



**Study Session Agenda
City of Council Bluffs, Iowa
November 18, 2019, 3:45 PM
Council Chambers, 2nd Floor, City Hall
209 Pearl Street**

STUDY SESSION AGENDA

- A. GO Bond Award Information - Jon Burmeister, Managing Director of PFM
- B. Sheryl Garst - 712 Initiative
- C. Review Agenda



**Council Agenda, City of Council Bluffs, Iowa
Regular Meeting November 18, 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 November 4, 2019 City Council Meeting Minutes.
- C. Resolution 19-256
Resolution setting a public hearing for December 16, 2019 at 7:00 p.m. for the West Broadway Reconstruction, Segment 4. # PW20-20
- D. Resolution 19-257
Resolution accepting the work of Omaha Neon Sign Co, Inc. as complete and authorizing release of the retainage after 30 days if no claims are filed in connection with the Mid-America Center Signage Project. Project No. BM19-04
- E. Resolution 19-258
Resolution setting a public hearing for December 16, 2019 at 7:00 p.m. for the matter of an underground and overhead electrical easement requested by Mid American Energy Corporation.
- F. Resolution 19-259
Resolution setting dates of a consultation and setting a public hearing for December 16, 2019 at 7:00 p.m. on a proposed Amendment No. 5 to the Playland Park Urban Renewal Plan.
- G. September FY20 Financial Reports
- H. Right of Redemption
- I. Claims
- J. Resolution 19-270
Resolution setting a Public Hearing for December 16, 2019 at 7:00 p.m. on the proposal to enter into an Amended and Restated Agreement for Private Development with Argent Baxter JV - Council Bluffs, LLC.

4. MAYORS PROCLAMATIONS

- A. Small Business Saturday

5. PUBLIC HEARINGS

- A. Resolution 19-260 A & B

19-260A - Resolution ratifying, confirming and approving publication of Notice of Public Hearing on the proposition of the application of excess bond proceeds.

19-260B - Resolution instituting proceedings to take additional action for the application of excess bond proceeds of the General Obligation Bond, Series 2016A.

- B. Resolution 19-261

Resolution directing the sale of \$7,630,000 (Subject to Adjustment per Terms of Offering) General Obligation Bonds, Series 2019

6. ORDINANCES ON 2ND 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"

7. RESOLUTIONS

- A. Resolution 19-262

Resolution accepting a land donation from Iowa Natural Heritage Foundation

- B. Resolution 19-263

Resolution authorizing the Mayor to submit an application to the US Environmental Protection Agency (EPA) Brownfields Assessment Grant program

- C. Resolution 19-264

Resolution approving a temporary use permit to allow a light manufacturing (fifty thousand (50,000) square feet or less) use on property located at 2703 East Kanesville Boulevard, legally described as being part of Parcel "B" Auditor's Subdivision of Tract No. 2 in "Sherwood,"

- D. Resolution 19-265

Resolution authorizing the mayor to execute an agreement with Snyder & Associates, Inc. for engineering services in connection with the Oakland Drive Rehabilitation. Project # PW20-15

- E. Resolution 19-266

Resolution granting a nonexclusive license to Uniti Fiber, LLC to operate and maintain its fiber optic cable system in City right-of-way and authorizing the Mayor to execute an agreement.

F. Resolution 19-267

Resolution authorizing the Mayor to execute an engagement agreement with Ahlers & Cooney, P.C. relating to the General Obligation Bonds, Series 2019.

G. Resolution 19-268

Resolution temporarily vacating a portion of Pearl Street in connection the Winterfest 2019 special event application.

H. Resolution 19-269

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.

8. APPLICATIONS FOR PERMITS AND CANCELLATIONS

A. Liquor Licenses

1. Applebee's Neighborhood Grill & Bar, 3000 Dial Dr
2. Hy-Vee #2, 1745 Madison Ave
3. 712, 1851 Madison Ave, Ste 700

9. OTHER BUSINESS

10. CITIZENS REQUEST TO BE HEARD

11. ADJOURNMENT

DISCLAIMER:

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



City Council Meeting Minutes November 4, 2019

CALL TO ORDER

Mayor Matthew Walsh called the meeting to order on Monday November 4, 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 Jodi Quakenbush.

CONSENT AGENDA

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

Reading, correction and approval of the October 21, 2019 City Council Meeting Minutes.

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.

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

Claims

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

PUBLIC HEARINGS

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

Melissa Head and Roger Sandau moved and seconded approval of Resolution 19-249. Unanimous, 5-0 vote.

ORDINANCES ON 1ST READING

Ordinance 6403

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

Melissa Head and Mike Wolf moved and seconded approval of First
Consideration of Ordinance 6403, Second Consideration will be held
November 18, 2019 at 7:00 p.m.. Unanimous, 5-0 vote.

RESOLUTIONS

Resolution 19-250

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

Nate Watson and Mike Wolf moved and seconded approval of Resolution
19-250. Unanimous, 5-0 vote.

Resolution 19-251

Resolution authorizing for annual certification for Tax Increment
Financing Indebtedness.

Roger Sandau and Melissa Head moved and seconded approval of
Resolution 19-251. Unanimous, 5-0 vote.

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.

Sharon White and Mike Wolf moved and seconded approval of Resolution
19-252. Unanimous, 5-0 vote.

Resolution 19-253

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

Roger Sandau and Melissa Head moved and seconded approval of
Resolution 19-253. Unanimous, 5-0 vote.

Resolution 19-254

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

Sharon White and Mike Wolf moved and seconded approval of Resolution 19-254. Unanimous, 5-0 vote.

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

Nate Watson and Sharon White moved and seconded approval of Resolution 19-255. Unanimous, 5-0 vote.

APPLICATIONS FOR PERMITS AND CANCELLATIONS

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
Tangier Shrine Circus

Melissa Head and Mike Wolf moved and seconded approval of Applications for Permits and Cancellations, Items 7A 1-4 & 7B. Unanimous, 5-0 vote.

OTHER BUSINESS

Head reminded everyone to vote in the election on Tuesday November 5, 2019.

ADJOURNMENT

Walsh adjourned the meeting at 7:05 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.: PW 20-20
Submitted by: Matthew Cox, Public
Works Director

Resolution 19-256
ITEM 3.C.

Council Action: 11/18/2019

Description

Resolution setting a public hearing for December 16, 2019 at 7:00 p.m. for the West Broadway Reconstruction, Segment 4. # PW20-20

Background/Discussion

West Broadway is major arterial street and critical to the City's roadway network. It serves as a significant commercial corridor and commuter route and its reconstruction is an essential part of the economic redevelopment plan for the west end of Council Bluffs. There is also a strong community desire to enhance the aesthetics of the corridor and to create a connection between the River's Edge development and downtown Council Bluffs.

Segment 1 from 36th Street to 33rd Street and Segment 2 from 33rd Street to 28th Street are complete. Segment 3 from 28th Street to just west of 24th Street will be substantially complete before the end of the year. Each of these previous phases included the replacement of pavement, traffic signals, street lights, sidewalks, storm sewers and streetscape amenities.

The Segment 4 project will completely rebuild West Broadway from just west of 24th Street to just west of 19th Street. Reconstruction will include the replacement of pavement, traffic signals, street lights, sidewalks, and storm sewers with drainage improvements as a major objective. The project also includes streetscape amenities such as decorative pedestrian lights, brick paver bands behind the curbs and at intersections, ornamental fencing, ornamental arms for street lights, concrete pavers in crosswalks, decorative paving in the center turn lane and at key intersections, raised planted medians, neighborhood masonry columns, and trees.

As a condition of the Transfer of Jurisdiction, Iowa DOT has provided \$20 million in funding for assuming ownership of the roadway previously identified as US-6. This project is included in the FY20 CIP with a budget of \$4,000,000 in IDOT funding, \$1,000,000 from GO Bonds, and the balance in Sales Tax Funds. The Iowa West Foundation has agreed to provide funding for the streetscape amenities which are estimated to be approximately \$1,338,000. The estimated construction cost for all project improvements is \$8,663,700.

The project schedule is as follows:	Set Public Hearing	November 18, 2019
	Hold Public Hearing	December 16, 2019
	Letting	January 16, 2020
	Award	January 27, 2020
	Construction Start	April 2020 (weather dependent)

Recommendation

Approval of this resolution.

ATTACHMENTS:

Description	Type	Upload Date
Notice of Public Hearing	Other	11/7/2019
Resolution 19-256	Resolution	11/13/2019

Notice of Public Hearing
on the
Plans, Specifications, Form of Contract and Cost Estimate
for the
West Broadway Reconstruction, Segment 4
Project # PW20-20

A public hearing will be held on December 16, 2019, at 7:00 p.m. in the council chambers of City Hall, 209 Pearl Street, Council Bluffs, Iowa, on the proposed plans, specifications, form of contract and cost estimate for the West Broadway Reconstruction, Segment 4 project. Segment 4 of the reconstruction project will completely rebuild West Broadway from just west of 24th Street to just west of 19th Street including the replacement of pavement, traffic signals, street lights, sidewalks, and storm sewers with drainage improvements as a major objective. The project also includes streetscape amenities such as decorative pedestrian lights, brick paver bands behind the curbs and at intersections, ornamental fencing, ornamental arms for street lights, concrete pavers in crosswalks, decorative paving in the center turn lane and at key intersections, neighborhood masonry columns, and trees. At said hearing, any interested person may appear and file objections to such plans and specifications.

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

RESOLUTION
NO 19-256

**RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE
AND SETTING A PUBLIC HEARING ON THE
PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND COST ESTIMATE FOR THE
WEST BROADWAY RECONSTRUCTION, SEGMENT 4
PROJECT #PW20-20**

WHEREAS, the City wishes to make improvements known as
 the West Broadway Reconstruction, Segment 4
 project within the City, as therein described; and

WHEREAS, the plans, specifications, form of contract and cost
 estimate are on file in the office of the city clerk.

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

That the City Clerk is hereby ordered to set a public hearing on the plans, specifications, form of contract and cost estimate for the West Broadway Reconstruction, Segment 4 setting December 16, 2019, at 7:00 p.m. as the date and time of said hearing.

AND BE IT FURTHER RESOLVED

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

ADOPTED
AND
APPROVED

November 18, 2019

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Public Works Admin
Case/Project No.: BM19-04
Submitted by: Pat Miller, Public
Works Operations Director

Resolution 19-257
ITEM 3.D.

Council Action: 11/18/2019

Description

Resolution accepting the work of Omaha Neon Sign Co, Inc. as complete and authorizing release of the retainage after 30 days if no claims are filed in connection with the Mid-America Center Signage Project. Project No. BM19-04

Background/Discussion

The scope of the project was to provide the Mid-America Center with the latest, most reliable video board and signage technology available today. An existing pylon sign located on the corner of Mid-America Drive and Marc Boulevard was no longer operational and was reconstructed. A new pylon sign is located at the corner of 23rd Avenue and Bass Pro Drive. Additionally, two monument signs equipped with the same video board technology - along with wayfinding information - were constructed on existing footings at the 24th Avenue/South 32nd Street entrance and west along the boulevard at the south entrance to the convention center. Also, twenty-four existing wayfinding and pole signs were replaced with new signs that are more clearly visible and modern in design and technology. These signs will promote activities at the MAC and will lend the opportunity to lease space to promote other businesses within the MAC Entertainment District.

This project was included in the FY19 CIP with a budget of \$500,000 in General Funds and \$500,000 in Iowa West Foundation grant funding.

	<u>Total</u>
Original Contract Amount	\$750,000.00
Change Orders (0%)	\$ 0.00
Final Contract Amount	\$750,000.00
Less Previous Payments	\$712,500.00
Retainage Due Contractor	\$ 37,500.00

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 19-257	Resolution	11/13/2019

RESOLUTION NO. 19-257

**RESOLUTION ACCEPTING THE WORK OF
OMAHA NEON SIGN CO, INC. IN CONNECTION WITH THE
MID-AMERICA CENTER SIGNAGE PROJECT
AND AUTHORIZING THE FINANCE DIRECTOR TO ISSUE
A CITY CHECK IN THE AMOUNT OF \$37,500.00
PROJECT #BM19-04**

- WHEREAS, the City of Council Bluffs, Iowa, entered into an agreement with Omaha Neon Sign Co, Inc. of Omaha, NE, for the Mid-America Center Signage Project; and
- WHEREAS, said contractor has fully completed the installation of said improvements in accordance with the terms and conditions of said contract and plans and specifications filed with the city clerk; and
- WHEREAS, a request for final payment in the amount of \$37,500.00 to Omaha Neon Sign 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 \$37,500.00 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 \$37,500.00 payable to Omaha Neon Sign Co, Inc. from budget code S36100-676000-B1904, Project #BM19-04.

ADOPTED
AND
APPROVED

November 18, 2019

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Parks and Recreation
Case/Project No.: Setting Public
Hearing - Mid American Energy
Corporation Easement Request
Submitted by: Vincent M
Martorello

Resolution 19-258
ITEM 3.E.

Council Action: 11/18/2019

Description

Resolution setting a public hearing for December 16, 2019 at 7:00 p.m. for the matter of an underground and overhead electrical easement requested by Mid American Energy Corporation.

Background/Discussion

Mid America Energy wishes to acquire an overhead and underground electrical easement along the East and Southeast boundary of Dodge Riverside Golf Course, and along the north property line of Dodge Riverside Golf Course. The easement will allow Mid American Energy Corporation the ability to install new distribution and facilities to provide redundant service to customers on the west side of I-29, thereby increasing electric reliability in the area.

Recommendation

Approve resolution

ATTACHMENTS:

Description	Type	Upload Date
Easement	Other	11/8/2019
Resolution 19-258	Resolution	11/13/2019

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

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

Folder No.	<u>2019-5684</u>	State of	<u>Iowa</u>
Work Req. No.	<u>2019-2691624</u>	County of	<u>Pottawattamie</u>
Project No.	<u>A1175</u>	Section	<u>33</u> NW 1/4
		Township	<u>75</u> North
		Range	<u>44</u> West of the 5 th P.M.

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

DESCRIPTION OF PROPERTY CONTAINING EASEMENT AREA:

PART OF SECTION 32, AND SECTION 33, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH P.M., CITY OF COUNCIL BLUFFS, POTTWAWATTAMIE COUNTY, IOWA.

EASEMENT AREA:

An overhead and underground electric easement described as follows:

AREA 1:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 45, FERRY ADDITION TO COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA; THENCE SOUTH 88° 13' 04" EAST, ON THE SOUTH LINE OF SAID BLOCK 45, 569.31 FEET; THENCE SOUTH 6° 43' 20" EAST, 15.17 FEET; THENCE NORTH 88° 13' 04" WEST, 571.54 FEET; THENCE NORTH 1° 44' 01" EAST, 15.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 8,556 SQUARE FEET, MORE OR LESS.

AREA 2:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 45, FERRY ADDITION TO COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA; THENCE SOUTH 88° 13' 04" EAST, ON THE SOUTH LINE OF SAID BLOCK 45, 569.31 FEET; THENCE SOUTH 6° 43' 20" EAST, 15.17 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 6° 43' 20" EAST, 259.48 FEET; THENCE SOUTHERLY ON A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 2,965.00 FEET, WHOSE ARC LENGTH IS 414.88 FEET, AND WHOSE CHORD BEARS SOUTH 2° 42' 49" EAST, 414.54 FEET; THENCE SOUTH 1° 17' 42" WEST, 175.08 FEET; THENCE SOUTH 0° 13' 15" WEST, 160.03 FEET; THENCE SOUTH 5° 35' 02" WEST, 40.11 FEET; THENCE SOUTH 1° 17' 42" WEST, 315.00 FEET; THENCE SOUTH 56° 01' 47" WEST, 134.59 FEET; THENCE SOUTH 42° 22' 50" WEST, 215.48 FEET; THENCE SOUTH 10° 04' 48" WEST, 30.81 FEET; THENCE SOUTH 43° 55' 29" WEST, 60.03 FEET; THENCE SOUTH 32° 49' 16" WEST, 71.84 FEET; THENCE SOUTH 45° 49' 55" WEST, 351.11 FEET; THENCE NORTH 89° 14' 45" WEST, 275.98 FEET; THENCE NORTH 0° 42' 31" EAST, 10.00 FEET; THENCE SOUTH 89° 14' 45" EAST, 271.91 FEET; THENCE NORTH 45° 49' 55" EAST, 345.79 FEET; THENCE NORTH 32° 49' 16" EAST, 71.68 FEET; THENCE NORTH 43° 55' 29" EAST, 57.96 FEET; THENCE NORTH 10° 04' 48" EAST, 30.66 FEET; THENCE NORTH 42° 22' 50" EAST, 219.57 FEET; THENCE NORTH 56° 01' 47" EAST, 130.61 FEET; THENCE NORTH 1° 17' 42" EAST, 310.20 FEET; THENCE NORTH 5° 35' 02" EAST, 40.02 FEET; THENCE NORTH 0° 13' 15" EAST, 159.65 FEET; THENCE NORTH 1° 17' 42" EAST, 175.18 FEET; THENCE NORTHERLY ON A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 2,955.00 FEET, WHOSE ARC LENGTH IS 413.47 FEET, AND WHOSE CHORD BEARS NORTH 2° 42' 49" WEST, 413.14 FEET; THENCE NORTH 6° 43' 20" WEST, 260.98 FEET; THENCE SOUTH 88° 13' 04" EAST, 10.11 FEET TO THE POINT OF BEGINNING AND CONTAINING 24,953 SQUARE FEET, MORE OR LESS.

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HERE OF BY REFERENCE.

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

3. Grantor agrees that it will not construct or place any permanent or temporary buildings, structures, fences, trees, plants or other objects on the Easement Area described above or make any changes in ground elevation without written permission from Grantee indicating that said construction or ground elevation changes will not result in inadequate or excessive ground cover, or otherwise interfere with the Grantee's rights to operate and maintain its Facilities.

4. In consideration of such grant, Grantee agrees that it will repair or pay for any damage which may be caused to crops, fences, or other property, real or personal of the Grantor by the construction, reconstruction, maintenance, operation, replacement or removal of the Facilities (except for damage to property placed subsequent to the granting of this easement) that Grantee determines interferes with the operation and maintenance of the Facilities and associated equipment. The cutting, recutting, trimming and removal of trees, branches, saplings, brush or other vegetation on or adjacent to the Easement Area is expected and not considered damage to the Grantor.

5. If Grantee's Facilities have to be permanently relocated due to said use of Easement Area by the Grantor, then Grantee will relocate said Facilities at Grantee's expense to an agreed upon location in a reasonable period of time (provided that an acceptable alternative location for Grantee's Facilities is reasonably available as such Facilities serve Grantee's customers). Grantor shall provide an acceptable alternate location for Grantee's Facilities and execute an easement at no cost to Grantee. The foregoing relocation provision shall not apply to relocation of Facilities that have been relocated at direction of Grantor within the previous five (5) years. Payment to Grantee for the cost of the relocation specified above and providing an acceptable alternative location for Grantee's Facilities, is a precondition to relocation of existing Facilities under said situation as specified above.

6. Additionally, when Grantor provides or installs duct/conduit for said Facilities, this grant shall cover and include all Facilities installed as a part of the Easement Area.

7. Grantor certifies that it is not acting, directly or indirectly, for or on behalf of any person, group, entity or nation named by any Executive Order or the United States Treasury Department as a terrorist, "Specially Designated National and Blocked Person" or any other banned or blocked person, entity, nation or transaction pursuant to any law, order, rule or regulation that is enforced or administered by the Office of Foreign Assets Control; and are not engaged in this transaction, directly or indirectly, on behalf of, any such person, group, entity or nation. Grantor hereby agrees to defend, indemnify and hold harmless the Grantee from and against any and all claims, damages, losses, risks, liabilities and expenses (including attorney's fees and costs) arising from or related to any breach of the foregoing certification.

8. Each of the provisions of this easement shall be enforceable independently of any other provision of this easement and independent of any other claim or cause of action. In the event of any matter of dispute arising out of or related to this easement, it is agreed between the parties that the law of the jurisdiction and location where this easement is recorded (including statute of limitation provisions) will govern the interpretation, validity and effect of this easement without regard to the place of execution or place of performance thereof, or any conflicts or law provisions. TO THE FULLEST EXTENT PERMITTED BY LAW, EACH OF THE PARTIES HERETO WAIVES ANY RIGHT IT MAY HAVE TO A TRIAL BY JURY IN RESPECT OF LITIGATION DIRECTLY OR INDIRECTLY ARISING OUT OF, UNDER OR IN CONNECTION WITH THIS EASEMENT. EACH PARTY FURTHER WAIVES ANY RIGHT TO CONSOLIDATE ANY ACTION IN WHICH A JURY TRIAL HAS BEEN WAIVED WITH ANY OTHER ACTION IN WHICH A JURY TRIAL CANNOT BE OR HAS NOT BEEN WAIVED.

9. Grantor hereby relinquishes all rights of dower, homestead and distributive share in and to the property and waives all rights of exemption as to any of the property. Grantor understands that homestead property is in many cases protected from the claims of creditors and exempt from judicial sale; and that by signing this easement, voluntarily gives up any right to this protection for this property with respect to claims based upon this easement.

10. Grantor warrants to Grantee that Grantor holds title to the Easement Area in fee simple and Grantor has good and lawful authority to grant the rights provided in this easement.

Dated this ____ day of _____, 2019

City of Council Bluffs, Pottawattamie County, Iowa, an Iowa municipal corporation,

By: _____

Printed: _____

Title: Mayor

By: _____

Printed: _____

Title: City Clerk

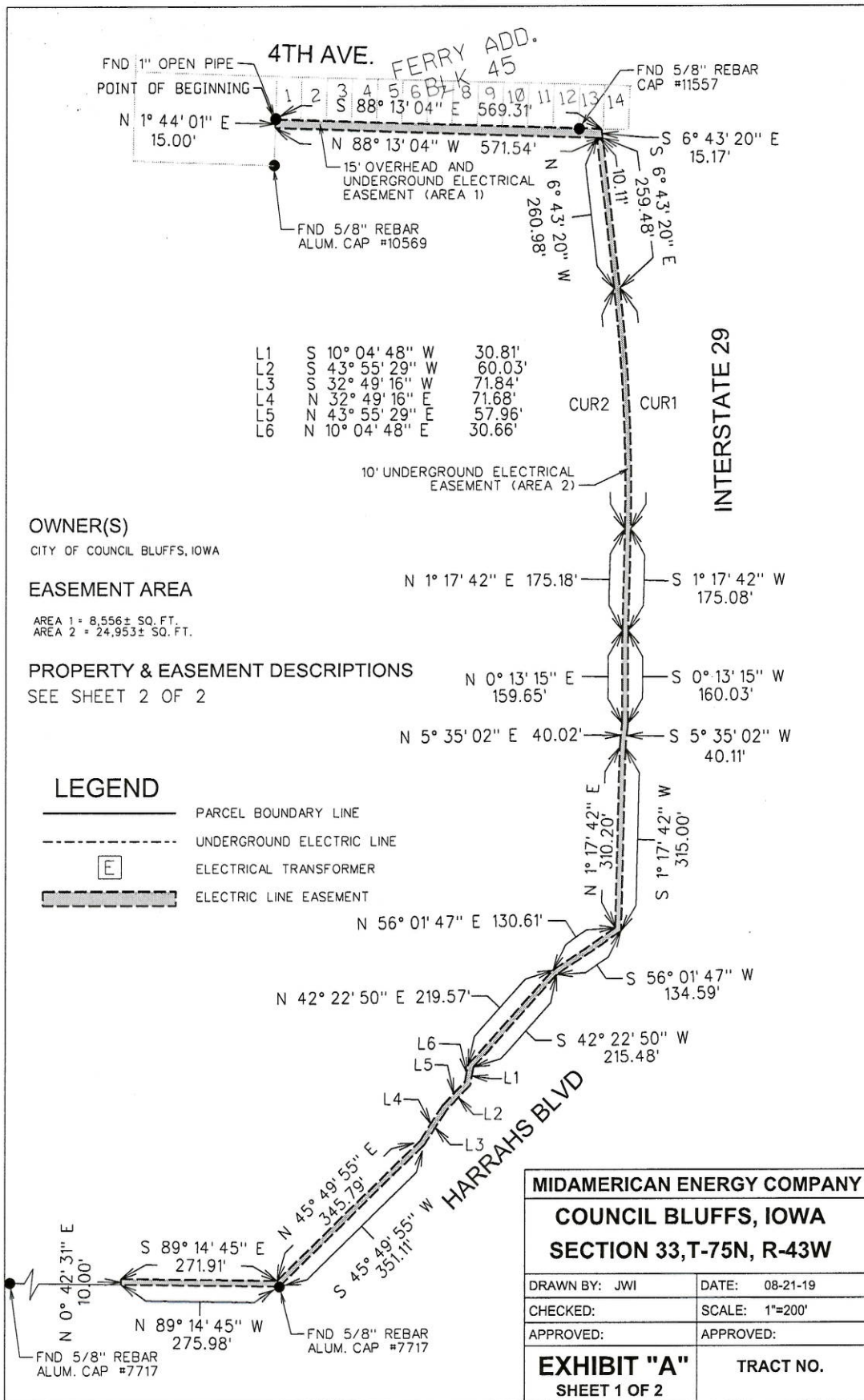
ACKNOWLEDGMENT

STATE OF _____)
COUNTY OF _____) ss

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

Notary Public in and for said State

(Notarial Seal)



PROPERTY LEGAL DESCRIPTION

PART OF SECTION 32 AND SECTION 33, TOWNSHIP 75 NORTH,
RANGE 43 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY,
IOWA

ELECTRIC LINE EASEMENT DESCRIPTIONS

AREA 1:

A PART OF SECTION 33, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA AND DESCRIBED
AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 45, FERRY ADDITION TO COUNCIL BLUFFS, POTTAWATTAMIE COUNTY,
IOWA: THENCE SOUTH 88° 13' 04" EAST, ON THE SOUTH LINE OF SAID BLOCK 45, 569.31 FEET; THENCE SOUTH 6° 43' 20" EAST, 15.17
FEET; THENCE NORTH 88° 13' 04" WEST, 571.54 FEET; THENCE NORTH 1° 44' 01" EAST, 15.00 FEET TO THE POINT OF BEGINNING AND
CONTAINING 8,556 SQUARE FEET, MORE OR LESS.

AREA 2:

A PART OF SECTION 33, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA AND DESCRIBED
AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 45, FERRY ADDITION TO COUNCIL BLUFFS, POTTAWATTAMIE COUNTY,
IOWA: THENCE SOUTH 88° 13' 04" EAST, ON THE SOUTH LINE OF SAID BLOCK 45, 569.31 FEET; THENCE SOUTH 6° 43' 20" EAST, 15.17
FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 6° 43' 20" EAST, 259.48 FEET; THENCE SOUTHERLY ON A CURVE
CONCAVE WESTERLY WHOSE RADIUS IS 2,965.00 FEET, WHOSE ARC LENGTH IS 414.88 FEET, AND WHOSE CHORD BEARS SOUTH 2°
42' 49" EAST, 414.54 FEET; THENCE SOUTH 1° 17' 42" WEST, 175.08 FEET; THENCE SOUTH 0° 13' 15" WEST, 160.03 FEET; THENCE
SOUTH 5° 35' 02" WEST, 40.11 FEET; THENCE SOUTH 1° 17' 42" WEST, 315.00 FEET; THENCE SOUTH 56° 01' 47" WEST, 134.59 FEET;
THENCE SOUTH 42° 22' 50" WEST, 215.48 FEET; THENCE SOUTH 10° 04' 48" WEST, 30.81 FEET; THENCE SOUTH 43° 55' 29" WEST,
60.03 FEET; THENCE SOUTH 32° 49' 16" WEST, 71.84 FEET; THENCE SOUTH 45° 49' 55" WEST, 351.11 FEET; THENCE NORTH 89° 14'
45" WEST, 275.98 FEET; THENCE NORTH 0° 42' 31" EAST, 10.00 FEET; THENCE SOUTH 89° 14' 45" EAST, 271.91 FEET; THENCE NORTH
45° 49' 55" EAST, 345.79 FEET; THENCE NORTH 32° 49' 16" EAST, 71.68 FEET; THENCE NORTH 43° 55' 29" EAST, 57.96 FEET;
THENCE NORTH 10° 04' 48" EAST, 30.66 FEET; THENCE NORTH 42° 22' 50" EAST, 219.57 FEET; THENCE NORTH 56° 01' 47" EAST,
130.61 FEET; THENCE NORTH 1° 17' 42" EAST, 310.20 FEET; THENCE NORTH 5° 35' 02" EAST, 40.02 FEET; THENCE NORTH 0° 13' 15"
EAST, 159.65 FEET; THENCE NORTH 1° 17' 42" EAST, 175.18 FEET; THENCE NORTHERLY ON A CURVE CONCAVE WESTERLY WHOSE
RADIUS IS 2,955.00 FEET, WHOSE ARC LENGTH IS 413.47 FEET, AND WHOSE CHORD BEARS NORTH 2° 42' 49" WEST, 413.14 FEET;
THENCE NORTH 6° 43' 20" WEST, 260.98 FEET; THENCE SOUTH 88° 13' 04" EAST, 10.11 FEET TO THE POINT OF BEGINNING AND
CONTAINING 24,953 SQUARE FEET, MORE OR LESS.

CURVE TABLE

CURVE NO.	DELTA	RADIUS	ARC LENGTH	TANGENT	CHORD BEARING/DISTANCE
CUR1	8° 01' 02" RT	2,965.00'	414.88'	207.78'	SOUTH 2° 42' 49" EAST 414.54'
CUR2	8° 01' 02" LT	2,955.00'	413.47'	207.07'	NORTH 2° 42' 49" WEST 413.14'

MIDAMERICAN ENERGY COMPANY

COUNCIL BLUFFS, IOWA SECTION 33, T-75N, R-43W

DRAWN BY: JWI	DATE: 08-21-19
CHECKED:	SCALE: 1"=200'
APPROVED:	APPROVED:
EXHIBIT "A" SHEET 2 OF 2	TRACT NO.

RESOLUTION
NO 19-258

**RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE
AND SETTING A PUBLIC HEARING FOR
GRANTING AN OVERHEAD AND UNDERGROUND ELECTRICAL EASEMENT TO
MIDAMERICAN ENERGY CORPORATION**

WHEREAS, Mid America Energy wishes to acquire an overhead and underground electrical easement along the East and Southeast boundary of Dodge Riverside Golf Course, and along the north property line of Dodge Riverside Golf Course; and

WHEREAS, the easement will provide MidAmerican Energy Corporation the ability to install new distribution and facilities to provide redundant service to customers on the west side of I-29, thereby increasing electric reliability in the area.

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

That the City Clerk is hereby ordered to set a public hearing for granting an overhead and underground electrical easement to MidAmerican Energy Corporation setting December 16, at 7:00 p.m. as the date and time of said hearing.

ADOPTED
AND
APPROVED

November 18, 2019

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Community
Development
Case/Project No.: URN-19-03
Submitted by: Brandon Garrett

Resolution 19-259
ITEM 3.F.

Council Action: 11/18/2019

Description

Resolution setting dates of a consultation and setting a public hearing for December 16, 2019 at 7:00 p.m. on a proposed Amendment No. 5 to the Playland Park Urban Renewal Plan.

Background/Discussion

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Other	11/12/2019
Notice of PH	Other	11/12/2019
Amendment #5	Resolution	11/8/2019
Map	Map	11/12/2019
Resolution 19-259	Resolution	11/13/2019

Department: Community Development	Ordinance No.: N/A	City Council: 11-8-19 1 st Reading: N/A 2 nd Reading: N/A 3 rd Reading: N/A PC: 12-10-19 Public Hearing: 12-16-19
Case/Project No.: URN-19-003	Resolution No.: 19-	
Subject/Title		
Proposed 2019 Amendment (Amendment # 5) to the Playland Park Urban Renewal Plan.		
Background/Discussion		
<u>Background</u> <p>In June of 2003, City Council adopted the Playland Park Urban Renewal Plan in order to accommodate a residential project which never materialized. In June of 2005, the urban renewal plan was amended (Amendment # 2) to add additional land and several new projects, including riverfront development, and the redevelopment of the Frito Lay and Dodge Park clubhouse areas. In July of 2009, the urban renewal plan was amended (Amendment # 2) to add additional land. In October 2014 and June 2016, the urban renewal plan was amended (Amendment # 3 and # 4) to add additional land and to add and/or confirm projects respectively. The urban renewal plan is again in need of amendment to confirm the redevelopment project located in Block 1 of River's Edge Subdivision.</p>		
<u>Discussion</u> <p>The first step in amending the Playland Park Urban Renewal Project Area is the adoption of a resolution of necessity. This resolution will cause several actions. These actions include directing staff to amend the urban renewal plan, establishing a date for consultation with other taxing jurisdictions, setting a date for City Council public hearing and other appropriate legal notices. A resolution, which calls for these activities, has been prepared and is attached for your review and consideration. This resolution establishes the following timeframe:</p> <p style="margin-left: 40px;">11-25-19 Consultation meeting to be held with other taxing jurisdictions</p> <p style="margin-left: 40px;">12-10-19 City Planning Commission Review</p> <p style="margin-left: 40px;">12-16-19 City Council public hearing on the amended urban renewal plan</p>		
Staff Recommendation		
Staff recommends City Council adopt the resolution of necessity directing staff to amend the Plan, set the dates for a consultation and public hearing on the 2019 Amendment (Amendment # 5) to the Playland Park Urban Renewal Plan and Area.		

(One publication required)

NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL OF A
PROPOSED AMENDMENT NO. 5 TO THE PLAYLAND PARK
URBAN RENEWAL PLAN FOR AN URBAN RENEWAL AREA IN
THE CITY OF COUNCIL BLUFFS, STATE OF IOWA

The City Council of the City of Council Bluffs, State of Iowa, will hold a public hearing before itself at its meeting which commences at 7:00 P.M. on December 16, 2019 in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, to consider adoption of a proposed Amendment No. 5 to the Playland Park Urban Renewal Plan (the "Amendment") concerning an Urban Renewal Area in the City of Council Bluffs, State of Iowa, which includes the property described as follows:

ORIGINAL AREA (2003)

Lots 174 through 185 in Twin City Gardens an addition to Council Bluffs, Iowa, part of Government Lot 3 and accretions thereto in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28 and in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29 and part of Government Lot 1 and accretions thereto in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32 and in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, all in Township 75 North Range 44 West of the 5th Principal Meridian, City of Council Bluffs, Pottawattamie County, Iowa more particularly described as follows:

Begin at the intersection of the West right-of-way line of North 40th Street with the centerline of Avenue B; thence West along the centerline of Avenue B approximately 2,500 feet to the Bulkhead line of the left (Easterly) shoreline of the Missouri River; thence Southerly along said line approximately 1,750 feet to the Southerly right-of-way line of Interstate Route I-480 being the Northerly right-of-way line of Old West Broadway; thence Easterly and Northeasterly along said line approximately 2,000 feet to the Northerly prolongation of the Easterly right-of-way line of 41st Street; thence Southerly along said prolongation and along the Westerly line of the parcel owned by Frito Lay Inc. 298 feet more or less to the South corner of said parcel; thence Northeasterly along the Southeasterly line of Frito Lay parcel 280 feet more or less; thence Southwesterly along the Frito Lay parcel 50 feet; thence Northeasterly along the Frito Lay parcel 670 feet to the East corner of the Frito Lay parcel; and to the Southerly right-of-way line of 37th Street Extension; thence Northwesterly/Westerly, and Southwesterly along said right-of-way line 340 feet more or less to the Southerly prolongation of the West right-of-way line of North 40th Street; thence North along said prolongation and along said line 1,100 feet more or less to the centerline of Avenue B and the point of beginning. Said Urban Renewal tract contains 87.0 acres more or less.

