.3.4** The Contractor becomes subject to any bankruptcy or insolvency proceeding under federal or state law to the extent allowed by applicable federal or state law including bankruptcy laws; the Contractor terminates or suspends its business; or DNR reasonably believes that the Contractor has become insolvent or unable to pay its obligations as they accrue consistent with applicable federal or state law;
  - 2.3.5** The Contractor has failed to comply with applicable federal, state and local laws, rules, ordinances, regulations and orders when performing within the scope of this Contract;
  - 2.3.6** The Contractor has engaged in conduct that has or may expose the State or DNR to liability, as determined in DNR's sole discretion;
  - 2.3.7** The Contractor has infringed any patent, trademark, copyright, trade dress or any other intellectual property right or proprietary right, or the Contractor has misappropriated a trade secret, or
  - 2.3.8** Contractor fails to comply with any of the Task Milestone dates contained in this Contract.
- 2.4. Notice of Default.** If there is a default event caused by the Contractor, DNR shall provide written notice to the Contractor requesting that the breach or noncompliance be remedied within the period of time specified in DNR's written notice to the Contractor. If the breach or noncompliance is not remedied by the date of the written notice, DNR may either:
- 2.4.1** Immediately terminate the Contract without additional written notice; or,
  - 2.4.2** Enforce the terms and conditions of the Contract and seek any legal or equitable remedies.
- 2.5. Termination upon Notice.** Following thirty (30) days written notice, DNR may terminate this Contract in whole or in part without the payment of any penalty or incurring any further obligation to the Contractor. Following termination upon notice, the Contractor shall be entitled to compensation, upon submission of invoices and proper proof of claim, for services provided under this Contract to DNR up to and including the date of termination.
- 2.6. Remedies of the Contractor in Event of Termination by DNR.** In the event of termination of this Contract for any reason by DNR, DNR shall pay only those amounts, if any, due and owing to the Contractor for services actually rendered up to and including the date of termination of the Contract and for which DNR is obligated to pay pursuant to this Contract. Payment will be made only upon submission of invoices and proper proof of the Contractor's claim. This provision in no way limits the remedies available to DNR under this Contract in the event of termination. However, DNR shall not be liable for any of the following costs:
- 2.6.1** The payment of unemployment compensation to the Contractor's employees;
  - 2.6.2** The payment of workers' compensation claims, which occur during the Contract or extend beyond the date on which the Contract terminates;
  - 2.6.3** Any costs incurred by the Contractor, including, but not limited to, startup costs, overhead or other costs not directly associated with the performance of the Contract;
  - 2.6.4** Any taxes that may be owed by the Contractor not directly in connection with the performance of this Contract, including, but not limited to, sales taxes, excise taxes, use taxes, income taxes or property taxes.

**2.7. The Contractor's Termination Duties.** The Contractor upon receipt of notice of termination or upon request of DNR, shall:

- 2.7.1** Cease work under this Contract and take all necessary or appropriate steps to limit disbursements and minimize costs, and furnish a report within thirty (30) days of the date of notice of termination, describing the status of all work under the Contract, including, without limitation, results accomplished, and conclusions resulting there from, or any other matters DNR may require.
- 2.7.2** Immediately cease using and return to DNR any personal property or materials, whether tangible or intangible, provided by DNR to the Contractor.
- 2.7.3** Comply with DNR's instructions for the timely transfer of any active files and work product produced by the Contractor under this Contract.
- 2.7.4** Cooperate in good faith with DNR, its employees, agents and contractors during the transition period between the notification of termination and the substitution of any replacement contractor.
- 2.7.5** Immediately return to DNR any payments made by DNR for services that were not rendered by the Contractor.

**2.8. Rights in incomplete products.** In the event the Contract is terminated, all finished or unfinished documents, data, reports, or other materials prepared by the Contractor under this Contract shall, at the option of DNR, become DNR's property and the Contractor shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents and other material.

---

### **Section 3 INDEPENDENT CONTRACTOR**

The status of the Contractor shall be that of an independent contractor. The Contractor, and its employees and agents performing under this Contract are not employees or agents of the DNR. Neither the Contractor nor its employees shall be considered employees of DNR for federal or state tax purposes. DNR will not withhold taxes on behalf of the Contractor. Contractor shall be responsible for payment of all taxes in connection with any income earned from performing this Contract.

---

### **Section 4 CONFLICT OF INTEREST**

The parties agree that they will comply with the provisions of the Iowa Code with respect to Conflicts of Interest.

---

### **Section 5 AMENDMENTS**

This Contract may be amended only by written mutual consent of the parties.

---

### **Section 6 CHOICE OF LAW AND FORUM**

The laws of the State of Iowa shall govern and determine all matters arising out of or in connection with this Contract without regard to the choice of law provisions of Iowa law. If applicable, the parties shall comply with the provisions of Iowa Code section 679A.19 regarding disputes between government agencies of the State of Iowa. In the event any proceeding of a quasi-judicial or judicial nature is commenced in connection with this Contract, the exclusive jurisdiction for the proceeding shall be brought in Polk County District Court for the State of Iowa, Des Moines, Iowa or in the United States District Court for the Southern District of Iowa, Central Division, Des Moines, Iowa, wherever jurisdiction is appropriate. No provision of this Contract shall be construed as waiving any immunity to suit or liability including without limitation sovereign immunity in State or Federal court, which may be available to DNR, Contractor, or the State of Iowa

---

### **Section 7 SEVERABILITY**

If any provision of this Contract is determined by a court of competent jurisdiction to be invalid or unenforceable, such determination shall not affect the validity or enforceability of any other part or provision of this Contract.

