



**Study Session Agenda  
City of Council Bluffs, Iowa  
April 1, 2024, 3:45 PM  
Council Chambers, 2nd Floor, City Hall  
209 Pearl Street**

**STUDY SESSION AGENDA**

- A. HOP Presentation - Matthew Davis, Police Chief
- B. Review Agenda





**Council Agenda, City of Council Bluffs, Iowa  
Regular Meeting April 1, 2024, 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 and tape recordings of these proceedings to be incorporated into the official minutes.
- B. Resolution 24-100  
Resolution setting a public hearing for 7:00 p.m. on April 22, 2024 for the Vine Street Parking Lot Expansion. Project # PW23-15
- C. Resolution 24-101  
Resolution authorizing transfers between funds under Iowa Code 545-2 for FY24
- D. January 2024 Financial Reports
- E. Right of Redemption

**4. MAYORS PROCLAMATIONS**

- A. National Library Week

**5. PUBLIC HEARINGS**

- A. Ordinance 6601  
Ordinance to amend the zoning map as adopted by reference in Section 15.27.020 and setting a public hearing for April 1, 2024 at 7:00 p.m. by rezoning property described as undeveloped land located north of 1102 State Orchard Road, more specifically described in the Council packet, from A-2/Parks, Estates, and Agricultural District to R-1E/Single-Family Residential Estates District as defined in chapter 15.08a. ZC-24-002
- B. Resolution 24-102  
Resolution approving the plans, specifications, and cost estimate for the Recreation Complex Facility Maintenance Yard Upgrade Project.



C. Resolution 24-103

Resolution adopting the Amended and Restated Consolidated Urban Revitalization Plan for the Council Bluffs Consolidated Urban Revitalization Area. URV-24-001

D. Resolution 24-104

Resolution authorizing the Mayor to enter into an Electric Easement with MidAmerican Energy Company to install underground electric facilities in a portion of city-owned property along Valley View Dr

**6. ORDINANCES ON 1ST READING**

A. Ordinance 6603

Ordinance designating the Council Bluffs Consolidated Urban Revitalization Area for the City of Council Bluffs, Iowa. URV-24-001

**7. ORDINANCES ON 2ND READING**

A. Ordinance 6602

Ordinance to amend Chapter 3.62 Solicitors by amending Section 3.62.100 "Prohibited Acts"

**8. ORDINANCES ON 3RD READING**

A. Ordinance 6597

Ordinance to amend Chapter 15.09 R-2/Two-Family Residential District of the Municipal Code (zoning ordinance) by amending Section 15.09.030 "Conditional Uses" to include "boarding, lodging, rooming house or bed and breakfast". ZT-24-001

**9. RESOLUTIONS**

A. Resolution 24-105

Resolution authorizing the Mayor and City Clerk to execute an agreement with HGM Associates Inc. for engineering services in connection with the West Graham Reconstruction. PW25-10

B. Resolution 24-106

Resolution authorizing the advance of \$1,240,000 from the General Fund to satisfy the City of Council Bluffs' obligations for the Marketplace Urban Renewal Area.

C. Resolution 24-107A & 24-107B

A) Resolution directing the advertisement for sale of \$23,960,000 (dollar amount subject to change) General Obligation Bonds, Series 2024A, and approving electronic bidding procedures and Official Statement.

B) Resolution directing the advertisement for sale of \$2,800,000 (dollar amount subject to change) Taxable General Obligation Bonds, Series 2024B, and approving electronic bidding procedures and Official Statement.



**10. OTHER BUSINESS**

**11. CITIZENS REQUEST TO BE HEARD**

**12. 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.*



## Council Communication

Department: Public Works Admin  
Case/Project No.: PW23-15  
Submitted by: Matthew Cox, Public  
Works Director

Resolution 24-100  
ITEM 3.B.

Council Action: 4/1/2024

### Description

Resolution setting a public hearing for 7:00 p.m. on April 22, 2024 for the Vine Street Parking Lot Expansion. Project # PW23-15

### Background/Discussion

The Vine Street Parking Lot Expansion will construct additional parking to the west of the existing lots located along Vine Street. The site is a vacant lot owned by the City.

The new lot will provide 26 stalls of new parking.

The project was included in the FY23 CIP with a budget of \$250,000 from the Downtown TIF district.