AMENDMENT #1 AREA (2005)

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

BEGINNING AT THE SOUTHEAST CORNER OF SAID DODGE PARK SUBDIVISION;

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

1. NORTH 88 DEGREES 22 MINUTES 48 SECONDS WEST, 250.00 FEET;
2. NORTH 01 DEGREE 19 MINUTES 16 SECONDS EAST, 520.29 FEET;

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

THENCE CONTINUING NORTHERLY ALONG SAID WEST RIGHT-OF-WAY LINE, NORTH 23 DEGREES 10 MINUTES 57 SECONDS WEST, 165.63 FEET; THENCE NORTH 44 DEGREES 21 MINUTES 06 SECONDS EAST, 86.70 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF VACATED SOUTH 41st STREET; THENCE SOUTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE, SOUTH 23 DEGREES 07 MINUTES 58 SECONDS EAST, 198.93 FEET; THENCE NORTH 66 DEGREES 55 MINUTES 59 SECONDS EAST, 279.49 FEET; THENCE SOUTH 23 DEGREES 04 MINUTES 01 SECONDS EAST, 50.00 FEET; THENCE NORTH 66 DEGREES 55 MINUTES 59 SECONDS EAST, 570.40 FEET; THENCE NORTH 23 DEGREES 04 MINUTES 01 SECONDS EAST, 50.00 FEET; THENCE NORTH 67 DEGREES 03 MINUTES 35 SECONDS EAST, 30.04 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF 37th AVENUE AND THE NORTHEASTERLY BOUNDARY OF DODGE PARK SUBDIVISION; THENCE EASTERLY AND SOUTHERLY ALONG SAID DODGE PARK SUBDIVISION BOUNDARY THE FOLLOWING TWO COURSES:

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

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

AND

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

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

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

AMENDMENT NO. 2 AREA (2009)

A PARCEL OF LAND BEING A PORTION OF THE WEST HALF OF THE SOUTHWEST QUARTER (W1/2 SW1/4) IN SECTION 28 AND A PORTION OF THE EAST HALF OF THE SOUTHEAST

QUARTER (E1/2 SE1/4) OF SECTION 29, ALL IN TOWNSHIP 75 NORTH, RANGE 44 WEST OF THE 5th PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF AVENUE "B" AND THE EAST RIGHT-OF-WAY LINE OF THE COUNCIL BLUFFS MISSOURI RIVER LEVEE; THENCE ALONG THE WESTERLY PROLONGATION OF SAID NORTH RIGHT-OF-WAY LINE, 895 FEET (MORE OR LESS) TO A POINT ON THE EAST HIGH BANK OF THE MISSOURI RIVER; THENCE NORTHERLY, ALONG SAID EAST HIGH BANK, 1666 FEET (MORE OR LESS) TO A POINT ON THE WESTERLY PROLONGATION OF THE NORTH RIGHT-OF-WAY LINE OF AVENUE "G"; THENCE ALONG SAID WESTERLY PROLONGATION, SOUTH 88 DEGREES 34 MINUTES 53 SECONDS EAST, 1369 FEET (MORE OR LESS) TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID COUNCIL BLUFFS MISSOURI RIVER LEVEE; THENCE SOUTHWESTERLY, ALONG SAID EAST RIGHT-OF-WAY LINE, 1793 FEET (MORE OR LESS) TO THE POINT OF BEGINNING.

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

AND

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

BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF WEST BROADWAY (I-480) AND THE EAST RIGHT-OF-WAY LINE OF THE COUNCIL BLUFFS MISSOURI RIVER LEVEE; THENCE SOUTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE, 2739 FEET (MORE OR LESS) TO A POINT ON THE EASTERLY PROLONGATION OF THE SOUTH BACK-OF-CURB LINE OF HARRAH'S CASINO NORTH PARKING LOT;

THENCE ALONG SAID EASTERLY PROLONGATION, ALONG SAID SOUTHERLY BACK-OF-CURB AND ALONG IT'S WESTERLY PROLONGATION, SOUTH 64 DEGREES 10 MINUTES 04 SECONDS WEST, 564 FEET (MORE OR LESS) TO A POINT ON THE EAST HIGH BANK OF THE MISSOURI RIVER; THENCE NORTHERLY, ALONG SAID EAST HIGH BANK, 2516 FEET (MORE OR LESS) TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE OF WEST BROADWAY (I-480); THENCE EASTERLY, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 675 FEET (MORE OR LESS) TO THE POINT OF BEGINNING.

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

AMENDMENT #3 AREA (2014)

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

BEGINNING AT THE SOUTHEAST CORNER OF LOT 173 IN SAID TWIN CITY GARDENS SUBDIVISION; THENCE EASTERLY ACROSS THE NORTH 40th STREET RIGHT-OF-WAY AND ALONG THE NORTH RIGHT-OF-WAY LINE OF AVENUE B TO THE SOUTHWEST CORNER OF LOT 202; THENCE CONTINUING EASTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND ALONG THE SOUTH LINE OF SAID LOT 202 AND ACROSS THE ALLEY BETWEEN LOTS 202 AND 240 TO THE SOUTHWEST CORNER OF SAID LOT 240; THENCE SOUTHERLY ACROSS SAID AVENUE B RIGHT-OF-WAY TO THE NORTHWEST CORNER OF LOT 290; THENCE CONTINUING SOUTHERLY ALONG THE WEST LINES OF LOTS 290 THROUGH 288 TO THE SOUTHWEST CORNER OF SAID LOT 288; THENCE WESTERLY TO THE CENTERLINE OF THE ALLEY BETWEEN SAID LOT 288 AND LOT 99, WHICH HAS BEEN VACATED SOUTH OF THIS POINT; THENCE SOUTHERLY ALONG SAID VACATED ALLEY CENTERLINE TO A POINT BETWEEN THE SOUTHWEST CORNER OF LOT 283 AND THE SOUTHEAST CORNER OF LOT 194; THENCE WESTERLY TO SAID SOUTHEAST CORNER OF LOT 194; THENCE CONTINUING WESTERLY ALONG THE SOUTH LINE OF SAID LOT 194 AND ITS WESTERLY PROLONGATION ACROSS THE NORTH 40th STREET RIGHT-OF-WAY TO THE SOUTHEAST CORNER OF LOT 181; THENCE NORTHERLY ALONG THE WEST RIGHT-OF-WAY LINE OF NORTH 40th STREET AND THE EAST LINES OF LOT 181 THROUGH 174 TO THE NORTHEAST CORNER OF SAID LOT 174; THENCE CONTINUING NORTHERLY ALONG SAID WEST RIGHT-OF-WAY LINE, ACROSS THE AVENUE B RIGHT-OF-WAY TO THE POINT OF BEGINNING.

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

A copy of the Amendment is on file for public inspection in the office of the City Clerk, City Hall, City of Council Bluffs, Iowa.

The City of Council Bluffs, State of Iowa is the local public agency which, if such Amendment is approved, shall undertake the urban renewal activities described in such Amendment.

The general scope of the urban renewal activities under consideration in the Amendment is to rehabilitate, conserve and redevelop land, buildings and other improvements within such area through the elimination and containment of conditions of blight so as to improve the community through the establishment of effective land use controls, through use of an effective program of rehabilitation of existing buildings and elimination of those structures which cannot be economically rehabilitated, with a limited amount of acquisition, clearance, resale and improvement of land for various purposes specified in the Amendment. To accomplish the objectives of the Amendment, and to encourage the further economic development of the Urban Renewal Area, the Amendment provides that such special financing activities may include, but not be limited to, the making of loans or grants of public funds to private entities under Chapter 15A, Code of Iowa. The City also may reimburse or directly undertake the installation, construction and reconstruction of substantial public improvements, including, but not limited to, street, water, sanitary sewer, storm sewer or other public improvements. The Amendment provides that the City may issue bonds or use available funds for purposes allowed by the Plan and that tax increment reimbursement of the costs of urban renewal projects may be sought if and to the extent incurred by the City. The Amendment initially proposes no specific public infrastructure or site improvements to be undertaken by the City, and provides that the Amendment may be amended from time to time.

The proposed Amendment No. 5 would update the description of previously approved urban renewal projects to be undertaken within the Urban Renewal Area. The proposed Amendment adds no new land.

Other provisions of the Plan not affected by the Amendment would remain in full force and effect.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

This notice is given by order of the City Council of the City of Council Bluffs, State of Iowa, as provided by Section 403.5, Code of Iowa.

Dated this _____ day of _____, 2019.

City Clerk, City of Council Bluffs, State of Iowa

(End of Notice)

01653029-1\10342-155

**2019 AMENDMENT
(AMENDMENT NO. 5)**

TO THE

**PLAYLAND PARK
URBAN RENEWAL PLAN**

CITY OF COUNCIL BLUFFS, IOWA

Original Area Adopted – June, 2003
2005 Amendment (Amendment No. 1) – June 2005
2009 Amendment (Amendment No. 2) – July 2009
2014 Amendment (Amendment No. 3) - October 2014
2016 Amendment (Amendment No. 4) – July 2016
2019 Amendment (Amendment No. 5) – December 2019

**2019 AMENDMENT
(Amendment No. 5)
to the
PLAYLAND PARK
URBAN RENEWAL PLAN**

CITY OF COUNCIL BLUFFS, IOWA

The Playland Park Urban Renewal Plan (“Urban Renewal Plan”) for the Playland Park Urban Renewal Area (“Area” or “Urban Renewal Area”) was originally adopted in 2003 and has been amended in 2005 (Amendment No. 1), 2009 (Amendment No. 2), 2014 (Amendment No. 3), and 2016 (Amendment No. 4). The Plan is being further amended to update the description of previously approved urban renewal projects to be undertaken within the Urban Renewal Area (“Amendment” or “Amendment No. 5”). No land is being added to the Area by this Amendment.

Except as modified by this Amendment, the provisions of the original Urban Renewal Plan, as previously amended, are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Amendment shall control. Any section of the Plan, as previously amended, not included in this Amendment shall continue to apply to the Plan and the Area.

DEVELOPMENT PLAN

The City has a general plan for the physical development of the City, as a whole, designated as the “Bluffs Tomorrow: 2030 Plan” adopted in 2014 and last amended in 2019. The Plan and this Amendment, including the projects proposed/revised in this Amendment, are in conformity with the “Bluffs Tomorrow: 2030 Plan”.

The Urban Renewal Area is zoned C-4/Commercial District and R-3/Multi Family District. This Urban Renewal Plan, as amended, does not in any way replace or modify the City’s current land use planning or zoning regulation process.

Any urban renewal projects related to the need for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area are set forth in the Plan, as amended. As the Area develops, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

UPDATE TO PREVIOUSLY APPROVED RBAN RENEWAL PROJECTS
(Amendment No. 5)

Two urban renewal projects previously approved in the Plan, as amended, have been modified as noted below and those modifications are hereby approved.

1. Update to the “Condo/Mixed Use Towers-Block 1,” last updated in Amendment No. 4.

In Amendment No. 4, the City updated and approved a mixed-use project to be constructed on Block 1 of River’s Edge Subdivision, described as the Condo/Mixed Use Towers-Block 1 project. This Amendment updates/revises the project’s description from Amendment No. 4 as follows:

As approved in Amendment No. 4, the project was anticipated to include a detailed development agreement with a private developer to provide tax increment rebates or other incentives of \$8,000,000 to \$12,000,000 in exchange for the developer constructing a condo tower, an assisted living facility, and related amenities. In 2017, the City entered into a development agreement (the “Original Agreement”) for this project with Argent Development Group, L.L.C. That developer has not initiated work on the project and now proposes to assign its rights and obligations to Argent Baxter JV – Council Bluffs, LLC (the “Developer”), and the Developer has proposed changing several terms in the Original Agreement. In light of various changes to the project, the City and the Developer anticipate entering into an Amended and Restated Agreement for Private Development (the “Amended and Restated Agreement”), which would replace the Original Agreement and provide new terms for the project. Pursuant to the terms of the Amended and Restated Agreement, the Developer would construct a single residential tower containing up to 210 rental housing units, up to 24 condo housing units, and related amenities, all requiring an investment of approximately \$60,000,000. The Developer would also agree to a Minimum Assessed Value for the completed project of at least \$45,000,000. In exchange, the City would provide up to 18 years of annual grants each comprised of up to 75% of the tax increment created by the completion of the project, with the aggregate amount of such grants not to exceed \$23,000,000. The revised project will serve the purposes set forth in Amendment No. 4, including the second stage of blight remediation.

2. Update to “Parking Garage Lease Purchase Agreement,” last updated in Amendment No. 4.

In Amendment No. 4, the City updated and approved a parking garage project to be constructed on Lot 2, Block 7 of River’s Edge Subdivision Replat One. At that time, the cost of the parking garage was estimated to be \$11,000,000 to \$12,500,000, and the costs to the City under the associated Lease Purchase Agreement was estimated at \$11,000,000 to \$17,000,000. On July 11, 2016, following adoption of Amendment No. 4 and appropriate notice and public hearing, the City authorized the execution of the River’s Edge Parking Facility Lease Purchase Agreement by and among the City of Council Bluffs (“City”), River’s Edge Parking, LLC (“Developer”), and Iowa West Foundation (“IWF”) (“Agreement”). Since that time, the cost of construction has increased to approximately \$14,000,000, as have the corresponding costs to the City under the terms of the Lease Purchase Agreement. At this time, the costs to the City are estimated between \$17,000,000 and \$21,000,000. The revised project will serve the purposes set forth in Amendment No. 4, including the second stage of blight remediation.

FINANCIAL INFORMATION

1.	July 1, 2019 constitutional debt limit:	\$262,999,374
2.	Current outstanding general obligation debt:	\$63,035,000
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Updated Urban Renewal Projects (Amendment No. 5) has not yet been determined. This document is merely for planning purposes. The estimated project costs in this Amendment are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Updated Urban Renewal Projects (Amendment No. 5) as described above will be approximately as follows:	<div>\$40,000,000-\$44,000,000</div> <div>This total does not include financing costs related to debt issuance, which will be incurred over the life of the Area.</div>

EFFECTIVE PERIOD

This Amendment will become effective upon its adoption by the City Council. Notwithstanding anything to the contrary in the Urban Renewal Plan, any prior amendment, resolution, or document, the Urban Renewal Plan shall remain in effect until terminated by the City Council and the use of incremental property tax revenues, or the "division of revenue," as those words are used in Chapter 403 of the Code of Iowa, will be consistent with Chapter 403 of the Iowa Code. The division of revenues shall continue on the entire Urban Renewal Area without limit due to the designation of the Area as appropriate for blight remediation.

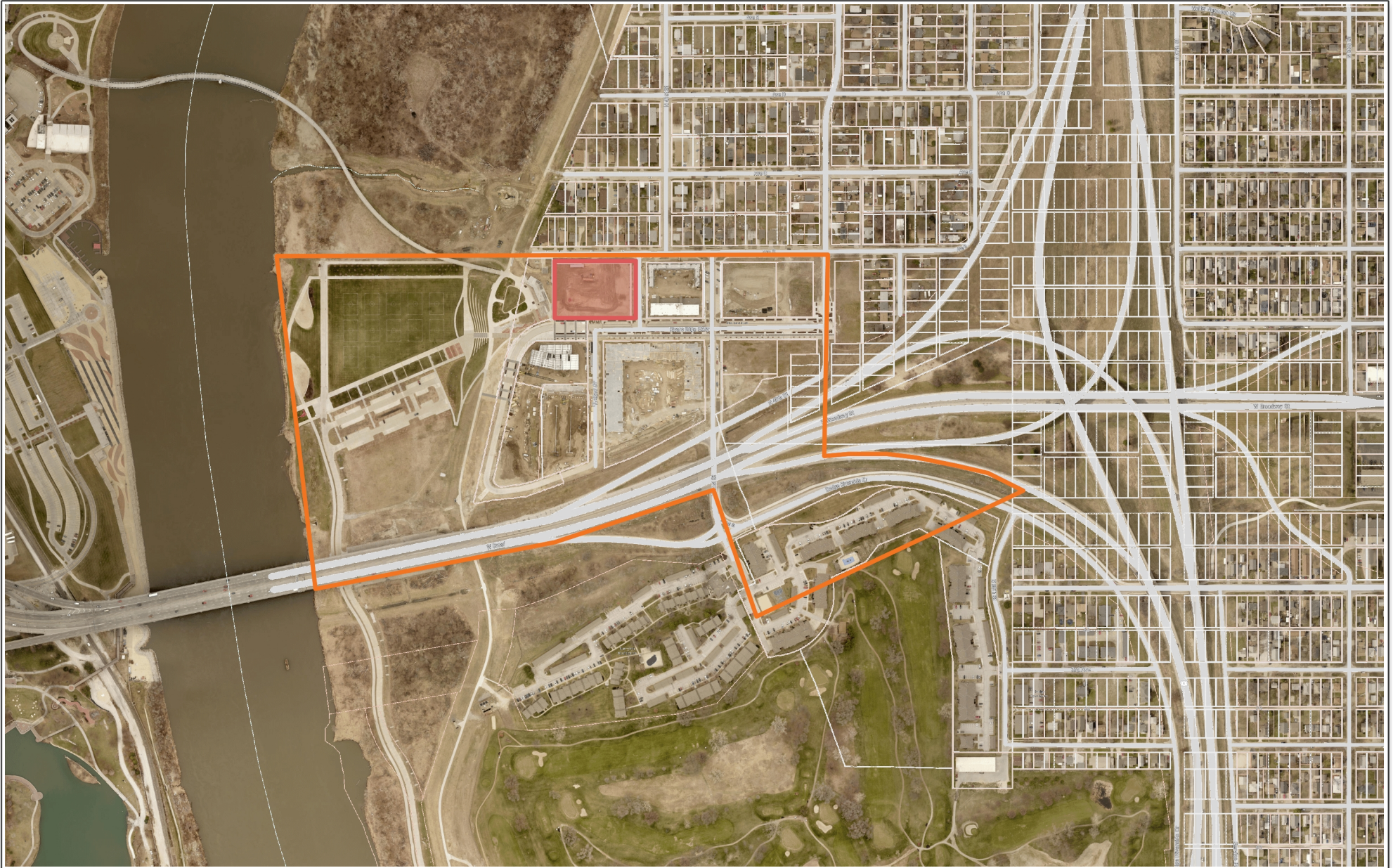
REPEALER

Any parts of the previous Plan, as previously amended, in conflict with this Amendment are hereby repealed.

SEVERABILITY CLAUSE

If any part of the Amendment is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Plan as a whole or the previous amendments to the Plan, or any part of the Plan or Amendment not determined to be invalid or unconstitutional.

Playland URN Amendment #5



Pottawattamie County GIS
223 S. 6th St
Council Bluffs, IA 51501
(712) 328-4885
gis@pottcounty.com
<http://gis.pottcounty.com>



1in = 749ft

Map Published: 11/12/2019

Pottawattamie County makes no representation or warranty as to the accuracy of this map and its information nor to its fitness for use. Any user of this map product accepts this same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further, covenants and agrees to hold Pottawattamie County harmless from any and all damage, loss, or liability arising from any use of this map.



RESOLUTION 19-259

ITEM TO INCLUDE ON AGENDA

CITY OF COUNCIL BLUFFS, IOWA

November 18, 2019

7:00 P.M.

Playland Park Urban Renewal Plan

- Resolution setting dates of a consultation and a public hearing on a proposed Amendment No. 5 to the Playland Park Urban Renewal Plan in the City of Council Bluffs, State of Iowa.

IMPORTANT INFORMATION

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

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

November 18, 2019

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

Absent: _____

Vacant: _____

* * * * *

Council Member _____ then introduced the following proposed Resolution entitled "RESOLUTION SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED AMENDMENT NO. 5 TO THE PLAYLAND PARK URBAN RENEWAL PLAN IN THE CITY OF COUNCIL BLUFFS, STATE OF IOWA", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called, and the vote was:

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the Resolution duly adopted as follows:

RESOLUTION NO. 19-259

RESOLUTION SETTING DATES OF A CONSULTATION AND
A PUBLIC HEARING ON A PROPOSED AMENDMENT NO. 5
TO THE PLAYLAND PARK URBAN RENEWAL PLAN IN THE
CITY OF COUNCIL BLUFFS, STATE OF IOWA

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

WHEREAS, the Plan has subsequently been amended four times, lastly by the adoption of Amendment No. 4 to the Plan, adopted by Resolution No. 16-147, adopted July 11, 2016; and

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

ORIGINAL AREA (2003)

Lots 174 through 185 in Twin City Gardens an addition to Council Bluffs, Iowa, part of Government Lot 3 and accretions thereto in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28 and in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29 and part of Government Lot 1 and accretions thereto in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32 and in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, all in Township 75 North Range 44 West of the 5th Principal Meridian, City of Council Bluffs, Pottawattamie County, Iowa more particularly described as follows:

Begin at the intersection of the West right-of-way line of North 40th Street with the centerline of Avenue B; thence West along the centerline of Avenue B approximately 2,500 feet to the Bulkhead line of the left (Easterly) shoreline of the Missouri River; thence Southerly along said line approximately 1,750 feet to the Southerly right-of-way line of Interstate Route I-480 being the Northerly right-of-way line of Old West Broadway; thence Easterly and Northeasterly along said line approximately 2,000 feet to the Northerly prolongation of the Easterly right-of-way line of 41st Street; thence Southerly along said prolongation and along the Westerly line of the parcel owned by Frito Lay Inc. 298 feet more or less to the South corner of said parcel; thence Northeasterly along the Southeasterly line of Frito Lay parcel 280 feet more or less; thence Southwesterly along the Frito Lay parcel 50 feet; thence Northeasterly along the Frito Lay parcel 670 feet to the East corner of the Frito Lay parcel; and to the Southerly right-of-way line of 37th Street Extension; thence Northwesterly/Westerly, and Southwesterly along said right-of-way line 340 feet more or less to the Southerly prolongation of the West right-of-way line of North 40th Street; thence North along said prolongation and along said line 1,100 feet more or less to the centerline of Avenue B and the point of beginning. Said Urban Renewal tract contains 87.0 acres more or less.

AMENDMENT #1 AREA (2005)

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

BEGINNING AT THE SOUTHEAST CORNER OF SAID DODGE PARK SUBDIVISION;

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

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

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

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

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

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

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

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

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

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

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

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

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

AND

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

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

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

AMENDMENT NO. 2 AREA (2009)

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

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

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

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

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

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

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

AND

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

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

THENCE SOUTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE, 2739 FEET (MORE OR LESS) TO A POINT ON THE EASTERLY PROLONGATION

OF THE SOUTH BACK-OF-CURB LINE OF HARRAH'S CASINO NORTH PARKING LOT;

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

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

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

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

AMENDMENT #3 AREA (2014)

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

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

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

THENCE CONTINUING EASTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND ALONG THE SOUTH LINE OF SAID LOT 202 AND ACROSS THE ALLEY BETWEEN LOTS 202 AND 240 TO THE SOUTHWEST CORNER OF SAID LOT 240;

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

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

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

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

THENCE WESTERLY TO SAID SOUTHEAST CORNER OF LOT 194;

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

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

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

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

AMENDMENT #4 (2016)

Amendment #4 did not add or remove land from the Area.

WHEREAS, City staff has caused there to be prepared a form of Amendment No. 5 to the Plan ("Amendment No. 5" or "Amendment"), a copy of which has been placed on file for public inspection in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to update the description of previously approved urban renewal projects to be undertaken within the Urban Renewal Area; and

WHEREAS, it is desirable that the area be redeveloped as part of the overall redevelopment covered by the Plan, as amended; and

WHEREAS, this proposed Amendment No. 5 adds no new land to the Urban Renewal Area; and

WHEREAS, the Iowa statutes require the City Council to notify all affected taxing entities of the consideration being given to the proposed Amendment No. 5 and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for

modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, Code of Iowa, as amended; and

WHEREAS, the Iowa statutes further require the City Council to hold a public hearing on the proposed Amendment No. 5 subsequent to notice thereof by publication in a newspaper having general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the Amendment and shall outline the general scope of the urban renewal project under consideration, with a copy of the notice also being mailed to each affected taxing entity.

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

Section 1. That the consultation on the proposed Amendment No. 5 required by Section 403.5(2), Code of Iowa, as amended, shall be held on the November 25, 2019, in the Community Development Department Conference Room, 403 Willow Avenue, Council Bluffs, Iowa, at 4:00 P.M., and the Community Development Director, or his delegate, is hereby appointed to serve as the designated representative of the City for purposes of conducting the consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2), Code of Iowa.

Section 2. That the City Clerk is authorized and directed to cause a notice of such consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1), Code of Iowa, along with a copy of this Resolution and the proposed Amendment No. 5, the notice to be in substantially the following form:

NOTICE OF A CONSULTATION TO BE HELD BETWEEN THE
CITY OF COUNCIL BLUFFS, STATE OF IOWA AND ALL
AFFECTED TAXING ENTITIES CONCERNING THE
PROPOSED AMENDMENT NO. 5 TO THE PLAYLAND PARK
URBAN RENEWAL PLAN FOR THE CITY OF COUNCIL
BLUFFS, STATE OF IOWA

The City of Council Bluffs, State of Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1), Code of Iowa, as amended, commencing at 4:00 P.M. on November 25, 2019, in the Community Development Department Conference Room, 403 Willow Avenue, Council Bluffs, Iowa concerning a proposed Amendment No. 5 to the Playland Park Urban Renewal Plan for the Playland Park Urban Renewal Area, a copy of which is attached hereto.

Each affected taxing entity may appoint a representative to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the Urban Renewal Area, the fiscal impact of the division of revenue on the affected taxing entities, the estimated impact on the provision of services by each of the affected taxing entities in the Urban Renewal Area, and the duration of any bond issuance included in the Amendment.

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The Community Development Director, or his delegate, as the designated representative of the City of Council Bluffs, State of Iowa, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed Amendment No. 5 to the Playland Park Urban Renewal Plan, addressing any recommendations made by that entity for modification to the proposed division of revenue.

This notice is given by order of the City Council of the City of Council Bluffs, State of Iowa, as provided by Section 403.5, Code of Iowa, as amended.

Dated this _____ day of _____, 2019.

City Clerk, City of Council Bluffs, State of Iowa

(End of Notice)

Section 3. That a public hearing shall be held on the proposed Amendment No. 5 before the City Council at its meeting which commences at 7:00 P.M. on December 16, 2019, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa.

Section 4. That the City Clerk is authorized and directed to publish notice of this public hearing in The Daily Nonpareil, once on a date not less than four (4) nor more than twenty (20) days before the date of the public hearing, and to mail a copy of the notice by ordinary mail to each affected taxing entity, such notice in each case to be in substantially the following form:

(One publication required)

NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL OF A
PROPOSED AMENDMENT NO. 5 TO THE PLAYLAND PARK
URBAN RENEWAL PLAN FOR AN URBAN RENEWAL AREA IN
THE CITY OF COUNCIL BLUFFS, STATE OF IOWA

The City Council of the City of Council Bluffs, State of Iowa, will hold a public hearing before itself at its meeting which commences at 7:00 P.M. on December 16, 2019 in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, to consider adoption of a proposed Amendment No. 5 to the Playland Park Urban Renewal Plan (the "Amendment") concerning an Urban Renewal Area in the City of Council Bluffs, State of Iowa, which includes the property described as follows:

ORIGINAL AREA (2003)

Lots 174 through 185 in Twin City Gardens an addition to Council Bluffs, Iowa, part of Government Lot 3 and accretions thereto in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28 and in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29 and part of Government Lot 1 and accretions thereto in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32 and in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, all in Township 75 North Range 44 West of the 5th Principal Meridian, City of Council Bluffs, Pottawattamie County, Iowa more particularly described as follows:

Begin at the intersection of the West right-of-way line of North 40th Street with the centerline of Avenue B; thence West along the centerline of Avenue B approximately 2,500 feet to the Bulkhead line of the left (Easterly) shoreline of the Missouri River; thence Southerly along said line approximately 1,750 feet to the Southerly right-of-way line of Interstate Route I-480 being the Northerly right-of-way line of Old West Broadway; thence Easterly and Northeasterly along said line approximately 2,000 feet to the Northerly prolongation of the Easterly right-of-way line of 41st Street; thence Southerly along said prolongation and along the Westerly line of the parcel owned by Frito Lay Inc. 298 feet more or less to the South corner of said parcel; thence Northeasterly along the Southeasterly line of Frito Lay parcel 280 feet more or less; thence Southwesterly along the Frito Lay parcel 50 feet; thence Northeasterly along the Frito Lay parcel 670 feet to the East corner of the Frito Lay parcel; and to the Southerly right-of-way line of 37th Street Extension; thence Northwesterly/Westerly, and Southwesterly along said right-of-way line 340 feet more or less to the Southerly prolongation of the West right-of-way line of North 40th Street; thence North along said prolongation and along said line 1,100 feet more or less to the centerline of Avenue B and the point of beginning. Said Urban Renewal tract contains 87.0 acres more or less.

AMENDMENT #1 AREA (2005)

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

BEGINNING AT THE SOUTHEAST CORNER OF SAID DODGE PARK SUBDIVISION;

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

1. NORTH 88 DEGREES 22 MINUTES 48 SECONDS WEST, 250.00 FEET;
2. NORTH 01 DEGREE 19 MINUTES 16 SECONDS EAST, 520.29 FEET;

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

THENCE CONTINUING NORTHERLY ALONG SAID WEST RIGHT-OF-WAY LINE, NORTH 23 DEGREES 10 MINUTES 57 SECONDS WEST, 165.63 FEET; THENCE NORTH 44 DEGREES 21 MINUTES 06 SECONDS EAST, 86.70 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF VACATED SOUTH 41st STREET; THENCE SOUTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE, SOUTH 23 DEGREES 07 MINUTES 58 SECONDS EAST, 198.93 FEET; THENCE NORTH 66 DEGREES 55 MINUTES 59 SECONDS EAST, 279.49 FEET; THENCE SOUTH 23 DEGREES 04 MINUTES 01 SECONDS EAST, 50.00 FEET; THENCE NORTH 66 DEGREES 55 MINUTES 59 SECONDS EAST, 570.40 FEET; THENCE NORTH 23 DEGREES 04 MINUTES 01 SECONDS EAST, 50.00 FEET; THENCE NORTH 67 DEGREES 03 MINUTES 35 SECONDS EAST, 30.04 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF 37th AVENUE AND THE NORTHEASTERLY BOUNDARY OF DODGE PARK SUBDIVISION; THENCE EASTERLY AND SOUTHERLY ALONG SAID DODGE PARK SUBDIVISION BOUNDARY THE FOLLOWING TWO COURSES:

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

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

AND

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

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

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

AMENDMENT NO. 2 AREA (2009)

A PARCEL OF LAND BEING A PORTION OF THE WEST HALF OF THE SOUTHWEST QUARTER (W1/2 SW1/4) IN SECTION 28 AND A PORTION OF THE EAST HALF OF THE SOUTHEAST

QUARTER (E1/2 SE1/4) OF SECTION 29, ALL IN TOWNSHIP 75 NORTH, RANGE 44 WEST OF THE 5th PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF AVENUE "B" AND THE EAST RIGHT-OF-WAY LINE OF THE COUNCIL BLUFFS MISSOURI RIVER LEVEE; THENCE ALONG THE WESTERLY PROLONGATION OF SAID NORTH RIGHT-OF-WAY LINE, 895 FEET (MORE OR LESS) TO A POINT ON THE EAST HIGH BANK OF THE MISSOURI RIVER; THENCE NORTHERLY, ALONG SAID EAST HIGH BANK, 1666 FEET (MORE OR LESS) TO A POINT ON THE WESTERLY PROLONGATION OF THE NORTH RIGHT-OF-WAY LINE OF AVENUE "G"; THENCE ALONG SAID WESTERLY PROLONGATION, SOUTH 88 DEGREES 34 MINUTES 53 SECONDS EAST, 1369 FEET (MORE OR LESS) TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID COUNCIL BLUFFS MISSOURI RIVER LEVEE; THENCE SOUTHWESTERLY, ALONG SAID EAST RIGHT-OF-WAY LINE, 1793 FEET (MORE OR LESS) TO THE POINT OF BEGINNING.

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

AND

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

BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF WEST BROADWAY (I-480) AND THE EAST RIGHT-OF-WAY LINE OF THE COUNCIL BLUFFS MISSOURI RIVER LEVEE; THENCE SOUTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE, 2739 FEET (MORE OR LESS) TO A POINT ON THE EASTERLY PROLONGATION OF THE SOUTH BACK-OF-CURB LINE OF HARRAH'S CASINO NORTH PARKING LOT;

THENCE ALONG SAID EASTERLY PROLONGATION, ALONG SAID SOUTHERLY BACK-OF-CURB AND ALONG IT'S WESTERLY PROLONGATION, SOUTH 64 DEGREES 10 MINUTES 04 SECONDS WEST, 564 FEET (MORE OR LESS) TO A POINT ON THE EAST HIGH BANK OF THE MISSOURI RIVER; THENCE NORTHERLY, ALONG SAID EAST HIGH BANK, 2516 FEET (MORE OR LESS) TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE OF WEST BROADWAY (I-480); THENCE EASTERLY, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 675 FEET (MORE OR LESS) TO THE POINT OF BEGINNING.

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

AMENDMENT #3 AREA (2014)

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

BEGINNING AT THE SOUTHEAST CORNER OF LOT 173 IN SAID TWIN CITY GARDENS SUBDIVISION; THENCE EASTERLY ACROSS THE NORTH 40th STREET RIGHT-OF-WAY AND ALONG THE NORTH RIGHT-OF-WAY LINE OF AVENUE B TO THE SOUTHWEST CORNER OF LOT 202; THENCE CONTINUING EASTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND ALONG THE SOUTH LINE OF SAID LOT 202 AND ACROSS THE ALLEY BETWEEN LOTS 202 AND 240 TO THE SOUTHWEST CORNER OF SAID LOT 240; THENCE SOUTHERLY ACROSS SAID AVENUE B RIGHT-OF-WAY TO THE NORTHWEST CORNER OF LOT 290; THENCE CONTINUING SOUTHERLY ALONG THE WEST LINES OF LOTS 290 THROUGH 288 TO THE SOUTHWEST CORNER OF SAID LOT 288; THENCE WESTERLY TO THE CENTERLINE OF THE ALLEY BETWEEN SAID LOT 288 AND LOT 99, WHICH HAS BEEN VACATED SOUTH OF THIS POINT; THENCE SOUTHERLY ALONG SAID VACATED ALLEY CENTERLINE TO A POINT BETWEEN THE SOUTHWEST CORNER OF LOT 283 AND THE SOUTHEAST CORNER OF LOT 194; THENCE WESTERLY TO SAID SOUTHEAST CORNER OF LOT 194; THENCE CONTINUING WESTERLY ALONG THE SOUTH LINE OF SAID LOT 194 AND ITS WESTERLY PROLONGATION ACROSS THE NORTH 40th STREET RIGHT-OF-WAY TO THE SOUTHEAST CORNER OF LOT 181; THENCE NORTHERLY ALONG THE WEST RIGHT-OF-WAY LINE OF NORTH 40th STREET AND THE EAST LINES OF LOT 181 THROUGH 174 TO THE NORTHEAST CORNER OF SAID LOT 174; THENCE CONTINUING NORTHERLY ALONG SAID WEST RIGHT-OF-WAY LINE, ACROSS THE AVENUE B RIGHT-OF-WAY TO THE POINT OF BEGINNING.

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

A copy of the Amendment is on file for public inspection in the office of the City Clerk, City Hall, City of Council Bluffs, Iowa.

The City of Council Bluffs, State of Iowa is the local public agency which, if such Amendment is approved, shall undertake the urban renewal activities described in such Amendment.

The general scope of the urban renewal activities under consideration in the Amendment is to rehabilitate, conserve and redevelop land, buildings and other improvements within such area through the elimination and containment of conditions of blight so as to improve the community through the establishment of effective land use controls, through use of an effective program of rehabilitation of existing buildings and elimination of those structures which cannot be economically rehabilitated, with a limited amount of acquisition, clearance, resale and improvement of land for various purposes specified in the Amendment. To accomplish the objectives of the Amendment, and to encourage the further economic development of the Urban Renewal Area, the Amendment provides that such special financing activities may include, but not be limited to, the making of loans or grants of public funds to private entities under Chapter 15A, Code of Iowa. The City also may reimburse or directly undertake the installation, construction and reconstruction of substantial public improvements, including, but not limited to, street, water, sanitary sewer, storm sewer or other public improvements. The Amendment provides that the City may issue bonds or use available funds for purposes allowed by the Plan and that tax increment reimbursement of the costs of urban renewal projects may be sought if and to the extent incurred by the City. The Amendment initially proposes no specific public infrastructure or site improvements to be undertaken by the City, and provides that the Amendment may be amended from time to time.