---

**Section 8      ENTIRE AGREEMENT**

---

This Contract constitutes the entire agreement between the parties with respect to the subject matter hereof, and the parties acknowledge that they are entering into the Contract solely on the basis of the terms and conditions herein contained and not in reliance upon any representation, statement, inducement or promise, whether oral or written, not contained herein. This Contract supersedes all prior contracts and agreements between the parties for the services provided in connection with this Contract.

---

**Section 9      ASSIGNMENT AND DELEGATION**

---

This Contract may not be assigned, transferred or conveyed, in whole or in part, without the prior written consent of the other party. For the purpose of construing this provision, a transfer of a controlling interest in the Contractor shall be considered an assignment.

---

**Section 10     CONFIDENTIALITY**

---

The parties agree to comply with applicable Iowa law regarding confidentiality.

---

**Section 11     WAIVER**

---

Except as specifically provided for in a waiver signed by duly authorized representatives of the parties, failure by either party at any time to require performance by the other party or to claim a breach of any provision of the Contract shall not be construed as affecting any subsequent right to require performance or to claim a breach.

---

**Section 12     CUMULATIVE RIGHTS**

---

The various rights, powers, options, elections and remedies of any party provided in this Contract, shall be construed as cumulative and not one of them is exclusive of the others or exclusive of any rights, remedies or priorities allowed either party by law, and shall in no way affect or impair the right of any party to pursue any other equitable or legal remedy to which any party may be entitled as long as any default remains in any way unremedied, unsatisfied or undischarged.

---

**Section 13     TIME IS OF THE ESSENCE**

---

Time is of the essence with respect to the performance of the terms of this Contract.

---

**Section 14     RECORD RETENTION AND ACCESS**

---

The parties shall maintain books, records and documents according to their respective law with regard to records retention. All parties shall permit the Auditor of the State of Iowa or any authorized representative of the State and where federal funds are involved, the Comptroller General of the United States or any other authorized representative of the United States government, to access and examine, audit, excerpt and transcribe any directly pertinent books, documents, papers, electronic or optically stored and created records or other records of the Contractor relating to orders, invoices or payments or any other documentation or materials pertaining to this Contract, wherever such records may be located. The Contractor shall not impose a charge for audit or examination of the Contractor's books and records.

---

**Section 15     OBLIGATIONS BEYOND CONTRACT TERM**

---

This Contract shall remain in full force and effect to the end of the specified term or until terminated or canceled pursuant to this Contract. All obligations of DNR and the Contractor incurred or existing under this Contract as of the date of expiration, termination or cancellation will survive the termination, expiration or conclusion of this Contract.

---

**Section 16     SUPERCEDES FORMER CONTRACTS OR AGREEMENTS**

---

Unless this Contract is an amendment to a Contract entered into between the parties and is designated as such, then this Contract supersedes all prior contracts or agreements between the parties for the services provided in connection with this Contract.

## **Section 17 USE OF THIRD PARTIES AND SUBCONTRACTORS**

---

Contractor may not contract with third parties for the performance of any of Contractor's obligations under this Contract, unless and then only to the extent that the Special Conditions of this Contract specify otherwise. If the Special Conditions provide for a subcontractor or subcontractors, then the following conditions shall apply:

- 17.1** All subcontracts shall be subject to prior approval by the DNR. The DNR's consent shall not be deemed in any way to provide for the incurrence of any obligation of DNR in addition to the remuneration agreed upon in this Contract. Any subcontract to which DNR has consented shall be in writing and shall in no way alter the terms and conditions of this Contract.
- 17.2** The Contractor may enter into subcontracts to complete the work required by this Contract provided that the Contractor remains responsible for all services performed under this Contract. No subcontract or delegation of work shall relieve or discharge the Contractor from any obligation, provision, or liability under this Contract. The Contractor shall remain responsible for such performance and shall be fully responsible and liable for all acts or omissions of any subcontractor.
- 17.3** All restrictions, obligations and responsibilities of the Contractor under this Contract also shall apply to the subcontractors.
- 17.4** DNR shall have the right to request the removal of a subcontractor from the Contract for good cause. The Contractor shall indemnify, defend and hold harmless DNR and the State from and against any and all claims, demands, liabilities, suits, actions, damages, losses, costs and expenses of every kind and nature whatsoever arising as a result of Contractor's breach of any subcontract in which it enters, including Contractor's failure to pay any and all amounts due by Contractor to any subcontractor.
- 17.5** Each subcontract shall contain provisions for DNR access to the subcontractor's books, documents, and records and for inspections of work, as required of Contractor herein.
- 17.6** Any action of a subcontractor, which, if done by Contractor, would constitute a breach of this Contract, shall be deemed a breach by Contractor and have the same legal effect.
- 17.7** If delay results from a subcontractor's conduct, from the Contractor's negligence or fault, or from circumstances which by the exercise of reasonable diligence the Contractor should have been able to anticipate or prevent, then the Contractor shall be in default.
- 17.8** If the Contract is subject to the provisions of Iowa Code chapter 8F, then the Contractor shall comply with Iowa Code chapter 8F with respect to any subcontract Contractor enters into pursuant to this Contract. Any compliance documentation, including but not limited to certification, received from any subcontractor shall be forwarded to DNR immediately.