At the east end of the existing Vine Street parking area the trash dumpster and enclosure are frequently vandalized, requiring continuous clean up and repairs. To improve this situation, the 100 Block businesses have requested areas for two new trash compactors. The rented compactors will replace the dumpsters currently being used.

Included in the project is a proposed concrete pad located adjacent to the new parking lot with a new 3-phase electrical service to serve a trash compactor. The second trash compactor will be located on an existing concrete pad on the east side of the east parking lot. A new 3-phase electrical service will be added to this location. The fencing around the existing dumpster will be removed and the area will be converted to two additional metered parking stalls. The estimated cost of these improvements is \$32,600, and will be bid as an alternate. The trash compactors will be leased by the businesses from a private solid waste company.

The project schedule is as follows:	Set Public Hearing	April 1, 2024
	Hold Public Hearing	April 22, 2024
	Bid Letting	May 9, 2024
	Award	May 20, 2024

### Recommendation

Approval of this resolution to set the public hearing for the Vine Street Parking Lot Expansion project.

### ATTACHMENTS:

Description	Type	Upload Date
Map	Map	3/20/2024
Resolution 24-100	Resolution	3/27/2024



PW 23-15  
VINE STREET  
PARKING LOT EXPANSION



PROJECT LOCATION

Legend



PW 23-15



**R E S O L U T I O N**  
**NO 24-100**

**RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE  
AND SETTING A PUBLIC HEARING ON THE  
PLANS, SPECIFICATIONS, FORM OF CONTRACT  
AND COST ESTIMATE FOR THE  
VINE STREET PARKING LOT EXPANSION  
PROJECT #PW23-15**

WHEREAS,           the City wishes to make improvements known as the  
Vine Street Parking Lot Expansion, 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 Vine Street Parking Lot Expansion setting April 22, 2024, at 7:00 p.m. as the date and time of said hearing.

ADOPTED  
AND  
APPROVED

April 1, 2024

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

ATTEST:

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



## Council Communication

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

Resolution 24-101  
ITEM 3.C.

Council Action: 4/1/2024

### Description

Resolution authorizing transfers between funds under Iowa Code 545-2 for FY24

### Background/Discussion

Fund Transfer report attached.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Fund transfers FY24 YTD Actuals	Other	3/22/2024
Resolution 24-101	Resolution	3/27/2024



**Fund Transfers**  
**Council Meeting: 04/01/24**

Transfer From		Transfer To				
Fund Category	Fund Name	Fund Category	Fund Name	Amount	Purpose	Effective FY
Special Revenue	CDBG Projects	Capital Projects	Community Development Capital Projects	58,699	Funding project C2303 (Spin Lofts) from CDBG	2024
Tax Increment Financing(TIF)	W. Broadway TIF	General	General	4,649	Transfer TIF revenue for administrative cost reimbursement	2024
Tax Increment Financing(TIF)	W. Broadway TIF	General	General	4,874	Transfer TIF revenue for demolition cost reimbursement	2024
Tax Increment Financing(TIF)	W. Broadway TIF	Debt Service	Debt Service	24,587	Transfer TIF revenue for 2012C bond payment relates to Bunge	2024
Tax Increment Financing(TIF)	Original Mall TIF	General	General	13,346	Transfer TIF revenue for land purchase cost reimbursement	2024
Tax Increment Financing(TIF)	Playland Park TIF	Capital Projects	Community Development Capital Projects	18,557	Transfer TIF revenue for City reimbursement for River's Edge Project 00356	2024
Tax Increment Financing(TIF)	Playland Park TIF	Debt Service	Debt Service	41,248	Transfer TIF revenue for 2010C bond payment relates to River's Edge project	2024
Tax Increment Financing(TIF)	Playland Park TIF	General	General	18,097	Transfer TIF revenue for City reimbursement for CAM agreement expenses	2024
Tax Increment Financing(TIF)	Playland Park TIF	General	General	36,961	Transfer TIF revenue for City reimbursement for River's Edge Parking Garage Maintenance	2024
Tax Increment Financing(TIF)	Playland Park TIF	General	General	1,324	Transfer TIF revenue for administrative cost reimbursement	2024
Special Revenue	Employee Benefits Levy	General	General - Employee Benefits	4,209,540	Fund Employee Benefits	2024
Special Revenue	Emergency Levy	General	General	80,418	Transfer of Emergency Fund Property Taxes to the General Fund	2024
General	Gaming	Capital Projects	Capital Projects	8,975	Funding for BM 24-01 MAC Parking Lot Ph IV	2024
General	Gaming	Capital Projects	Capital Projects	57,316	Funding for IT 24-02 Infrastructure & Services	2024
General	Gaming	Capital Projects	Capital Projects	60,472	Funding for IT 24-03 Mobile Technology	2024
General	Gaming	Capital Projects	Capital Projects	98,208	Funding for IT 24-04 Software Licensing	2024
Enterprise	Sewer Operating	Capital Projects	Capital Projects	7,356	Funding for PW 23-08 28th 30th Ave Sewer Rehab Ph I	2024
Special Revenue	Street Road Use Tax	Capital Projects	Capital Projects	70,159	Funding for PW 23-10 Gifford Rd Recon Ph I	2024
Enterprise	Sewer Operating	Capital Projects	Capital Projects	1,539	Funding for PW 23-12 Trailridge St Reconstruction	2024



Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	19,574	Funding for PW 23-13 Benton St Bridge over Indian Creek	2024
Enterprise	Sewer Operating	Capital Projects	Capital Projects	25,221	Funding for PW 23-14 Sewer Rehab Insitu Lining	2024
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	1,176	Funding for PW 23-20 Perry Rd Culvert Replacement	2024
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	29,003	Funding for PW 23-29 800 Block of Avenue F Recon	2024
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	13,089	Funding for PW 24-04 800 Pavement & ROW Mgmt Study	2024
Enterprise	Sewer Operating	Capital Projects	Capital Projects	203,773	Funding for PW 24-09 E Manawa sewer Rehab Ph XII	2024
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	10,045	Funding for PW 24-11 28th St Storm Rehab Ph IV	2024
Enterprise	Sewer Operating	Capital Projects	Capital Projects	18,553	Funding for PW 24-24 WPCP NRS Update	2024



**Resolution 24-101**

Resolution authorizing transfers between funds under Iowa Code 545-2 for FY24

WHEREAS, the Administrative Code for the State of Iowa, Section 545-2, was revised as it relates to interfund transfers, effective April 17, 2019.

WHEREAS, the Administrative Code now requires all interfund transfers must be approved by Council resolution. A fund transfer resolution must be completed for all transfers between funds and must include the purpose for the transfer, the name of the fund from which the transfer is originating, the name of the fund into which the transfer is to be received, and the dollar amount of the transfer.

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

That the transfers identified are hereby approved and City Finance is authorized, empowered and directed to make the necessary transfers of said dollars between funds.

Adopted and Approved: April 01, 2024

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Matthew J. Walsh, Mayor

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Jodi Quakenbush, City Clerk



## Council Communication

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

January 2024 Financial Reports  
ITEM 3.D.

Council Action: 4/1/2024

### Description

### Background/Discussion

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
January 2024 Expenditures by Amount	Other	3/21/2024
January 2024 Expenditures by Vendor	Other	3/21/2024
January 2024 Receipts & Expenditures by Fund	Other	3/21/2024