The proposed Amendment No. 5 would update the description of previously approved urban renewal projects to be undertaken within the Urban Renewal Area. The proposed Amendment adds no new land.

Other provisions of the Plan not affected by the Amendment would remain in full force and effect.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

This notice is given by order of the City Council of the City of Council Bluffs, State of Iowa, as provided by Section 403.5, Code of Iowa.

Dated this _____ day of _____, 2019.

City Clerk, City of Council Bluffs, State of Iowa

(End of Notice)

Section 5. That the proposed Amendment No. 5, attached hereto as Exhibit 1, for the Urban Renewal Area described therein is hereby officially declared to be the proposed Amendment No. 5 referred to in the notices for purposes of such consultation and hearing and that a copy of the Amendment shall be placed on file in the office of the City Clerk.

PASSED AND APPROVED this 18th day of November, 2019.

Mayor

ATTEST:

City Clerk

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

ATTACH THE AMENDMENT
LABELED AS EXHIBIT 1 HERE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

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

(SEAL)

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Council Communication

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

September FY20 Financial Reports
ITEM 3.G.

Council Action: 11/18/2019

Description

Background/Discussion

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Receipts and Expenditures by Fund	Other	11/6/2019
Expenditures by Vendor	Resolution	11/8/2019
Expenditures by Amount	Resolution	11/8/2019

City of Council Bluffs

**Receipts by Fund
For the Month of September FY20**

General Fund	2,111,212.83
Special Revenue	1,661,003.17
Debt Service	555,945.22
Capital Project	374,410.06
Enterprise	955,644.13
Total Receipts	5,658,215.41

**Expenditures by Fund
For the Month of September FY20**

General Fund	5,609,070.78
Special Revenue	860,428.52
Debt Service	0.00
Capital Project	2,705,845.31
Enterprise	755,262.44
Total Expenditures	9,930,607.05

Transfer from City Operating Accounts

to Mid America Center	0.00
to Dodge Riverside	0.00
to River's Edge Parking Garage	0.00
Total Transfers	0.00

CITY OF COUNCIL BLUFFS
EXPENDITURES
SEPTEMBER FY20
(\$'S)

PAYEE	AMOUNT	BUSINESS PURPOSE	
A & D TECHNICAL SUPPLY COMPANY	\$258.20	SUPPLIES	City Expenditure
A + UNITED RADIATOR REPAIR INC.	\$215.00	REPAIRS & MAINTENANCE	City Expenditure
ACUSHNET COMPANY	\$4,830.03	DODGE OPERATING EXPENSE	Dodge Expenditure
ADIDAS AMERICA INC	\$332.34	DODGE OPERATING EXPENSE	Dodge Expenditure
ADVANCE SERVICES, INC	\$9,385.98	CONTRACT LABOR	City Expenditure
ADVANCE SOUTHWEST IOWA	\$31,250.00	PROFESSIONAL SVCS	City Expenditure
AG SOLUTIONS GROUP LLC	\$35.00	EQUIPMENT/PARTS	City Expenditure
AGRIVISION EQUIPMENT GROUP	\$853.98	EQUIPMENT/PARTS	City Expenditure
AHLERS & COONEY P.C	\$2,544.50	PROFESSIONAL SVCS	City Expenditure
ALERT-ALL CORP	\$250.00	SUPPLIES	City Expenditure
ALLIED ELECTRONICS INCORPORATED	\$412.52	SUPPLIES	City Expenditure
ALYCE A WALLACE	\$415.00	REFUND	City Expenditure
AMERICAN BOTTLING COMPANY	\$340.80	SUPPLIES	City Expenditure
AMERICAN CANCER SOCIETY	\$250.00	REFUND	City Expenditure
AMERICAN MESSAGING SERVICES LLC	\$14.19	TELEPHONE	City Expenditure
AMERICAN NATIONAL BANK	\$79.50	BANK SERVICES	City Expenditure
AMERITAS LIFE INS CORP	\$86.90	DODGE OPERATING EXPENSE	Dodge Expenditure
ANDERSON EXCAVATING CO. INC.	\$62,255.21	CONSTRUCTION	City Expenditure
AQUA-CHEM INCORPORATED	\$700.00	SUPPLIES	City Expenditure
ARNOLD MOTOR SUPPLY, LLP	\$6,610.45	EQUIPMENT/PARTS	City Expenditure
ARROW TOWING	\$14,623.00	TOWING/STORAGE/AUCTION	City Expenditure
ASPHALT & CONCRETE MATERIALS CO.	\$7,302.13	STREET MAINTENANCE SUPLS	City Expenditure
ATHLETICO EXCEL NEBRASKA LLC	\$355.00	PROFESSIONAL SVCS	City Expenditure
BACKSTAGE LIBRARY WORKS	\$250.00	SUBSCRIPTION	City Expenditure
BAKER & TAYLOR INC	\$8,150.58	BOOKS/PERIODICALS/SUB	City Expenditure
BARB FOSTER	\$250.00	REFUND	City Expenditure
BARCO MUNICIPAL PRODUCTS INC	\$131.47	SUPPLIES	City Expenditure
BARTON SOLVENTS INC	\$1,062.50	SUPPLIES	City Expenditure
BAUM HYDRAULICS CORP	\$115.16	EQUIPMENT/PARTS	City Expenditure
BERT GURNEY & ASSOCIATES INC	\$16,793.72	EQUIPMENT/PARTS	City Expenditure
BGNE INC.	\$222.00	SUPPLIES	City Expenditure
BLACK HILLS UTILITY HOLDINGS, INC.	\$2,294.27	NATURAL GAS	City Expenditure
BLACKBURN MANUFACTURING COMPANY	\$407.20	SUPPLIES	City Expenditure
BLUFFS ELECTRIC INC	\$47,329.93	ELECTRICAL REPAIR	City Expenditure
BLUFFS PAVING & UTILITY INC	\$210,991.84	CONSTRUCTION	City Expenditure
BMI JANITORIAL GROUP	\$182.00	MAC OPERATING EXPENSE	MAC Expenditure
BOBCAT OF OMAHA	\$7,007.89	EQUIPMENT/PARTS	City Expenditure
BOFA	\$224.35	MAC OPERATING EXPENSE	MAC Expenditure
BOMGAARS SUPPLY INC	\$192.42	SUPPLIES	City Expenditure
BOUND TO STAY BOUND BOOKS INC	\$290.61	BOOKS/PERIODICALS/SUB	City Expenditure
BUCK'S INC.	\$348.81	VEHICLE WASH	City Expenditure
BURTON PLUMBING	\$276.50	PLUMBING NEW OR REPAIR	City Expenditure
C & J INDUSTRIAL SUPPLY	\$467.40	JANITORIAL SERVICE	City Expenditure
CAESARS ENTERTAINMENT	\$236,077.57	MAC OPERATING EXPENSE	MAC Expenditure
CANON SOLUTIONS AMERICA INC	\$1,664.36	COPY/PRINTER MAINTANCE	City Expenditure
CARL W BESSMAN	\$2,400.00	TRAINING	City Expenditure
CARLEY CONSTRUCTION LLC	\$84,602.65	CONSTRUCTION	City Expenditure
CARROLL DISTRIBUTING & CONSTRUCTION SUPPLY	\$6,715.19	EQUIPMENT/PARTS	City Expenditure
CB PRF FIRE FIGHTERS #15	\$79.00	PAYROLL RELATED	City Expenditure
CELEBRATE CATERING LLC	\$159.25	PROFESSIONAL SVCS	City Expenditure
CENGAGE LEARNING INC	\$272.71	BOOKS/PERIODICALS/SUB	City Expenditure
CENTER POINT LARGE PRINT	\$270.24	BOOKS/PERIODICALS/SUB	City Expenditure
CENTURYLINK	\$671.30	TELEPHONE	City Expenditure
CFI TIRE SERVICE	\$2,050.00	TIRE REPLACEMENT/REPAIR	City Expenditure
CHAMPLIN TIRE RECYCLING INC	\$1,844.50	TIRE DISPOSAL	City Expenditure
CHARLENE CHASE	\$1.34	REFUND	City Expenditure
CHARLENE CHASE	(\$1.34)	VOIDED CHECK	City Expenditure
CHILD SUPPORT SERVICES DIVISION	\$514.32	PAYROLL RELATED	City Expenditure
CITY OF COUNCIL BLUFFS	\$3,996.09	DODGE OPERATING EXPENSE	Dodge Expenditure
CITY OF COUNCIL BLUFFS-DEPENDENT	\$5,040.90	PAYROLL RELATED	City Expenditure
CITY OF COUNCIL BLUFFS-FLEX	\$8,341.84	PAYROLL RELATED	City Expenditure

CITY OF OMAHA	\$1,000.00	CONTRACT AGREEMENT	City Expenditure
CITY TREASURER	\$4,459.81	DODGE OPERATING EXPENSE	Dodge Expenditure
CLEAR TITLE & ABSTRACT LLC	\$1,738.25	PROFESSIONAL SVCS	City Expenditure
CLEVELAND GOLF/SRIXON	\$154.63	DODGE OPERATING EXPENSE	Dodge Expenditure
COLLECTION SERVICES CENTER	\$8,157.34	PAYROLL RELATED	City Expenditure
COMMAND CENTER INC	\$665.46	MAC OPERATING EXPENSE	MAC Expenditure
COMPASS UTILITY LLC	\$165,690.50	CONSTRUCTION	City Expenditure
COMPASSCOM SOFTWARE CORPORATION	\$4,240.00	HARDWARE/SOFTWARE	City Expenditure
COMPUTER CABLE CONNECTION	\$1,473.85	HARDWARE/SOFTWARE	City Expenditure
CONSTELLATION NEWENERGY-GAS DIVISION, LLC	\$2,488.69	NATURAL GAS	City Expenditure
CONTINENTAL CARBON GROUP INC	\$550.00	PROFESSIONAL SVCS	City Expenditure
CONTROL SERVICES INC	\$1,871.25	REPAIRS & MAINTENANCE	City Expenditure
CONVERGEONE INC	\$10,843.74	HARDWARE/SOFTWARE	City Expenditure
CORNHUSKER INTERNATIONAL TRUCKS	\$13,318.23	EQUIPMENT/PARTS	City Expenditure
COUNCIL BLUFFS AIRPORT AUTHORITY	\$14,687.20	AIRPORT AUTH TAX	City Expenditure
COUNCIL BLUFFS CONVENTION & VISITORS BUREAU	\$9,880.80	CONTRIBUTIONS	City Expenditure
COUNCIL BLUFFS FIRE DEPT	\$2,080.00	MAC OPERATING EXPENSE	MAC Expenditure
COUNCIL BLUFFS WATER WORKS	\$15,593.83	WATER	City Expenditure
COUNCIL BLUFFS WINSUPPLY	\$599.59	SUPPLIES	City Expenditure
COX BUSINESS	\$119.12	DODGE OPERATING EXPENSE	Dodge Expenditure
COX MEDIA, LLC	\$20,144.29	PHONE/INTERNET SVC	City Expenditure
CRANE SALES & SERVICE	\$441.00	EQUIPMENT/PARTS	City Expenditure
CREDIT INFORMATION SYSTEMS	\$11.00	PROFESSIONAL SVCS	City Expenditure
CREDIT MANAGEMENT, LP	\$132.06	COLLECTION FEE	City Expenditure
CUSTOM TREE CARE INC	\$43,800.00	TREE WORK	City Expenditure
D & K PRODUCTS	\$11,369.37	SUPPLIES	City Expenditure
D&K PRODUCTS	\$1,558.58	DODGE OPERATING EXPENSE	Dodge Expenditure
DAILY NONPAREIL	\$4,316.53	ADVERTISEMENT	City Expenditure
DALES TRASH SERVICE INC	\$3,261.00	RENTAL EXPS	City Expenditure
DAN MADDIX	\$200.00	DODGE OPERATING EXPENSE	Dodge Expenditure
DANIELSON TECH SUPPLY	\$588.74	SUPPLIES	City Expenditure
DATASHIELD CORPORATION	\$30.00	SERVICE LABOR	City Expenditure
DAVID W WOODY	\$1,592.40	SUPPLIES	City Expenditure
DAVID'S ELECTRIC INC	\$38.48	ELECTRICAL REPAIR	City Expenditure
DAVIS EQUIPMENT CORPORATION	\$497.65	EQUIPMENT/PARTS	City Expenditure
DEAN HOLDING COMPANY	\$642.14	SUPPLIES	City Expenditure
DEFIANCE, INC.	\$277.88	REPAIRS & MAINTENANCE	City Expenditure
DELL MARKETING L P	\$58,817.65	HARDWARE/SOFTWARE	City Expenditure
DESIGN 8 STUDIOS	\$100.80	REFUND	City Expenditure
DEX MEDIA, INC.	\$1,145.50	ADVERTISEMENT	City Expenditure
DIAMOND MARKETING SOLUTIONS GROUP, INC.	\$11,166.87	PRINTING & POSTAGE	City Expenditure
DIAMOND MOWERS INC	\$156.87	REPAIRS & MAINTENANCE	City Expenditure
DICK DEAN SERVICE INC.	\$114.95	REPAIRS & MAINTENANCE	City Expenditure
DMG INC	\$2,736.62	ELECTRICAL REPAIR	City Expenditure
DODGE BANK & CR CARD FEES	\$2,847.11	DODGE OPERATING EXPENSE	Dodge Expenditure
DODGE PAYROLL	\$53,649.67	DODGE OPERATING EXPENSE	Dodge Expenditure
DOG & PONY PRODUCTIONS INC	\$29,825.00	MAC OPERATING EXPENSE	MAC Expenditure
DOLL DISTRIBUTING INC	\$662.65	MAC OPERATING EXPENSE	MAC Expenditure
DOLL DISTRIBUTING LLC	\$2,556.10	DODGE OPERATING EXPENSE	Dodge Expenditure
DONALD W MATHEWS	\$15,398.14	VEHICLE REPAIR	City Expenditure
DONNA L TROUT	\$600.00	PROFESSIONAL SVCS	City Expenditure
DON'S AUTO SERVICE	\$100.00	REFUND	City Expenditure
DOUGLAS WILKEN	\$15.00	REFUND	City Expenditure
DRAKE-WILLIAMS STEEL INC	\$90.00	REPAIRS & MAINTENANCE	City Expenditure
DRIVER PLUMBING LTD.	\$686.00	REPAIRS & MAINTENANCE	City Expenditure
DUKE RENTALS	\$474.36	RENTAL EXPS	City Expenditure
DULTMEIER SALES LLC	\$321.00	SUPPLIES	City Expenditure
DUSTIN STEHL	\$200.00	PROFESSIONAL SVCS	City Expenditure
DXP ENTERPRISES INC	\$723.33	EQUIPMENT/PARTS	City Expenditure
DYLAN OAKES ROHDE	\$200.00	PROFESSIONAL SVCS	City Expenditure
ECHO ELECTRIC SUPPLY	\$81.00	MAC OPERATING EXPENSE	MAC Expenditure
ECHO GROUP	\$318.15	SUPPLIES	City Expenditure
EDWARD JAMES BREWSTER JR	\$120.00	PROFESSIONAL SVCS	City Expenditure
EDWARDS CHEVROLET-CADILLAC INC	\$1,861.10	EQUIPMENT/PARTS	City Expenditure
EFTPS	\$529,051.66	PAYROLL RELATED	City Expenditure
EHRHART GRIFFIN & ASSOCIATES INC	\$32,781.77	PROFESSIONAL SVCS	City Expenditure
EIDE BAILLY LLP	\$20,000.00	PROFESSIONAL SERVICES	City Expenditure
ELAVON INC	\$9,644.81	MERCHANT FEES	City Expenditure

EMPLOYEE PAYROLL	\$1,878,325.64	CITY PAYROLL	City Expenditure
EMPLOYERS MUTUAL CASUALTY COMPANY	\$72,810.36	INSURANCE	City Expenditure
ENDRESS & HAUSER	\$614.33	SUPPLIES	City Expenditure
ENTERPRISE FM TRUST	\$699.88	RENTAL EXPS	City Expenditure
ERIC ROGERS	\$84.77	REFUND	City Expenditure
ERIC ROGERS	(\$84.77)	VOIDED CHECK	City Expenditure
ERIC WYLER	\$75.00	REFUND	City Expenditure
ERICKA WELLMAN JAMES	\$200.00	REFUND	City Expenditure
ERRIN K GUNDERSON	\$2,225.30	MOWING/GROUNDS MAINT	City Expenditure
ESO SOLUTIONS INC	\$14,220.40	HARDWARE/SOFTWARE	City Expenditure
EUTEK SYSTEMS INC	\$4,784.14	EQUIPMENT/PARTS	City Expenditure
EXECUTIVE J SOUND AND LIGHTING	\$1,500.00	MAC OPERATING EXPENSE	MAC Expenditure
FACTORY MOTOR PARTS	\$2,724.17	EQUIPMENT/PARTS	City Expenditure
FASTENAL COMPANY	\$66.69	SUPPLIES	City Expenditure
FELD FIRE	\$4,308.55	EQUIPMENT/PARTS	City Expenditure
FELSBURG HOLT & ULLEVIG INC	\$4,685.00	PROFESSIONAL SVCS	City Expenditure
FIRE SERVICE TRAINING BUREAU	\$50.00	TRAINING	City Expenditure
FIRESPRING PRINT INC	\$19.33	PRINTING/BINDING	City Expenditure
FIRST NATIONAL BANK PCARDS ACH	\$4,710.68	DODGE OPERATING EXPENSE	Dodge Expenditure
FIRST WIRELESS INC	\$268.80	EQUIPMENT/PARTS	City Expenditure
FISHER SCIENTIFIC COMPANY, LLC	\$270.63	TESTING	City Expenditure
FRANCIS JESSEPE	\$68.27	REFUND	City Expenditure
FRANK A MCCRARY	\$127.50	CONSULTANT	City Expenditure
FRATERNAL ORDER OF POLICE	\$3,045.00	PAYROLL RELATED	City Expenditure
FUTURE FOAM INC	\$18,077.20	TARGETED JOBS	City Expenditure
G&T SERVICES	\$4,173.00	MAC OPERATING EXPENSE	MAC Expenditure
GALLS PARENT HOLDING, LLC	\$1,622.36	EQUIPMENT/PARTS	City Expenditure
GENE WINCHESTER	\$26.00	REFUND	City Expenditure
GENIE PEST CONTROL	\$35.00	DODGE OPERATING EXPENSE	Dodge Expenditure
GENIE SERVICE LLC	\$295.00	PEST CONTROL	City Expenditure
GOVDEALS INC	\$1,020.69	ONLINE PAYMENT FEES	City Expenditure
GREAT AMERICA FINANCIAL SERVICE	\$266.40	DODGE OPERATING EXPENSE	Dodge Expenditure
GREAT PLAINS UNIFORMS	\$1,051.00	UNIFORMS	City Expenditure
GREATAMERICA FINANCIAL SERVICES CORP	\$304.00	LEASE	City Expenditure
GRP & ASSOCIATES	\$283.00	SUPPLIES	City Expenditure
HARMS OIL COMPANY	\$36,379.16	FUEL	City Expenditure
HAWKINS CONSTRUCTION COMPANY	\$1,911,961.48	CONSTRUCTION	City Expenditure
HEARST PROPERTIES INC	\$1,575.00	MAC OPERATING EXPENSE	MAC Expenditure
HEARTLAND CO-OP	\$845.60	FUEL	City Expenditure
HEARTLAND TIRES & TREADS INC	\$3,380.58	TIRE REPLACEMENT/REPAIR	City Expenditure
HEARTLAND TOXICOLOGY	\$145.00	PROFESSIONAL SVCS	City Expenditure
HEININGER CONSTRUCTION LLC	\$2,175.00	CONSTRUCTION	City Expenditure
HGM ASSOCIATES INC	\$228,233.51	PROFESSIONAL SVCS	City Expenditure
HHH CORP	\$610.00	SUPPLIES	City Expenditure
HOSE & HANDLING INC.	\$293.18	EQUIPMENT/PARTS	City Expenditure
HOTSY EQUIPMENT COMPANY	\$200.39	REPAIRS & MAINTENANCE	City Expenditure
HOWARD BEBOUT	\$12,300.00	PROFESSIONAL SVCS	City Expenditure
HTM SALES INC	\$5,292.00	EQUIPMENT/PARTS	City Expenditure
HUBER CHEVROLET CO INC	\$346.42	EQUIPMENT/PARTS	City Expenditure
HUDSON INVESTMENTS INC	\$1,080.00	PROPERTY ACQUISITION	City Expenditure
I-80 LIQUOR & TOBACCO	\$812.55	DODGE OPERATING EXPENSE	Dodge Expenditure
ICAN	\$200.00	REFUND	City Expenditure
ICMA RETIREMENT TRUST - 457	\$11,712.30	PAYROLL RELATED	City Expenditure
IHEARTMEDIA AND ENTERTAINMENT	\$2,660.00	MAC OPERATING EXPENSE	MAC Expenditure
IMPACT7G INC	\$1,853.75	PROFESSIONAL SVCS	City Expenditure
INFOSAFE SHREDDING LLC	\$100.00	PROFESSIONAL SVCS	City Expenditure
INLAND TRUCK PARTS COMPANY INC	\$2,010.16	EQUIPMENT/PARTS	City Expenditure
INNOVATIVE INTERFACES INC	\$79,173.82	HARDWARE/SOFTWARE	City Expenditure
IOWA CRISIS NEGOTIATORS ASSOCIATION	\$300.00	TRAINING	City Expenditure
IOWA DEPARTMENT OF NATURAL RESOURCE	\$7,625.00	FEES	City Expenditure
IOWA DEPARTMENT OF REVENUE	\$13,197.00	DODGE OPERATING EXPENSE	Dodge Expenditure
IOWA DEPARTMENT OF REVENUE	\$3,933.00	MAC OPERATING EXPENSE	MAC Expenditure
IOWA DEPARTMENT OF REVENUE	\$157.19	PAYROLL RELATED	City Expenditure
IOWA DEPT OF REVENUE	\$122,004.00	PAYROLL RELATED	City Expenditure
IOWA PRISON INDUSTRIES	\$414.70	SUPPLIES	City Expenditure
IOWA WASTE SERVICES HOLDINGS INC	\$50,492.16	SOLID WASTE DISPOSAL	City Expenditure
IOWA WATER ENVIRONMENTAL ASSOCIATION	\$224.00	TRAINING	City Expenditure
IOWA WEST FOUNDATION	\$70,150.43	DEVLPMNT CONTRACT	City Expenditure

IP PATHWAYS LLC	\$585.00	HARDWARE/SOFTWARE	City Expenditure
IPERS	\$295,068.32	RETIREMENT	City Expenditure
IPFS CORPORATION	\$645.39	DODGE OPERATING EXPENSE	Dodge Expenditure
J&M GOLF	\$792.66	DODGE OPERATING EXPENSE	Dodge Expenditure
JEBRO INCORPORATED	\$120.00	EQUIPMENT/PARTS	City Expenditure
JEFFERSON W THIELEN	\$109.14	REIMB EMPLOYEE EXPENSE	City Expenditure
JEFFREY T KOUBA	\$35.00	PROFESSIONAL SVCS	City Expenditure
JEO CONSULTING GROUP INC	\$15,550.18	CONSULTANT	City Expenditure
JEREDITH BRANDS LLC	\$5,986.50	JANITORIAL SERVICE	City Expenditure
JEREMY VERSCHOOR	\$80.00	REFUND	City Expenditure
JIM HAWK TRUCK TRAILERS INC.	\$509.12	EQUIPMENT/PARTS	City Expenditure
JODY ACOSTA	\$40.00	REFUND	City Expenditure
JOHN GREUNIESEN	\$2,505.00	PROPERTY ACQUISITION	City Expenditure
JONES AUTOMOTIVE	\$180.34	EQUIPMENT/PARTS	City Expenditure
JONES BARRELL CO.	\$589.00	SUPPLIES	City Expenditure
JOSHUA OWEN	\$60.00	PROPERTY ACQUISITION	City Expenditure
JOURNAL BROADCAST GROUP	\$2,650.00	MAC OPERATING EXPENSE	MAC Expenditure
JUDDS BROS CONSTRUCTION CO	\$11,847.43	CONSTRUCTION	City Expenditure
KATIE PATTEE	\$50.13	REIMB EMPLOYEE EXPENSE	City Expenditure
KELSEY BOCKEN	\$58.70	REIMB EMPLOYEE EXPENSE	City Expenditure
KELTEK, INCORPORATED	\$1,212.60	EQUIPMENT/PARTS	City Expenditure
KERRY NORTHWAY	\$26,145.00	EQUIPMENT/PARTS	City Expenditure
KONECRANES, INC.	\$1,000.00	PROFESSIONAL SVCS	City Expenditure
KONICA MINOLTA BUSINESS SOLUTIONS USA	\$812.00	LEASE	City Expenditure
LANDSCAPES MGMT COMPANY	\$5,238.40	DODGE OPERATING EXPENSE	Dodge Expenditure
LANDSCAPES UNLIMITED	\$3,408.80	DODGE OPERATING EXPENSE	Dodge Expenditure
LARSEN SUPPLY CO	\$104.84	MAC OPERATING EXPENSE	MAC Expenditure
LAURA FRANCES KEYES	\$320.00	PROFESSIONAL SVCS	City Expenditure
LAWSON PRODUCTS INC	\$1,564.09	SUPPLIES	City Expenditure
LINCOLN NATIONAL LIFE INS CO	\$33.11	DODGE OPERATING EXPENSE	Dodge Expenditure
LINDA M GARCIA	\$250.00	PROFESSIONAL SVCS	City Expenditure
LOCKTON CO, LLC-KC SERIES	\$3,066.00	DODGE OPERATING EXPENSE	Dodge Expenditure
LOGAN CONTRACTORS SUPPLY INC	\$685.61	SUPPLIES	City Expenditure
LORETTA GOESCHEL	\$33.64	REIMB EMPLOYEE EXPENSE	City Expenditure
LORRAINE VICKER	\$250.00	PROFESSIONAL SVCS	City Expenditure
LP BUILDING SERVICES GROUP	\$7,955.00	JANITORIAL SERVICE	City Expenditure
LSNB AS TRUSTEE FOR POST EMPLY HLTH PLAN	\$3,940.00	PAYROLL RELATED	City Expenditure
LSNB AS TRUSTEE FOR POST EMPLY HLTH PLAN	\$3,540.00	PAYROLL RELATED	City Expenditure
LSNB AS TRUSTEE FOR POST EMPLY HLTH PLAN	\$1,000.00	PAYROLL RELATED	City Expenditure
LSNB AS TRUSTEE FOR POST EMPLY HLTH PLAN	\$280.00	PAYROLL RELATED	City Expenditure
LYMAN RICHEY CORPORATION	\$50,969.13	STREET MAINTENANCE SUPLS	City Expenditure
LYMAN-RICHEY SAND & GRAVEL CO	\$512.40	DODGE OPERATING EXPENSE	Dodge Expenditure
M & R WELDING	\$408.00	WELDING SUPPLIES/SERVICE	City Expenditure
MAC PAYROLL	\$77,212.58	MAC OPERATING EXPENSE	MAC Expenditure
MALLORY WALLACE	\$200.00	PROFESSIONAL SVCS	City Expenditure
MARCO HOLDINGS, LLC	\$24,391.23	COPY/PRINTER MAINTANCE	City Expenditure
MARK A OSTRANSKY	\$7,064.76	MAC OPERATING EXPENSE	MAC Expenditure
MARK A WARNEKE	\$3,290.00	REPAIRS & MAINTENANCE	City Expenditure
MARK JEWELL SPEAKING & TRAINING	\$500.00	REFUND	City Expenditure
MARKING REFRIGERATION INC	\$1,825.43	MAC OPERATING EXPENSE	MAC Expenditure
MARKUSON CONSTRUCTION INC	\$5,995.00	CONSTRUCTION	City Expenditure
MATERIAL MATTERS INC	\$435.00	HARDWARE/SOFTWARE	City Expenditure
MATHESON TRI GAS INC.	\$285.64	SUPPLIES	City Expenditure
MATTHEW PECKHAM	\$6,420.00	CONSTRUCTION	City Expenditure
MAX I WALKER UNIFORM & APPAREL	\$685.03	UNIFORMS	City Expenditure
MCINTOSH PLUMBING INC	\$38.52	PLUMBING NEW OR REPAIR	City Expenditure
MCMULLEN FORD INC	\$534.30	EQUIPMENT/PARTS	City Expenditure
MECHANICAL SALES INC.	\$994.95	SUPPLIES	City Expenditure
MELISSA D SCHNIDER BENEF	\$86.45	REFUND	City Expenditure
MELISSA D SCHNIDER BENEF	(\$86.45)	VOIDED CHECK	City Expenditure
MELLEN & ASSOCIATES INC	\$10,551.00	EQUIPMENT/PARTS	City Expenditure
METAL LOGOS & MORE	\$4,378.33	SUPPLIES	City Expenditure
METOLIUS LLC	\$238.00	DODGE OPERATING EXPENSE	Dodge Expenditure
MFPRSI	\$451,308.01	RETIREMENT	City Expenditure
MICHAEL O'BRADOVICH	\$2,400.00	PROFESSIONAL SVCS	City Expenditure
MICHAEL TODD AND COMPANY INC	\$409.20	EQUIPMENT/PARTS	City Expenditure
MID STATES BANK	\$66.75	MAC OPERATING EXPENSE	MAC Expenditure
MIDAMERICAN ENERGY COMPANY	\$152,412.55	ELECTRICITY	City Expenditure

MIDLANDS HUMANE SOCIETY	\$10,328.17	CONTRACT AGREEMENT	City Expenditure
MIDWEST GLASS	\$1,168.50	REPAIRS & MAINTENANCE	City Expenditure
MIDWEST LABORATORIES INC	\$15.00	PROFESSIONAL SVCS	City Expenditure
MIDWEST RADAR & EQUIPMENT	\$1,000.00	REPAIRS & MAINTENANCE	City Expenditure
MIDWEST RESEARCH & SETTLEMENT SERVICES, INC.	\$200.00	PROFESSIONAL SVCS	City Expenditure
MIDWEST TAPE, LLC	\$7,643.18	DVD/AUDIO/CD	City Expenditure
MIDWEST TURF & IRRIGATION	\$2,294.29	EQUIPMENT/PARTS	City Expenditure
MILLS COUNTY SHERIFF'S DEPARTMENT	\$2,350.49	GRANT REIMBURSEMENT	City Expenditure
MITCHELL AND ASSOCIATES INC	\$1,000.00	CONSULTANT	City Expenditure
MOBOTREX INC	\$2,661.60	SUPPLIES	City Expenditure
MONROE TRUCK EQUIPMENT, INC.	\$747.51	EQUIPMENT/PARTS	City Expenditure
MUNICO CORP	\$3,096.00	SUPPLIES	City Expenditure
MURPHY TRACTOR & EQUIPMENT CO CORP	\$307.34	EQUIPMENT/PARTS	City Expenditure
MUTUAL OF OMAHA	\$32.95	DODGE OPERATING EXPENSE	Dodge Expenditure
MYRTLE I MIZELL BY CECILIA B MICKELLS	\$65.00	REFUND	City Expenditure
NAPA AUTO PARTS	\$3,099.68	EQUIPMENT/PARTS	City Expenditure
NATHAN SORENSEN	\$22,000.00	CONSTRUCTION	City Expenditure
NATIONAL CONCRETE CUTTING INC	\$362.72	REPAIRS & MAINTENANCE	City Expenditure
NATIONWIDE RETIREMENT SOLUTIONS INC	\$73,540.22	PAYROLL RELATED	City Expenditure
NEBRASKA AIR FILTER INC	\$884.52	SUPPLIES	City Expenditure
NEBRASKA CHILD SUPPORT PAYMENT CTR	\$496.62	PAYROLL RELATED	City Expenditure
NEBRASKA DISTRIBUTING	\$305.80	MAC OPERATING EXPENSE	MAC Expenditure
NEBRASKA GOLF AND TURF	\$1,520.00	DODGE OPERATING EXPENSE	Dodge Expenditure
NEBRASKA MACHINERY CO	\$3,107.23	MAC OPERATING EXPENSE	MAC Expenditure
NEBRASKA SALT & GRAIN CO	\$67,148.62	STREET MAINTENANCE SUPLS	City Expenditure
NEIL L ARBOGAST	\$1,550.00	PROFESSIONAL SVCS	City Expenditure
NEW COMMUNITY DEVELOPMENT CORPORATION	\$2,215.90	DEVLPMNT CONTRACT	City Expenditure
NEW VISIONS HOMELESS SERVICES	\$250.00	GRANT REIMBURSEMENT	City Expenditure
NIKE USA INC	\$3,454.07	DODGE OPERATING EXPENSE	Dodge Expenditure
NMC INC.	\$1,718.32	EQUIPMENT/PARTS	City Expenditure
OCLC INC	\$1,273.11	SUBSCRIPTION	City Expenditure
O'KEEFE ELEVATOR COMPANY INC	\$168.00	PROFESSIONAL SVCS	City Expenditure
OLSSON INC.	\$6,008.28	CONSULTANT	City Expenditure
OMAHA DOOR & WINDOW INC	\$781.76	MAC OPERATING EXPENSE	MAC Expenditure
OMAHA SLINGS INCORPORATED	\$417.16	SUPPLIES	City Expenditure
OMAHA WORLD HERALD	\$798.59	ADVERTISEMENT	City Expenditure
OMAHA-COUNCIL BLUFFS METROPOLITAN AREA	\$73,554.00	PROFESSIONAL SVCS	City Expenditure
OMNI ENGINEERING	\$15,855.08	STREET MAINTENANCE SUPLS	City Expenditure
ONE SOURCE THE BACKGROUND CHECK COMPANY	\$156.00	CONSULTANT	City Expenditure
O'REILLY AUTOMOTIVE INC	\$154.55	EQUIPMENT/PARTS	City Expenditure
OSAGE INDUSTRIES INC	\$154.20	EQUIPMENT/PARTS	City Expenditure
OVERDRIVE INC	\$3,763.71	BOOKS/PERIODICALS/SUB	City Expenditure
PAPILLION SANITATION	\$1,902.42	SOLID WASTE DISPOSAL	City Expenditure
PARAMOUNT LINEN & UNIFORMS	\$388.99	DODGE OPERATING EXPENSE	Dodge Expenditure
PASSPORT LABS INC	\$1,502.50	PARK FEES	City Expenditure
PATRICK STIBBS	\$6,000.00	ADVERTISEMENT	City Expenditure
PAY-LESS OFFICE PRODUCTS INC	\$1,498.06	SUPPLIES	City Expenditure
PAYPAL INC	\$19.95	FEES	City Expenditure
PEPSI BEVERAGES CO	\$1,057.23	DODGE OPERATING EXPENSE	Dodge Expenditure
PETROLEUM TRADERS CORPORATION	\$26,476.14	FUEL	City Expenditure
PITNEY BOWES INC.	\$3,000.00	POSTAGE & LEASE COST	City Expenditure
POTTAWATTAMIE COUNTY CLERK OF COURT	\$270.00	COURT COSTS	City Expenditure
POTTAWATTAMIE COUNTY TREASURER	\$29,811.90	FEES	City Expenditure
PREMIER MIDWEST BEVERAGE CO	\$1,732.95	DODGE OPERATING EXPENSE	Dodge Expenditure
PRESTO X	\$57.00	PEST CONTROL	City Expenditure
PROMOTION, INC.	\$576.00	SUBSCRIPTION	City Expenditure
RAILROAD MANAGEMENT COMPANY III LLC	\$235.41	LEASE	City Expenditure
RASMUSSEN MECHANICAL SERVICES INC	\$1,330.81	EQUIPMENT/PARTS	City Expenditure
RAYMOND D COOLEY	\$75.75	REFUND	City Expenditure
RDG GEOSCIENCE & ENGINEERING INC	\$227.25	PROFESSIONAL SVCS	City Expenditure
REBECCA LEONARD	\$70.00	REFUND	City Expenditure
RECORDED BOOKS LLC	\$512.42	DVD/AUDIO/CD	City Expenditure
REGENT BOOK COMPANY	\$17.09	SUPPLIES	City Expenditure
REHRIG PACIFIC COMPANY	\$25,510.14	SUPPLIES	City Expenditure
RELIANT FIRE APPARATUS INC	\$253.63	EQUIPMENT/PARTS	City Expenditure
RESPOND FIRST AID SYSTEMS	\$137.55	MEDICAL SUPPLIES	City Expenditure
RICHARD WADE	\$184.80	REIMB EMPLOYEE EXPENSE	City Expenditure
RICOH USA INC	\$49.53	LEASE	City Expenditure