## **Section 18 SELF-INSURANCE BY THE STATE OF IOWA**

---

Pursuant to Iowa Code chapter 669, DNR and the State of Iowa are self-insured against all risks and hazards related to this Contract. No separate fund has been established to provide self-insurance, and the State of Iowa is not obligated to establish any such fund during the term of this Contract.

## **Section 19 IMMUNITY FROM LIABILITY**

---

Every person who is a party to the Contract is hereby notified and agrees that the State, DNR, and all of their employees, agents, successors, and assigns are immune from liability and suit for Contractor's and subcontractors' activities involving third parties arising from the Contract.

## **Section 20 NON-SUPPLANTING REQUIREMENT**

---

To the extent required by federal or state law, federal and state funds made available under this Contract shall be used to supplement and increase the level of state, local, and other non-federal funds that would in the absence of such

federal and state funds be made available for the programs and activities for which funds are provided and will in no event take the place of state, local, and other non-federal funds.

---

**Section 21 CERTIFICATION REGARDING SALES AND USE TAX**

---

By executing this Contract, the Contractor certifies that it is either (a) registered with the Iowa Department of Revenue, collects and remits sales and use taxes as required by Iowa Code chapter 432; or (b) not a “retailer” or a “retailer maintaining a place of business in this state” as those terms are defined in Iowa Code section 423.1. The Contractor also acknowledges that the DNR may declare the Contract void if the above certification is false. The Contractor also understands that fraudulent certification may result in the DNR or its representatives filing action for damages for breach of contract.

---

**Section 22 TAXES**

---

The State of Iowa is exempt from federal excise tax, and no payment will be made for any taxes levied on Contractor’s employees’ wages. The State of Iowa is exempt from state and local sales and use taxes on the Deliverables.

---

**Section 23 EQUAL EMPLOYMENT PROVISIONS**

---

The Contractor has read and understands the provisions in Attachment A, Equal Employment Opportunity, attached hereto and made part of this Contract by this reference, and the Contractor agrees to conform to the requirements contained therein.

---

**Section 24 FEDERALLY-FUNDED AGREEMENTS**

---

If this Contract is funded by federal monies, then the Contractor has read and understands the provisions of Attachment B, Additional Requirements for Federally-Funded Agreements, attached hereto and made part of this Contract by this reference, and the Contractor agrees to conform to the requirements contained therein.

---

**Section 25 INFORMATION TECHNOLOGY SECURITY**

---

The Contractor and all Contractor personnel shall comply with Iowa information technology security statutes, rules and policies. By signing this contract, the Contractor acknowledges that the Contractor has read and understands the provisions of the information technology security policies adopted by the Iowa Department of Administrative Services (DAS) and DNR in effect on the date of signing. These policies are located on the respective agency websites at [www.iowadnr.gov](http://www.iowadnr.gov) and <http://das.iowa.gov/index.html>. The Contractor further agrees to read and abide by any revised DAS and DNR policies, posted on the respective agency websites that come into effect during the term of this Contract.



**Attachment A**  
**Equal Employment Opportunity**

The Contractor agrees to the following:

- A.1** The Contractor shall not discriminate against any employee or applicant for employment because of race, creed, color, religion, sex, national origin, age, gender identity, gender orientation, pregnancy, family status, marital status or mental or physical disability. The Contractor shall take affirmative action to ensure that applicants are employed and that employees are treated, during employment, without regard to their race, creed, color, religion, sex, national origin, age, gender identity, gender orientation, pregnancy, family status, marital status or mental or physical disability except where mental or physical disability relates to a bona fide occupational qualification reasonably necessary to the normal operation of the Contractor's business. Such action shall include but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation and selection for training, including apprenticeship. The Contractor agrees to post notices, setting forth provisions of this nondiscrimination clause, in conspicuous places available to employees and applicants for employment.
- A.2** The Contractor shall in all solicitations or advertisements for employees, placed by or on behalf of the Contractor, state that all qualified applicants shall receive consideration for employment without regard to race, creed, color, religion, sex, national origin, age, gender identity, gender orientation, pregnancy, family status, marital status or mental or physical disability except where mental or physical disability is a bona fide occupation qualification reasonably necessary to the normal operation of the Contractor's business.
- A.3** The Contractor shall comply with all relevant provisions of the Iowa Civil Rights Act of 1965, as amended, Iowa Executive Order 15 or 1973, Chapter 19B, Code of Iowa, Federal Executive Order 11246 of 1965, as amended by Federal Executive Order 11376 of 1967, and Title VI of the Civil Rights Act of 1964, as amended. The Contractor shall furnish all information and reports requested by the state of Iowa or required by, or pursuant to, the rules and regulations thereof and shall permit access to payroll and employment records by the state of Iowa for purposes of investigation to ascertain compliance with such rules, regulations or requests, or with this nondiscrimination clause.
- A.4** In the event of the Contractor's noncompliance with the nondiscrimination clauses of this Contract or with any of the aforesaid rules, regulations or requests, this Contract may be canceled, terminated or suspended in whole or in part. In addition, the state of Iowa may take such further action, and such other sanctions may be imposed and remedies invoked, as provided by the Iowa Civil Rights Act of 1965, as amended, Chapter 216, Code of Iowa, or as otherwise provided by law.
- A.5** The Contractor shall include the provisions of paragraphs A.1 through A.4 hereof in every subcontract, unless specifically exempted by approval of the state of Iowa, so that such provisions shall be binding on each subcontract. The Contractor shall take such action with respect to any subcontract as the state of Iowa may direct as a means of enforcing such provisions, including sanctions for noncompliance; provided, however, that in the event the Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the state of Iowa, the Contractor may request the state of Iowa to enter into such litigation to protect the interests of the state of Iowa.
- A.6** In accordance with the provisions of 541 Iowa Administrative Code chapter 4:
- The Contractor or subcontractor is prohibited from engaging in discriminatory employment practices forbidden by federal and state law, executive orders and rules of the department of management, which pertain to equal employment opportunity and affirmative action.
  - The Contractor or subcontractor may be required to have on file a copy of the affirmative action program, containing goals and time specifications. These contractual provisions shall be fully enforced. Any breach of them shall be regarded as a material breach of the Contract.