**CITY OF COUNCIL BLUFFS**  
**AP POSTING BY AMOUNT**  
**JANUARY 2024**  
**(\$'S)**

VENDOR	AMOUNT	DESCRIPTION
CITY EMPLOYEE PAYROLL	\$2,221,986.25	EMPLOYEE PAYROLL
TOYNE INC	\$1,477,087.42	EQUIPMENT/PARTS
TWO RIVERS INSURANCE COMPANY, INC.	\$1,100,933.50	EMPLOYEE INSURANCE
EFTPS	\$615,187.89	PAYROLL RELATED
MFPRSI	\$505,633.35	PAYROLL RELATED
HARVEYS BR MANAGEMENT CO INC	\$425,088.11	FEES
IPERS	\$346,018.83	PAYROLL RELATED
PETERSON CONTRACTORS INC	\$269,569.80	CONSTRUCTION
WASTE CONNECTIONS OF IOWA	\$268,843.67	HOUSEHOLD TRASH
TYLER TECHNOLOGIES INC	\$247,002.32	HARDWARE/SOFTWARE
CAESARS ENTERTAINMENT	\$235,773.84	MAC OPERATING EXPENSE
COUNCIL BLUFFS CONVENTION & VISITORS BUREAU	\$189,294.00	CONTRIBUTIONS
JESTER INSURANCE SERVICES INC.	\$149,692.00	INSURANCE
IOWA DEPT OF REVENUE	\$126,282.00	PAYROLL RELATED
US BANK	\$105,649.84	CREDIT CARD PURCHASES
RPL UTILITY LLC	\$100,510.42	CONSTRUCTION
CONVERGEONE INC	\$92,422.00	HARDWARE/SOFTWARE
PAYROLL	\$92,024.71	MAC OPERATING EXPENSE
DOSTALS CONSTRUCTION CO INC	\$78,300.00	CONSTRUCTION
AMERICAN TRAFFIC SOLUTIONS, INC.	\$75,858.00	PROFESSIONAL SVCS
NATIONWIDE RETIREMENT SOLUTIONS INC	\$73,359.32	PAYROLL RELATED
KELTEK, INCORPORATED	\$60,471.73	EQUIPMENT/PARTS
STUDIO 15 COMMERCIAL INTERIORS INC	\$59,937.08	PROFESSIONAL SVCS
INTERGRAPH CORPORATION	\$57,422.00	HARDWARE/SOFTWARE
EDWARDS MOTORSPORTS LLC	\$53,465.44	EQUIPMENT/PARTS
B G PETERSON COMPANY	\$49,885.00	SUPPLIES
BLUFFS PAVING & UTILITY INC	\$48,738.60	CONSTRUCTION
EMPLOYERS MUTUAL CASUALTY COMPANY	\$46,791.62	INSURANCE
COUNCIL BLUFFS AIRPORT AUTHORITY	\$42,894.03	AIRPORT AUTH TAX
BARR ENGINEERING CO.	\$40,935.50	PROFESSIONAL SVCS
FELD FIRE	\$38,597.61	EQUIPMENT/PARTS
HDR ENGINEERING INC	\$36,684.24	PROFESSIONAL SVCS
TREASURER STATE OF IOWA/SALES TAX	\$36,545.55	SALES TAX
IOWA WASTE SERVICES HOLDINGS INC	\$33,837.20	SOLID WASTE DISPOSAL
HGM ASSOCIATES INC	\$33,632.33	CONSULTANT
DODGE RIVERSIDE PAYROLL	\$32,069.67	DODGE OPERATING EXPENSE
BIZCO, INC.	\$30,767.00	EQUIPMENT/PARTS
TITLECORE NATIONAL LLC	\$30,000.00	CONTRACT AGREEMENT
PATRICK G BARTOS	\$28,800.00	CONSTRUCTION
IOWA DEPARTMENT OF REVENUE	\$27,363.20	MAC OPERATING EXPENSE
JEO CONSULTING GROUP INC	\$25,859.97	CONSULTANT
POLYDYNE INC	\$25,740.00	SUPPLIES
UKG KRONOS SYSTEMS	\$25,318.75	HARDWARE/SOFTWARE
LANDSCAPES GOLF MANAGEMENT LLC	\$22,976.20	DODGE OPERATING EXPENSE
ECO-STORAGE INVESTMENTS INC	\$22,925.30	SOLID WASTE DISPOSAL
IOWA DEPARTMENT OF HUMAN SERVICES	\$22,613.99	AMBULANCE BILLING FEE
RTG BUILDING SERVICES INC	\$22,488.13	JANITORIAL SERVICE
IMPACT7G INC	\$22,273.50	PROFESSIONAL SVCS
RELIANCE STANDARD LIFE INSURANCE CO	\$22,235.73	PAYROLL RELATED
THE SCHEMMER ASSOCIATES INC	\$22,177.39	CONSULTANT
METRO WASTE AUTHORITY	\$21,610.40	SERVICE LABOR
SECURITY EQUIPMENT INCORPORATED	\$20,900.48	ALARM SECURITY
SJ ELECTRO SYSTEMS INC	\$20,294.76	EQUIPMENT/PARTS
SANDOVAL CUSTOM CREATIONS, INC.	\$19,572.00	EQUIPMENT/PARTS
MOODYS INVESTORS SERVICE	\$19,500.00	PROFESSIONAL SVCS