RIVERSIDE BUILDING MAINTENANCE INC	\$840.26	JANITORIAL SERVICE	City Expenditure
RORELLA I BAXTER	\$27.80	REIMB EMPLOYEE EXPENSE	City Expenditure
ROSE EQUIPMENT, LLC	\$206.21	EQUIPMENT/PARTS	City Expenditure
RPL UTILITY LLC	\$8,518.96	CONSTRUCTION	City Expenditure
RYAN ROBERT ADKINS	\$10,869.20	MOWING/GROUNDS MAINT	City Expenditure
SANDRY FIRE SUPPLY LLC	\$2,618.16	SUPPLIES	City Expenditure
SAPP BROTHERS INC	\$356.40	FUEL	City Expenditure
SCHILDBERG CONSTRUCTION COMPANY INC	\$202.22	STREET MAINTENANCE SUPLS	City Expenditure
SCOTT L WHITE	\$400.00	PROFESSIONAL SVCS	City Expenditure
SCRIPPS MEDIA INC	\$980.00	MAC OPERATING EXPENSE	MAC Expenditure
SECURITY EQUIPMENT INCORPORATED	\$933.75	ALARM SECUIRTY	City Expenditure
SHERI HARRIS	\$350.00	REFUND	City Expenditure
SIBBERNSEN EXCAVATING	\$5,190.58	CONSTRUCTION	City Expenditure
SIEMENS INDUSTRY INC	\$26,128.00	EQUIPMENT/PARTS	City Expenditure
SITEONE LANDSCAPE SUPPLY HOLDING LLC	\$8.88	LANDSCAPING SUPPLIES	City Expenditure
SMARTWAVE TECHNOLOGIES LLC	\$2,627.88	HARDWARE/SOFTWARE	City Expenditure
SNYDER & ASSOCIATES INC	\$21,872.69	PROFESSIONAL SVCS	City Expenditure
SOUTHWEST IOWA PLANNING COUNCIL	\$28,763.92	SPECIAL TRANSIT	City Expenditure
SPARTAN MOTORS USA, INC.	\$466.18	EQUIPMENT/PARTS	City Expenditure
SPRINT SOLUTIONS INC	\$58.96	CELL PHONE	City Expenditure
STERN OIL CO INC	\$537.85	SUPPLIES	City Expenditure
STRYKER MEDICAL	\$396.46	EQUIPMENT/PARTS	City Expenditure
STUART TINLEY LAW FIRM LLP	\$1,200.00	PROFESSIONAL SVCS	City Expenditure
STUDIO 15 COMMERCIAL INTERIORS INC	\$94,547.03	PROFESSIONAL SVCS	City Expenditure
SWAGIT PRODUCTIONS LLC	\$1,375.00	PROFESSIONAL SVCS	City Expenditure
SYSCO - LINCOLN	\$1,042.94	DODGE OPERATING EXPENSE	Dodge Expenditure
T HALL ABC INC	\$129.55	SUPPLIES	City Expenditure
TED'S MOWER SALES & SERVICE INC	\$608.89	EQUIPMENT/PARTS	City Expenditure
TERRACON CONSULTANTS INC	\$500.00	PROFESSIONAL SVCS	City Expenditure
TERRI BAUDER	\$250.00	REFUND	City Expenditure
TERRY GILMORE	\$3,000.00	TRAINING	City Expenditure
TERRY HUGHES TREE SERVICE	\$4,300.00	PROFESSIONAL SVCS	City Expenditure
TERRY L WEAVER	\$345.00	PROFESSIONAL SVCS	City Expenditure
THE ABY MANUFACTURING GROUP INC	\$468.50	SUPPLIES	City Expenditure
THE DAVEY TREE EXPERT COMPANY	\$7,625.00	TREE WORK	City Expenditure
THE OFFICE CLEANERS	\$2,714.29	JANITORIAL SERVICE	City Expenditure
THE RETROFIT COMPANIES INC	\$4,586.50	SERVICE LABOR	City Expenditure
THE SCOTTS MIRACLE-GRO COMPANY	\$10,967.69	SERVICE LABOR	City Expenditure
THERESE SUNDERMAN	\$5.00	REFUND	City Expenditure
THERMAL SERVICES	\$551.00	REPAIRS & MAINTENANCE	City Expenditure
THERMO KING CHRISTENSEN	\$327.20	SUPPLIES	City Expenditure
TOTAL BACKFLOW RESOURCES	\$650.00	TRAINING	City Expenditure
TOYNE INC	\$1,326.01	EQUIPMENT/PARTS	City Expenditure
TRACY SIMPSON	\$20.08	REIMB EMPLOYEE EXPENSE	City Expenditure
TRAFFIC & PARKING CONTROL CO	\$3,049.50	HARDWARE/SOFTWARE	City Expenditure
TRAFFIC CONTROL CORP	\$15,750.00	EQUIPMENT/PARTS	City Expenditure
TRANE U.S. INC	\$400.00	REPAIRS & MAINTENANCE	City Expenditure
TRANS IOWA EQUIPMENT LLC	\$989.62	EQUIPMENT/PARTS	City Expenditure
TRANSALARM INC	\$111.00	DODGE OPERATING EXPENSE	Dodge Expenditure
TRANSIT AUTHORITY OF THE CITY OF OMAHA	\$72,054.00	BUS SERVICE	City Expenditure
TREASURER STATE OF IOWA/SALES TAX	\$6,496.00	SALES TAX	City Expenditure
TWO RIVERS INSURANCE COMPANY, INC.	\$822,372.47	EMPLOYEE INSURANCE	City Expenditure
TY J BOLDRA	\$181.42	REIMB EMPLOYEE EXPENSE	City Expenditure
U S AUTO FORCE	\$2,812.68	EQUIPMENT/PARTS	City Expenditure
ULTIMATE SAFETY CONCEPTS INC	\$818.26	SAFETY EQUIP & MAINTENANCE	City Expenditure
UMR	\$1,805.24	DODGE OPERATING EXPENSE	Dodge Expenditure
UNDERGROUND LOCATION COMPANY	\$1,026.90	PROFESSIONAL SVCS	City Expenditure
UNION BANK & TRUST	\$2.00	DODGE OPERATING EXPENSE	Dodge Expenditure
UNION BANK & TRUST FSA	\$3.50	DODGE OPERATING EXPENSE	Dodge Expenditure
UNITED HEALTHCARE	\$298.70	REFUND	City Expenditure
UNITED PARCEL SERVICE	\$20.45	FREIGHT/POSTAGE	City Expenditure
UNITYPOINT CLINIC	\$168.00	CONSULTANT	City Expenditure
US BANK	\$75,803.50	CREDIT CARD PURCHASES	City Expenditure
VAN DIEST SUPPLY CO	\$373.90	SUPPLIES	City Expenditure
VERIZON WIRELESS SERVICES LLC	\$7,587.91	CELL PHONE	City Expenditure
VERMEER SALES & SERVICE INC	\$1,170.63	EQUIPMENT/PARTS	City Expenditure
VERNE SIMMONDS COMPANY	\$8,452.87	SUPPLIES	City Expenditure

VERTIV CORPORATION	\$3,458.97	REPAIRS & MAINTENANCE	City Expenditure
VOICE & DATA SYSTEMS INC	\$228.00	TELEPHONE	City Expenditure
VOYA RETIREMENT INSURANCE & ANNUITY COMPANY	\$7,740.00	PAYROLL RELATED	City Expenditure
W.W. GRAINGER, INC.	\$590.12	EQUIPMENT/PARTS	City Expenditure
WASTE CONNECTIONS OF IOWA	\$295,197.38	HOUSEHOLD TRASH	City Expenditure
WASTE CONNECTIONS OF IOWA	\$222.50	DODGE OPERATING EXPENSE	Dodge Expenditure
WATER ENGINEERING INC	\$509.14	MOWING/GROUNDS MAINT	City Expenditure
WAYNE PETERSON	\$111.60	MOWING/GROUNDS MAINT	City Expenditure
WEST BEND MUTUAL INSURANCE COMPANY	\$50.00	INSURANCE	City Expenditure
WEST BROADWAY CLINIC P C	\$4,900.00	PROFESSIONAL SVCS	City Expenditure
WEST PUBLISHING CORPORATION	\$695.47	SUBSCRIPTION	City Expenditure
WESTERN ENGINEERING COMPANY INC	\$125,827.52	CONSTRUCTION	City Expenditure
WESTERN OILFIELDS SUPPLY COMPANY	\$30,581.69	RENTAL EXPS	City Expenditure
WICKLANDER ZULAWSKI & ASSOCIATES INC	\$1,780.00	TRAINING	City Expenditure
WILLCO INC.	\$1,052.57	EQUIPMENT/PARTS	City Expenditure
WILLIAM E CARPENTER JR	\$208.80	REIMB EMPLOYEE EXPENSE	City Expenditure
WINDSTREAM CORPORATION	\$2,499.53	TELEPHONE	City Expenditure
WINTER EQUIPMENT COMPANY INC	\$38,171.05	EQUIPMENT/PARTS	City Expenditure
WOODHOUSE FORD CHRYLSEY INC	\$520.36	EQUIPMENT/PARTS	City Expenditure
YAMAHA MOTOR FINANCE ACH	\$652.24	DODGE OPERATING EXPENSE	Dodge Expenditure
YMCA OF GREATER OMAHA	\$690.00	DUES/MEMBERSHIP	City Expenditure
ZACHARY PETERSON	\$200.00	PROFESSIONAL SVCS	City Expenditure
ZIMCO SUPPLY CO	\$1,190.00	DODGE OPERATING EXPENSE	Dodge Expenditure
ZIMCO SUPPLY COMPANY	\$5,676.50	SUPPLIES	City Expenditure
TOTAL	\$9,930,607.05		

CITY OF COUNCIL BLUFFS
EXPENDITURES
SEPTEMBER FY20
(\$'S)

PAYEE	AMOUNT	BUSINESS PURPOSE	
HAWKINS CONSTRUCTION COMPANY	\$1,911,961.48	CONSTRUCTION	City Expenditure
EMPLOYEE PAYROLL	\$1,878,325.64	CITY PAYROLL	City Expenditure
TWO RIVERS INSURANCE COMPANY, INC.	\$822,372.47	EMPLOYEE INSURANCE	City Expenditure
EFTPS	\$529,051.66	PAYROLL RELATED	City Expenditure
MFPRSI	\$451,308.01	RETIREMENT	City Expenditure
WASTE CONNECTIONS OF IOWA	\$295,197.38	HOUSEHOLD TRASH	City Expenditure
IPERS	\$295,068.32	RETIREMENT	City Expenditure
CAESARS ENTERTAINMENT	\$236,077.57	MAC OPERATING EXPENSE	MAC Expenditure
HGM ASSOCIATES INC	\$228,233.51	PROFESSIONAL SVCS	City Expenditure
BLUFFS PAVING & UTILITY INC	\$210,991.84	CONSTRUCTION	City Expenditure
COMPASS UTILITY LLC	\$165,690.50	CONSTRUCTION	City Expenditure
MIDAMERICAN ENERGY COMPANY	\$152,412.55	ELECTRICITY	City Expenditure
WESTERN ENGINEERING COMPANY INC	\$125,827.52	CONSTRUCTION	City Expenditure
IOWA DEPT OF REVENUE	\$122,004.00	PAYROLL RELATED	City Expenditure
STUDIO 15 COMMERCIAL INTERIORS INC	\$94,547.03	PROFESSIONAL SVCS	City Expenditure
CARLEY CONSTRUCTION LLC	\$84,602.65	CONSTRUCTION	City Expenditure
INNOVATIVE INTERFACES INC	\$79,173.82	HARDWARE/SOFTWARE	City Expenditure
MAC PAYROLL	\$77,212.58	MAC OPERATING EXPENSE	MAC Expenditure
US BANK	\$75,803.50	CREDIT CARD PURCHASES	City Expenditure
OMAHA-COUNCIL BLUFFS METROPOLITAN AREA	\$73,554.00	PROFESSIONAL SVCS	City Expenditure
NATIONWIDE RETIREMENT SOLUTIONS INC	\$73,540.22	PAYROLL RELATED	City Expenditure
EMPLOYERS MUTUAL CASUALTY COMPANY	\$72,810.36	INSURANCE	City Expenditure
TRANSIT AUTHORITY OF THE CITY OF OMAHA	\$72,054.00	BUS SERVICE	City Expenditure
IOWA WEST FOUNDATION	\$70,150.43	DEVLPMNT CONTRACT	City Expenditure
NEBRASKA SALT & GRAIN CO	\$67,148.62	STREET MAINTENANCE SUPLS	City Expenditure
ANDERSON EXCAVATING CO. INC.	\$62,255.21	CONSTRUCTION	City Expenditure
DODGE PAYROLL	\$53,649.67	DODGE OPERATING EXPENSE	Dodge Expenditure
DELL MARKETING L P	\$58,817.65	HARDWARE/SOFTWARE	City Expenditure
LYMAN RICHEY CORPORATION	\$50,969.13	STREET MAINTENANCE SUPLS	City Expenditure
IOWA WASTE SERVICES HOLDINGS INC	\$50,492.16	SOLID WASTE DISPOSAL	City Expenditure
BLUFFS ELECTRIC INC	\$47,329.93	ELECTRICAL REPAIR	City Expenditure
CUSTOM TREE CARE INC	\$43,800.00	TREE WORK	City Expenditure
WINTER EQUIPMENT COMPANY INC	\$38,171.05	EQUIPMENT/PARTS	City Expenditure
HARMS OIL COMPANY	\$36,379.16	FUEL	City Expenditure
EHRHART GRIFFIN & ASSOCIATES INC	\$32,781.77	PROFESSIONAL SVCS	City Expenditure
ADVANCE SOUTHWEST IOWA	\$31,250.00	PROFESSIONAL SVCS	City Expenditure
WESTERN OILFIELDS SUPPLY COMPANY	\$30,581.69	RENTAL EXPS	City Expenditure
DOG & PONY PRODUCTIONS INC	\$29,825.00	MAC OPERATING EXPENSE	MAC Expenditure
POTTAWATTAMIE COUNTY TREASURER	\$29,811.90	FEES	City Expenditure
SOUTHWEST IOWA PLANNING COUNCIL	\$28,763.92	SPECIAL TRANSIT	City Expenditure
PETROLEUM TRADERS CORPORATION	\$26,476.14	FUEL	City Expenditure
KERRY NORTHWAY	\$26,145.00	EQUIPMENT/PARTS	City Expenditure
SIEMENS INDUSTRY INC	\$26,128.00	EQUIPMENT/PARTS	City Expenditure
REHRIG PACIFIC COMPANY	\$25,510.14	SUPPLIES	City Expenditure
MARCO HOLDINGS, LLC	\$24,391.23	COPY/PRINTER MAINTANCE	City Expenditure
NATHAN SORENSEN	\$22,000.00	CONSTRUCTION	City Expenditure
SNYDER & ASSOCIATES INC	\$21,872.69	PROFESSIONAL SVCS	City Expenditure
COX MEDIA, LLC	\$20,144.29	PHONE/INTERNET SVC	City Expenditure
EIDE BAILLY LLP	\$20,000.00	PROFESSIONAL SERVICES	City Expenditure
FUTURE FOAM INC	\$18,077.20	TARGETED JOBS	City Expenditure
BERT GURNEY & ASSOCIATES INC	\$16,793.72	EQUIPMENT/PARTS	City Expenditure
OMNI ENGINEERING	\$15,855.08	STREET MAINTENANCE SUPLS	City Expenditure
TRAFFIC CONTROL CORP	\$15,750.00	EQUIPMENT/PARTS	City Expenditure
COUNCIL BLUFFS WATER WORKS	\$15,593.83	WATER	City Expenditure
JEO CONSULTING GROUP INC	\$15,550.18	CONSULTANT	City Expenditure
DONALD W MATHEWS	\$15,398.14	VEHICLE REPAIR	City Expenditure
COUNCIL BLUFFS AIRPORT AUTHORITY	\$14,687.20	AIRPORT AUTH TAX	City Expenditure
ARROW TOWING	\$14,623.00	TOWING/STORAGE/AUCTION	City Expenditure
ESO SOLUTIONS INC	\$14,220.40	HARDWARE/SOFTWARE	City Expenditure
CORNHUSKER INTERNATIONAL TRUCKS	\$13,318.23	EQUIPMENT/PARTS	City Expenditure
IOWA DEPARTMENT OF REVENUE	\$13,197.00	DODGE OPERATING EXPENSE	Dodge Expenditure

HOWARD BEBOUT	\$12,300.00	PROFESSIONAL SVCS	City Expenditure
JUDDS BROS CONSTRUCTION CO	\$11,847.43	CONSTRUCTION	City Expenditure
ICMA RETIREMENT TRUST - 457	\$11,712.30	PAYROLL RELATED	City Expenditure
D & K PRODUCTS	\$11,369.37	SUPPLIES	City Expenditure
DIAMOND MARKETING SOLUTIONS GROUP, INC.	\$11,166.87	PRINTING & POSTAGE	City Expenditure
THE SCOTTS MIRACLE-GRO COMPANY	\$10,967.69	SERVICE LABOR	City Expenditure
RYAN ROBERT ADKINS	\$10,869.20	MOWING/GROUNDS MAINT	City Expenditure
CONVERGEONE INC	\$10,843.74	HARDWARE/SOFTWARE	City Expenditure
MELLEN & ASSOCIATES INC	\$10,551.00	EQUIPMENT/PARTS	City Expenditure
MIDLANDS HUMANE SOCIETY	\$10,328.17	CONTRACT AGREEMENT	City Expenditure
COUNCIL BLUFFS CONVENTION & VISITORS BUREAU	\$9,880.80	CONTRIBUTIONS	City Expenditure
ELAVON INC	\$9,644.81	MERCHANT FEES	City Expenditure
ADVANCE SERVICES, INC	\$9,385.98	CONTRACT LABOR	City Expenditure
RPL UTILITY LLC	\$8,518.96	CONSTRUCTION	City Expenditure
VERNE SIMMONDS COMPANY	\$8,452.87	SUPPLIES	City Expenditure
CITY OF COUNCIL BLUFFS-FLEX	\$8,341.84	PAYROLL RELATED	City Expenditure
COLLECTION SERVICES CENTER	\$8,157.34	PAYROLL RELATED	City Expenditure
BAKER & TAYLOR INC	\$8,150.58	BOOKS/PERIODICALS/SUB	City Expenditure
LP BUILDING SERVICES GROUP	\$7,955.00	JANITORIAL SERVICE	City Expenditure
VOYA RETIREMENT INSURANCE & ANNUITY COMPANY	\$7,740.00	PAYROLL RELATED	City Expenditure
MIDWEST TAPE, LLC	\$7,643.18	DVD/AUDIO/CD	City Expenditure
IOWA DEPARTMENT OF NATURAL RESOURCE	\$7,625.00	FEES	City Expenditure
THE DAVEY TREE EXPERT COMPANY	\$7,625.00	TREE WORK	City Expenditure
VERIZON WIRELESS SERVICES LLC	\$7,587.91	CELL PHONE	City Expenditure
ASPHALT & CONCRETE MATERIALS CO.	\$7,302.13	STREET MAINTENANCE SUPLS	City Expenditure
MARK A OSTRANSKY	\$7,064.76	MAC OPERATING EXPENSE	MAC Expenditure
BOBCAT OF OMAHA	\$7,007.89	EQUIPMENT/PARTS	City Expenditure
CARROLL DISTRIBUTING & CONSTRUCTION SUPPLY	\$6,715.19	EQUIPMENT/PARTS	City Expenditure
ARNOLD MOTOR SUPPLY, LLP	\$6,610.45	EQUIPMENT/PARTS	City Expenditure
TREASURER STATE OF IOWA/SALES TAX	\$6,496.00	SALES TAX	City Expenditure
MATTHEW PECKHAM	\$6,420.00	CONSTRUCTION	City Expenditure
OLSSON INC.	\$6,008.28	CONSULTANT	City Expenditure
PATRICK STIBBS	\$6,000.00	ADVERTISEMENT	City Expenditure
MARKUSON CONSTRUCTION INC	\$5,995.00	CONSTRUCTION	City Expenditure
JEREDITH BRANDS LLC	\$5,986.50	JANITORIAL SERVICE	City Expenditure
ZIMCO SUPPLY COMPANY	\$5,676.50	SUPPLIES	City Expenditure
HTM SALES INC	\$5,292.00	EQUIPMENT/PARTS	City Expenditure
LANDSCAPES MGMT COMPANY	\$5,238.40	DODGE OPERATING EXPENSE	Dodge Expenditure
SIBBERNSEN EXCAVATING	\$5,190.58	CONSTRUCTION	City Expenditure
CITY OF COUNCIL BLUFFS-DEPENDENT	\$5,040.90	PAYROLL RELATED	City Expenditure
WEST BROADWAY CLINIC P C	\$4,900.00	PROFESSIONAL SVCS	City Expenditure
ACUSHNET COMPANY	\$4,830.03	DODGE OPERATING EXPENSE	Dodge Expenditure
EUTEK SYSTEMS INC	\$4,784.14	EQUIPMENT/PARTS	City Expenditure
FIRST NATIONAL BANK PCARDS ACH	\$4,710.68	DODGE OPERATING EXPENSE	Dodge Expenditure
FELSBURG HOLT & ULLEVIG INC	\$4,685.00	PROFESSIONAL SVCS	City Expenditure
THE RETROFIT COMPANIES INC	\$4,586.50	SERVICE LABOR	City Expenditure
CITY TREASURER	\$4,459.81	DODGE OPERATING EXPENSE	Dodge Expenditure
METAL LOGOS & MORE	\$4,378.33	SUPPLIES	City Expenditure
DAILY NONPAREIL	\$4,316.53	ADVERTISEMENT	City Expenditure
FELD FIRE	\$4,308.55	EQUIPMENT/PARTS	City Expenditure
TERRY HUGHES TREE SERVICE	\$4,300.00	PROFESSIONAL SVCS	City Expenditure
COMPASSCOM SOFTWARE CORPORATION	\$4,240.00	HARDWARE/SOFTWARE	City Expenditure
G&T SERVICES	\$4,173.00	MAC OPERATING EXPENSE	MAC Expenditure
CITY OF COUNCIL BLUFFS	\$3,996.09	DODGE OPERATING EXPENSE	Dodge Expenditure
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$3,940.00	PAYROLL RELATED	City Expenditure
IOWA DEPARTMENT OF REVENUE	\$3,933.00	MAC OPERATING EXPENSE	MAC Expenditure
OVERDRIVE INC	\$3,763.71	BOOKS/PERIODICALS/SUB	City Expenditure
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$3,540.00	PAYROLL RELATED	City Expenditure
VERTIV CORPORATION	\$3,458.97	REPAIRS & MAINTENANCE	City Expenditure
NIKE USA INC	\$3,454.07	DODGE OPERATING EXPENSE	Dodge Expenditure
LANDSCAPES UNLIMITED	\$3,408.80	DODGE OPERATING EXPENSE	Dodge Expenditure
HEARTLAND TIRES & TREADS INC	\$3,380.58	TIRE REPLACEMENT/REPAIR	City Expenditure
MARK A WARNEKE	\$3,290.00	REPAIRS & MAINTENANCE	City Expenditure
DALES TRASH SERVICE INC	\$3,261.00	RENTAL EXPS	City Expenditure
NEBRASKA MACHINERY CO	\$3,107.23	MAC OPERATING EXPENSE	MAC Expenditure
NAPA AUTO PARTS	\$3,099.68	EQUIPMENT/PARTS	City Expenditure
MUNICO CORP	\$3,096.00	SUPPLIES	City Expenditure
LOCKTON CO, LLC-KC SERIES	\$3,066.00	DODGE OPERATING EXPENSE	Dodge Expenditure

TRAFFIC & PARKING CONTROL CO	\$3,049.50	HARDWARE/SOFTWARE	City Expenditure
FRATERNAL ORDER OF POLICE	\$3,045.00	PAYROLL RELATED	City Expenditure
PITNEY BOWES INC.	\$3,000.00	POSTAGE & LEASE COST	City Expenditure
TERRY GILMORE	\$3,000.00	TRAINING	City Expenditure
DODGE BANK & CR CARD FEES	\$2,847.11	DODGE OPERATING EXPENSE	Dodge Expenditure
U S AUTO FORCE	\$2,812.68	EQUIPMENT/PARTS	City Expenditure
DMG INC	\$2,736.62	ELECTRICAL REPAIR	City Expenditure
FACTORY MOTOR PARTS	\$2,724.17	EQUIPMENT/PARTS	City Expenditure
THE OFFICE CLEANERS	\$2,714.29	JANITORIAL SERVICE	City Expenditure
MOBOTREX INC	\$2,661.60	SUPPLIES	City Expenditure
IHEARTMEDIA AND ENTERTAINMENT	\$2,660.00	MAC OPERATING EXPENSE	MAC Expenditure
JOURNAL BROADCAST GROUP	\$2,650.00	MAC OPERATING EXPENSE	MAC Expenditure
SMARTWAVE TECHNOLOGIES LLC	\$2,627.88	HARDWARE/SOFTWARE	City Expenditure
SANDRY FIRE SUPPLY LLC	\$2,618.16	SUPPLIES	City Expenditure
DOLL DISTRIBUTING LLC	\$2,556.10	DODGE OPERATING EXPENSE	Dodge Expenditure
AHLERS & COONEY P.C	\$2,544.50	PROFESSIONAL SVCS	City Expenditure
JOHN GREUNIESEN	\$2,505.00	PROPERTY ACQUISITION	City Expenditure
WINDSTREAM CORPORATION	\$2,499.53	TELEPHONE	City Expenditure
CONSTELLATION NEWENERGY-GAS DIVISION, LLC	\$2,488.69	NATURAL GAS	City Expenditure
CARL W BESSMAN	\$2,400.00	TRAINING	City Expenditure
MICHAEL O'BRADOVICH	\$2,400.00	PROFESSIONAL SVCS	City Expenditure
MILLS COUNTY SHERIFF'S DEPARTMENT	\$2,350.49	GRANT REIMBURSEMENT	City Expenditure
MIDWEST TURF & IRRIGATION	\$2,294.29	EQUIPMENT/PARTS	City Expenditure
BLACK HILLS UTILITY HOLDINGS, INC.	\$2,294.27	NATURAL GAS	City Expenditure
ERRIN K GUNDERSON	\$2,225.30	MOWING/GROUNDS MAINT	City Expenditure
NEW COMMUNITY DEVELOPMENT CORPORATION	\$2,215.90	DEVLPMNT CONTRACT	City Expenditure
HEININGER CONSTRUCTION LLC	\$2,175.00	CONSTRUCTION	City Expenditure
COUNCIL BLUFFS FIRE DEPT	\$2,080.00	MAC OPERATING EXPENSE	MAC Expenditure
CFI TIRE SERVICE	\$2,050.00	TIRE REPLACEMENT/REPAIR	City Expenditure
INLAND TRUCK PARTS COMPANY INC	\$2,010.16	EQUIPMENT/PARTS	City Expenditure
PAPILLION SANITATION	\$1,902.42	SOLID WASTE DISPOSAL	City Expenditure
CONTROL SERVICES INC	\$1,871.25	REPAIRS & MAINTENANCE	City Expenditure
EDWARDS CHEVROLET-CADILLAC INC	\$1,861.10	EQUIPMENT/PARTS	City Expenditure
IMPACT7G INC	\$1,853.75	PROFESSIONAL SVCS	City Expenditure
CHAMPLIN TIRE RECYCLING INC	\$1,844.50	TIRE DISPOSAL	City Expenditure
MARKING REFRIGERATION INC	\$1,825.43	MAC OPERATING EXPENSE	MAC Expenditure
UMR	\$1,805.24	DODGE OPERATING EXPENSE	Dodge Expenditure
WICKLANDER ZULAWSKI & ASSOCIATES INC	\$1,780.00	TRAINING	City Expenditure
CLEAR TITLE & ABSTRACT LLC	\$1,738.25	PROFESSIONAL SVCS	City Expenditure
PREMIER MIDWEST BEVERAGE CO	\$1,732.95	DODGE OPERATING EXPENSE	Dodge Expenditure
NMC INC.	\$1,718.32	EQUIPMENT/PARTS	City Expenditure
CANON SOLUTIONS AMERICA INC	\$1,664.36	COPY/PRINTER MAINTANCE	City Expenditure
GALLS PARENT HOLDING, LLC	\$1,622.36	EQUIPMENT/PARTS	City Expenditure
DAVID W WOODY	\$1,592.40	SUPPLIES	City Expenditure
HEARST PROPERTIES INC	\$1,575.00	MAC OPERATING EXPENSE	MAC Expenditure
LAWSON PRODUCTS INC	\$1,564.09	SUPPLIES	City Expenditure
D&K PRODUCTS	\$1,558.58	DODGE OPERATING EXPENSE	Dodge Expenditure
NEIL L ARBOGAST	\$1,550.00	PROFESSIONAL SVCS	City Expenditure
NEBRASKA GOLF AND TURF	\$1,520.00	DODGE OPERATING EXPENSE	Dodge Expenditure
PASSPORT LABS INC	\$1,502.50	PARK FEES	City Expenditure
EXECUTIVE J SOUND AND LIGHTING	\$1,500.00	MAC OPERATING EXPENSE	MAC Expenditure
PAY-LESS OFFICE PRODUCTS INC	\$1,498.06	SUPPLIES	City Expenditure
COMPUTER CABLE CONNECTION	\$1,473.85	HARDWARE/SOFTWARE	City Expenditure
SWAGIT PRODUCTIONS LLC	\$1,375.00	PROFESSIONAL SVCS	City Expenditure
RASMUSSEN MECHANICAL SERVICES INC	\$1,330.81	EQUIPMENT/PARTS	City Expenditure
TOYNE INC	\$1,326.01	EQUIPMENT/PARTS	City Expenditure
OCLC INC	\$1,273.11	SUBSCRIPTION	City Expenditure
KELTEK, INCORPORATED	\$1,212.60	EQUIPMENT/PARTS	City Expenditure
STUART TINLEY LAW FIRM LLP	\$1,200.00	PROFESSIONAL SVCS	City Expenditure
ZIMCO SUPPLY CO	\$1,190.00	DODGE OPERATING EXPENSE	Dodge Expenditure
VERMEER SALES & SERVICE INC	\$1,170.63	EQUIPMENT/PARTS	City Expenditure
MIDWEST GLASS	\$1,168.50	REPAIRS & MAINTENANCE	City Expenditure
DEX MEDIA, INC.	\$1,145.50	ADVERTISEMENT	City Expenditure
HUDSON INVESTMENTS INC	\$1,080.00	PROPERTY ACQUISITION	City Expenditure
BARTON SOLVENTS INC	\$1,062.50	SUPPLIES	City Expenditure
PEPSI BEVERAGES CO	\$1,057.23	DODGE OPERATING EXPENSE	Dodge Expenditure
WILLCO INC.	\$1,052.57	EQUIPMENT/PARTS	City Expenditure
GREAT PLAINS UNIFORMS	\$1,051.00	UNIFORMS	City Expenditure

SYSKO - LINCOLN	\$1,042.94	DODGE OPERATING EXPENSE	Dodge Expenditure
UNDERGROUND LOCATION COMPANY	\$1,026.90	PROFESSIONAL SVCS	City Expenditure
GOVDEALS INC	\$1,020.69	ONLINE PAYMENT FEES	City Expenditure
CITY OF OMAHA	\$1,000.00	CONTRACT AGREEMENT	City Expenditure
KONECRANES, INC.	\$1,000.00	PROFESSIONAL SVCS	City Expenditure
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$1,000.00	PAYROLL RELATED	City Expenditure
MIDWEST RADAR & EQUIPMENT	\$1,000.00	REPAIRS & MAINTENANCE	City Expenditure
MITCHELL AND ASSOCIATES INC	\$1,000.00	CONSULTANT	City Expenditure
MECHANICAL SALES INC.	\$994.95	SUPPLIES	City Expenditure
TRANS IOWA EQUIPMENT LLC	\$989.62	EQUIPMENT/PARTS	City Expenditure
SCRIPPS MEDIA INC	\$980.00	MAC OPERATING EXPENSE	MAC Expenditure
SECURITY EQUIPMENT INCORPORATED	\$933.75	ALARM SECURITY	City Expenditure
NEBRASKA AIR FILTER INC	\$884.52	SUPPLIES	City Expenditure
AGRIVISION EQUIPMENT GROUP	\$853.98	EQUIPMENT/PARTS	City Expenditure
HEARTLAND CO-OP	\$845.60	FUEL	City Expenditure
RIVERSIDE BUILDING MAINTENANCE INC	\$840.26	JANITORIAL SERVICE	City Expenditure
ULTIMATE SAFETY CONCEPTS INC	\$818.26	SAFETY EQUIP & MAINTENANCE	City Expenditure
I-80 LIQUOR & TOBACCO	\$812.55	DODGE OPERATING EXPENSE	Dodge Expenditure
KONICA MINOLTA BUSINESS SOLUTIONS USA	\$812.00	LEASE	City Expenditure
OMAHA WORLD HERALD	\$798.59	ADVERTISEMENT	City Expenditure
J&M GOLF	\$792.66	DODGE OPERATING EXPENSE	Dodge Expenditure
OMAHA DOOR & WINDOW INC	\$781.76	MAC OPERATING EXPENSE	MAC Expenditure
MONROE TRUCK EQUIPMENT, INC.	\$747.51	EQUIPMENT/PARTS	City Expenditure
DXP ENTERPRISES INC	\$723.33	EQUIPMENT/PARTS	City Expenditure
AQUA-CHEM INCORPORATED	\$700.00	SUPPLIES	City Expenditure
ENTERPRISE FM TRUST	\$699.88	RENTAL EXPS	City Expenditure
WEST PUBLISHING CORPORATION	\$695.47	SUBSCRIPTION	City Expenditure
YMCA OF GREATER OMAHA	\$690.00	DUES/MEMBERSHIP	City Expenditure
DRIVER PLUMBING LTD.	\$686.00	REPAIRS & MAINTENANCE	City Expenditure
LOGAN CONTRACTORS SUPPLY INC	\$685.61	SUPPLIES	City Expenditure
MAX I WALKER UNIFORM & APPAREL	\$685.03	UNIFORMS	City Expenditure
CENTURYLINK	\$671.30	TELEPHONE	City Expenditure
COMMAND CENTER INC	\$665.46	MAC OPERATING EXPENSE	MAC Expenditure
DOLL DISTRIBUTING INC	\$662.65	MAC OPERATING EXPENSE	MAC Expenditure
YAMAHA MOTOR FINANCE ACH	\$652.24	DODGE OPERATING EXPENSE	Dodge Expenditure
TOTAL BACKFLOW RESOURCES	\$650.00	TRAINING	City Expenditure
IPFS CORPORATION	\$645.39	DODGE OPERATING EXPENSE	Dodge Expenditure
DEAN HOLDING COMPANY	\$642.14	SUPPLIES	City Expenditure
ENDRESS & HAUSER	\$614.33	SUPPLIES	City Expenditure
HHH CORP	\$610.00	SUPPLIES	City Expenditure
TED'S MOWER SALES & SERVICE INC	\$608.89	EQUIPMENT/PARTS	City Expenditure
DONNA L TROUT	\$600.00	PROFESSIONAL SVCS	City Expenditure
COUNCIL BLUFFS WINSUPPLY	\$599.59	SUPPLIES	City Expenditure
W.W. GRAINGER, INC.	\$590.12	EQUIPMENT/PARTS	City Expenditure
JONES BARRELL CO.	\$589.00	SUPPLIES	City Expenditure
DANIELSON TECH SUPPLY	\$588.74	SUPPLIES	City Expenditure
IP PATHWAYS LLC	\$585.00	HARDWARE/SOFTWARE	City Expenditure
PROMOTION, INC.	\$576.00	SUBSCRIPTION	City Expenditure
THERMAL SERVICES	\$551.00	REPAIRS & MAINTENANCE	City Expenditure
CONTINENTAL CARBON GROUP INC	\$550.00	PROFESSIONAL SVCS	City Expenditure
STERN OIL CO INC	\$537.85	SUPPLIES	City Expenditure
MCMULLEN FORD INC	\$534.30	EQUIPMENT/PARTS	City Expenditure
WOODHOUSE FORD CHRYSLER INC	\$520.36	EQUIPMENT/PARTS	City Expenditure
CHILD SUPPORT SERVICES DIVISION	\$514.32	PAYROLL RELATED	City Expenditure
RECORDED BOOKS LLC	\$512.42	DVD/AUDIO/CD	City Expenditure
LYMAN-RICHEY SAND & GRAVEL CO	\$512.40	DODGE OPERATING EXPENSE	Dodge Expenditure
WATER ENGINEERING INC	\$509.14	MOWING/GROUNDS MAINT	City Expenditure
JIM HAWK TRUCK TRAILERS INC.	\$509.12	EQUIPMENT/PARTS	City Expenditure
MARK JEWELL SPEAKING & TRAINING	\$500.00	REFUND	City Expenditure
TERRACON CONSULTANTS INC	\$500.00	PROFESSIONAL SVCS	City Expenditure
DAVIS EQUIPMENT CORPORATION	\$497.65	EQUIPMENT/PARTS	City Expenditure
NEBRASKA CHILD SUPPORT PAYMENT CTR	\$496.62	PAYROLL RELATED	City Expenditure
DUKE RENTALS	\$474.36	RENTAL EXPS	City Expenditure
THE ABY MANUFACTURING GROUP INC	\$468.50	SUPPLIES	City Expenditure
C & J INDUSTRIAL SUPPLY	\$467.40	JANITORIAL SERVICE	City Expenditure
SPARTAN MOTORS USA, INC.	\$466.18	EQUIPMENT/PARTS	City Expenditure
CRANE SALES & SERVICE	\$441.00	EQUIPMENT/PARTS	City Expenditure