- Compliance with the provisions of Iowa Code section 19B.7 and all applicable rules of the department of management prior to the execution of the Contract shall be a condition of the Contract binding upon the Contractor or service provider, its successors, and assignees.
- Failure to fulfill the nondiscrimination requirements of this Contract or any of the rules and orders may cause the Contract to be canceled, terminated, or suspended in whole or in part, and the Contractor or service provider may be declared ineligible for future state contracts in accordance with authorized procedure or the Contractor may be subject to other sanctions as provided by law or rule.
- The Contractor may be required to submit to the department of management or the DNR a copy of its affirmative action plan containing goals and time specifications.
- The Contractor shall be able to demonstrate to the satisfaction of the department of management or the DNR that its affirmative action program is productive.
- The Contractor may be required to submit reports as requested by the department of management. The department of management may request other relevant information from a contractor at any time.
- The department of management may undertake a compliance review of the Contractor, and the department of management may take action, as appropriate, to seek to terminate contracts or funding found to be in violation of the rules.

**Attachment B**  
**Additional Requirements for Federally-funded Agreements**

- B.1 B.1 Suspension and Debarment.** The Contractor certifies pursuant to 31 CFR Part 19 that neither it nor its principles are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this Contract by any federal department or agency.
- B.2 Lobbying Restrictions.** The Contractor shall comply with all certification and disclosure requirements prescribed by 31 U.S.C. Section 1352 and any implementing regulations and shall be responsible for ensuring that any subcontractor fully complies with all certification and disclosure requirements.
- B.3 Pro-Children Act of 1994.** Public Law 103-227, also known as the Pro-Children Act of 1994 (Act), requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted for by an entity and used routinely or regularly for the provision of health, day care, early childhood development services, education or library services to children under the age of 18, if the services are funded by federal programs either directly or through state or local governments, by federal grant, contract, loan or loan guarantee. Federal programs include grants, cooperative agreements, loans or loan guarantees and contracts. The law also applies to children's services that are provided in indoor facilities that are constructed, operated or maintained with such federal funds. The law does not apply to children's services provided in private residences; portions of facilities used for inpatient drug or alcohol treatment; service providers whose sole source of applicable federal funds is Medicare or Medicaid; or facilities (other than clinics) where WIC coupons are redeemed. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1,000 for each violation and/or the imposition of an administrative compliance order on the responsible party. The Contractor certifies that it will comply with the requirements of the Pro-Children Act of 1994 and will not allow smoking within any portion of any indoor facility used for the provision of services for children as defined by the Act.
- B.4 Certified Audits.** Local governments and non-profit subrecipient entities that expend \$500,000 or more in a year in federal awards (from all sources) shall have a single audit conducted for that year in accordance with the provisions of OMB Circular A-133 "Audit of States, Local Governments, and Non-Profit Organizations." A copy of the final audit report shall be submitted to DNR if either the schedule of findings and questioned costs or the summary schedule of prior audit findings includes any audit findings related to federal awards provided by DNR. If an audit report is not required to be submitted per the criteria above, the subrecipient must provide written notification to DNR that the audit was conducted in accordance with Government Auditing Standards and that neither the schedule of findings and questioned costs nor the summary schedule of prior audit findings includes any audit findings related to federal awards provided by the DNR. See A-133 Section 21 for a discussion of subrecipient versus vendor relationships.
- B.5 Drug Free Work Place.** The Contractor shall provide a drug free workplace in accordance with the Drug Free Workplace Act of 1988 and all applicable regulations.