MANSFIELD OIL COMPANY OF GAINESVILLE, INC.	\$17,085.89	FUEL
COX COMMUNICATION INC	\$16,813.48	PHONE/INTERNET SVC
SOUTHWEST IOWA NARCOTICS	\$16,093.35	FEES
SNYDER & ASSOCIATES INC	\$15,574.39	CONSULTANT
RYAN ROBERT ADKINS	\$15,361.42	MOWING/GROUNDS MAINT
MURPHY TRACTOR & EQUIPMENT CO CORP	\$15,218.99	EQUIPMENT/PARTS
THERMAL SERVICES	\$15,146.41	REPAIRS & MAINTENANCE
DP MANAGEMENT LLC	\$15,120.00	MOWING/GROUNDS MAINT
DIGITECH COMPUTER LLC	\$14,519.36	AMBULANCE BILLING FEE
PETROLEUM TRADERS CORPORATION	\$14,384.19	FUEL
MARCO HOLDINGS, LLC	\$13,533.41	COPY/PRINTER MAINTANCE
ICMA RETIREMENT TRUST - 457	\$13,447.64	PAYROLL RELATED
LEWIS CENTRAL COMMUNITY SCHOOLS	\$13,376.05	MAC OPERATING EXPENSE
EHRHART GRIFFIN & ASSOCIATES INC	\$13,251.96	CONSULTANT
NEBRASKA IOWA SUPPLY CO INC	\$12,164.43	FUEL
BLACK HILLS UTILITY HOLDINGS, INC.	\$12,025.36	NATURAL GAS
MACQUEEN EQUIPMENT, INC.	\$11,625.19	EQUIPMENT/PARTS
VOYA RETIREMENT INSURANCE & ANNUITY COMPANY	\$10,360.00	PAYROLL RELATED
MIDLANDS HUMANE SOCIETY	\$10,328.17	CONTRACT AGREEMENT
A RAYMOND PLUMBING	\$9,700.00	REPAIRS & MAINTENANCE
MIDWEST GLASS	\$9,698.00	REPAIRS & MAINTENANCE
CITY OF COUNCIL BLUFFS-FLEX	\$9,239.08	PAYROLL RELATED
SCOTT D REELFS	\$8,850.00	REPAIRS & MAINTENANCE
COLLECTION SERVICES CENTER	\$8,637.62	PAYROLL RELATED
HEARTLAND TIRES & TREADS INC	\$8,575.03	TIRE REPLACEMENT/REPAIR
DTN LLC	\$8,340.96	SUBSCRIPTION
IOWA DEPT OF TRANSPORTATION	\$8,250.50	CONSULTANT
RJN GROUP	\$7,630.03	ENGINEERING
GLOBAL PAYMENTS DIRECT, INC	\$7,414.96	CREDIT CARD CHGS
PORTOLITE PITCHING MOUNDS LLC	\$7,271.00	EQUIPMENT/PARTS
OMAHA DOOR & WINDOW CO INC	\$7,096.75	REPAIRS & MAINTENANCE
ZOHO CORPORATION	\$6,750.00	HARDWARE/SOFTWARE
COUNCIL BLUFFS WATER WORKS	\$6,617.93	WATER
RIVERS EDGE MASTER PROPERTY OWNERS ASSOC	\$6,541.65	RE PARKING GARAGE EXPENSE
MIDWEST TAPE, LLC	\$6,496.99	DVD/AUDIO/CD
LYMAN RICHEY SAND & GRAVEL COMPANY	\$6,473.00	STREET MAINTENANCE SUPLS
CORNHUSKER INTERNATIONAL TRUCKS	\$6,407.78	EQUIPMENT/PARTS
AMERICAN PROGRAM BUREAU, INC.	\$6,250.00	LIBRARY PREFORMANCES
NAPA AUTO PARTS	\$6,185.23	EQUIPMENT/PARTS
STUART TINLEY LAW FIRM LLP	\$6,092.70	ATTORNEY FEES
ARROW TOWING	\$5,955.49	TOWING/STORAGE/AUCTION
VALUE LINE PUBLISHING INC	\$5,815.00	SUBSCRIPTION
OMNI ENGINEERING	\$5,793.52	STREET MAINTENANCE SUPLS
VERIZON WIRELESS SERVICES LLC	\$5,697.54	CELL PHONE
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$5,248.15	PAYROLL RELATED
MOORE'S SERVICE INCORPORATED	\$5,200.00	SERVICE LABOR
CITY OF COUNCIL BLUFFS-DEPENDENT	\$4,996.16	PAYROLL RELATED
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$4,970.00	PAYROLL RELATED
RASMUSSEN MECHANICAL SERVICES INC	\$4,895.44	EQUIPMENT/PARTS
DMG INC	\$4,893.56	ELECTRICAL REPAIR
BAKER & TAYLOR INC	\$4,813.77	BOOKS/PERIODICALS/SUB
FIRST NATIONAL BANK P CARDS	\$4,690.14	DODGE OPERATING EXPENSE
TIREHUB, LLC	\$4,521.18	EQUIPMENT/PARTS
ARNOLD MOTOR SUPPLY, LLP	\$4,450.01	EQUIPMENT/PARTS
GREAT PLAINS COMMUNICATIONS HOLDINGS LLC	\$4,400.00	PHONE/INTERNET SVC
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$4,400.00	PAYROLL RELATED
THE DAVEY TREE EXPERT COMPANY	\$4,400.00	TREE WORK
THE RETROFIT COMPANIES INC	\$4,399.73	SERVICE LABOR
RDO TRUCK CENTER CO	\$4,276.21	EQUIPMENT/PARTS
MONROE TRUCK EQUIPMENT, INC.	\$4,253.15	EQUIPMENT/PARTS
AKSARBEN FENCE & GATE LLC	\$4,133.00	SERVICE LABOR