MATERIAL MATTERS INC	\$435.00	HARDWARE/SOFTWARE	City Expenditure
OMAHA SLINGS INCORPORATED	\$417.16	SUPPLIES	City Expenditure
ALYCE A WALLACE	\$415.00	REFUND	City Expenditure
IOWA PRISON INDUSTRIES	\$414.70	SUPPLIES	City Expenditure
ALLIED ELECTRONICS INCORPORATED	\$412.52	SUPPLIES	City Expenditure
MICHAEL TODD AND COMPANY INC	\$409.20	EQUIPMENT/PARTS	City Expenditure
M & R WELDING	\$408.00	WELDING SUPPLIES/SERVICE	City Expenditure
BLACKBURN MANUFACTURING COMPANY	\$407.20	SUPPLIES	City Expenditure
SCOTT L WHITE	\$400.00	PROFESSIONAL SVCS	City Expenditure
TRANE U.S. INC	\$400.00	REPAIRS & MAINTENANCE	City Expenditure
STRYKER MEDICAL	\$396.46	EQUIPMENT/PARTS	City Expenditure
PARAMOUNT LINEN & UNIFORMS	\$388.99	DODGE OPERATING EXPENSE	Dodge Expenditure
VAN DIEST SUPPLY CO	\$373.90	SUPPLIES	City Expenditure
NATIONAL CONCRETE CUTTING INC	\$362.72	REPAIRS & MAINTENANCE	City Expenditure
SAPP BROTHERS INC	\$356.40	FUEL	City Expenditure
ATHLETICO EXCEL NEBRASKA LLC	\$355.00	PROFESSIONAL SVCS	City Expenditure
SHERI HARRIS	\$350.00	REFUND	City Expenditure
BUCK'S INC.	\$348.81	VEHICLE WASH	City Expenditure
HUBER CHEVROLET CO INC	\$346.42	EQUIPMENT/PARTS	City Expenditure
TERRY L WEAVER	\$345.00	PROFESSIONAL SVCS	City Expenditure
AMERICAN BOTTLING COMPANY	\$340.80	SUPPLIES	City Expenditure
ADIDAS AMERICA INC	\$332.34	DODGE OPERATING EXPENSE	Dodge Expenditure
THERMO KING CHRISTENSEN	\$327.20	SUPPLIES	City Expenditure
DULTMEIER SALES LLC	\$321.00	SUPPLIES	City Expenditure
LAURA FRANCES KEYES	\$320.00	PROFESSIONAL SVCS	City Expenditure
ECHO GROUP	\$318.15	SUPPLIES	City Expenditure
MURPHY TRACTOR & EQUIPMENT CO CORP	\$307.34	EQUIPMENT/PARTS	City Expenditure
NEBRASKA DISTRIBUTING	\$305.80	MAC OPERATING EXPENSE	MAC Expenditure
GREATAMERICA FINANCIAL SERVICES CORP	\$304.00	LEASE	City Expenditure
IOWA CRISIS NEGOTIATORS ASSOCIATION	\$300.00	TRAINING	City Expenditure
UNITED HEALTHCARE	\$298.70	REFUND	City Expenditure
GENIE SERVICE LLC	\$295.00	PEST CONTROL	City Expenditure
HOSE & HANDLING INC.	\$293.18	EQUIPMENT/PARTS	City Expenditure
BOUND TO STAY BOUND BOOKS INC	\$290.61	BOOKS/PERIODICALS/SUB	City Expenditure
MATHESON TRI GAS INC.	\$285.64	SUPPLIES	City Expenditure
GRP & ASSOCIATES	\$283.00	SUPPLIES	City Expenditure
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$280.00	PAYROLL RELATED	City Expenditure
DEFIANCE, INC.	\$277.88	REPAIRS & MAINTENANCE	City Expenditure
BURTON PLUMBING	\$276.50	PLUMBING NEW OR REPAIR	City Expenditure
CENGAGE LEARNING INC	\$272.71	BOOKS/PERIODICALS/SUB	City Expenditure
FISHER SCIENTIFIC COMPANY, LLC	\$270.63	TESTING	City Expenditure
CENTER POINT LARGE PRINT	\$270.24	BOOKS/PERIODICALS/SUB	City Expenditure
POTTAWATTAMIE COUNTY CLERK OF COURT	\$270.00	COURT COSTS	City Expenditure
FIRST WIRELESS INC	\$268.80	EQUIPMENT/PARTS	City Expenditure
GREAT AMERICA FINANCIAL SERVICE	\$266.40	DODGE OPERATING EXPENSE	Dodge Expenditure
A & D TECHNICAL SUPPLY COMPANY	\$258.20	SUPPLIES	City Expenditure
RELIANT FIRE APPARATUS INC	\$253.63	EQUIPMENT/PARTS	City Expenditure
ALERT-ALL CORP	\$250.00	SUPPLIES	City Expenditure
AMERICAN CANCER SOCIETY	\$250.00	REFUND	City Expenditure
BACKSTAGE LIBRARY WORKS	\$250.00	SUBSCRIPTION	City Expenditure
BARB FOSTER	\$250.00	REFUND	City Expenditure
LINDA M GARCIA	\$250.00	PROFESSIONAL SVCS	City Expenditure
LORRAINE VICKER	\$250.00	PROFESSIONAL SVCS	City Expenditure
NEW VISIONS HOMELESS SERVICES	\$250.00	GRANT REIMBURSEMENT	City Expenditure
TERRI BAUDER	\$250.00	REFUND	City Expenditure
METOLIUS LLC	\$238.00	DODGE OPERATING EXPENSE	Dodge Expenditure
RAILROAD MANAGEMENT COMPANY III LLC	\$235.41	LEASE	City Expenditure
VOICE & DATA SYSTEMS INC	\$228.00	TELEPHONE	City Expenditure
RDG GEOSCIENCE & ENGINEERING INC	\$227.25	PROFESSIONAL SVCS	City Expenditure
BOFA	\$224.35	MAC OPERATING EXPENSE	MAC Expenditure
IOWA WATER ENVIRONMENTAL ASSOCIATION	\$224.00	TRAINING	City Expenditure
WASTE CONNECTIONS OF IOWA	\$222.50	DODGE OPERATING EXPENSE	Dodge Expenditure
BGNE INC.	\$222.00	SUPPLIES	City Expenditure
A + UNITED RADIATOR REPAIR INC.	\$215.00	REPAIRS & MAINTENANCE	City Expenditure
WILLIAM E CARPENTER JR	\$208.80	REIMB EMPLOYEE EXPENSE	City Expenditure
ROSE EQUIPMENT, LLC	\$206.21	EQUIPMENT/PARTS	City Expenditure
SCHILDBERG CONSTRUCTION COMPANY INC	\$202.22	STREET MAINTENANCE SUPLS	City Expenditure
HOTSY EQUIPMENT COMPANY	\$200.39	REPAIRS & MAINTENANCE	City Expenditure

DAN MADDOX	\$200.00	DODGE OPERATING EXPENSE	Dodge Expenditure
DUSTIN STEHL	\$200.00	PROFESSIONAL SVCS	City Expenditure
DYLAN OAKES ROHDE	\$200.00	PROFESSIONAL SVCS	City Expenditure
ERICKA WELLMAN JAMES	\$200.00	REFUND	City Expenditure
ICAN	\$200.00	REFUND	City Expenditure
MALLORY WALLACE	\$200.00	PROFESSIONAL SVCS	City Expenditure
MIDWEST RESEARCH & SETTLEMENT SERVICES, INC.	\$200.00	PROFESSIONAL SVCS	City Expenditure
ZACHARY PETERSON	\$200.00	PROFESSIONAL SVCS	City Expenditure
BOMGAARS SUPPLY INC	\$192.42	SUPPLIES	City Expenditure
RICHARD WADE	\$184.80	REIMB EMPLOYEE EXPENSE	City Expenditure
BMI JANITORIAL GROUP	\$182.00	MAC OPERATING EXPENSE	MAC Expenditure
TY J BOLDR	\$181.42	REIMB EMPLOYEE EXPENSE	City Expenditure
JONES AUTOMOTIVE	\$180.34	EQUIPMENT/PARTS	City Expenditure
O'KEEFE ELEVATOR COMPANY INC	\$168.00	PROFESSIONAL SVCS	City Expenditure
UNITYPOINT CLINIC	\$168.00	CONSULTANT	City Expenditure
CELEBRATE CATERING LLC	\$159.25	PROFESSIONAL SVCS	City Expenditure
IOWA DEPARTMENT OF REVENUE	\$157.19	PAYROLL RELATED	City Expenditure
DIAMOND MOWERS INC	\$156.87	REPAIRS & MAINTENANCE	City Expenditure
ONE SOURCE THE BACKGROUND CHECK COMPANY	\$156.00	CONSULTANT	City Expenditure
CLEVELAND GOLF/SRIXON	\$154.63	DODGE OPERATING EXPENSE	Dodge Expenditure
O'REILLY AUTOMOTIVE INC	\$154.55	EQUIPMENT/PARTS	City Expenditure
OSAGE INDUSTRIES INC	\$154.20	EQUIPMENT/PARTS	City Expenditure
HEARTLAND TOXICOLOGY	\$145.00	PROFESSIONAL SVCS	City Expenditure
RESPOND FIRST AID SYSTEMS	\$137.55	MEDICAL SUPPLIES	City Expenditure
CREDIT MANAGEMENT, LP	\$132.06	COLLECTION FEE	City Expenditure
BARCO MUNICIPAL PRODUCTS INC	\$131.47	SUPPLIES	City Expenditure
T HALL ABC INC	\$129.55	SUPPLIES	City Expenditure
FRANK A MCCRARY	\$127.50	CONSULTANT	City Expenditure
EDWARD JAMES BREWSTER JR	\$120.00	PROFESSIONAL SVCS	City Expenditure
JEBRO INCORPORATED	\$120.00	EQUIPMENT/PARTS	City Expenditure
COX BUSINESS	\$119.12	DODGE OPERATING EXPENSE	Dodge Expenditure
BAUM HYDRAULICS CORP	\$115.16	EQUIPMENT/PARTS	City Expenditure
DICK DEAN SERVICE INC.	\$114.95	REPAIRS & MAINTENANCE	City Expenditure
WAYNE PETERSON	\$111.60	MOWING/GROUNDS MAINT	City Expenditure
TRANSALARM INC	\$111.00	DODGE OPERATING EXPENSE	Dodge Expenditure
JEFFERSON W THIELEN	\$109.14	REIMB EMPLOYEE EXPENSE	City Expenditure
LARSEN SUPPLY CO	\$104.84	MAC OPERATING EXPENSE	MAC Expenditure
DESIGN 8 STUDIOS	\$100.80	REFUND	City Expenditure
DON'S AUTO SERVICE	\$100.00	REFUND	City Expenditure
INFOSAFE SHREDDING LLC	\$100.00	PROFESSIONAL SVCS	City Expenditure
DRAKE-WILLIAMS STEEL INC	\$90.00	REPAIRS & MAINTENANCE	City Expenditure
AMERITAS LIFE INS CORP	\$86.90	DODGE OPERATING EXPENSE	Dodge Expenditure
MELISSA D SCHNIDER BENEF	\$86.45	REFUND	City Expenditure
ERIC ROGERS	\$84.77	REFUND	City Expenditure
ECHO ELECTRIC SUPPLY	\$81.00	MAC OPERATING EXPENSE	MAC Expenditure
JEREMY VERSCHOOR	\$80.00	REFUND	City Expenditure
AMERICAN NATIONAL BANK	\$79.50	BANK SERVICES	City Expenditure
CB PRF FIRE FIGHTERS #15	\$79.00	PAYROLL RELATED	City Expenditure
RAYMOND D COOLEY	\$75.75	REFUND	City Expenditure
ERIC WYLER	\$75.00	REFUND	City Expenditure
REBECCA LEONARD	\$70.00	REFUND	City Expenditure
FRANCIS JESSEPE	\$68.27	REFUND	City Expenditure
MID STATES BANK	\$66.75	MAC OPERATING EXPENSE	MAC Expenditure
FASTENAL COMPANY	\$66.69	SUPPLIES	City Expenditure
MYRTLE I MIZELL BY CECILIA B MICKELLS	\$65.00	REFUND	City Expenditure
JOSHUA OWEN	\$60.00	PROPERTY ACQUISITION	City Expenditure
SPRINT SOLUTIONS INC	\$58.96	CELL PHONE	City Expenditure
KELSEY BOCKEN	\$58.70	REIMB EMPLOYEE EXPENSE	City Expenditure
PRESTO X	\$57.00	PEST CONTROL	City Expenditure
KATIE PATTEE	\$50.13	REIMB EMPLOYEE EXPENSE	City Expenditure
FIRE SERVICE TRAINING BUREAU	\$50.00	TRAINING	City Expenditure
WEST BEND MUTUAL INSURANCE COMPANY	\$50.00	INSURANCE	City Expenditure
RICOH USA INC	\$49.53	LEASE	City Expenditure
JODY ACOSTA	\$40.00	REFUND	City Expenditure
MCINTOSH PLUMBING INC	\$38.52	PLUMBING NEW OR REPAIR	City Expenditure
DAVID'S ELECTRIC INC	\$38.48	ELECTRICAL REPAIR	City Expenditure
AG SOLUTIONS GROUP LLC	\$35.00	EQUIPMENT/PARTS	City Expenditure
GENIE PEST CONTROL	\$35.00	DODGE OPERATING EXPENSE	Dodge Expenditure

JEFFREY T KOUBA	\$35.00	PROFESSIONAL SVCS	City Expenditure
LORETTA GOESCHEL	\$33.64	REIMB EMPLOYEE EXPENSE	City Expenditure
LINCOLN NATIONAL LIFE INS CO	\$33.11	DODGE OPERATING EXPENSE	Dodge Expenditure
MUTUAL OF OMAHA	\$32.95	DODGE OPERATING EXPENSE	Dodge Expenditure
DATASHIELD CORPORATION	\$30.00	SERVICE LABOR	City Expenditure
RORELLA I BAXTER	\$27.80	REIMB EMPLOYEE EXPENSE	City Expenditure
GENE WINCHESTER	\$26.00	REFUND	City Expenditure
UNITED PARCEL SERVICE	\$20.45	FREIGHT/POSTAGE	City Expenditure
TRACY SIMPSON	\$20.08	REIMB EMPLOYEE EXPENSE	City Expenditure
PAYPAL INC	\$19.95	FEES	City Expenditure
FIRESRING PRINT INC	\$19.33	PRINTING/BINDING	City Expenditure
REGENT BOOK COMPANY	\$17.09	SUPPLIES	City Expenditure
DOUGLAS WILKEN	\$15.00	REFUND	City Expenditure
MIDWEST LABORATORIES INC	\$15.00	PROFESSIONAL SVCS	City Expenditure
AMERICAN MESSAGING SERVICES LLC	\$14.19	TELEPHONE	City Expenditure
CREDIT INFORMATION SYSTEMS	\$11.00	PROFESSIONAL SVCS	City Expenditure
SITEONE LANDSCAPE SUPPLY HOLDING LLC	\$8.88	LANDSCAPING SUPPLIES	City Expenditure
THERESE SUNDERMAN	\$5.00	REFUND	City Expenditure
UNION BANK & TRUST FSA	\$3.50	DODGE OPERATING EXPENSE	Dodge Expenditure
UNION BANK & TRUST	\$2.00	DODGE OPERATING EXPENSE	Dodge Expenditure
CHARLENE CHASE	\$1.34	REFUND	City Expenditure
CHARLENE CHASE	(\$1.34)	VOIDED CHECK	City Expenditure
ERIC ROGERS	(\$84.77)	VOIDED CHECK	City Expenditure
MELISSA D SCHNIDER BENEF	(\$86.45)	VOIDED CHECK	City Expenditure
TOTAL	\$9,930,607.05		

NOTICE TO REDEEM FROM TAX SALE

TO: Judith Krohn
1624 N. Broadway Street
Council Bluffs, IA 51503
and any unknown heirs, devisees, grantees, assignees, successors in interest, unknown parties in possession, unknown spouses and claimants.

Unknown Spouse of Judith Krohn, if any
1624 N. Broadway Street
Council Bluffs, IA 51503

Parties in Possession of
1624 N. Broadway Street
Council Bluffs, IA 51503

Judith Krohn
22458 272nd Street
Underwood, IA 51576

Unknown Spouse of Judith Krohn, if any
22458 272nd Street
Underwood, IA 51576

Nicholas A. Jedlicka
23893 McPherson Avenue
Council Bluffs, IA 51503
RE: Quit Claim Deed filed May 12, 2017, as Instrument No. 2017-06020 of the records of Pottawattamie County, Iowa

Penny S. Jedlicka, as Spouse of Nicholas A. Jedlicka
23893 McPherson Avenue
Council Bluffs, IA 51503
RE: Quit Claim Deed filed May 12, 2017, as Instrument No. 2017-06020 of the records of Pottawattamie County, Iowa

Duane Hinman
189 South Nebraska Street
Craig, NE 68019
RE: Quit Claim Deed filed May 12, 2017, as Instrument No. 2017-06020 of the records of Pottawattamie County, Iowa

Unknown Spouse of Duane J. Hinman, if any
189 South Nebraska Street
Craig, NE 68019
RE: Quit Claim Deed filed May 12, 2017, as Instrument No. 2017-06020 of the records of Pottawattamie County, Iowa

RECORDED
4 NOV 19
10:23

Deutsche Bank National Trust Company, as Trustee for the Certificateholders of the
Morgan Stanley ABS Capital I Inc., Trust 2007-NC1, Mortgage Pass-Through
Certificates, Series 2007-NC1

1761 E. St. Andrew Place
Santa Ana, CA 92705

RE: Assignment of Mortgage filed May 17, 2012 in Book 2012 at Page 07070 of the
records of Pottawattamie County, Iowa, which assigned the mortgage dated September
27, 2006, filed October 4, 2006 in Book 107 at Page 05785 of the records of
Pottawattamie County, Iowa

Capital One Bank (USA), N.A.

P.O. Box 60599

City of Industry, CA 91716

RE: Iowa District Court in and for Pottawattamie County, Case No. LACV104169 filed
March 18, 2011, judgment against Judy Krohn

Capital One Bank (USA), N.A.

c/o Litow & Pech, P.C.

Attn: Charles L. Litow

P.O. Box 2165

Cedar Rapids, IA 52406-2165

RE: Iowa District Court in and for Pottawattamie County, Case No. LACV104169 filed
March 18, 2011, judgment against Judy Krohn

Council Bluffs City Clerk

c/o City Hall

209 Pearl Street

Council Bluffs, IA 51503

Pottawattamie County Treasurer

227 South 6th Street

Council Bluffs, IA 51501

Any and all person(s) in possession of the parcel hereinafter described.

All of the heirs, spouses, assignees, grantees, legatees, devisees, and successors in interest
both known and unknown, and all unknown claimants claiming to have any recorded or
unrecorded right, title, or interest in and to the parcel hereinafter described.

YOU ARE NOTIFIED that on the 19th day of June,, 2017, the following described
parcel, situated in Pottawattamie County, Iowa, to-wit:

*The East 1/2 of the vacated North/South alley abutting Lot 3, Block 5 and Lot 3,
Block 5, Mynster Place, City of Council Bluffs, Pottawattamie County, Iowa*

DISTRICT: 000

PARCEL NO. 754319329010

CERTIFICATE NO. 17-0124

was sold at tax sale by the Treasurer of Pottawattamie County for the then delinquent and unpaid taxes and/or special assessments against the parcel, that a Certificate of Purchase was duly issued by the County Treasurer of Pottawattamie County, Iowa, pursuant to said tax sale, which Certificate is now lawfully held and owned by ACC191, LLC and that the right of redemption will expire and a deed to the said parcel will be made to ACC191, LLC, by the Treasurer of Pottawattamie County, Iowa, thereby relinquishing all your rights, title and interest in the above-described parcel unless redemption from said tax sale is made within ninety (90) days from the completed service of this Notice.

Dated this 15th day of November, 20 19.

ACC191, LLC

By: 

Nathan D. Runde-AT009759

Of

Clemens, Walters, Conlon

Runde & Hiatt, L.L.P.

2080 Southpark Court

Dubuque, IA 52003

Tel: (563)582-2926

Fax: (563)582-2998

Email: nrunde@cwcmllaw.com

NOTE: Do not contact the purchaser at the tax sale or his attorney in order to arrange for payment of the amounts necessary to redeem this property. The only means by which you may redeem this property is through payment of the amounts due through the Pottawattamie County Treasurer, Pottawattamie County Courthouse, Council Bluffs, Iowa, (712)328-5627.

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-2039

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Brittany Shropshire DAY PHONE: 402-210-0110
ADDRESS: 1405 Buck Dr, Apt 109, Bellevue NE DOB: 4-13-94
68005

DATE & TIME OF LOSS/ACCIDENT: 6-24-19
LOCATION OF LOSS/ACCIDENT: Douglas County Jail + Pottawattamie County Jail
DESCRIPTION OF LOSS/ACCIDENT: Falsely arrested under a warrant
for another individual with the same name.
Wrongfully held in custody

(USE BACK OF FORM, IF NECESSARY)

TOTAL DAMAGES CLAIMED: \$ 35,000.00

WITNESS(ES) (Name(s), Address(es), Phone No(s)): Layla LaFrancis 12745 Schilling Dr. Bellevue NE
68123 402-871-1400, Kaylin Brown 72132nd Ave Council Bluffs IA
51501 712-366-9401

WAS POLICE REPORT FILED ☒ YES ☐ NO

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

Medical unit Douglas County Jail to receive medications
for schizophrenia.

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: N/A

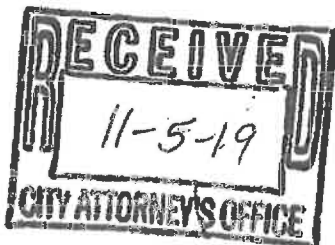
LIST INSURANCE PROVIDER AND COVERAGE: None

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 10/25/2019

CLAIMANT'S SIGNATURE [Signature]



CLERK RCD
8 NOV 19
AM 11:11

Council Communication

Department: City Clerk
Case/Project No.:
Submitted by:

Resolution 19-270
ITEM 3.J.

Council Action: 11/18/2019

Description

Resolution setting a Public Hearing for December 16, 2019 at 7:00 p.m. on the proposal to enter into an Amended and Restated Agreement for Private Development with Argent Baxter JV - Council Bluffs, LLC.

Background/Discussion

Recommendation

ATTACHMENTS:

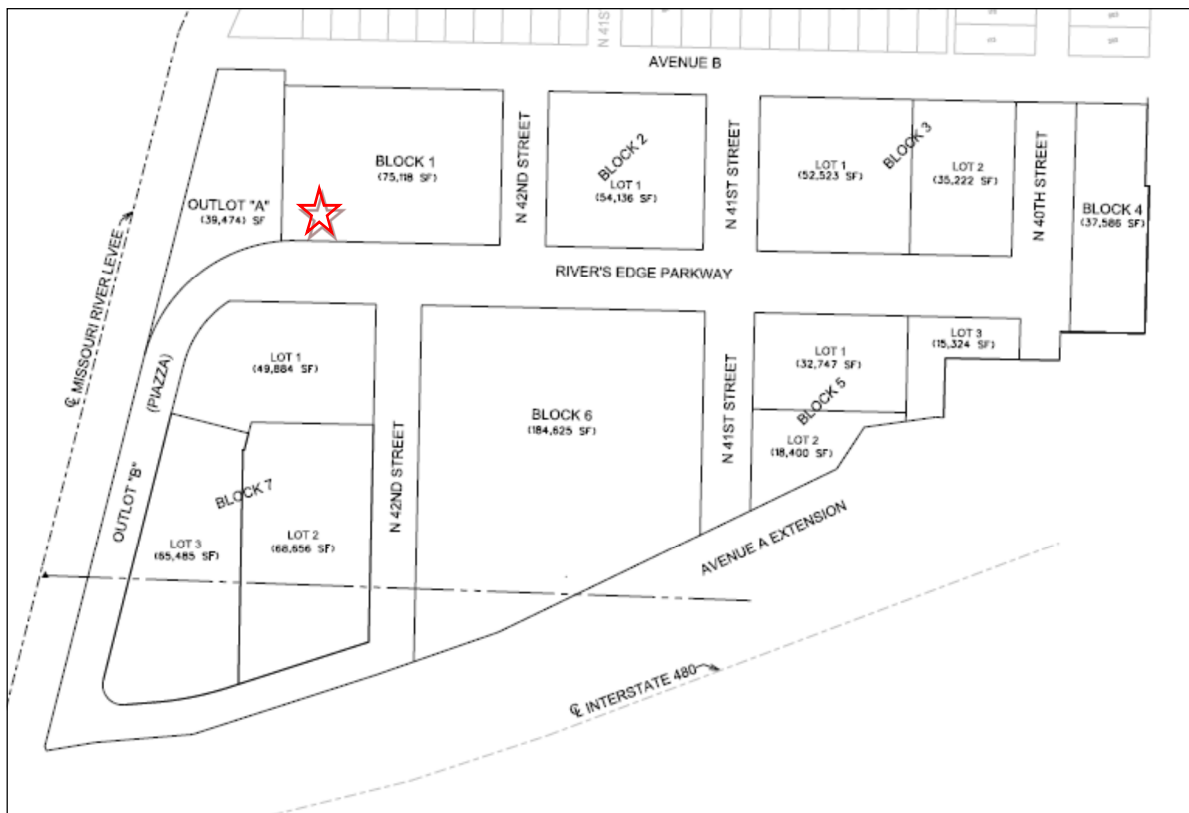
Description	Type	Upload Date
Staff Report	Other	11/13/2019
Resolution 19-270	Resolution	11/13/2019

**Council Communication
November 18, 2019**

Department: Community Development	Resolution No. 19-_____	Resolution Setting PH: 11-18-19 Public Hearing: 12-16-19 Resolution Approving: 12-16-19
Subject/Title		
Resolution making final determination on potential transfer of interests in real property to Argent Baxter JV Council Bluffs, L.L.C. and taking additional action approving and authorizing execution of the Development Agreement by and between the City of Council Bluffs and Argent Baxter JV Council Bluffs, L.L.C.		
Background/Discussion		
<p>This development agreement replaces a previous agreement with a related company known as “Argent Development Group, LLC”. In summary, the previous agreement was for two residential towers, one with apartments and one with condominiums. That agreement had a minimum assessment of \$33,354,000 and tax increment financing payments of \$12 million over 15 years. Sale of the property was to be for \$751,180.</p> <p>Argent Baxter JV Council Bluffs, L.L.C. submitted a revised development proposal regarding the construction of a single residential tower on Block 1 of River’s Edge Subdivision, in the amended Playland Park Urban Renewal Area. A development agreement has been drafted that describes the roles and responsibilities of the City and Developer. Although the agreement contains numerous provisions, the primary commitments contained in the agreement include:</p> <ul style="list-style-type: none">• Developer acquires Block 1 of River’s Edge Subdivision (75,118 sq. ft.) for \$751,180, which is approximately \$10.00 psf.• The building will include a single tower with parking on lower levels and approximately 13 floors of residential. The mix of residential units will include up to 210 apartments in the range of 700-1,300 sq. ft. and 24 condominium units averaging approximately 1,000 sq. ft. An outdoor amenity deck will be included for residents.• The company expects to initiate construction by July 1, 2020 and be completed by February 1, 2022.• The project will include a minimum assessment agreement of \$45,000,000.• An 18 year tax increment financing rebate equal to 75% of captured property taxes is proposed to be provided to the Developer. The Development Agreement sets maximum rebates over the 18 year term at \$23,000,000.		
Staff Recommendation		
Approval of the resolution		
Attachments		
1) Resolution 2) The development agreement for Argent Baxter JV Council Bluffs, L.L.C. has been provided under separate cover.		

Prepared and approved by: Brandon Garrett, Director, Community Development Department

Council Communication
November 18, 2019



RESOLUTION 19-270

ITEM TO INCLUDE ON AGENDA

CITY OF COUNCIL BLUFFS, IOWA

November 18, 2019

7:00 P.M.

Playland Park Urban Renewal Plan

- Resolution fixing date for a public hearing on the proposal to enter into an Amended and Restated Agreement for Private Development with Argent Baxter JV - Council Bluffs, LLC.

IMPORTANT INFORMATION

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

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

November 18, 2019

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

Absent: _____

Vacant: _____

* * * * *

Council Member _____ then introduced the following proposed Resolution entitled "RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON THE PROPOSAL TO ENTER INTO AN AMENDED AND RESTATED AGREEMENT FOR PRIVATE DEVELOPMENT WITH ARGENT BAXTER JV - COUNCIL BLUFFS, LLC., AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called, and the vote was:

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the Resolution duly adopted as follows:

RESOLUTION NO. 19-270

RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON
THE PROPOSAL TO ENTER INTO AN AMENDED AND
RESTATED AGREEMENT FOR PRIVATE DEVELOPMENT
WITH ARGENT BAXTER JV - COUNCIL BLUFFS, LLC., AND
PROVIDING FOR PUBLICATION OF NOTICE THEREOF

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

WHEREAS, the Plan has been amended by Amendment No. 1 in 2005, Amendment No. 2 in 2009, Amendment No. 3 in 2004, Amendment No. 4 in 2006, and is proposed to be further amended by an Amendment No. 5, planned for the Council's consideration on December 16, 2019; and

WHEREAS, it is desirable that properties within the Area be redeveloped as part of the overall redevelopment area covered by said Plan; and

WHEREAS, the City of Council Bluffs, Iowa ("City") and Argent Development Group, L.L.C. ("Former Developer") entered into an Agreement for Private Development on March 28, 2017 ("Original Agreement"); and

WHEREAS, pursuant to the Original Agreement, the Former Developer was to cause certain Minimum Improvements to be constructed in connection with an urban renewal project identified in to the Plan, as amended, for the redevelopment of certain real property located within the Urban Renewal Area and legally described as Block 1, River's Edge Subdivision, Council Bluffs, Iowa (the "Development Property"); and

WHEREAS, the Former Developer has not initiated performance under the terms of the Original Agreement; and

WHEREAS, the City has received a proposal from Argent Baxter JV-Council Bluffs, LLC (the "Developer"), in the form of a proposed Amended and Restated Agreement for Private Development (the "Agreement") by and between the City and the Developer, which would replace the Original Agreement and would establish new terms for the project; and

WHEREAS, pursuant to the terms of the Agreement, among other things, the City would agree to sell the Development Property to the Developer for redevelopment, and the Developer would agree to construct certain Minimum Improvements (as defined in the Agreement) on the Development Property, consisting of the construction of a single residential tower to consist of up to 210 rental units and 24 "for sale" units, together with all related site improvements, as outlined in the proposed Agreement; and

WHEREAS, the Former Developer consents to the City and Developer entering into this Amended and Restated Agreement with respect to the development of the Development Property; and

WHEREAS, the Agreement further proposes that the City will make up to eighteen (18) consecutive annual payments of Grants to Developer consisting of 75% of the Tax Increments pursuant to Section 403.19, Code of Iowa, and generated by the construction of the Minimum Improvements, the cumulative total for all such payments not to exceed the lesser of \$23,000,000, or the amount accrued under the formula outlined in the proposed Agreement, under the terms and following satisfaction of the conditions set forth in the Agreement; and

WHEREAS, the Agreement also proposes that Developer and the City will enter into an Amended and Restated Minimum Assessment Agreement with the County setting the minimum actual value of the Minimum Improvements for tax purposes at not less than \$45,000,000; and

WHEREAS, Chapters 15A and 403, Code of Iowa, (the "Urban Renewal Law") authorize cities to make grants for economic development in furtherance of the objectives of an urban renewal project and to appropriate such funds and make such expenditures as may be necessary to carry out the purposes of said Chapter, and to levy taxes and assessments for such purposes; and

WHEREAS, the Council has determined that the Agreement is in the best interests of the City and the residents thereof and that the performance by the City of its obligations thereunder is a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law and, further, that the Agreement and the City's performance thereunder is in furtherance of appropriate blight remediation activities and objectives of the City within the meaning of Chapters 15A and 403, Code of Iowa, taking into account the factors set forth therein; and

WHEREAS, neither the Urban Renewal Law nor any other Code provision sets forth any procedural action required to be taken before said economic development activities can occur under the Agreement, and pursuant to Section 364.6, Code of Iowa, it is deemed sufficient if the action hereinafter described be taken and the City Clerk publish notice of the proposal and of the time and place of the meeting at which the Council proposes to take action thereon and to receive oral and/or written objections from any resident or property owner of said City to such action.

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

Section 1. That this Council meet in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 7:00 P.M. on December 16, 2019, for the purpose of taking action on the matter of the proposal to enter into an Amended and Restated Agreement for Private Development with Argent Baxter JV - Council Bluffs, LLC.

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

Section 3. The notice of the proposed action shall be in substantially the following form:

(One publication required)

NOTICE OF PUBLIC HEARING OF THE CITY COUNCIL OF
THE CITY OF COUNCIL BLUFFS IN THE STATE OF IOWA,
ON THE MATTER OF THE PROPOSAL TO ENTER INTO AN
AMENDED AND RESTATED AGREEMENT FOR PRIVATE
DEVELOPMENT WITH ARGENT BAXTER JV - COUNCIL
BLUFFS, LLC., AND THE HEARING THEREON

PUBLIC NOTICE is hereby given that the Council of the City of Council Bluffs in the State of Iowa, will hold a public hearing on December 16, 2019, at 7:00 P.M. in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at which meeting the Council proposes to take action on the proposal to enter into an Amended and Restated Agreement for Private Development (the "Agreement") with Argent Baxter JV - Council Bluffs, LLC. (the "Developer").