**Exhibit A –**

**Memorandum of Understanding for Water Quality Management Plan Project,  
Lake Manawa, Pottawattamie County, Iowa  
Dated July 5, 2018**

**Exhibit B –**

**2019 LAKE MANAWA DREDGING - PHASE II, PLANSET, DNR Project No. 19-04-78-03**

**Exhibit C –**

**IOWA DEPARTMENT OF NATURAL RESOURCES, PROJECT MANUAL, DNR Project No. 19-04-78-03  
LAKE MANAWA STATE PARK 2019 LAKE MANAWA DREDGING, POTTAWATTAMIE COUNTY, IOWA**

**RESOLUTION**  
**NO 19-254**

**RESOLUTION AUTHORIZING THE MAYOR TO  
EXECUTE IOWA DEPARTMENT OF NATURAL RESOURCES  
CONTRACT NO. CRDLWBMBALM-0008  
IN CONNECTION WITH  
LAKE MANAWA DREDGING**

WHEREAS, the Iowa Department of Natural Resources and the City of Council Bluffs wish to remove material from Lake Manawa to improve water quality within the lake and produce borrow material for City use; and

WHEREAS, Iowa Department of Natural Resources has submitted a cooperative agreement for said improvements; and

WHEREAS, the city council deems approval of said agreement to be in the best interest of the City of Council Bluffs.

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 execute a cooperative agreement with Iowa Department of Natural Resources in connection with Lake Manawa Dredging.

ADOPTED  
AND  
APPROVED

November 4, 2019

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

ATTEST:

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

## Council Communication

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

Resolution 19-255  
ITEM 6.F.

Council Action: 11/4/2019

### Description

Resolution authorizing the Council to accept a bid from Brick Gentry P.C. and authorizing and directing staff to assist Brick Gentry P.C. and to take all steps necessary to complete the proposed activities

### Background/Discussion

The proposal is attached hereto in response to the council's request.

### Recommendation

Approval of this Resolution.

### ATTACHMENTS:

Description	Type	Upload Date
Brick Gentry PC Proposal	Other	10/25/2019
Resolution 19-255	Resolution	10/30/2019

October 23, 2019

City of Council Bluffs  
Attn: Richard Wade, City Attorney  
209 Pearl Street  
Council Bluffs, IA 51503

**RE: Proposal for Union Negotiation Services**

Dear Mr. Wade:

This letter of interest from Brick Gentry, P.C. is in response to the City of Council Bluffs' request for a proposal to provide union negotiation services to the City. Included in these materials are the qualifications of the firm's municipal attorneys and an overview of the legal services the firm provides to other Iowa municipalities.

### **I. Firm Background and Experience**

Brick Gentry P.C. is one of Iowa's premier municipal law firms, providing services to cities, counties, and municipal corporations for the past fifty (50) years. The firm appreciates the opportunity to submit this proposal to represent the City of Council Bluffs and would suggest that Matthew Brick serve as the primary contact with the City—while allowing the City to draw upon the expertise of the other attorneys within the firm located in West Des Moines, Iowa.

Brick Gentry P.C. provides full-service City Attorney services for a number of cities, including:

- Ankeny,
- Denison,
- Indianola,
- Muscatine,
- Newton,
- Nevada,
- Waukeech, and
- Windsor Heights.

In addition, Brick Gentry P.C. handles employment and labor issues for all of the above cities, as well as:

- Ames,
- Corning,
- Hartford, and
- Pleasant Hill.

Along with the firm's broad depth of service to cities, Brick Gentry P.C. handles matters for a number of counties and represents many municipal corporations, such as:

- Council Bluffs Water Works,
- Dallas County Assessor,
- Des Moines Area Regional Transit,
- Indianola Municipal Water and Electric Utilities, and
- Metropolitan Waste Authority.

Brick Gentry P.C. has a broad area of municipal experience: with regard to employment and labor law services, the firm: (a) attends and negotiates collective bargaining agreements; (b) provides grievance resolution services; (c) acts as defense counsel for the City before any court or administrative agency; (d); provides legal services with regard to the Iowa Public Employment Relations Board rules and proceedings and Iowa Civil Service statutes; and (e) counsels City personnel on employment matters.

The attorneys at Brick Gentry P.C. have years of experience providing employment and union advice to municipalities across Iowa. This past year alone, the attorneys have been involved in dozens of employment matters from negotiating collective bargaining agreements to defending clients in grievance, civil service and civil rights matters. Brick Gentry P.C. has defended current clients in employment matters before the Public Employment Relations Board, the Iowa Civil Rights Commission, the Equal Employment Opportunity Commission, as well as both state and federal courts.

Brick Gentry P.C.'s motto is "we put clients first," and that method of serving our clients has led us to over half a century of service in Iowa. Timeliness of response and accessibility to our clients are important aspects of how we operate. The firm's counsel can be promptly reached via telephone, cell phone or electronic mail and are available to attend meetings in person on short notice. The firm is able to work cooperatively with the City's legal department and to coordinate with other counsel, as needed, to assure proper management of legal issues and proper transmission of information among counsel.

## II. References

While the City of Council Bluffs is encouraged to contact any government entity we represent for references, the following three contacts are provided below in which we have provided recent labor negotiation and/or municipal employment law services:

### *City of Indianola*

Melissa McCoy – Human Resource Director – (515) 961-9410

The City had three unions: Indianola Municipal Utilities, Public Works and Police Department. In 2017, the firm negotiated multi-year collective bargaining agreements for the Utilities and Public Works unions. In addition, the firm assisted the City with the decertification of the Police Department union and the appeal of said decertification.