CIVICPLUS	\$4,120.33	HARDWARE/SOFTWARE
THE DOLLYWOOD FOUNDATION	\$4,062.36	BOOKS/PERIODICALS/SUB
LIBRARY FURNITURE INTERNATIONAL INC	\$3,956.00	CONTRACT LABOR
INLAND TRUCK PARTS COMPANY INC	\$3,939.38	EQUIPMENT/PARTS
SAPP BROTHERS INC	\$3,827.98	FUEL
LINKEDIN CORP	\$3,820.00	DUES/MEMBERSHIP
EAKES INC	\$3,711.70	SUPPLIES
HARMS OIL COMPANY	\$3,666.26	FUEL
OLSSON INC.	\$3,500.00	CONSULTANT
BOBCAT OF OMAHA	\$3,491.47	EQUIPMENT/PARTS
TURNER MORGAN	\$3,395.00	PROFESSIONAL SVCS
DOLL DISTRIBUTING	\$3,331.19	MAC OPERATING EXPENSE
ROSE HOLDING, INC.	\$3,297.54	EQUIPMENT/PARTS
MORPHO USA INC	\$3,295.00	HARDWARE/SOFTWARE
LYNCH DALLAS, P.C.	\$3,260.00	ATTORNEY FEES
HEARTLAND BUSINESS SYSTEMS LLC	\$3,200.00	HARDWARE/SOFTWARE
PROQUEST LP	\$3,186.37	SUBSCRIPTION
FOUNDERS SERIES LOCKTON CO LLC	\$3,145.00	DODGE OPERATING EXPENSE
CITY TREASURER	\$3,112.94	DODGE OPERATING EXPENSE
NODDLE DEVELOPMENT CO	\$2,875.00	RE PARKING GARAGE EXPENSE
EDWARDS CHEVROLET-CADILLAC INC	\$2,828.98	EQUIPMENT/PARTS
AMBULANCE REFUNDS	\$2,810.85	REFUND
FACTORY MOTOR PARTS	\$2,733.36	EQUIPMENT/PARTS
UMR	\$2,704.44	DODGE OPERATING EXPENSE
NEIL L ARBOGAST	\$2,618.62	PROFESSIONAL SVCS
CHAMPLIN TIRE RECYCLING INC	\$2,520.00	TIRE DISPOSAL
MMC MECHANICAL CONTRACTORS INC	\$2,451.80	RE PARKING GARAGE EXPENSE
RMUS LLC	\$2,372.00	EQUIPMENT/PARTS
MIDWEST DCM INC	\$2,367.50	RE PARKING GARAGE EXPENSE
THIELE GEOTECH INC	\$2,204.00	PROFESSIONAL SVCS
CADD MICROSYSTEMS, INC.	\$2,200.00	HARDWARE/SOFTWARE
ROAD BUILDERS MACHINE & SUPPLY CO INC	\$1,985.00	EQUIPMENT/PARTS
ECOLAB INC	\$1,919.30	SUPPLIES
METOLIUS LLC	\$1,838.00	DODGE OPERATING EXPENSE
BLUFFS ELECTRIC INC	\$1,834.50	ELECTRICAL REPAIR
PREMIER GLAZERS	\$1,833.75	MAC OPERATING EXPENSE
GREAT PLAINS UNIFORMS	\$1,782.00	UNIFORMS
UNITED HEALTHCARE	\$1,771.71	REFUND
RAPIDSCALE INC	\$1,754.95	SUBSCRIPTION
MARTINA MATHISEN	\$1,700.00	LIBRARY PERFORMANCES
CONTINENTAL FIRE/ALARM	\$1,649.40	PROFESSIONAL SVCS
IOWA ALCOHOLIC BEVERAGES DIV	\$1,625.00	DODGE OPERATING EXPENSE
W.W. GRAINGER, INC.	\$1,604.46	EQUIPMENT/PARTS
LAWSON PRODUCTS INC	\$1,591.79	SUPPLIES
JONES AUTOMOTIVE	\$1,546.82	EQUIPMENT/PARTS
UNITED LABORATORIES INC	\$1,538.44	SUPPLIES
SYSCO LINCOLN	\$1,511.67	DODGE OPERATING EXPENSE
MCMULLEN FORD INC	\$1,492.55	EQUIPMENT/PARTS
CRITEX LLC	\$1,488.00	EQUIPMENT/PARTS
STAPLES INC	\$1,441.00	SUPPLIES
ROBERT PRACHT	\$1,425.00	PROFESSIONAL SVCS
DAN BECKMANN	\$1,416.00	JANITORIAL SERVICE
HR GREEN INC	\$1,408.00	CONSULTANT
GRANICUS LLC	\$1,375.00	SUBSCRIPTION
DODGE RIVERSIDE SALES TAX	\$1,352.06	DODGE OPERATING EXPENSE
MULTIPLE OPTIONS INC	\$1,348.50	HARDWARE/SOFTWARE
OMAHA TRUCK CENTER COMPANY INC.	\$1,308.34	EQUIPMENT/PARTS
CARROLL DISTRIBUTING & CONSTRUCTION SUPPLY	\$1,302.96	EQUIPMENT/PARTS
FORTE PAYMENT SYSTEMS INC	\$1,286.43	EQUIPMENT/PARTS
ENTERPRISE FM TRUST	\$1,281.50	RENTAL EXPS
TVH PARTS CO	\$1,280.00	SUPPLIES