Pursuant to the terms of the Agreement, the City would sell certain real property located within the Playland Park Urban Renewal Area to the Developer, which property is legally described as: Block 1, River's Edge Subdivision, Council Bluffs, Iowa (the "Development Property"). The Agreement would obligate the Developer to construct certain Minimum Improvements (as defined in the Agreement) on the Development Property, consisting of the construction of a single residential tower to consist of up to 210 rental units and 24 "for sale" units, together with all related site improvements, under the terms and following satisfaction of the conditions set forth in the Agreement.

The Agreement would further obligate the City to make up to eighteen (18) consecutive annual payments of Grants to Developer consisting of 75% of the Tax Increments pursuant to Section 403.19, Code of Iowa, and generated by the construction of the Minimum Improvements, the cumulative total for all such payments not to exceed the lesser of \$23,000,000, or the amount accrued under the formula outlined in the proposed Agreement, under the terms and following satisfaction of the conditions set forth in the Agreement.

The Agreement also proposes that Developer and the City will enter into an Amended and Restated Minimum Assessment Agreement with the County setting the minimum actual value of the Minimum Improvements for tax purposes at not less than \$45,000,000.

A copy of the Agreement is on file for public inspection during regular business hours in the office of the City Clerk, City Hall, City of Council Bluffs, Iowa.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of said City, to the proposal to enter into the Agreement with the Developer. After all objections have been received and considered, the Council will at this meeting or at any adjournment thereof, take additional action on the proposal or will abandon the proposal to authorize said Agreement.

This notice is given by order of the City Council of the City of Council Bluffs in the State of Iowa, as provided by Section 364.6, Code of Iowa.

Dated this _____ day of _____, 2019.

City Clerk, City of Council Bluffs in the State of
Iowa

(End of Notice)

PASSED AND APPROVED this 18th 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)

86

City of Council Bluffs Iowa

Office of the Mayor

Proclamation

- WHEREAS,** the City of Council Bluffs, Iowa celebrates our local small businesses and the contributions they make to our local economy and community; according to the United States Small Business Administration, there are currently 30.2 million small businesses in the United States, they represent 99.7 percent of all businesses with employees in the United States, are responsible for 65.9 percent of net new jobs created from 2,000 to 2017; and
- WHEREAS,** small businesses employ 47.5 percent of the employees in the private sector in the United States; and
- WHEREAS,** 94 percent of consumers in the United States value the contributions small businesses make in their community; and
- WHEREAS,** 96 percent of consumers who plan to shop on Small Business Saturday said the day inspires them to go to small independently-owned retailers or restaurants that they have not been to before, or would not have otherwise tried; and
- WHEREAS,** 92 percent of companies planning promotions on Small Business Saturday said the day helps their business stand out during the busy holiday shopping season; and
- WHEREAS,** 59 percent of small business owners said Small Business Saturday contributes significantly to their holiday sales each year; and
- WHEREAS,** Council Bluffs, Iowa supports our local businesses that create jobs, boost our local economy and preserve our community; and
- WHEREAS,** advocacy groups as well as public and private organizations, across the country, have endorsed the Saturday after Thanksgiving as Small Business Saturday.

NOW, THEREFORE, I,

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

November 30, 2019

As

SMALL BUSINESS SATURDAY

in the City of Council Bluffs, Iowa and urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Council Bluffs, Iowa to be affixed this 18th day of November, in the year Two Thousand Nineteen.


Matthew J. Walsh, Mayor

Council Communication

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

Resolution 19-260 A & B
ITEM 5.A.

Council Action: 11/18/2019

Description

19-260A - Resolution ratifying, confirming and approving publication of Notice of Public Hearing on the proposition of the application of excess bond proceeds.

19-260B - Resolution instituting proceedings to take additional action for the application of excess bond proceeds of the General Obligation Bond, Series 2016A.

Background/Discussion

The City of Council Bluffs, Iowa, 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.

Recommendation

The resolution be approved.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 19-260A&B	Resolution	11/13/2019

RESOLUTIONS 19-260 A & B
ITEMS TO INCLUDE ON AGENDA FOR NOVEMBER 18, 2019
CITY OF COUNCIL BLUFFS, IOWA

General Obligation Bonds, Series 2016A.

- Resolution Ratifying, Confirming and Approving Publication of Notice of Public Hearing.
- Public hearing on the proposition of the application of excess bond proceeds.
- Resolution instituting proceedings to take additional action.

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

November 18, 2019

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

Absent: _____

Vacant: _____

* * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION RATIFYING, CONFIRMING AND APPROVING PUBLICATION OF NOTICE OF PUBLIC HEARING FOR THE APPLICATION OF EXCESS BOND PROCEEDS", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the following Resolution duly adopted:

Resolution 19-260A

RESOLUTION RATIFYING, CONFIRMING AND
APPROVING PUBLICATION OF NOTICE OF PUBLIC
HEARING FOR THE APPLICATION OF EXCESS BOND
PROCEEDS

WHEREAS, the City of Council Bluffs, Iowa, 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; and

WHEREAS, before said excess proceeds may be used, it was necessary to comply with the provisions of said Code, and to publish a notice of the proposal to use such proceeds and of the time and place of the meeting at which it is proposed to take action therefor;

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

Section 1. That the action of the City Clerk setting a public hearing before the City Council to meet at the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at _____ o'clock __.M., today, the 18th day of November, 2019, for the purpose of taking action relating to the use of such excess proceeds, is hereby ratified, confirmed and approved.

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

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

PASSED AND APPROVED this 18th day of November, 2019.

Mayor

ATTEST:

City Clerk

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the application of excess bond proceeds of the General Obligation Bonds, Series 2016A, dated December 13, 2016, in order to provide funds to pay costs 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, an essential corporate purpose, and that notice of the proposed action by the Council to institute proceedings for the application of said bond proceeds to the expanded purpose, had been published pursuant to the provisions of Section 384.25 of the City Code of Iowa.

The Mayor then asked the Clerk whether any written objections had been filed by any City resident or property owner to the proposal. The Clerk advised the Mayor and the Council that ____ written objections had been filed. The Mayor then called for oral objections to the proposal and _____ were made. Whereupon, the Mayor declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections
received or made, if any)

The Council then considered the proposed action and the extent of objections thereto.

Whereupon, Council Member _____ introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE APPLICATION OF EXCESS BOND PROCEEDS OF THE GENERAL OBLIGATION BOND, SERIES 2016A", and moved:

☐ that the Resolution be adopted.

☐ to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the application of bond proceeds to the meeting to be held at _____ o'clock __.M. on the _____ day of _____, 2019, at this place.

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

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

Resolution 19-260B

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE APPLICATION OF EXCESS BOND PROCEEDS OF THE GENERAL OBLIGATION BONDS, SERIES 2016A

WHEREAS, pursuant to notice published as required by law, this Council has held a public meeting and hearing upon the proposal to institute proceedings 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, and has considered the extent of objections received from residents or property owners as to the proposal and accordingly the following action is now considered to be in the best interests of the City and residents thereof.

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

Section 1. That this Council does hereby institute proceedings and takes additional action for the application of not to exceed \$362,000 of the general corporate purpose portion of excess bond proceeds of the General Obligation Bonds, Series 2016A, for the foregoing expanded essential corporate purpose.

Section 2. The Council hereby authorizes the use of a not to exceed \$362,000 of the general corporate portion for 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.

PASSED AND APPROVED this 18th 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)

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

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

NOTICE OF MEETING OF THE 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

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

_____, 2019.

WITNESS my official signature at Council Bluffs, Iowa, this _____ day of _____, 2019.

City Clerk, City of Council Bluffs, State of
Iowa

(SEAL)

01648684-1\10342-134

Council Communication

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

Resolution 19-261
ITEM 5.B.

Council Action: 11/18/2019

Description

Resolution directing the sale of \$7,630,000 (Subject to Adjustment per Terms of Offering) General Obligation Bonds, Series 2019

Background/Discussion

On Monday November 18, 2019 at 10:00 o'clock A.M. the City of Council Bluffs will receive bids for the competitive sale of up to \$7,630,000 (dollar amount subject to change) in General Obligation Bonds Series 2019. The bids will be received and opened in the offices of the City's Municipal Advisor, PFM Financial Advisors, LLC. PFM will tally and analyze the bids to determine the best offer in terms of purchase price, true interest rate and net interest cost. That information, along with all other bids will be forwarded to the City of Council Bluffs Finance Office. The Director of Finance will use that information to complete the resolution framework attached and recommend the sale of the Bonds to the lowest responsible bid. The Finance Office will then forward the necessary information to the City's Bond Counsel, who will prepare a resolution for consideration at the December 16, 2019 regular meeting of the City Council, finalizing and officially authorizing the sale of the bonds on the terms detailed in the lowest responsible bid.

Recommendation

The resolution be approved.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 19-261	Resolution	11/13/2019

RESOLUTION 19-261

ITEMS TO INCLUDE ON AGENDA FOR NOVEMBER 18, 2019

CITY OF COUNCIL BLUFFS, IOWA

\$7,630,000 (Subject to Adjustment per Terms of Offering) General Obligation Bonds, Series 2019.

- Receipt of bids.
- Resolution directing sale.

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

November 18, 2019

The Director of Finance of the City of Council Bluffs, State of Iowa, met in City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 10:00 o'clock A.M., on the above date, to open sealed bids received, access electronic bids and to refer the sale of the Bonds to the best and most favorable bidder for cash, subject to approval by the City Council at 7:00 o'clock P.M. on the above date.

The following persons were present:

* * * * *

This being the time and place for the opening of bids for the sale of \$7,630,000 (Subject to Adjustment per Terms of Offering) General Obligation Bonds, Series 2019, the meeting was opened for the receipt of bids for the Bonds. The following actions were taken:

1. Sealed bids were filed and listed in the minutes while unopened, as follows:

Name & Address of Bidders:

(Attach List of Bidders)

2. The Director of Finance then declared the time for filing of sealed bids to be closed and that the sealed bids be opened. The sealed bids were opened and announced.

3. Electronic bids received were accessed and announced as follows:

Name & Address of Bidders:

(Attach List of Bidders)

4. The best bid was determined to be as follows:

Name & Address of Bidder: _____

True Interest Rate (as-bid): _____%

Net Interest Cost (as-bid): \$ _____

In consultation with the Municipal Advisor, the City considered the adjustment of the aggregate principal amount of the Bonds and each scheduled maturity thereof in accordance with the Terms of Offering and the following actions were taken:

Final Par Amount as adjusted: \$ _____

Purchase Price as adjusted: \$ _____

All bids were then referred to the Council for action.

November 18, 2019

The City Council of the City of Council Bluffs, State of Iowa, met in _____ session, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 7:00 o'clock P.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 SALE OF \$ _____ GENERAL OBLIGATION BONDS, SERIES 2019," and moved its adoption. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the following Resolution duly adopted:

Resolution 19-261

RESOLUTION DIRECTING SALE OF \$ _____
GENERAL OBLIGATION BONDS, SERIES 2019

WHEREAS, bids have been received for the Bonds described as follows and the best bid received (with permitted adjustments, if any) is determined to be the following:

\$ _____ GENERAL OBLIGATION BONDS,
SERIES 2019

Bidder: _____ of _____

The terms of award:

Final Par Amount as adjusted: \$ _____

Purchase Price as adjusted: \$ _____

True Interest Rate: _____ %

Net Interest Cost: \$ _____

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

Section 1. That the bid for the Bonds as above set out is hereby determined to be the best and most favorable bid received and, the Bonds are hereby awarded as described above.

Section 2. That the statement of information for Bond bidders and the form of contract for the sale of the Bonds are hereby approved and the Mayor and Clerk are authorized to execute the same on behalf of the City.

Section 3. That the notice of the sale of the Bonds heretofore given and all acts of the Clerk and the Director of Finance done in furtherance of the sale of the Bonds are hereby ratified and approved.

PASSED AND APPROVED this 18th 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)

Council Communication

Department: City Clerk
Case/Project No.:
Submitted by: Richard Wade

Ordinance 6403
ITEM 6.A.

Council Action: 11/18/2019

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 6304 Redline	Ordinance	11/12/2019
Ordinance 6304	Ordinance	11/12/2019

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, ~~the diameter of such wheels to be ten (10) inches or smaller,~~ that is designed to be stood on or sat upon by the operator, with handlebars for steering, and equipped with and powered by an ~~internal combustion motor or~~ 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 ~~at least 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 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: _____

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 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: _____

Council Communication

Department: Parks and Recreation
Case/Project No.: Iowa Natural
Heritage Foundation Land Donation
Submitted by: Vincent M
Martorello

Resolution 19-262
ITEM 7.A.

Council Action: 11/18/2019

Description

Resolution accepting a land donation from Iowa Natural Heritage Foundation

Background/Discussion

Iowa Natural Heritage Foundation wishes to donate real property to the City of Council Bluffs for the purposes of open space, conservation and trails for public use. There are two properties, an approximate five-acre parcel immediately west of Vincent Bluff, north of Highclere Circle. The other parcel is approximately 1.7 acres in size and is on the corner of McPherson Avenue and Valley View Drive.

The Parks and Recreation Commission has recommended accepting the parcels into the park system.

Recommendation

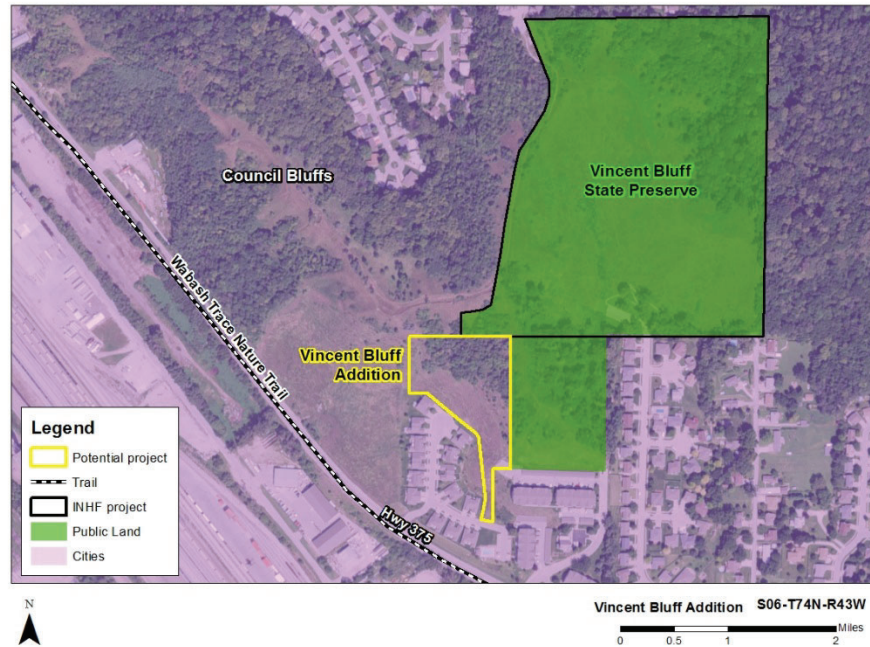
Approve resolution

ATTACHMENTS:

Description	Type	Upload Date
Vincent Bluff Parcel	Other	10/30/2019
Valley View Parcel	Other	10/30/2019
Resolution 19-262	Resolution	11/13/2019

Project Description: The owners of Highclere Apartments, Hancock and Co., would like to donate a 5-acre parcel to INHF for open space conservation and tax benefits. The property adjoins Vincent Bluff and contains grassland and a small patch of trees. INHF will transfer the land to the City of Council Bluffs with a deed restriction limiting the use for park and conservation purposes.

Conservation and Priority Values: The 35-acre Vincent Bluff Preserve is an acquisition project that INHF coordinated in the early 2000's. It is a scenic and highly visible remnant prairie bluff in the main line-of-sight as one enters Iowa from Nebraska along I-80. The property is now owned by the City and managed by the Loess Hills Preservation Society volunteers. The primary use is hiking, wildlife habitat and native prairie restoration.



Funding and Communications: Fundraising is not needed for this 5-acre addition, and there are positive communications opportunities to elevate the need for additional conservation in the Loess Hills. The project could reinforce the conservation message with adjoining landowners in a manner to encourage additional conservation.

Management: There will be no management requirements for INHF during our brief ownership, but we may want to consider a volunteer event in partnership with the Loess Hills Preservation Society to heighten awareness of the project and general land protection in the Loess Hills.

ACTION REQUESTED: Accept the donation of the 5-acre Hancock and Co. Property. Approve the future transfer to the City of Council Bluffs.

BOARD ACTION: The motion was made by the Program & Planning Committee to accept the donation of the 5-acre Hancock and Co. Property. Approve the future transfer to the City of Council Bluffs. This was seconded by David Brown, the motion passed unanimously.

Summary: Donation of a 1.7-acre property adjacent to a city trail in Council Bluffs with transfer to the City of Council Bluffs.

Property Location:

Within the City of Council Bluffs near McPhearson Avenue and Valley View Drive in Section 32, Township 75 North, Range 43 West.

Project Description:

Availa Bank contacted INHF about donation of a small parcel of land in Council Bluffs. The property is one that was foreclosed on by the bank and they have been unsuccessful in reselling. The 1.7-acre property lies adjacent to a city trail,

Valley View Trail, which eventually connects with Wabash Trace Nature Trail (previous INHF project). INHF will take title to the property and transfer to the city with deed restrictions ensuring it remains open space and is not developed for uses other than public recreational uses.



Conservation and Priority Values: The property is currently cool season grasses that has been mowed periodically by the bank. The property would have multiple restoration opportunities including native grasses or native tree plantings. Additional open space protection will also provide a more quality experience for users of the adjacent Valley View Trail and would provide some additional wildlife habitat in the area.

Funding and Communications: The property is being donated and transfer costs are likely to be less than \$100. Communications of the donation will be coordinated with the City of Council Bluffs.

Management: INHF ownership of the property will be short and the property will likely be transferred by spring, so very little management will be necessary over the winter. INHF will discuss potential restoration opportunities on the property with the City.

RESOLUTION
NO 19-262

**RESOLUTION ACCEPTING A LAND DONATION OF REAL PROPERTY FROM
IOWA NATURAL HERITGAE FOUNDATION**

WHEREAS, Iowa Natural Heritage Foundation wishes to donate real property to the City of Council Bluffs for the purposes of open space, conservation and trails for public use; and

WHEREAS, Iowa Natural Heritage Foundation has submitted a Warranty Deed for said property; and

WHEREAS. Parcel 1 is described as:

A parcel of land located in part of Lot 1 of an Auditor's Subdivision of the Northeast Quarter of the Northeast Quarter of Section 32, Township 75 North, Range 43 West of the 5th P.M., Pottawattamie County, Iowa, more particularly described as follows:

Commencing at the Northeast Corner of said Section 32, thence North 90° 00' 00" West, along the North line of said Northeast Quarter of the Northeast Quarter, a distance of 663.14 feet; thence South 24° 01' 30" _West a distance of 517.58 feet to the Point of Beginning; thence North 43° 56' 30" East a distance of 179.40 feet; thence North 75° 00' 30" East a distance of 60.20 feet; thence South 89 ° 18' 30" East a distance of 164.60 feet to a point on the Westerly right-of-way line of Valley View Drive, said point also, being on a non-tangent curve concave Northwesterly and having a radius of 264.34 feet, a radial line through said point bears South 71° 01' 59" East; thence Southwesterly along the Westerly right-of-way line of said Valley View Drive and along said curve an arc length of 164.70 feet, and having a chord bearing and distance of South 36° 49' 02" West, 162.05 feet to the end of-said curve; thence South 54 ° 40' 00" West, along the Northwesterly right-of-way line of said Valley View Drive, a distance of 386.50 feet to the beginning of a tangent circular curve Southeasterly and having a radius of 779.21 feet; thence Southwesterly, along the Northwesterly right-of-way line of said Valley View Drive and along said curve, an arc length of 54.25 feet, and having a chord bearing and distance of South 52 ° 40' 20" West, 54.24 feet; thence North 23° 59' 30" East a distance of 266.40 feet to the Point of Beginning, and is subject to any and all easements, restrictions, covenants and agreements of record.

NOTE: The North line of the Northeast Quarter of said Section 32 is assumed to bear North 90 ° 00' 00" West for this description. (Tract 1)

A parcel of land located in part of Lot 1 of an Auditor's Subdivision of the Northeast Quarter of the Northeast Quarter of Section 32, Township

75 North, Range 43 West of the 5th P.M., Pottawattamie County, Iowa, more particularly described as follows:

Commencing at the Northeast Corner of said Section 32, thence North 90° 00' 00" West, along the North line of said Northeast Quarter of the Northeast Quarter, a distance of 663.14 feet; thence South 24° 01' 30" West a distance of 517.58 feet; thence North 43 ° 56' 30" East a distance of 56.82 feet to the Point of Beginning; thence continuing North •13 ° 56' 30" East a distance of 122.58 feet; thence North 75° 00' 30" East a distance of 60.20 feet; thence South 89 ° 18' 30" East a distance of 164.60 feet to a point on the Westerly right-of-way line of Valley View Drive, said point also, being on a non-tangent curve concave Northwesterly and having a radius of 264.34 feet, a radial line through said point bears South 71 ° 01' 59" East; thence Northeasterly, along the Westerly right-of-way line of said Valley View; AND

WHEREAS, Parcel 2 is described as Lot 16 of HIGHCLERE PHASE II SUBDIVISION, a replatting of all of Lot 4 Highclere Subdivision, Pottawattamie County, Iowa, and

WHEREAS, the Parks and Recreation Commission has recommended approval of accepting the donation of both parcels to the City Council; and

WHEREAS, the City Council find value in adding these parcels to the City's park system as open space and conservation areas.

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

That the Mayor, or his designee, is authorized to accept the donation of Parcel 1 and 2 from Iowa Natural Heritage Foundation, as described herein, and execute the transfer of the subject real property into City ownership.

ADOPTED
AND
APPROVED

November 18, 2019

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Community

Development

Case/Project No.:

Submitted by: Courtney Harter, CD

Project Coordinator

Resolution 19-263

ITEM 7.B.

Council Action: 11/18/2019

Description

Resolution authorizing the Mayor to submit an application to the US Environmental Protection Agency (EPA) Brownfields Assessment Grant program

Background/Discussion

Background

The U.S. Environmental Protection Agency (EPA) established a Brownfields Assessment Grant Program. This Program provides local communities with up to \$300,000 for assessment activities, cleanup activities, revolving loan programs, planning grants and technical assistance. These grants may be used to address sites contaminated by petroleum and hazardous substances, pollutants or contaminants. To date, the City has received \$1,400,000 in EPA Brownfields Grants for environmental assessment, clean-up, and planning activities focused on South Main, Mid-City and West Broadway.

Discussion

Staff wishes to submit a new EPA Brownfields Assessment Grant application for a community-wide grant. These funds will be utilized to inventory, characterize, assess and conduct planning for many properties located throughout the city with priority in the neighborhood adjacent to the South Expressway. The proposed project area will encompass from 9th Avenue to Interstate-80 and from South 3rd Street to South 9th Street.

If awarded, funding is envisioned to assist environment assessments for the following activities:

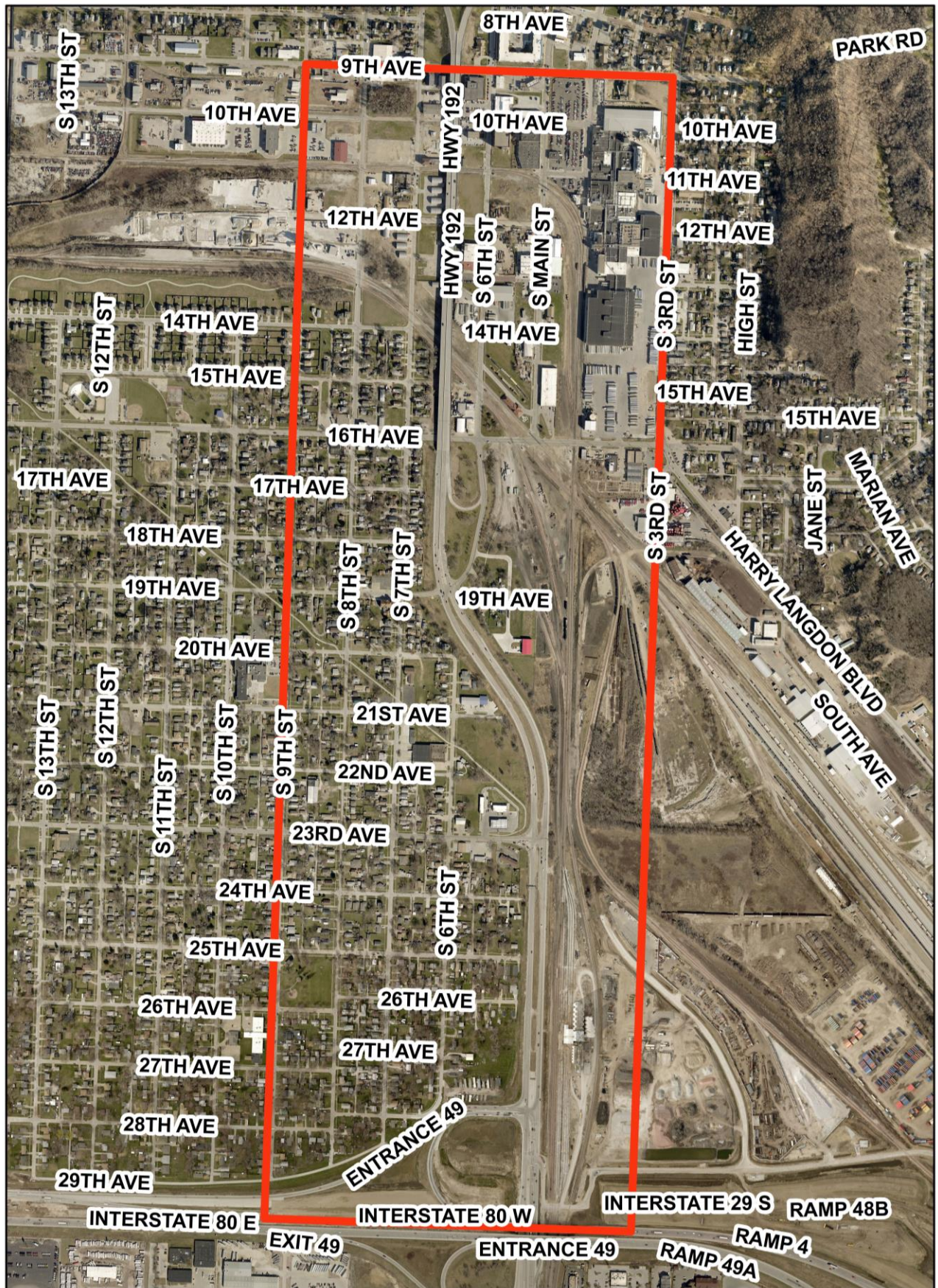
- Updating assessments on properties and structures already owned by the City;
- Completing assessments on properties that the City may acquire along the corridor in the future; and
- Completing assessments on private redevelopment activities in the corridor.

Recommendation

The Community Development Department recommends City Council adopt a resolution authorizing the Mayor to submit an application to US EPA Brownfields Assessment Grant program.

ATTACHMENTS:

Description	Type	Upload Date
Map	Map	11/7/2019
Resolution 19-263	Resolution	11/13/2019



RESOLUTION NO. 19-263

A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO US ENVIRONMENTAL PROTECTION AGENCY (EPA) BROWNFIELDS ASSESSMENT GRANT PROGRAM.

- WHEREAS, EPA established the Brownfield Assessment Grant Program and has announced funding availability under said Program for community-wide assessment grants; and
- WHEREAS, the City is an eligible applicant with a proven track record of successfully implementing funding under said Program; and
- WHEREAS; the environmental assessments associated with demolition, acquisition and private redevelopment will be required for redevelopment in the neighborhood adjacent to the South Expressway; and
- WHEREAS, said Program is a source of funding for environmental assessments; and
- WHEREAS, an application for said funds 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 Mayor is hereby authorized and directed to submit an US EPA Brownfields Assessment Grant application.

ADOPTED
AND
APPROVED:

November 18, 2019

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

Council Communication

Department: Community

Development

Case/Project No.: CASE #TU-19-009

Resolution 19-264
ITEM 7.C.

Council Action: 11/18/2019

Submitted by: Christopher

Gibbons, Planning Manager

Description

Resolution approving a temporary use permit to allow a light manufacturing (fifty thousand (50,000) square feet or less) use on property located at 2703 East Kanesville Boulevard, legally described as being part of Parcel "B" Auditor's Subdivision of Tract No. 2 in "Sherwood,"

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Case #TU-19-009 Staff Report and Attachments	Other	11/7/2019
Resolution 19-264	Resolution	11/13/2019

City Council Communication

<p>Department: Community Development</p> <p>CASE #TU-19-009</p> <p><u>Property Owners:</u> Sherwood Plaza, LLC P.O. Box 954 Council Bluffs, IA 51502</p> <p>Sherwood Plaza, LLC c/o Mike Vande Voort 427 East Kanesville Blvd, Suite 404 Council Bluffs, IA 51503</p> <p><u>Applicant:</u> Echo Group, Inc. c/o Greg Johnson P.O. Box 336 Council Bluffs, IA 51502</p>	<p>Resolution No. _____</p>	<p>City Council: November 18, 2019</p>
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Subject/Title

Request: Approval of a temporary use permit to allow a light manufacturing (fifty thousand (50,000) square feet or less) use on property located at 2703 East Kanesville Boulevard, legally described as being part of Parcel "B" Auditor's Subdivision of Tract No. 2 in "Sherwood," Council Bluffs, Iowa, Pottawattamie County, Iowa, more particularly described as follows: Beginning at the northwest corner of Parcel B, Tract No. 2, thence South 65°36'43" East for 128.92 feet; thence North 88°46'46" East for 169.34 feet; thence North 87°24'50" East for 75.03 feet; thence South 2°35'10" East for 86.60 feet; thence South 27°24'50" West for 344.50 feet; thence North 74°55'28" West for 206.50 feet; thence North 47°25'48" West for 110.00 feet; thence North 88°50'28" West for 100.00 feet; thence North 2°56'43" West for 15.39 feet; thence North 41°08'17" East for 267.37 feet; thence North 0°8'17" East for 93.94 feet to the point of beginning.

Background/Discussion

Echo Group, Inc., represented by Greg Johnson, has requested a temporary use permit to operate a light manufacturing (fifty thousand (50,000) square feet or less) use within the former Bomgaars retail space at 2703 East Kanesville Boulevard, on property legally described above. The applicant has a one-year lease, with an additional one-year option, to use the vacant space for their Conex/Job Site Storage Container operation which consists of modifying Conex shipping containers with electrical components, doors, windows, shelving, and insulation so that they can be used as construction jobsite office/trailers. A 20'x16' overhead door will be installed on the north side of the building so that containers can be moved in and out of the building. The modified containers will then be stored outdoors within a fenced area until such time they are leased to a contractor and delivered to a construction jobsite. The containers will then be returned to the subject property once the construction project is complete, or delivered to another construction job site.

The applicant provided the following additional information for their proposed temporary use:

1. Staffing for the operation will consist of three to four employees.
2. Hours of operation are Monday through Friday, from 6:00A.M. to 4:00P.M.
3. Approximately five to ten Conex containers ranging in size from 8'x 20' to 8' x 40' will be stored outside of the building. The containers will be stored to the far westerly side of the parking lot where they will be screened from view by existing retaining walls and a fence/gate with vinyl inserts. The semi-truck and trailer used for transporting the container offices will also parked in the westerly parking lot area behind a fence.
4. All scrap metal associated with the operation will be stored indoors and will be disposed of at a salvage yard.
5. The applicant plans to use the subject building as a temporary facility until another permanent facility can be purchased or constructed. Their current lease for the building is for one-year, with an additional one-year option.

The following attachments are included with this report:

Attachment A – Letter of intent

Attachment B – Site plan layout

Attachment C – Modified Conex container examples

Section 15.02.110 Temporary Use Permit, of the Municipal Code (Zoning Ordinance) provides for the issuance of temporary use permit(s) *'for limited term activities or events which occur on private property within the City that may potentially create off-site impacts to surrounding properties and the neighborhood in which it will occur.'* The code further defines eight specific uses that are eligible to be issued a temporary use permit administratively. The proposed 'manufacturing, light (fifty thousand (50,000) square feet or less)' use is not one of the eligible temporary uses that can be approved administratively.

The procedure set forth in Code Section 15.02.110(C)(2) states that *'temporary uses not specifically listed here shall require the specific approval of the City Council. Such uses may be allowed in any zoning district, provided that such temporary use is consistent with the purpose and intent of this Ordinance and the zoning district in which it is located.'* Modifying Conex shipping containers into construction jobsite office/trailers is considered a 'light manufacturing' use in the context of the Zoning Ordinance and is only allowed as a permanent use in I-1/Light Industrial and I-2/General Industrial Districts, and in a C-2/General Commercial District with issuance of a conditional use permit from the Zoning Board of Adjustment. In order for the proposed light manufacturing use to be allowed on the subject property for a limited timeframe, the City Council would have to authorize the issuance of a temporary use permit.

Per Section 15.02.110 Temporary Use Permit, of the Municipal Code (Zoning Ordinance) all temporary uses shall comply with all the standards listed below.

- No temporary use shall be permitted that causes, or threatens to cause, an on-site threat to the public health, safety and general welfare.
- Every temporary use shall be operated in accordance with any restrictions and conditions as other departments may require. If required by the City, the operator of the temporary use must employ appropriate security personnel.
- No temporary use shall be permitted if the additional vehicular traffic reasonably expected to be generated by such use would have undue detrimental effects on surrounding streets and uses.
- No temporary use shall be authorized that would unreasonably reduce the amount of required parking.

The Zoning Administrator may make an assessment of the total number of parking spaces that will be reasonably required in connection with a proposed temporary use, on the basis of the particular use, its intensity and the availability of other parking facilities in the area. The Zoning Administrator shall approve such temporary use only if such parking spaces are provided.

- No temporary use shall be permitted if such use would conflict with another previously authorized temporary use.
- Signs shall be permitted only in accordance with this Ordinance.

Comments

The following comment were provided by City Departments for this request:

1. The subject property is zoned C-2/General Commercial District and is part of the Sherwood Plaza Shopping Center. Surrounding zoning includes C-2 District to the east and west, R-4/High Density Residential District with a PR/Planned Residential Overlay to the south, along with A-2/Parks, Estates, and Agricultural District, R-3 District, and C-2 District to the north. Surrounding land uses include a gas station, retail shopping establishments, East Kanesville Boulevard (U.S. Highway 6), multi-family residential dwellings, undeveloped land, and a place of religious assembly. In the last 12 months, The Zoning Board of Adjustment has issued two conditional use permits to allow automobile sales and rentals (Case #CU-18-005) and commercial storage (Case #CU-19-004) at this location, within the former Bomgaars store.
2. A 'light manufacturing' use is defined in Section 15.03.462 of the Municipal Code (Zoning Ordinance) as "*An establishment engaged in the manufacture or processing of finished products from previously prepared materials. Such uses will include processing, fabrication, assembly, packaging and distribution of products with limited incidental storage. Typical uses include bakeries, bottling plants, publishing houses, warehousing and distribution, assembly of electronic and metal products, frozen food lockers, garment manufacturing, optical goods, pharmaceutical manufacture and printing*". Based on the information stated in the applicant's letter of intent the proposed operation is classified as a light manufacturing use. Per Section 15.15.030 of the Municipal Code (Zoning Ordinance) a light manufacturing (fifty thousand (50,000) square feet or less) use is only allowed in a C-2/Commercial District with issuance of a conditional use permit from the Zoning Board of Adjustment. A conditional use permit is normally issued for land uses that want to operate on a permanent basis at one specific location. The applicant intends to operate at this location for a maximum timeframe of two years. At the end of their lease agreement, the applicant will either move their operation to a new permanent facility, or seek a conditional use permit to make the subject property their permanent facility. Since this use will be in operation for a limited timeframe, the issuance of a temporary use permit from the City Council seems more appropriate from a land use regulatory standpoint, rather than a conditional use permit.
3. The number and placement of Conex containers stored outdoors along with on-site traffic circulation should be reviewed as part of this request. The applicant's letter of intent and site layout plan show approximately five to ten containers will be located outside at any given time, and all of them will be placed in the westerly parking lot where they will be screened from view by existing retaining walls and a fence/gate with vinyl inserts. The semi-truck and trailer used for transporting these containers will also be located within the westerly parking lot area to prevent any traffic circulation conflicts with customer and employee parking in the Sherwood Plaza Shopping Center. The applicant has also stated that all containers will be stored at ground level and not stacked.