*City of Muscatine*

Stephanie Romagnoli – Human Resources Director – (563) 264-1550

The City has three unions: Fire Department, Police Department and Public Works. In 2014, the firm negotiated five (5) year contract for all the City's unions. Additionally, in the eight (8) years this firm has served as the City's attorney, the City has won every Civil Service case to date.

*City of Polk City*

Lindsey Huber – Assistant City Administrator/Finance Director – (515) 984-6233

Their police department unionized three (3) years ago and the firm guided the City through the process. The firm recently helped the City to negotiate a two (2) year collective bargaining agreement for less than what the City had budgeted.

### **III. Qualifications**

While the firm retains numerous municipal attorneys, the following specialize in labor and employment law municipal services:

Matthew S. Brick (Partner)

For almost two decades, Matt Brick has been providing legal guidance for a number of cities in many areas including but not limited to civil rights law, public collective bargaining contract matters, and general employment law.

Erin M. Clanton (Partner)

The majority of Erin's practice is focused on the representation of municipalities as well as a variety of employment matters during her over ten years of legal experience.

Michael W. Heilman (Partner)

Michael counsels public sector employers in employment- and labor-related issues, including anti-discrimination practices, contractual and workplace policy matters, worker's compensation and personnel management.

Katherine Hanson (Paralegal)

Katherine has almost ten years of paralegal experience and specializes in employment and labor law. She performs legal research, offers legal opinions and drafts complex responses to administrative agencies and courts.

### **IV. Proposed Costs**

The standard rate charged to clients is three hundred dollars (\$300) per hour for partners, two hundred dollars (\$200) per hour for associates, and one hundred (\$100) dollars per hour for law clerks and paralegals. *While this is the Firm's standard rate, we offer a reduced rate to our municipal clients—such as the City of Council Bluffs—which would be one hundred fifty dollars (\$150) per hour for all attorney services, including civil litigation, and seventy-five dollars (\$75) per hour for all services performed by paralegals and law clerks.*

Fees for services rendered will be based on the reasonable value of those services as determined in accordance with the American Bar Association and Iowa Rules of Professional Conduct. Time is billed in tenths of an hour with a minimum charge of three tenths for telephone calls. In an effort to reduce legal fees, we use paralegal personnel and student law clerks when appropriate. Time devoted by paralegals and law clerks to client matters is charged at hourly billing rates and are specifically listed above.

As for the City of Council Bluffs specific labor needs—since the Iowa labor laws changed in 2017, it has typically taken no more than two or three sessions to negotiate a non-public-safety contract. We understand that the City would like to add back into the non-public-safety agreements a number of permissible provisions. This may require an extra one or two sessions to accomplish. As for public safety, it has generally taken between four and six sessions per contract. If the City would like to make significant changes to those agreements, it would likely require an additional one or two sessions per contract. Planning to do multiple sessions per day to minimize travel, it would be anticipated that we would need to spend six (6) days total at a cost of approximately nine to ten thousand dollars (\$9,000 to \$10,000) for negotiations. We have not had to go through impasse procedures since the changes to the law, so this proposal does not include the cost of mediation or arbitration if those are necessary.

Brick Gentry P.C. understands that the City has issues and concerns unique to it and we will provide only those services actually requested. Given the distance between the City and the firm, it is expected that—similar to our practice with other municipalities located throughout Iowa — we will utilize teleconferences and electronic communication as much as possible to reduce travel costs. Ultimately, if the firm is chosen for this proposal, it is expected the scope of services and proposed costs will be further defined by the City Council prior to entering into a contract with the firm.

Should the City have any questions or need any additional information concerning this proposal, please do not hesitate to contact us. Again, thank you for considering Brick Gentry P.C. to provide labor legal services.

Sincerely,



MATTHEW BRICK  
[matt.brick@brickgentrylaw.com](mailto:matt.brick@brickgentrylaw.com)

**RESOLUTION NO. 19-255**

**A RESOLUTION AUTHORIZING THE COUNCIL TO ACCEPT A BID FROM BRICK GENTRY P.C. AND AUTHORIZING AND DIRECTING STAFF TO ASSIST BRICK GENTRY P.C. AND TO TAKE ALL STEPS NECESSARY TO COMPLETE THE PROPOSED ACTIVITIES.**

**WHEREAS,** the council requested a proposal to provide union negotiation services to the City;  
and

**WHEREAS,** Brick Gentry P.C. provided a proposal to provide union negotiation services to the City; and

**WHEREAS,** this City Council deems acceptance of Brick Gentry P.C.'s proposal 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 Council accepts the proposal from Brick Gentry P.C., and authorizes and directs staff to assist Brick Gentry P.C. and to take all steps necessary to complete the proposed activities.

ADOPTED  
AND  
APPROVED

November 4, 2019.

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

\_\_\_\_\_  
Mayor

Attest:

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

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

## Council Communication

Department: City Clerk  
Case/Project No.:  
Submitted by:

Liquor Licenses  
ITEM 7.A.