J&R LIQUOR	\$1,275.34	MAC OPERATING EXPENSE
AMERIGROUP IOWA INC	\$1,274.34	REFUND
CENTURYLINK	\$1,261.34	PHONE/INTERNET SVC
MOBOTREX INC	\$1,224.00	STREET MAINTENANCE SUPLS
STEVE ANDREWS	\$1,200.00	CONSULTANT
HUFFMAN ENGINEERING INC	\$1,162.50	CONSTRUCTION
ALEGENT CREIGHTON HEALTH	\$1,130.00	PROFESSIONAL SVCS
NEBRASKA AIR FILTER INC	\$1,118.04	SUPPLIES
CFI TIRE SERVICE	\$1,116.00	TIRE REPLACEMENT/REPAIR
MAX I WALKER UNIFORM & APPAREL	\$1,098.90	UNIFORMS
REPORTING SERVICES LLC	\$1,085.40	PROFESSIONAL SVCS
SAFETY KLEEN SYSTEMS, INC	\$1,075.43	SERVICE LABOR
EQUIPMENTSHARE.COM INC.	\$1,063.96	RENTAL EXPS
NODDLE DEVELOPMENT CO	\$1,000.00	RE PARKING GARAGE EXPENSE
KRIHA FLUID POWER	\$997.52	DODGE OPERATING EXPENSE
OVERDRIVE INC	\$990.45	BOOKS/PERIODICALS/SUB
NEBRASKA GOLF AND TURF	\$983.18	DODGE OPERATING EXPENSE
BLUFFS TAXI & COURIER	\$971.50	TRANSIT SERVICES
WHITE CAP, LP	\$962.16	SUPPLIES
MID AMERICAN ENERGY CO	\$957.78	RE PARKING GARAGE EXPENSE
MATHESON TRI GAS INC.	\$936.37	SUPPLIES
WEST PUBLISHING CORPORATION	\$933.60	SUBSCRIPTION
MCKINNIS ROOFING & SHEET METAL LLC	\$931.94	REPAIRS & MAINTENANCE
C & J INDUSTRIAL SUPPLY	\$929.25	JANITORIAL SERVICE
DATA POWER TECHNOLOGY LLC	\$912.50	REPAIRS & MAINTENANCE
NEBRASKA CHILD SUPPORT PAYMENT CTR	\$912.02	PAYROLL RELATED
STATE FARM	\$845.00	REFUND
MIDWEST TURF & IRRIGATION	\$839.45	DODGE OPERATING EXPENSE
VIKING AUTOMATIC SPRINKLER CO	\$825.00	RE PARKING GARAGE EXPENSE
ALL COPY PRODUCTS INC	\$812.00	LEASE
ERRIN K GUNDERSON	\$812.00	MOWING/GROUNDS MAINT
GEORGE DARNELL	\$806.00	VETERINARIAN SVC/SUPPLIES
COUNCIL BLUFFS CHAMBER OF COMMERCE	\$800.00	CONTRACT AGREEMENT
DENNIS SUPPLY COMPANY	\$789.89	SUPPLIES
POM INCORPORATED	\$789.00	EQUIPMENT/PARTS
ENNIS-FLINT, INC.	\$767.89	SUPPLIES
KERRY NORTHWAY	\$750.00	EQUIPMENT/PARTS
IOWA GOLF ASSOCIATION	\$750.00	DODGE OPERATING EXPENSE
STEPP MANUFACTURING CO INC	\$746.79	EQUIPMENT/PARTS
ATHENS TECHNICAL SPECIALISTS INC	\$727.60	REPAIRS & MAINTENANCE
COX BUSINESS	\$716.38	DODGE OPERATING EXPENSE
GENIE SERVICES LLC	\$710.00	PEST CONTROL
NODDLE SERVICES LLC	\$703.53	RE PARKING GARAGE EXPENSE
UNDERGROUND LOCATION COMPANY	\$701.20	PROFESSIONAL SVCS
BEVEL GARDNER & ASSOCIATES	\$695.00	TRAINING
RODNEY JOHNSON	\$672.00	SERVICE LABOR
PASSPORT LABS INC	\$664.75	PARKING FEES
CLARK EQUIPMENT COMPANY	\$651.88	EQUIPMENT/PARTS
JEFF'S WASH & GLO LTD	\$620.80	REPAIRS & MAINTENANCE
MIDWEST TURF & IRRIGATION	\$616.48	EQUIPMENT/PARTS
WATER ENGINEERING INC	\$600.06	MOWING/GROUNDS MAINT
UMB BANK N.A.	\$600.00	BOND PAYMENT
2ND WIND EXERCISE EQUIPMENT INC	\$571.60	EQUIPMENT/PARTS
GM DODGE CHARITABLE TRUST	\$569.89	DODGE TRUST REIMBURSEMENT
PITNEY BOWES GLOBAL FINANCIAL LLC	\$568.29	POSTAGE & PRINTING
DAILY NONPAREIL	\$563.75	ADVERTISEMENTS
AQUA-CHEM INCORPORATED	\$563.40	SUPPLIES
LKQ CORPORATION	\$553.76	EQUIPMENT/PARTS
PROTECH COMMERCIAL VEHICLE OUTFITTERS INC	\$552.76	EQUIPMENT/PARTS
ALLIED OIL & TIRE COMPANY	\$528.00	SUPPLIES
IPFS CORPORATION	\$527.56	DODGE OPERATING EXPENSE