4. The proposed temporary use will occupy 33,804 square feet of commercial space that was formerly used by Bomgaars. The request also includes the installation of a new 20' x 16' overhead door on the north side of the building so that containers can be brought in and out of the building. No other architectural or structural changes to the building are proposed at this time.
5. The Council Bluffs Fire Department stated they have no comments for the request.
6. The Council Bluffs Public Works Department stated they have no comments for the request.

Recommendation

The Community Development Department recommends approval to issue a temporary use permit to allow a 'light manufacturing (fifty thousand (50,000) square feet or less) use at 2703 East Kanesville Boulevard, subject to the comments stated above and the following conditions:

1. The temporary use permit shall be applicable to the 33,804 square foot building and associated outdoor storage area adjacent only and does not apply to other tenants or buildings located in the Sherwood Plaza Shopping Center on the subject property;
2. All containers and the semi-truck/trailer shall be parked/stored in the far westerly parking lot area in the Sherwood Plaza Shopping Center (as per the submitted site plan) and shall be screened from view by use of existing retaining walls and a fence that provides a 100% opaque visual barrier;
3. No containers or semi-trucks/trailers shall be parked/stored in customer or employee parking areas that are used by other businesses in the Sherwood Plaza Shopping Center;
4. All containers shall be stored at ground level, and shall not be stacked;
5. Scrap metal from the operation shall be stored indoors until such time they are taken to a salvage yard for disposal;
6. The hours of operation shall be limited to Monday through Friday from 6:00A.M. to 4:00P.M.;
7. Any signage associated with the operation shall comply with the standards stated in Section 15.33, *Signs* of the Municipal Code (Zoning Ordinance) and shall be permitted by the City prior to installation;
8. The temporary use permit shall be valid for one year from the date of Council approval. An additional one year extension of time for the temporary use permit may be granted administratively by City staff if all of the conditions of the temporary use permit are complied with and there are no zoning enforcement actions on record for the operation; and
9. The applicant shall secure all necessary permits and licenses for the operation and shall comply with all applicable Federal, State, and local codes.

Attachment A – Letter of intent

Attachment B – Site plan layout

Attachment C – Modified Conex container examples

Prepared by: Christopher Gibbons, AICP, Planning Coordinator

Echo Group Inc. has entered into a one-year lease agreement with an additional one-year option for the vacant space at 2703 E. Kanesville Blvd Council Bluffs, Iowa, which was previously occupied by Bomgaars. The execution of the lease is contingent upon being granted a temporary use permit from the City of Council Bluffs. We plan to use the space to operate our newly created Conex/Job Site Storage Container operation. Our plan is to use this space as a temporary facility until another permanent facility can be completed. A description of the proposed use and operation for the facility is explained below:

We plan to have 3-6 employees working in the building with hours of operation being Monday thru Friday from 6:00 AM to 4:00 PM. The main focus of the operation will be to modify Conex container units to customer specifications. The modifications that we will be doing to the units include adding shelving, adding doors and windows where needed, framing and insulating the office space area as well as adding electrical components. We will be using a welder and torch as well as a plasma cutter to modify the units. During the modification stage, we will be using a forklift and specially designed rollers to move the units around inside the building. The modified units will be stored outside in the fenced in lot on the north side of the building until they are delivered to construction jobsites where they will be leased to contractors to use during their construction project. The units will return to the Kanesville Blvd location after the contractor is done with them at the jobsite. Upon return they will be cleaned, repaired if needed, and then placed in the outside storage lot until they are sent to another jobsite. We estimate there will 5 to 10 Conex units stored in the fenced in lot at any given time and the units will all be stored at ground level with no stacking of units. The truck and trailer used to deliver the units to the jobsites will also be stored in the fenced in lot. All scrap metal that results from the modification of the Conex containers will be stored inside the building until it is taken to the salvage yard.

The only modification we plan to do to the building would be to add a 20 X 16 overhead door on the north side of the building which will be used to move the containers in and out of the building. We plan on adding vinyl inserts to the existing fencing and gate at the parking lot level to create a visual barrier to screen the containers from public view in the parking lot. We may also find the need to modify the current gate to allow for better equipment flow.





ATTACHMENT C







RESOLUTION NO. 19-264

A RESOLUTION GRANTING APPROVAL OF A TEMPORARY USE PERMIT TO ALLOW A LIGHT MANUFACTURING (FIFTY THOUSAND (50,000) SQUARE FEET OR LESS) USE ON PROPERTY LOCATED AT 2703 EAST KANESVILLE BOULEVARD, LEGALLY DESCRIBED AS BEING PART OF PARCEL “B” AUDITOR’S SUBDIVISION OF TRACT NO. 2 IN “SHERWOOD,” CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, Echo Group, Inc. has requested a temporary use permit to operate a light manufacturing (fifty thousand (50,000) square feet or less) use within the former Bomgaars retail space at 2703 East Kaneshville Boulevard, on property legally described as being part of Parcel “B” Auditor’s Subdivision of Tract No. 2 in “Sherwood,” City of Council Bluffs, Iowa, Pottawattamie County, Iowa, more particularly described as follows: Beginning at the northwest corner of Parcel B, Tract No. 2, thence South 65°36’43” East for 128.92 feet; thence North 88°46’46” East for 169.34 feet; thence North 87°24’50” East for 75.03 feet; thence South 2°35’10” East for 86.60 feet; thence South 27°24’50” West for 344.50 feet; thence North 74°55’28” West for 206.50 feet; thence North 47°25’48” West for 110.00 feet; thence North 88°50’28” West for 100.00 feet; thence North 2°56’43” West for 15.39 feet; thence North 41°08’17” East for 267.37 feet; thence North 0°8’17” East for 93.94 feet to the point of beginning; and

WHEREAS, The applicant has a one-year lease, with an additional one-year option, to use the vacant space for their Conex/Job Site Storage Container operation which consists of modifying Conex shipping containers with electrical components, doors, windows, shelving, and insulation so that they can be used as construction jobsite office/trailers; and

WHEREAS, The following comments were provided by City Departments for this request:

- A. The subject property is zoned C-2/General Commercial District and is part of the Sherwood Plaza Shopping Center. Surrounding zoning includes C-2 District to the east and west, R-4/High Density Residential District with a PR/Planned Residential Overlay to the south, along with A-2/Parks, Estates, and Agricultural District, R-3 District, and C-2 District to the north. Surrounding land uses include a gas station, retail shopping establishments, East Kaneshville Boulevard (U.S. Highway 6), multi-family residential dwellings, undeveloped land, and a place of religious assembly. In the last 12 months, The Zoning Board of Adjustment has issued two conditional use permits to allow automobile sales and rentals (Case #CU-18-005) and commercial storage (Case #CU-19-004) at this location, within the former Bomgaars store.
- B. A ‘light manufacturing’ use is defined in Section 15.03.462 of the Municipal Code (Zoning Ordinance) as *“An establishment engaged in the manufacture or processing of finished products from previously prepared materials. Such uses will include processing, fabrication, assembly, packaging and distribution of products with limited incidental storage. Typical uses include*

bakeries, bottling plants, publishing houses, warehousing and distribution, assembly of electronic and metal products, frozen food lockers, garment manufacturing, optical goods, pharmaceutical manufacture and printing". Based on the information stated in the applicant's letter of intent the proposed operation is classified as a light manufacturing use. Per Section 15.15.030 of the Municipal Code (Zoning Ordinance) a light manufacturing (fifty thousand (50,000) square feet or less) use is only allowed in a C-2/Commercial District with issuance of a conditional use permit from the Zoning Board of Adjustment. A conditional use permit is normally issued for land uses that want to operate on a permanent basis at one specific location. The applicant intends to operate at this location for a maximum timeframe of two years. At the end of their lease agreement, the applicant will either move their operation to a new permanent facility, or seek a conditional use permit to make the subject property their permanent facility. Since this use will be in operation for a limited timeframe, the issuance of a temporary use permit from the City Council seems more appropriate from a land use regulatory standpoint, rather than a conditional use permit.

- C. The number and placement of Conex containers stored outdoors along with on-site traffic circulation should be reviewed as part of this request. The applicant's letter of intent and site layout plan show approximately five to ten containers will be located outside at any given time, and all of them will be placed in the westerly parking lot where they will be screened from view by existing retaining walls and a fence/gate with vinyl inserts. The semi-truck and trailer used for transporting these containers will also be located within the westerly parking lot area to prevent any traffic circulation conflicts with customer and employee parking in the Sherwood Plaza Shopping Center. The applicant has also stated that all containers will be stored at ground level and not stacked.
- D. The proposed temporary use will occupy 33,804 square feet of commercial space that was formerly used by Bomgaars. The request also includes the installation of a new 20' x 16' overhead door on the north side of the building so that containers can be brought in and out of the building. No other architectural or structural changes to the building are proposed at this time; and

WHEREAS, The Community Development Department recommends approval to issue a temporary use permit to allow a 'light manufacturing (fifty thousand (50,000) square feet or less) use at 2703 East Kanesville Boulevard, subject to the comments stated above and the following conditions:

- A. The temporary use permit shall be applicable to the 33,804 square foot building and associated outdoor storage area adjacent only and does not apply to other tenants or buildings located in the Sherwood Plaza Shopping Center on the subject property;
- B. All containers and the semi-truck/trailer shall be parked/stored in the far westerly parking lot area in the Sherwood Plaza Shopping Center (as per the submitted site plan) and shall be screened from view by use of existing retaining walls and a fence that provides a 100% opaque visual barrier;
- C. No containers or semi-trucks/trailers shall be parked/stored in customer or employee parking areas that are used by other businesses in the Sherwood Plaza Shopping Center;
- D. All containers shall be stored at ground level, and shall not be stacked;
- E. Scrap metal from the operation shall be stored indoors until such time they are taken to a salvage yard for disposal;
- F. The hours of operation shall be limited to Monday through Friday from 6:00A.M. to 4:00P.M.;
- G. Any signage associated with the operation shall comply with the standards stated in Section 15.33, *Signs* of the Municipal Code (Zoning Ordinance) and shall be permitted by the City prior to installation;
- H. The temporary use permit shall be valid for one year from the date of Council approval. An additional one year extension of time for the temporary use permit may be granted administratively by City staff if all of the conditions of the temporary use permit are complied with and there are no zoning enforcement actions on record for the operation; and
- I. The applicant shall secure all necessary permits and licenses for the operation and shall comply with all applicable Federal, State, and local codes.

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

That the temporary use permit to allow a “light manufacturing (fifty thousand (50,000) square feet or less) use” at 2703 East Kanesville Boulevard is hereby approved subject to the comments and conditions set forth above.

RESOLUTION NO. _____

PAGE 4

ADOPTED
AND
APPROVED

November 18, 2019.

MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

Council Communication

Department: Public Works Admin
Case/Project No.: PW20-15
Submitted by: Matthew Cox, Public
Works Director

Resolution 19-265
ITEM 7.D.

Council Action: 11/18/2019

Description

Resolution authorizing the mayor to execute an agreement with Snyder & Associates, Inc. for engineering services in connection with the Oakland Drive Rehabilitation. Project # PW20-15

Background/Discussion

Oakland Drive is a narrow roadway with a steep grade and tight switchback curve which connects Military Avenue to Oak Park Road and Oakland Avenue. It is the only roadway that provides access for residents along Oak Park Road. Oakland Drive has no storm sewers and the pavement is in poor condition. The existing sanitary sewer is clay pipe from the 1950's and needs to be replaced.

The project was included in the FY20 CIP with funding from Sales Tax and Road Use Funds. The preliminary project budget is \$1,500,000.

Three firms from the City's pre-qualified consultant list were asked to submit their qualifications for providing engineering services for the project. Responses were reviewed by a three person committee and each was scored based on the team qualifications, past experience, project approach and understanding, and clarity, conciseness and organization of the proposal.

Snyder & Associates, Inc. was selected as the most qualified to perform the work for this project. They have a clear understanding of the project with a history of similar projects and the staff available to dedicate to the project.

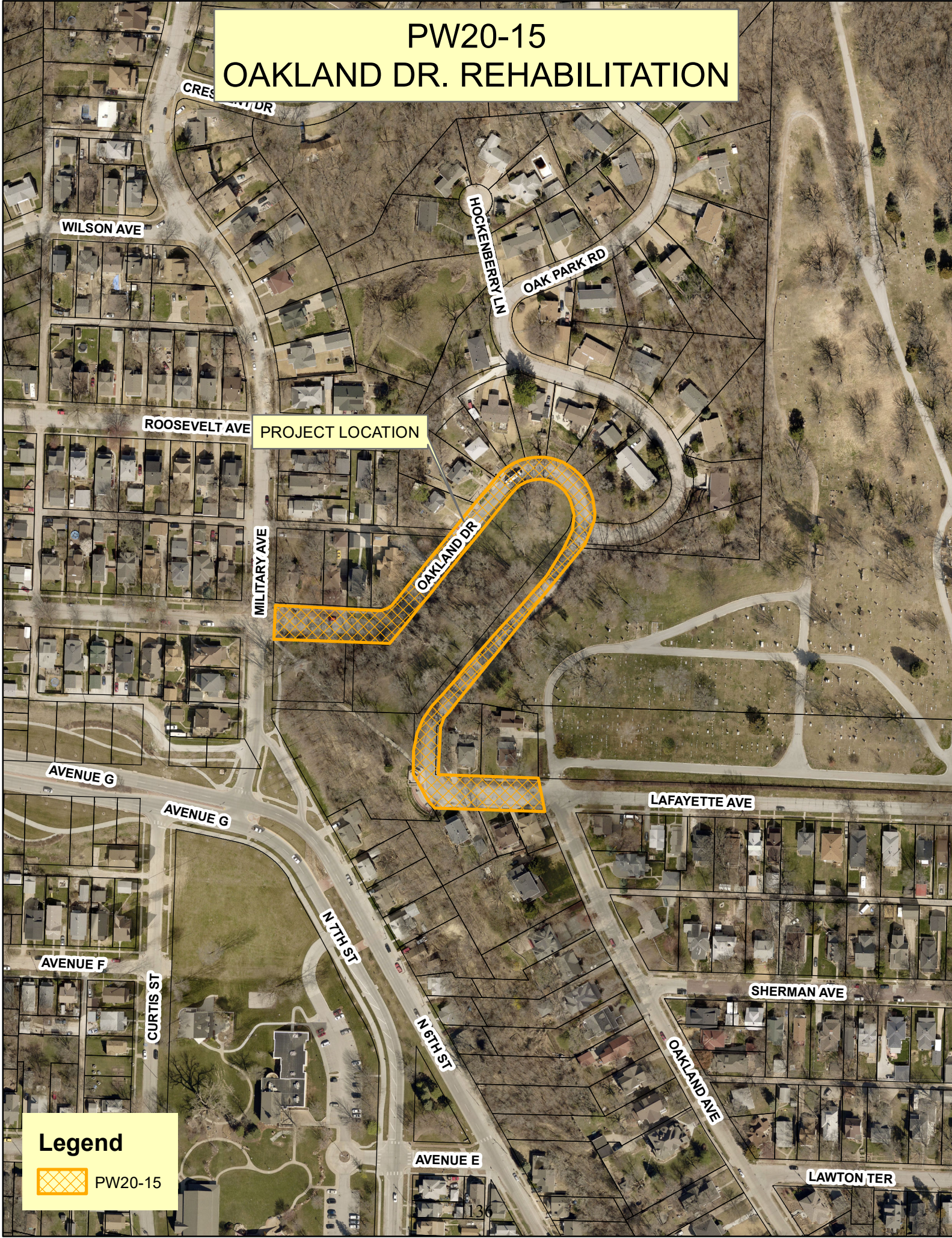
Recommendation

Approval of this resolution.

ATTACHMENTS:

Description	Type	Upload Date
Map	Map	11/7/2019
Agreement	Agreement	11/8/2019
Resolution 19-265	Resolution	11/13/2019

PW20-15 OAKLAND DR. REHABILITATION



Legend

 PW20-15

**PROFESSIONAL SERVICES AGREEMENT
OAKLAND DRIVE REHABILITATION
CITY PROJECT NUMBER PW 20-15
CITY OF COUNCIL BLUFFS, IOWA**

I. NAME OF PARTIES OF THE AGREEMENT

This Agreement, made and entered into this 18th day of November, 2019 by and between, The City of Council Bluffs, Iowa, a Municipal Corporation, hereinafter called "OWNER" and Snyder & Associates, Inc., a corporation, hereinafter called "ENGINEER" as follows:

II. NAME OF PROFESSIONAL SERVICE

The OWNER shall retain the ENGINEER to complete Professional Services for the preparation of engineering surveys, preliminary design, final design, construction plans and specifications, contract documents and construction services for OAKLAND DRIVE REHABILITATION, hereinafter called the "PROJECT"

III. SCOPE OF WORK

A. GENERAL

The ENGINEER shall provide Professional Services as required to complete the preparation and assembly of the PROJECT as named in Article II and as described hereinafter as follows:

1. The PROJECT includes, but is not limited to, design services for Oakland Drive Rehabilitation generally described as Oakland Drive from Military Avenue to Lafayette Avenue.
2. The ENGINEER will complete engineering surveys, design plans and specifications, construction documents, bid letting assistance, construction staking, administration and observation, and final project acceptance for the proposed PROJECT.

B. ENGINEERING SERVICES

The ENGINEER will provide the Engineering Services as follows. Payment shall be made as specified in Article VI of this Agreement.

1. Definition & Scope of Project
2. Survey
3. Design
 - a. Preliminary
 - b. Final

4. Bid Phase
5. Construction
 - a. Observation
 - b. Management
 - c. Staking
6. Outside Consultants/Testing
7. R.O.W., Easements, Outside Permits, Assessments

IV. RESPONSIBILITY OF THE OWNER

At its own expense, the OWNER shall have the following responsibilities regarding the execution of the Contract by the ENGINEER.

A. PROJECT OFFICER

The OWNER shall name a Project Officer to act as the OWNER's representative with respect to the work performed under this Agreement. All correspondence with OWNER relating to PROJECT shall be directed to the Project Officer and the Project Officer shall be invited to all progress meetings and other meetings called during the PROJECT.

B. PROMPT RESPONSE

To prevent an unreasonable delay in the ENGINEER's work, the OWNER will examine all reports, drawings, specifications, and other documents and will provide authorizations in writing to the ENGINEER to proceed with work within a reasonable time period.

V. WORK SCHEDULE

The PROJECT, from design through construction completion, shall be performed by the ENGINEER in accordance with a schedule mutually developed by the OWNER and ENGINEER. Generally, the schedule for the PROJECT is described as follows:

A. (See attached preliminary schedule)

B. The ENGINEER shall not be responsible for delays in the schedule which are beyond the ENGINEER's control.

VI. COMPENSATION AND TERMS OF PAYMENT

The OWNER shall pay the ENGINEER in accordance with the terms and conditions of this Agreement.

A. ENGINEERING SERVICES

As set forth in Article III (B) the engineering fee shall be on the following basis:

SCOPE OF SERVICES	FEE BASIS
1. Definition of Problem scope of Project	Hourly not to exceed negotiated maximum.
2. Survey	Lump Sum
3. Design a. Preliminary b. Final	Lump Sum
4. Bid Phase	Lump Sum
5. Construction a. Observation b. Management c. Staking	Hourly not to exceed negotiated % of con- struction (average of two low bidders).
6. Outside Consultants/Testing	Billed as per invoice.
7. ROW, Easements, Outside permits, Assessment	Hourly

Actual project fees will be determined at a later date and approved by a supplemental agreement.

B. ADDITIONAL SERVICES

Additional Services shall be performed as requested in writing by the OWNER and shall be in accordance with the current fiscal year Snyder & Associates, Inc. Standard Fee Schedule in affect at the time of actual performance. All services quoted on a lump sum basis shall be valid for one year from the contract date.

VII. METHOD OF PAYMENT

- A. The ENGINEER shall submit billings for Basic, Construction and Additional Services to the OWNER on a thirty (30) day basis under separate cover and shall be paid by the OWNER within fourteen (14) days after approval by the City Council. The OWNER shall pay the ENGINEER a percentage of the total fee for each phase or a cost not to exceed the amount shown in accordance with the schedule shown below.
- B. Billings shall include sufficient documentation to explain the charges. All billing shall be accompanied by a Billings Information Report on a form provided to the ENGINEER by the OWNER.

VIII. TERMINATION OF AGREEMENT

The ENGINEER or OWNER may, after giving seven (7) days written notice to the other party, terminate this agreement and the ENGINEER shall be paid for services provided to the termination notice date, including reimbursable expenses due, plus termination expenses. Termination expenses are defined as reimbursable expenses directly attributed to the termination.

IX. CONFLICT OF INTEREST

No elected official or employee of the OWNER who exercises any responsibilities in review, approval, or carrying out of this Agreement shall participate in any decision relating to this Agreement which affects his or her direct or indirect personal or financial interest.

X. ASSIGNABILITY

The ENGINEER shall not assign any interest in this Agreement and shall not transfer any interest in the same without the prior written consent of the OWNER.

XI. TITLE TRANSFER

All drawings, specifications and other work products of the PROJECT are instruments of services for this PROJECT only and shall remain the property of the ENGINEER. The ENGINEER may deliver to the OWNER, at the OWNER's request, paper or electronic media copies of documents prepared in accordance with this Agreement. The OWNER may make hard copies or electronic copies of these documents for purposes supporting the intended use of the project. Any reuse or modification of the documents supplied by ENGINEER for purposes of the PROJECT, including electronic media will be at the recipient's risk and responsibility. Electronic media will be provided as is without warranty, and it shall be the OWNER'S responsibility to reconcile this electronic data with the paper plans, and that the paper plans shall be regarded as legal documents for this PROJECT.

XII. CONFIDENTIALITY

No reports, information, and/or data given to or prepared or assembled by the ENGINEER under this Agreement shall be made available to any individual or organization by the ENGINEER without prior written approval of the OWNER.

XIII. INDEMNIFICATION

The ENGINEER agrees to indemnify and save harmless the City, its officers, agents, and employees from and against any and all claims including reasonable attorneys' fees and defense costs arising out of the negligent acts, errors, or omissions of the ENGINEER, its officers, agents, and employees in the execution of the services specified in this Agreement.

In recognition of the relative risks and benefits of the project to both the City and ENGINEER, the risks have been allocated such that the City agrees, to the fullest extent permitted by law, to limit the liability of the ENGINEER and their sub-consultants to the OWNER and to all construction contractors and subcontractors on the project for any and all claims, losses, costs, damages of any nature whatsoever or claims expenses from any cause or causes, so that the total aggregate liability of the ENGINEER and their sub-consultants to all those named shall not exceed \$2,000,000.00. Such claims and causes include negligence, professional errors or omissions, strict liability, breach of contract or warranty.

XIV. INSURANCE

The ENGINEER shall maintain insurance to protect the ENGINEER from claims under Workmen's Compensation Acts; claims due to personal injury or death of any employee or any other person; claims due to injury or destruction of property; and claims arising out of errors, omissions, or negligent acts for which the ENGINEER is legally liable. The amounts and extent of such insurance is as follows:

- | | |
|-----------------------------|--|
| 1. Professional Liability - | \$ 2,000,000 each claim; 2,000,000 aggregate |
| 2. Vehicle Coverage - | |
| Bodily Injury | \$ 1,000,000 combined single limit (each accident) |
| 3. Worker's Compensation - | \$ 100,000 each accident |
| 4. General Liability - | \$ 1,000,000 each occurrence and 2,000,000 aggregate |

XV. ARBITRATION

Any controversy or claim arising out of this Agreement may, if both parties agree, be decided by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association.

The cost of the arbitration, if any, will be divided equally between the OWNER and the ENGINEER.

XVI. ENGINEER'S RESPONSIBILITY

The ENGINEER shall be responsible for the professional quality and technical accuracy of all services furnished by the ENGINEER under this Agreement, except for that work provided by OWNER. The ENGINEER shall, without additional compensation, correct or revise any error or deficiencies in his work. Approval of the OWNER of any such work shall not in any way relieve the ENGINEER of responsibility for the technical accuracy and adequacy of said services. The OWNER's review, approval or acceptance of, or payment for any of the services shall not be construed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.

XVII. COMPLETENESS OF THE AGREEMENT

This document contains all terms and conditions of this Agreement and any alteration shall be invalid unless made in writing, signed by both parties and incorporated as an amendment to this Agreement. There are no understandings, representations, or agreements, written or oral, other than those incorporated herein.

XVIII. ENGINEER'S CERTIFICATION OF REPORT

The ENGINEER shall place his certification on the Contract Documents, all in conformity with Chapter 114, Code of Iowa.

XIX. COMPLIANCE & REGULATIONS

During the performance of the contract, the engineer, for itself, its assignees and successors in interest (hereinafter referred to as the "Engineer") agrees as follows:

1. Compliance with Regulations: The Engineer shall comply with the Regulations relative to nondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the "Regulations"), which are herein incorporated by referenced and made a part of this contract.

2. Nondiscrimination: The Engineer, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, national origin, sex, age, or disability in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Engineer shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix "B" of the Regulations.

3. Solicitations for Subcontracts, Including Procurement of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the Engineer for work to be performed under a subcontract, including procurement of materials or leases or equipment, each potential subcontractor or supplier shall be notified by the Engineer of the Engineer's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, sex, age, or disability.

4. Information and Reports: The Engineer shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the City of Council Bluffs, The Iowa Department of Transportation or Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, order and instructions. Where any information required of an engineer is in the exclusive possession of another who fails or refuses to furnish this information, the Engineer shall so certify to the City of Council Bluffs, the Iowa Department of Transportation or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance: In the event of the Engineer's noncompliance with the nondiscrimination provisions of this contract, the City of Council Bluffs shall impose such contract sanctions as it, the Iowa Department of Transportation or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

- a. withholding of payments to the Engineer under the contract until the Engineer complies; and/or,
- b. cancellation, termination or suspension of the contract, in whole or in part.

6. Incorporation of Provisions: The Engineer shall include the provisions of Paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Engineer shall take such action with respect to any subcontract or procurement as the City of Council Bluffs, the Iowa Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for non-compliance; provided, however, that, in the event an engineer becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Engineer may request the City of Council Bluffs or the Iowa Department of Transportation to enter into such litigation to protect the interest of the City of Council Bluffs or the Iowa Department of Transportation; and , in addition, the Engineer may request the United States to enter into such litigation to protect the interests of the United States.

IN WITNESS WHEREOF, the parties have signed this Agreement as of the day and the year first above written.

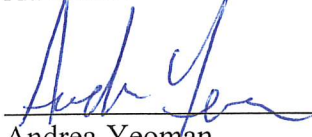
ATTEST:

Jodi Quakenbush, City Clerk

OWNER

By _____
Matthew J. Walsh, Mayor

ATTEST:



Andrea Yeoman

ENGINEER
SNYDER & ASSOCIATES, INC.

By 

Michael G. Geier, Regional Manager

Preliminary Schedule
City of Council Bluffs
Oakland Drive Rehabilitation
City Project Number PW 20-15
Process & Schedule

1. 11/8/19 Prepare “Agreement to Provide Services” (Council Approval 11/18/19)
5 days after council approval
2. TBD Meet with staff to discuss project scope
10 days
3. TBD Submit “Project Scoping” proposal (Hourly NTE)
5 days after approval of scoping proposal
4. TBD Submit “Project Scope & Estimate of Construction Costs”
5 days after approval of scope & costs
5. TBD Submit “Proposal for Services & Fees”
6. TBD 35% Concept Preliminary Design
7. TBD 60% Progress Submittal
8. TBD 95-98% Plans – Set Public Hearing.
9. TBD 100% Plans – Hold Public Hearing
10. TBD Letting
11. TBD Award

SNYDER & ASSOCIATES, INC.
2019-20
STANDARD FEE SCHEDULE

Billing Classification/Level		Billing Rate	
Professional			
Engineer, Landscape Architect, Land Surveyor, Legal, GIS, Environmental Scientist Project Manager, Planner, Right-of-Way Agent, Graphic Designer			
Principal II		\$208.00	/hour
Principal I		\$197.00	/hour
Senior		\$177.00	/hour
VIII		\$163.00	/hour
VII		\$155.00	/hour
VI		\$148.00	/hour
V		\$138.00	/hour
IV		\$128.00	/hour
III		\$116.00	/hour
II		\$106.00	/hour
I		\$93.00	/hour
Technical			
Technicians--CADD, Survey, Construction Observation			
Lead		\$125.00	/hour
Senior		\$119.00	/hour
VIII		\$111.00	/hour
VII		\$103.00	/hour
VI		\$92.00	/hour
V		\$82.00	/hour
IV		\$76.00	/hour
III		\$64.00	/hour
II		\$56.00	/hour
I		\$48.00	/hour
Administrative			
II		\$64.00	/hour
I		\$52.00	/hour
Reimbursables			
Mileage		current IRS standard rate	
Outside Services		As Invoiced	

RESOLUTION
NO 19-265

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK
TO EXECUTE AN AGREEMENT WITH SNYDER & ASSOCIATES, INC.
FOR ENGINEERING SERVICES IN CONNECTION WITH
OAKLAND DRIVE REHABILITATION
PROJECT #PW20-15**

WHEREAS, the city wishes to make improvements known as
Oakland Drive Rehabilitation, within the city
as therein described; and

WHEREAS, Snyder & Associates, Inc. has submitted an agreement to
provide engineering services for the work necessary 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 and City Clerk are hereby authorized and directed to execute an agreement with
Snyder & Associates, Inc. for engineering services relative to the Oakland Drive Rehabilitation
project.

AND BE IT FURTHER RESOLVED

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

ADOPTED
AND
APPROVED

November 18, 2019

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Public Works Admin
Case/Project No.:
Submitted by: Matt Cox, Public
Works Director and Graham Jura,
Deputy City Attorney

Resolution 19-266
ITEM 7.E.

Council Action: 11/18/2019

Description

Resolution granting a nonexclusive license to Uniti Fiber, LLC to operate and maintain its fiber optic cable system in City right-of-way and authorizing the Mayor to execute an agreement.

Background/Discussion

Uniti Fiber, LLC currently owns the fiber network referenced in this agreement and leases it to Windstream for operation. At this time, Windstream has filed for bankruptcy but continues to operate the network pending the outcome. With the outcome uncertain, Uniti Fiber, LLC would like to have this agreement in place to step in and resume operation of the network in the event Windstream is unable to do so. This agreement only becomes effective if such event occurs, and we recommend approval in order to be pro-active in continuing service of the fiber network.

Recommendation

Approval of this resolution.

ATTACHMENTS:

Description	Type	Upload Date
Agreement	Agreement	11/8/2019
Resolution 19-266	Resolution	11/13/2019

AGREEMENT

THIS AGREEMENT is executed on the ____ day of _____, 2019 by and between the City of Council Bluffs (hereinafter "City") and Uniti Fiber, LLC (hereinafter "Uniti").

WITNESSETH:

WHEREAS, Uniti is a facilities-based service provider constructing, operating, and maintaining fiber optic networks and delivering communications services to customers; and

WHEREAS, Uniti requests that the City grant a nonexclusive license to Uniti to operate and maintain its fiber optic cable system both above-ground and under-ground (the "Network"), and deliver services using the Network in certain City rights of way ("ROW"); and

WHEREAS, the City finds that the encroachment of the Network in the ROW will not be a detriment to said ROW and as such will serve the public use and convenience of residents and business in the City; and

WHEREAS, the City is willing to grant a license and permits to Uniti for the operation, maintenance, and use of the Network in the City ROW under certain conditions and restrictions as stated below; and

WHEREAS, Uniti agrees to abide by those conditions and restrictions in exchange for the City granting said license.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is acknowledged by the City and the mutual covenants contained herein, the City and Uniti agree as follows:

1. The City grants to Uniti and Uniti does hereby accept a nonexclusive license to operate, maintain, and use the Network subject to all the terms and conditions of this Agreement.
2. All operation, maintenance, and use of the Network shall be done pursuant to all the laws and regulations of the City, State of Iowa, and any other governmental unit or agency applicable thereto as amended from time to time.
3. Uniti understands and agrees that all work done hereunder in the ROW shall be performed in a good and workman-like manner subject to the approval of the City and that the costs and expenses of the location of facilities in the ROW will be paid by Uniti.
4. The Network shall at all times remain the property of Uniti and, except to the extent caused by the City's negligence or willful misconduct, the City shall not be responsible for the repair or continued maintenance of the Network.
5. This Agreement shall not give rise to any right of ownership in the City ROW to Uniti. The City ROW shall continue to be a public property held by the City in trust for the general public.

6. The Uniti Network shall be operated, maintained, used, and removed so as not to interfere with either the public use of the City ROW or the rights of abutting and adjoining land owners. Except as prohibited by state or federal law, upon the City's reasonable request, Uniti must promptly and at the City's expense with due regard to seasonal working conditions remove and relocate its Network in the ROW when necessary if the City requests such removal and relocation for the public health safety and welfare or when necessary to prevent interference with the safety and convenience of ordinary travel over the ROW.

7. The City may reject, revoke, suspend, or modify this Agreement and require Uniti to remove the Network in the affected portions of the ROW at Uniti's own expense after providing Uniti with a sixty (60) day notice and a reasonable opportunity to cure under the following circumstances:

- (a) Uniti is not in full compliance with the material requirements of this Agreement or state or federal law;
- (b) Uniti has failed to maintain required bonds and or insurance as required by the Agreement or has failed to secure required licenses registrations and authorizations required by the City; and
- (c) Uniti engaged in proposed activity which was contrary to the public health, safety, or welfare.

8. Uniti agrees to indemnify and hold the City, its officers, officials, employees, and agents harmless against any and all third-party claims, causes of action, liabilities, or expenses, including judgments, costs and damages, and including any costs incurred by the City: (a) directly arising out of any damage to tangible property or personal injuries caused by Uniti, Uniti's agents, or the Network; and/or (b) any material breach of this Agreement by Uniti.

9. Uniti understands and agrees that the City, public utilities, and/or cable television companies, and their successors and assigns, may also have certain rights in, over, under, upon, or across the City ROW and that the said license shall be subject to the previously granted rights.

10. Any notice, request, demand, or other communication made in connection with this Agreement shall be in writing and shall be deemed to have been duly given on the date of delivery, if delivered to the persons identified below in person, by courier service, or by facsimile copy (with original copy mailed the same day in accordance with the provisions of this Paragraph), or five (5) business days after mailing if mailed by certified mail, postage prepaid, return receipt requested, addressed as follows:

If to the City: City of Council Bluffs
209 Pearl Street
Council Bluffs, IA 51503

If to Uniti: Uniti Fiber LLC
Attn: Allison W. Taylor, Vice President, Operations
10802 Executive Center Drive
Benton Building Suite 300

Little Rock, AR 72211
Phone: 501-850-0850

With a copy to:

Robert P. Williams, Esquire
Outside Counsel
600 Peachtree Street, NE
Suite 3000
Atlanta, GA 30308
Phone: 404-885-3438
Fax: 404-885-3900
Email: robert.williams@troutman.com

12. The initial term of this Agreement shall be ten (10) years commencing on the date that Uniti provides notice to the City, in accordance with paragraph 10 of this agreement, that it has begun operating the Network, and terminating at midnight on the last day of the month in which the tenth annual anniversary of this date shall have occurred.