Council Action: 11/4/2019

### Description

1. Goldmine Bar & Grill, 1601 Harry Langdon Blvd
2. Great Wall, 900 Woodbury Ave
3. Oskies For Sports, 1851 Madison Ave, Ste 724
4. Pizza King, 1101 N Broadway

### Background/Discussion

There were no alcohol related incidents or arrests at any of the listed businesses this licensing period.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Liquor Licenses 11.04.19	Other	10/30/2019



State of Iowa  
ALCOHOLIC  
BEVERAGES DIVISION

Home  
About  
Alcohol  
Tobacco  
Links  
Contact

<input checked="" type="checkbox"/> RENEWAL <input type="checkbox"/> NEW <input type="checkbox"/> SPECIAL EVENT	
POLICE <u>CLM</u>	Local Amt _____
FIRE <u>AF</u>	Endorsed _____
BUILDING <u>SC</u>	Issued _____
ZONING <u>OS</u>	Expires _____
Council <u>11.4.19</u>	

[Help](#)
[License Search](#)
[License List](#)
[On-Demand Reporting](#)
[Keg Registration Search](#)
[User Profile](#)
[Logoff](#)

- ▶ License
- ▶ Privileges
- ▶ **Applicant**
- ▶ Status Of Business
- ▶ Ownership
- ▶ Criminal History
- ▶ Premises
- ▶ General Premises
- ▶ Applicant Signature
- ▶ Dram Cert
- ▶ Local Endorse
- ▶ History

## Applicant LC0034932, Goldmine Bar & Grill, 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): Goldmine Grill, LLC (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Goldmine Bar & Grill

Address of Premise: 1601 Harry Langdon Blvd.

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (712) 325-9915

Cell / Home Phone: (712) 328-1148

Same Address

Mailing Address: 1703 28th Ave

Mailing Address Line 2:

City: Council Bluffs

State: Iowa

Zip: 51501

Contact Name: Donetta Merksick

Phone: (712) 328-1148

Email Address: goldminebarandgrill1601@gmail.com

[Prev](#)

[Next](#)

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



### Contact Us

Iowa Alcoholic Beverages Division  
1918 SE Hulsizer Road, Ankeny, IA 50021  
Toll Free 866.IowaABD (866.469.2223)  
Local 515.281.7400

[Terms and Conditions](#)  
[Privacy Policy](#)

Copyright ©2009 State of Iowa  
Alcoholic Beverages Division. All Rights Reserved.



State of Iowa  
ALCOHOLIC  
BEVERAGES DIVISION

Home  
About  
Alcohol  
Tobacco  
Links  
Contact

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>CLM</u>	Local Amt _____	
FIRE <u>AF</u>	Endorsed _____	
BUILDING <u>SC</u>	Issued _____	
ZONING <u>19</u>	Expires _____	
		Council <u>11.4.19</u>

Help License Search **License List** On-Demand Reporting Keg Registration Search User Profile Logoff

- Applicant
- Ownership
- Criminal History
- Applicant Signature
- Local Endorse

## Applicant BW0091522, Great Wall, 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): Great Wall Of Iowa Inc (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Great Wall

Address of Premise: 900 Woodbury Ave

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51503-0000

Business Phone: (712) 323-9622

Cell / Home Phone: (712) 330-0908

Same Address

Mailing Address: 900 Woodbury Ave

Mailing Address Line 2:

City: Council Bluffs

State: Iowa

Zip: 51503-0000

Contact Name: Hung J Chen

Phone: (402) 598-8772

Email Address: hungchen777@gmail.com

Prev

Next

Follow us with RSS, Facebook or Twitter



### Contact Us

Iowa Alcoholic Beverages Division  
1918 SE Hulsizer Road, Ankeny, IA 50021  
Toll Free 866.IowaABD (866.469.2223)  
Local 515.281.7400

[Terms and Conditions](#)  
[Privacy Policy](#)

Copyright ©2009 State of Iowa  
Alcoholic Beverages Division. All Rights Reserved.



State of Iowa  
ALCOHOLIC  
BEVERAGES DIVISION

[Home](#)  
[About](#)  
[Alcohol](#)  
[Tobacco](#)  
[Links](#)  
[Contact](#)

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>CLM</u>	Local Amt _____	
FIRE <u>AF</u>	Endorsed _____	
BUILDING <u>SC</u>	Issued _____	
ZONING <u>B</u>	Expires _____	
		Council <u>11-4-19</u>

Help	License Search	<b>License List</b>	On-Demand Reporting	Keg Registration Search	User Profile	Logoff
------	----------------	---------------------	---------------------	-------------------------	--------------	--------

## Applicant LC0037259, Oskies For Sports, 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.

- License
- Privileges
- **Applicant**
- Status Of Business
- Ownership
- Criminal History
- Premises
- General Premises
- Applicant Signature
- Dram Cert
- Local Endorse
- History

**Corporation Name/Sole Proprietor**  
**Name/Partnership Name(s):** 4 Amigos Inc (Sole Proprietorship, Partnership, Corporation, etc.)

**Name of Business (D/B/A):** Oskies For Sports

**Address of Premise:** 1851 Madison Ave

**Address Line 2:** Ste 724

**City:** Council Bluffs

**County:** Pottawattamie

**Zip:** 51503

**Business Phone:** (402) 681-7068

**Cell / Home Phone:** (402) 681-7068

**Same Address**

**Mailing Address:** 18465 Jaylen Dr

**Mailing Address Line 2:**

**City:** Council Bluffs

**State:** Iowa

**Zip:** 51503

**Contact Name:** Bonnie Culjat

**Phone:** (402) 681-7068

**Email Address:** culjat5@cox.net

[Prev](#)

[Next](#)

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



### Contact Us

Iowa Alcoholic Beverages Division  
1918 SE Hulsizer Road, Ankeny, IA 50021  
Toll Free 866.IowaABD (866.469.2223)  
Local 515.281.7400

[Terms and Conditions](#)  
[Privacy Policy](#)

Copyright ©2009 State of Iowa  
Alcoholic Beverages Division. All Rights Reserved.



State of Iowa  
ALCOHOLIC  
BEVERAGES DIVISION

[Home](#)  
[About](#)  
[Alcohol](#)  
[Tobacco](#)  
[Links](#)  
[Contact](#)

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>an</u>	Local Amt _____	
FIRE <u>AE</u>	Endorsed _____	
BUILDING <u>SC</u>	Issued _____	
ZONING <u>OS</u>	Expires _____	
		Council <u>11.4.19</u>

[Help](#)
[License Search](#)
[License List](#)
[On-Demand Reporting](#)
[Keg Registration Search](#)
[User Profile](#)
[Logoff](#)

## Applicant LC0007825, Pizza King, 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.

- License
- Privileges
- Applicant
- Status Of Business
- Ownership
- Criminal History
- Premises
- General Premises
- Applicant Signature
- Dram Cert
- Local Endorse
- History

Corporation Name/Sole Proprietor Name/Partnership Name(s): Pizza King, Inc. (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Pizza King

Address of Premise: 1101 N Broadway

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (712) 323-4911

Cell / Home Phone: (712) 323-9228

Same Address

Mailing Address: 1101 North Broadway

Mailing Address Line 2:

City: Council Bluffs

State: Iowa

Zip: 51503

Contact Name: Pete Poulos

Phone: (952) 653-1033

Email Address: tbeck@hamiltonassociatescpa.co

[Prev](#)

[Next](#)

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



### Contact Us

Iowa Alcoholic Beverages Division  
1918 SE Hulsizer Road, Ankeny, IA 50021  
Toll Free 866.IowaABD (866.469.2223)  
Local 515.281.7400

[Terms and Conditions](#)  
[Privacy Policy](#)

Copyright ©2009 State of Iowa  
Alcoholic Beverages Division. All Rights Reserved.



## Allison Head

---

**From:** noreply@civicplus.com  
**Sent:** Thursday, October 3, 2019 9:53 AM  
**To:** Jodi Quakenbush; Allison Head  
**Subject:** Online Form Submittal: Special Event Application

### Special Event Application

#### Step 1

City Clerk's Office  
(712) 328-4616

First Name	Tangier
Last Name	Shrine
Email Address	<a href="mailto:tammy@tangiershrine.com">tammy@tangiershrine.com</a>
Address1	2823 S 84 St
Address2	<i>Field not completed.</i>
City	Omaha
State	NE
Zip	68124
Phone Number	402-392-0406
Event Name	91st Annual Tangier Shrine Circus
Event Location	Mid America Center, Council Bluffs IA
Estimate of Number of Participants	1,000+
Type of Event	Circus*
*Acknowledgement to Proceed	I Agree
Date of Event	February 21-23, 2020
Time of Event	7 shows during afternoon and evening
Set Up Date	February 20, 2020

Date Taken Down	February 23, 2020
Brief Description of the Event	The Tangier Shrine Circus is an annual event focusing on family entertainment. Traditional circus acts including trapeze artists, jugglers, dog and horse acts, Clowns, Quick Change artists, Keystone Kops, an Elephant act and the Chicago Boys tumbling act are included in the 2020 Circus. In addition to the Circus, we have a Circus Fair in the exhibition Hall. The Fair included inflatable rides, face painting, a petting zoo and animal rides with ponies, camels and elephants. 2020 will be the fifth year the Circus has been held at the MAC.
Additional permits required with event includes:	<i>Field not completed.</i>
Traffic Control	<i>Field not completed.</i>
Explain Police Assistance Needs	<i>Field not completed.</i>
Street Closures	<i>Field not completed.</i>
Upload File (Map, Street Closure Permission, etc.)	<i>Field not completed.</i>
Upload File (Map, Street Closure Permission, etc.)	<i>Field not completed.</i>
Please check any of the following boxes that apply to this event.	animals
If you checked any of the boxes above, please give a brief description below:	Our annual surveys of circus attendees have consistently shown that the elephant act and the elephant rides are the most popular features of the circus. All animals associated with our circus have the appropriate Licenses from the USDA and are in compliance with all Federal Regulations. We are requesting this permit to allow us to continue providing supervised elephant rides in the Exhibition Hall
<p>Street Closure while utilizing the 712 Initiative Block Party Trailer</p> <p><i>The following items must be completed and submitted with this application to the City Clerk's Office, 209 Pearl Street, Suite 102. The 712 Initiative will provide the City Clerk's Office with your reservation information once they have approved the use of the trailer. If not using the 712 Initiative Block Party Trailer, you must obtain insurance, as outlined below.</i></p>	
<i>Field not completed.</i>	