- (a) This agreement shall continue thereafter in five (5) year terms unless cancelled by written notice by either party not less than six (6) months prior to any expiration date.

13. This Agreement shall be binding upon and inure to the benefit of the respective successors and assigns of the parties hereto. Uniti shall provide notice of any successors in interests to the City at least sixty (60) days prior to any change in such interest. A copy of this Agreement may be recorded, at the expense of Uniti.

14. If any term of this Agreement is found to be void or invalid, such invalidity shall not affect the remaining terms of this Agreement, which shall continue in full force and effect. The parties intend that the provisions of this Agreement be enforced to the fullest extent permitted by applicable law. Accordingly, the parties shall agree that if any provisions are deemed not enforceable, they shall be deemed modified to the extent necessary to make them enforceable.

15. Uniti shall carry and keep and maintain in force and effect throughout the term of this Agreement, a policy or policies of insurance, the limits of such policy or policies to be in the amount of not less than \$1,000,000.00 per occurrence in respect of injury to persons and in the amount of not less than \$2,000,000.00 per occurrence in respect of property damage and destruction in form and substance satisfactory to City, at Uniti's sole cost and expense, insuring both the City and Uniti against all claims, demands or actions arising out of or in connection with: (a) Uniti's maintenance and use of the ROW; and (b) Uniti's liability assumed under this Agreement. All such policies shall be procured from a company or companies approved to do business in Iowa. Such policies shall further provide that not less than thirty (30) days' written notice shall be given to City before such policy may be canceled or changed to reduce the insurance coverage provided thereby.

16. Uniti has examined and knows the condition of the ROW and has received the same in good order and repair, AS-IS, WHERE-IS, and acknowledges that no representations as to the

condition and repair thereof have been made by City, prior to or at the execution of this Agreement that are not herein expressed.

17. Uniti will not permit any mechanic's lien or liens to be placed upon the ROW during the term hereof, and in case of the filing of such lien, Uniti will promptly pay same or with the prior written consent of the City, Uniti may post a bond or indemnity in an amount sufficient to protect Uniti and the ROW and indemnify, defend, and hold City harmless from any third-party liability for any amount claimed in said lien. If default in payment thereof shall continue for thirty (30) days after written notice thereof from City to Uniti, City shall have the right and privilege at City's option of paying the same or any portion thereof without inquiry as to the validity thereof, and any amounts so paid, including expenses and interest, shall be so much additional indebtedness hereunder due from Uniti to City and shall be repaid to City immediately on rendition of bill therefor.

18. Limitation of Liability. NEITHER PARTY SHALL HAVE ANY RESPONSIBILITY, LIABILITY OR OBLIGATION TO THE OTHER OR THE OTHER'S AFFILIATES, DIRECTORS, OFFICERS, AGENTS, EMPLOYEES, REPRESENTATIVES, SUCCESSORS OR PERMITTED ASSIGNS FOR ANY SPECIAL, INCIDENTAL, CONSEQUENTIAL, OR PUNITIVE DAMAGES INCLUDING, BUT NOT LIMITED TO, LOSS OF PROFITS, COST OF REPLACEMENT SERVICES, LOSS OF CUSTOMERS OR AGENTS, LOSS OF USE, OR PENALTIES IMPOSED BY OTHERS, REGARDLESS OF ANY ACT OF OMISSION OR COMMISSION IN CONNECTION WITH OR UNDER THIS AGREEMENT.

IN WITNESS WHEREOF, we have hereunto set our hands and seals the day and year first above written.

ATTEST:

CITY OF COUNCIL BLUFFS, IA

By: _____

Title: _____

WITNESS:

UNITI

Name: Allison W. Taylor

Title: Vice President, Operations

Date: _____

RESOLUTION NO. 19-266

**RESOLUTION AUTHORIZING THE MAYOR
TO EXECUTE AN AGREEMENT
WITH UNITI FIBER, LLC**

WHEREAS, Uniti Fiber, LLC currently owns a fiber network in the City of Council Bluffs; and

WHEREAS, Uniti Fiber, LLC contracts with Windstream for the operation and maintenance of the fiber network; and

WHEREAS, Windstream has filed for bankruptcy; and

WHEREAS, Uniti Fiber, LLC wishes to resume operation and maintenance responsibilities in the event Windstream is unable; 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 an agreement with Uniti Fiber, LLC.

ADOPTED
AND
APPROVED

November 18, 2019

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

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

Resolution 19-267
ITEM 7.F.

Council Action: 11/18/2019

Description

Resolution authorizing the Mayor to execute an engagement agreement with Ahlers & Cooney, P.C. relating to the General Obligation Bonds, Series 2019.

Background/Discussion

Ahlers & Cooney, P.C., Bond Counsel to the City of Council Bluffs, has presented their Engagement Agreement for the 2019 General Obligation Bonds. The agreement specifies the scope of the engagement and appropriate fees.

Recommendation

Accept and approve the terms of the agreement by approving the resolution.

ATTACHMENTS:

Description	Type	Upload Date
Engagement Agreement	Resolution	11/8/2019
Resolution 19-267	Resolution	11/13/2019

ENGAGEMENT AGREEMENT

The purpose of this Engagement Agreement (the "Agreement") is to disclose and memorialize the terms and conditions under which services will be rendered by Ahlers and Cooney, P.C., in its capacity as Bond Counsel, to the City of Council Bluffs, Iowa (the "Issuer") in connection with the issuance of not to exceed \$7,800,000 General Obligation Bonds (the "Bonds").

SCOPE OF ENGAGEMENT

In the role of Bond Counsel, we will provide the following services:

1. Prepare and review documents related to the authorization, issuance and delivery of the Bonds (the "Proceedings").
2. After proper approval and execution of the Proceedings, render our legal opinion (the "Bond Opinion") regarding the validity and enforceability of the Bonds, the source of payment with regard to the legality of the security pledged, and the excludability of interest on the Bonds from gross income for federal tax purposes, as applicable.
3. Review those sections of any offering or disclosure documents (the "Offering Documents") to be disseminated in connection with the sale of the Bonds related solely to the description of the Bonds, the legal basis for the security pledged, the tax-exempt status of the Bonds, and excerpts, summaries or copies of the Bond Opinion; and in the event Issuer retains separate Disclosure Counsel we will coordinate with said Disclosure Counsel in regards to the above-identified information we are reviewing in the Offering Documents.
4. Upon request, assist the Issuer in presenting information to bond rating organizations and providers of credit enhancement relating to the issuance of Bonds.
5. Prepare procedure to advertise and direct the sale of Bonds when we are advised that a particular issue of Bonds will be sold at public sale, and prepare procedure accepting a proposal to purchase the Bonds when we are advised that the sale of a particular issue of Bond will accomplished by negotiated sale.
6. Draft the Continuing Disclosure Certificate of the Issuer, if applicable.
7. Prepare an IRS Form 8038-G or 8038-GC, when applicable.

As Bond Counsel, our examination will extend to the actions and approvals necessary to authorize the issuance and initial delivery of the Bonds to the purchaser thereof. Our Bond Opinion does not extend to any re-offering of the Bonds by the original purchaser thereof or other persons, and will be delivered by us on the date the Bonds are exchanged for their purchase price (the "Closing").

The Bond Opinion will be based on facts and law existing as of its date. In rendering our Bond Opinion, we will rely upon the certified proceedings and other certifications of public officials and other persons furnished to us without undertaking to verify the same by independent investigation, and we will assume continuing compliance by the Issuer with applicable laws

relating to the Bonds. During the course of this engagement, we will rely on the Issuer, and authorized officials, to provide us with complete and timely information on all developments pertaining to any aspect of the Bonds and their security.

Our duties in this engagement are limited to those expressly set forth above. This Engagement Agreement does not include the following services, or any other matter not required to render our Bond Opinion:

- a. Except as described in paragraph (3) above, assisting in the preparation or review of the Offering Documents with respect to the Bonds, or performing an independent investigation to determine the accuracy, completeness or sufficiency of any such document or rendering advice that the Offering Documents do not contain any untrue statement of material fact or omit to state a material fact necessary to make the statements contained therein, in light of the circumstances under which they were made, not misleading. This engagement does not include the services of Disclosure Counsel.
- b. Preparing requests for tax rulings from the Internal Revenue Service, or “no action” letters from the Securities and Exchange Commission.
- c. Drafting state constitutional or legislative amendments.
- d. Pursuing test cases or other litigation, such as contested validation proceedings.
- e. Except as described in paragraph (6) above, assisting in the preparation of, or opinion on, a continuing disclosure undertaking pertaining to the Bonds, or after Closing, providing advice concerning any actions necessary to assure compliance with any continuing disclosure undertaking, including monitoring Issuer’s continued compliance with the undertaking.
- f. Representing the Issuer in Internal Revenue Service examinations or inquiries, or Securities and Exchange Commission investigations.
- g. After Closing a particular issue of Bonds, providing continuing advice to the Issuer or any other party concerning actions necessary to assure that interest paid on that issue of Bonds will continue to be excludable from gross income for federal income tax purposes (e.g. this Bond Counsel engagement for the Bonds does not include rebate calculations, nor continuing post-issuance compliance activities).

We will provide one or more of the services listed in (a)–(g) upon your request, however, a separate, written Engagement Agreement will be required before we assume one or more of the above duties.

Services listed in subparts (h)–(k), below, are not included in this Engagement Agreement, nor will they be provided at any time.

- h. Acting as an underwriter, or otherwise marketing the Bonds.
- i. Acting in a financial advisory role.
- j. Preparing blue sky or investment surveys with respect to the Bonds.
- k. Making an investigation or expressing any view as to the creditworthiness of the Issuer or of the Bonds.

ATTORNEY-CLIENT RELATIONSHIP

Upon our receipt of notification that Bond Counsel services are requested under this Engagement Agreement, the Issuer will be our client and an attorney-client relationship will exist between us as outlined above. We assume that all other parties to each such transaction will retain such counsel as they deem necessary and appropriate to represent their interests. We further assume that all parties understand that in each such transaction we represent only the Issuer, we are not counsel to any other party, and we are not acting as an intermediary among the parties. Our services as Bond Counsel are limited to those contracted for in this letter; the Issuer's execution of this engagement agreement will constitute an acknowledgement of those limitations. Our representation of the Issuer will not affect, however, our responsibility to render an objective Bond Opinion.

Each representation of the Issuer and the attorney-client relationship for the Bonds created by this Engagement Agreement will be concluded upon issuance of that respective issue of Bonds. Nevertheless, subsequent to Closing, we will mail the appropriate Internal Revenue Service Form 8038, and prepare and distribute to the participants in the transaction a transcript of the proceedings pertaining to the Bonds.

FEES

We will charge a flat fee of \$11,200 for services rendered under this Agreement. If, at any time, we believe that an adjustment of our flat fee is necessary during an engagement as Bond Counsel for a particular issuance of Bonds, we will advise you. Such adjustment might be necessary in the event: (a) the principal amount of Bonds to be issued differs significantly from the amount stated at the time we advise you of our fee; (b) there are material changes in the structure, security or opinion from the description of the Bonds after we advise you of our fee; or (c) unusual or unforeseen circumstances arise which require a significant increase in the services rendered, such as personal attendance at meetings, significant travel, or unexpected revision of the issuance documents at the request of the Issuer, any agent acting on your behalf (such as a financial advisor), the purchaser, a bond insurer, other counsel providing services with respect to issuance of a particular issuance of Bonds. It is not anticipated that it will be necessary for us to personally attend meetings in order to provide the Bond Counsel services outlined above, but we will do so in the event that circumstances require.

In addition to the flat fee, we will bill you for all expenses incurred on your behalf, such as travel cost reimbursement, photocopying, deliveries, long distance telephone charges, telecopier charges, filing fees, computer-assisted research, bond printing, and other related expenses. Generally these expenses will not exceed \$600. We will contact you prior to incurring expenses that exceed that amount.

Our statement for services and expenses will be sent after each particular issue of Bonds have been closed and is due and payable within thirty (30) days of receipt.

If, for any reason, you terminate the engagement on a particular issue of Bonds covered by this Agreement before closing a particular issue of Bonds are not issued for any reason, or the

Bonds are issued without the delivery of our Bond Opinion, we will bill you for the services rendered on your behalf up to that point. These services will be billed at the normal hourly rates for those attorneys and legal assistants who have performed such services. We will also then bill you for all expenses we have incurred as outlined above. My current hourly rate is \$320. Work performed by associates will be billed at \$220 per hour. Services performed on your behalf by legal assistants will be billed at \$120 per hour.

RECORDS

At your request, papers and property furnished by you will be returned promptly upon receipt of payment for outstanding fees and client charges. Our own files, including lawyer work product, pertaining to the transaction will be retained by us. For various reasons, including the minimization of unnecessary storage expenses, we reserve the right to dispose of any documents or other material retained by us after the termination of this engagement.

[THIS SPACE INTENTIONALLY LEFT BLANK]

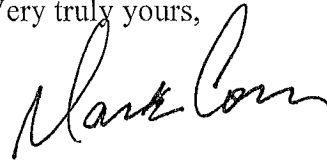
APPROVAL

Please carefully review the terms and conditions of this Agreement. **If the above correctly reflects the terms of this engagement, please obtain approval by your governing body, and execute, date and return to me the enclosed copy of this Agreement. Please retain the original for your file.**

If you have questions regarding any aspect of the above or our representation as Bond Counsel, please do not hesitate to write or call.

It has been a pleasure to serve you in the past, and we look forward to our continued relationship.

Very truly yours,



R. Mark Cory
FOR THE FIRM

Accepted:

City of Council Bluffs, State of Iowa*

By: _____ Date: _____

*Approved by Motion or Resolution No. _____ of the governing body on _____, 2019.

01566415-1\10342-151

Resolution 19-267

Resolution authorizing the Mayor to execute an engagement agreement relating to the General Obligation Bonds, Series 2019.

WHEREAS, the purpose of this Engagement Agreement is to disclose and memorialize the terms and conditions under which services will be rendered by Ahlers and Cooney, P.C. in its capacity as Bond Counsel, to the City of Council Bluffs, Iowa in connection with the issuance of General Obligation Bonds, Series 2019.

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

That the Mayor is hereby authorized, empowered, and directed to execute an Engagement Agreement relating to the General Obligation Bonds, Series 2019.

Adopted and Approved: November 18, 2019

Matthew J. Walsh, Mayor

Jodi Quakenbush, City Clerk

Council Communication

Department: City Clerk
Case/Project No.:
Submitted by:

Resolution 19-268
ITEM 7.G.

Council Action: 11/18/2019

Description

Resolution temporarily vacating a portion of Pearl Street in connection the Winterfest 2019 special event application.

Background/Discussion

Full Fledge Brewery will be serving samples at Winterfest. They will be located on Pearl Street outside the UP Museum. In order to allow this, the City will vacate Pearl Street, from First Avenue to the alley south of the UP Museum.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Resolution 19-268	Resolution	11/13/2019

RESOLUTION NO. 19-268

**RESOLUTION TEMPORARILY VACATING A PORTION OF PEARL STREET
IN CONNECTION THE WINTERFEST 2019 SPECIAL EVENT APPLICATION.**

WHEREAS, The City has reviewed a special event application for Winterfest to be held on in and around Bayliss Park. Full Fledge Brewery will be serving samples on a portion of Pearl Street during the Winterfest event. Pearl Street will be closed from First Avenue to the alley on the south side of the UP Museum.

WHEREAS, It is proposed that the special event will occur on November 21, 2019 between the hours of 5:30 p.m. and 8:00 p.m.

WHEREAS, The proposed activities would be inconsistent with City and State law if Pearl Street were not temporarily vacated.

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

That Pearl Street between First Avenue and the alley on the south side of the UP Museum be temporarily vacated between the hours of 5:30 p.m. and 8:00 p.m. on Thursday November 21, 2019.

ADOPTED
AND
APPROVED

November 18, 2019

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

Department: Health
Case/Project No.:
Submitted by: Steve
Carmichael/Criss Harms

Resolution 19-269
ITEM 7.H.

Council Action: 11/18/2019

Description

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.

Background/Discussion

Recommendation

Approval

ATTACHMENTS:

Description	Type	Upload Date
2019 Third Qtr Lien List	Other	11/13/2019
Resolution 19-269	Resolution	11/13/2019

2019 Third Quarter Lien List

Parcel	Name	Address	Zip	Nuisance Lien	Lien Fee	Total Amount
754331106004	Moore, Richard D	509 Damon Street	51503	\$ 220.00	\$ 5.00	\$ 225.00
754331181004	McDowel, Bobbi Jo	1010 Madison Avenue	51503	\$ 220.00	\$ 5.00	\$ 225.00
754435105004	Dahlke, Martin K - Belinda	2318 2nd Avenue	51501	\$ 407.00	\$ 5.00	\$ 412.00
754436454005	Sird, Kenneth Lee	213 13th Avenue	51503	\$ 434.00	\$ 5.00	\$ 439.00
754427354006	Fuller, Froylan A	3133 Avenue B	51501	\$ 245.00	\$ 5.00	\$ 250.00
754426308004	Vale LLC	2213 Avenue G	51501	\$ 220.00	\$ 5.00	\$ 225.00
754435406008	Rollins, Otis - Nancy	1604 10th Avenue	51501	\$ 247.00	\$ 5.00	\$ 252.00
754425356002	Big Cat Inc.	99999 Unknown	51503	\$ 220.00	\$ 5.00	\$ 225.00
754425356003	Athay, William T III	99999 Unknown	51503	\$ 220.00	\$ 5.00	\$ 225.00
754425309007	TWO LEG LLC	830 Avenue E	51501	\$ 328.00	\$ 5.00	\$ 333.00
754436129005	Meehan, Brian	129 South 8th Street	51501	\$ 164.00	\$ 5.00	\$ 169.00
744416253002	Allen, Gerald Scott - Amanda Lyn	3619 William Lane	51501	\$ 301.00	\$ 5.00	\$ 306.00
754435190007	L B T IOWA 9591	99999 Unknown	51501	\$ 328.00	\$ 5.00	\$ 333.00
754435181005	Thomas - Sons LLC	1913 5th Avenue	51501	\$ 299.00	\$ 5.00	\$ 304.00
754426283007	Hanisch, James M	1316 Avenue I	51501	\$ 274.00	\$ 5.00	\$ 279.00
754436262004	Raither, Robert R - Jane A	706 S. 3rd Street	51503	\$ 220.00	\$ 5.00	\$ 225.00
754330311001	Podendorf, David A	100 Frank Street	51503	\$ 328.00	\$ 5.00	\$ 333.00
754425278005	Berner, William A - Jennifer L	99999 Unknown	51503	\$ 220.00	\$ 5.00	\$ 225.00
754435156028	Hanna, Dorie Ann	2126 6th Avenue	51501	\$ 220.00	\$ 5.00	\$ 225.00
754426490001	Young, Coby L - Mandi A	223 North 12th Street	51501	\$ 274.00	\$ 5.00	\$ 279.00
754436184010	Crowther, Suzanne	716 South 7th Street	51501	\$ 274.00	\$ 5.00	\$ 279.00
754434176003	Villareal, Sergio - Stacie J	99999 Unknown	51501	\$ 220.00	\$ 5.00	\$ 225.00
754426455003	Smith, Kristie Sue	1620 Avenue C	51501	\$ 191.00	\$ 5.00	\$ 196.00
754435186010	Page, Janice Ann	99999 Unknown	51501	\$ 220.00	\$ 5.00	\$ 225.00

2019 Third Quarter Lien List

754434254018	Intelmatic Systems Inc.	2624 6th Avenue	51501	\$	220.00	\$	5.00	\$	225.00
754427354006	Fuller, Froylan A	3133 Avenue B	51501	\$	220.00	\$	5.00	\$	225.00
754330305012	Budka, Amanda L	510 Voorhis Street	51503	\$	274.00	\$	5.00	\$	279.00
754426128008	Wurtz, Karl D - Karen L	1209 North 21st Street	51501	\$	436.00	\$	5.00	\$	441.00
754436279018	Sanborn, Stephany	410 Huntington Avenue	51503	\$	446.00	\$	5.00	\$	451.00
754435105004	Dahlke, Martin K - Belinda	2318 2nd Avenue	51501	\$	336.00	\$	5.00	\$	341.00
744402283012	McSorley, Sheryl L	2022 South 11th Street	51501	\$	328.00	\$	5.00	\$	333.00
744305429001	Greenview Development, LLC	2701 Tara Hills Street	51503	\$	596.02	\$	5.00	\$	601.02
754331276010	Sanford Properties, Inc.	99999 Unknown	51503	\$	2,312.00	\$	5.00	\$	2,317.00
754435151001	Lawson, Michael J	401 South 24th Street	51501	\$	462.63	\$	5.00	\$	467.63
754434231016	Hathaway, Bobert D SR - Sandra S	320 South 25th Street	51501	\$	498.03	\$	5.00	\$	503.03
754428406005	Bray, Dale Lee	3545 Avenue E	51501	\$	328.00	\$	5.00	\$	333.00
754436454005	Sird, Kenneth Lee	213 13th Avenue	51503	\$	247.00	\$	5.00	\$	252.00
754436157006	J S J, LLC	1009 6th Avenue	51501	\$	274.00	\$	5.00	\$	279.00
754425360006	Meehan, Brian	99999 Unknown	51503	\$	274.00	\$	5.00	\$	279.00
754426406006	Dillon Real Estate Co. Inc.	99999 Unknown	51501	\$	374.79	\$	5.00	\$	379.79
754426433004	H R Holding, LLC	99999 Unknown	51501	\$	265.76	\$	5.00	\$	270.76
754426359002	Wahab, Maivandi	2223 Avenue A	51501	\$	274.00	\$	5.00	\$	279.00
754331106004	Moore, Richard D	509 Damon Street	51503	\$	274.00	\$	5.00	\$	279.00
744413437009	Seager, Kevin E	106 Osage Street	51501	\$	309.00	\$	5.00	\$	314.00
744413426003	Kock, Clarence J - Virginia R	2 Huron Circle	51501	\$	274.00	\$	5.00	\$	279.00
754426335005	Delph, Phyllis J	1905 Avenue D	51501	\$	274.00	\$	5.00	\$	279.00
754426308004	Vale, LLC	2213 Avenue G	51501	\$	220.00	\$	5.00	\$	225.00
754426128008	Wurtz, Karl D - Karen L	1209 North 21st Street	51501	\$	220.00	\$	5.00	\$	225.00
754331158009	Reinders, Joshua	730 Madison Avenue	51503	\$	247.00	\$	5.00	\$	252.00
754424252021	Leed, Richard A - John R	1 Deer Trail	51503	\$	274.00	\$	5.00	\$	279.00
754428354003	S V V Holdings, LLC	4041 Avenue C	51501	\$	220.00	\$	5.00	\$	225.00
744416253002	Allen, Gerald Scott - Amanda Lyn	3619 William Lane	51501	\$	220.00	\$	5.00	\$	225.00

2019 Third Quarter Lien List

754433282004	Allen, Harold E - Janice M	3441 6th Avenue	51501	\$	220.00	\$	5.00	\$	225.00
754435190007	L B T IOWA 9591	99999 Unknown	51501	\$	220.00	\$	5.00	\$	225.00
754425309007	Two Leg, LLC	830 Avenue E	51501	\$	247.00	\$	5.00	\$	252.00
754425356002	Big Cat Inc.	99999 Unknown	51503	\$	220.00	\$	5.00	\$	225.00
754425356003	Athay, William T III	99999 Unknown	51503	\$	220.00	\$	5.00	\$	225.00
754426283007	Hanisch, James M	1316 Avenue I	51501	\$	220.00	\$	5.00	\$	225.00
754434252012	Hathaway, Robert Doy JR	2652 5th Avenue	51501	\$	245.00	\$	5.00	\$	250.00
754434203007	Chambers, Michael Eugene	2710 2nd Avenue	51501	\$	355.00	\$	5.00	\$	360.00
744305429001	Greenview Development, LLC	2701 Tara Hills Street	51503	\$	525.00	\$	5.00	\$	530.00
754434110009	Palmer, Marvin G - Dorothy M	3140 4th Avenue	51501	\$	247.00	\$	5.00	\$	252.00
744401107009	Christensen, Ronald - Michael	1018 19th Avenue	51501	\$	164.00	\$	5.00	\$	169.00
754331105017	Hunter, Robert G	518 Damon Street	51503	\$	274.00	\$	5.00	\$	279.00
754426490001	Young, Coby L - Mandi A	223 North 12th Street	51501	\$	260.00	\$	5.00	\$	265.00
754330402019	Ricke, Robert C	741 Forest Drive	51503	\$	336.00	\$	5.00	\$	341.00
754433430017	Hodge, Ferrill V - Roemary M	3454 10th Avenue	51501	\$	247.00	\$	5.00	\$	252.00
754426455003	Smith, Kristie Sue	1620 Avenue C	51501	\$	220.00	\$	5.00	\$	225.00
754428406005	Bray, Dale Lee	3545 Avenue E	51501	\$	220.00	\$	5.00	\$	225.00
754436157006	J S J, LLC	1009 6th Avenue	51501	\$	220.00	\$	5.00	\$	225.00
754435151001	Lawson, Michael J	401 South 24th Street	51501	\$	326.00	\$	5.00	\$	331.00
754426308004	Vale, LLC	2213 Avenue G	51501	\$	274.00	\$	5.00	\$	279.00
754436262004	Raither, Robert R - Jane A	706 S. 3rd Street	51503	\$	220.00	\$	5.00	\$	225.00
754435156028	Hannan, Dorie Ann	2126 6th Avenue	51501	\$	301.00	\$	5.00	\$	306.00
754331276010	Sanford Properties, Inc.	99999 Unknown	51503	\$	704.84	\$	5.00	\$	709.84
754434231016	Hathaway, Robert D SR - Sandra S	320 South 25th Street	51501	\$	220.00	\$	5.00	\$	225.00
754426335005	Delph, Phyllis J	1905 Avenue D	51501	\$	328.00	\$	5.00	\$	333.00
754426406006	Dillon Real Estate Co. Inc.	99999 Unknown	51501	\$	255.00	\$	5.00	\$	260.00
754425454007	500 West LLC	99999 Unknown	51503	\$	274.00	\$	5.00	\$	279.00
754427354006	Fuller, Froylan A	3133 Avenue B	51501	\$	274.00	\$	5.00	\$	279.00

2019 Third Quarter Lien List

754434252012	Hathaway, Robert Doy JR	2652 5th Avenue	51501	\$	301.00	\$	5.00	\$	306.00
744401183003	Alfaro, Moises E	99999 Unknown	51501	\$	279.00	\$	5.00	\$	284.00
754435277011	Anderson, Betty	1220 5th Avenue	51501	\$	382.00	\$	5.00	\$	387.00
744401158001	Manzo, Sandra Rivera	2101 South 10th Street	51501	\$	164.00	\$	5.00	\$	169.00
754435267002	Kinserr, Jake	708 S. 16th Street	51503	\$	247.00	\$	5.00	\$	252.00
754425454010	500 West LLC	500 West Broadway Street	51503	\$	164.00	\$	5.00	\$	169.00
754435190007	L B T IOWA 9591	Lot West of 1816 8th Avenue	51501	\$	220.00	\$	5.00	\$	225.00
754426359002	Wahab, Maivandi	2223 Avenue A	51501	\$	382.00	\$	5.00	\$	387.00
754426283007	Hanisch, James M	1316 Avenue I	51501	\$	220.00	\$	5.00	\$	225.00
754433282004	Allen, Harold E - Janice M	3441 6th Avenue	51501	\$	247.00	\$	5.00	\$	252.00
744401231013	Crofton, John	211 Marian Avenue	51501	\$	218.00	\$	5.00	\$	223.00
754425312007	Risner, Karleen K	422 N. 8th Street	51501	\$	220.00	\$	5.00	\$	225.00
754426335005	Delph, Phyllis J	1905 Avenue D	51501	\$	382.00	\$	5.00	\$	387.00
754425355007	Council Bluffs Dev. Corp, LLC	815 Avenue C	51501	\$	274.00	\$	5.00	\$	279.00
744413437009	Seager, Kevin E	106 Osage Street	51501	\$	309.00	\$	5.00	\$	314.00
754434280012	Runte, Shirley	2522 7th Avenue	51501	\$	363.00	\$	5.00	\$	368.00
754434203007	Chambers, Michael Eugene	2710 2nd Avenue	51501	\$	220.00	\$	5.00	\$	225.00
754427153008	Rock, Daniel W	3217 Avenue K	51501	\$	326.00	\$	5.00	\$	331.00
754436454005	Sird, Kenneth Lee	213 13th Avenue	51501	\$	247.00	\$	5.00	\$	252.00
754426308004	Vale, LLC	2213 Avenue G	51501	\$	274.00	\$	5.00	\$	279.00
754331106009	Flat Iron Holdings, LLC	99999 Unknown	51501	\$	382.00	\$	5.00	\$	387.00
754425312007	Risner, Karleen K	422 N. 8th Street	51501	\$	164.00	\$	5.00	\$	169.00
754435151001	Lawson, Michael J	401 South 24th Street	51501	\$	326.00	\$	5.00	\$	331.00
754436158014	Baluyot, Ramon A SR - Ramon T JR	918 7th Avenue	51501	\$	247.00	\$	5.00	\$	252.00
744413251012	Julius, Mark Allan	4506 Sioux Street	51503	\$	274.00	\$	5.00	\$	279.00
754331158009	Reinders, Joshua	730 Madison Avenue	51503	\$	247.00	\$	5.00	\$	252.00
754436262004	Raither, Robert R - Jane A	706 S. 3rd Street	51503	\$	247.00	\$	5.00	\$	252.00
754435156028	Hannan, Dorie Ann	2126 6th Avenue	51501	\$	247.00	\$	5.00	\$	252.00

2019 Third Quarter Lien List

754435180002	Christensen, Trever	2019 5th Avenue	51501	\$	245.00	\$	5.00	\$	250.00
754330305012	Pedersen, LeRoy	510 Voorhis Street	51501	\$	301.00	\$	5.00	\$	306.00
754435185008	Dreher, Paul M	1918 7th Avenue	51501	\$	191.00	\$	5.00	\$	196.00
754436112005	Menke, Randelle E	819 3rd Avenue	51501	\$	245.00	\$	5.00	\$	250.00
754319301001	Ratliff, Vicki L	269 Zenith Drive	51503	\$	164.00	\$	5.00	\$	169.00
754330402019	Ricke, Robert C	741 Forest Drive	51503	\$	282.00	\$	5.00	\$	287.00
744305429001	Greenview Development, LLC	2701 Tara Hills Street	51503	\$	328.00	\$	5.00	\$	333.00
754425356002	Big Cat Inc.	99999 Unknown	51503	\$	220.00	\$	5.00	\$	225.00
754425309007	TWO LEG LLC	830 Avenue E	51501	\$	247.00	\$	5.00	\$	252.00
754434187012	Reed, Robert W	2914 8th Avenue	51501	\$	164.00	\$	5.00	\$	169.00
754434187012	Reed, Robert W	2914 8th Avenue	51501	\$	164.00	\$	5.00	\$	169.00
754435182005	ARCPE Holdings, LLC	1805 5th Avenue	51501	\$	245.00	\$	5.00	\$	250.00
754434126003	Do Rock Restaurant - Pub, LLC	28 S 29th Street	51501	\$	272.00	\$	5.00	\$	277.00

RESOLUTION NO. 19-269

A 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.

WHEREAS, Council Bluffs' City Ordinance No. 4849, passed and approved by the Council Bluffs City Council on April 15, 1988, requires all property owners within the City of Council Bluffs, Iowa, to cut or destroy all weeds exceeding 18 inches in height; and

WHEREAS, Council Bluffs' City Ordinance No. 5219 and 5220, passed and approved by the Council Bluffs City Council on May 22, 1995, requires all property owners to abate any solid waste nuisance upon public right-of-way of materials stored for more than 24 hours, or materials stored on private property for more than 3 days; and

WHEREAS, all property owners in Council Bluffs were notified of the above requirements by ordinance and failed to abate or remove the nuisances in the allotted time; and

WHEREAS, the City, through its contractors, has attempted to cut or destroy all weeds exceeding 18 inches and/or has removed all solid waste materials in violation; and

WHEREAS, more than ten days have elapsed since the City has billed each property owner by mail for the cost of abatement of weeds or solid waste materials from their properties; and

WHEREAS, the cost of abatement or removal on these properties has been incurred by the City and remains unpaid; and

WHEREAS, the City Council may have these unpaid costs assessed against the properties pursuant to CBMC 4.19.030 and 10.02.070 as authorized by Iowa Code §364.

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

That the unreimbursed costs incurred by the City for the abatement of weeds and solid waste materials found upon the properties be assessed against said properties; and

BE IT FURTHER RESOLVED

That the City Clerk is hereby authorized, empowered and directed to certify assessments against said properties to the Pottawattamie County Treasurer to be collected in the same manner as a property tax.

ADOPTED
AND
APPROVED

November 18, 2019.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

Department: City Clerk
Case/Project No.:
Submitted by:

Liquor Licenses
ITEM 8.A.

Council Action: 11/18/2019

Description

1. Applebee's Neighborhood Grill & Bar, 3000 Dial Dr
2. Hy-Vee #2, 1745 Madison Ave
3. 712, 1851 Madison Ave, Ste 700

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 License Application 11.18.19	Other	11/13/2019



State of Iowa
ALCOHOLIC
BEVERAGES DIVISION

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<input checked="" type="checkbox"/> RENEWAL <input type="checkbox"/> NEW <input type="checkbox"/> SPECIAL EVENT	
POLICE	Local Amt
FIRE <i>AF</i>	Endorsed
BUILDING <i>[Signature]</i>	Issued
ZONING	Expires
Council	

- | | | | | | | |
|------|----------------|---------------------|---------------------|-------------------------|--------------|--------|
| 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 LC0029668, Applebee's Neighborhood Grill & Bar, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen. The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor Name/Partnership Name(s): J S Ventures Inc (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Applebee's Neighborhood Grill & Bar

Address of Premise: 3000 Dial Dr

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (316) 263-3446

Cell / Home Phone:

Same Address

Mailing Address: 2400 N Woodlawn, Ste 230

Mailing Address Line 2:

City: Wichita

State: Kansas

Zip: 67220

Contact Name: Kelci Muse

Phone: (316) 263-3446

Email Address: kmuse@stevensenterprises.com

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Next

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Contact Us

Iowa Alcoholic Beverages Division
1918 SE Hulsizer Road, Ankeny, IA 50021
Toll Free 866.IowaABD (866.469.2223)
Local 515.281.7400

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State of Iowa
ALCOHOLIC
BEVERAGES DIVISION

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<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE	Local Amt	
FIRE	Endorsed	
BUILDING	Issued	
ZONING	Expires	
		Council

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Applicant LE0001063, Hy-Vee #2, 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
- Bond Cert
- Local Endorse
- History

Corporation Name/Sole Proprietor Name/Partnership Name(s): Hy-Vee, Inc. (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Hy-Vee #2

Address of Premise: 1745 Madison Ave

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (712) 322-9260

Cell / Home Phone:

☐ Same Address

Mailing Address: 5820 Westown Pkwy

Mailing Address Line 2:

City: West Des Moines

State: Iowa

Zip: 50266

Contact Name: Kelly Palmer

Phone: (515) 267-2949

Email Address: kpalmer@hy-vee.com

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[Next](#)

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Contact Us

Iowa Alcoholic Beverages Division
1918 SE Hulsizer Road, Ankeny, IA 50021
Toll Free 866.IowaABD (866.469.2223)
Local 515.281.7400

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Applicant LC0043068, 712, Council Bluffs

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Corporation Name/Sole Proprietor Name/Partnership Name(s): 712 LLC (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): 712

Address of Premise: 1851 Madison Avenue Suite 700

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (402) 290-8662

Cell / Home Phone: (402) 290-8662

☐ Same Address

Mailing Address: 1851 Madison Avenue Suite 700

Mailing Address Line 2:

City: Council Bluffs

State: Iowa

Zip: 51503

Contact Name: Janie Rogers

Phone: (402) 290-8662

Email Address: sevenonetworkb@gmail.com

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Contact Us

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