PER MAR SECURITY SERVICES	\$523.96	DODGE OPERATING EXPENSE
REAMS SPRINKLER SUPPLY CORP	\$515.52	SUPPLIES
SUSPENSION SHOP INC	\$487.96	EQUIPMENT/PARTS
YMCA OF GREATER OMAHA	\$460.00	DUES/MEMBERSHIP
WEST BROADWAY CLINIC P C	\$443.00	MEDICAL SERVICES
BLACKBURN MANUFACTURING COMPANY	\$419.80	SUPPLIES
J & J SMALL ENGINE SERVICE	\$404.75	EQUIPMENT/PARTS
DODGE RIVERSIDE SALES TAX	\$403.69	DODGE OPERATING EXPENSE
SCHINDLER ELEVATOR CORPORATION	\$399.88	REPAIRS & MAINTENANCE
BLUE CROSS BLUE SHIELD OF IOWA	\$399.54	REFUND
BGNE INC.	\$377.07	SUPPLIES
KANSAS CITY METRO TACTICAL OFFICERS ASSOCIATION	\$350.00	DUES/MEMBERSHIP
MICHAEL TODD AND COMPANY INC	\$350.00	EQUIPMENT/PARTS
CANON SOLUTIONS AMERICA INC	\$343.51	COPY/PRINTER MAINTANCE
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$340.00	PAYROLL RELATED
COX BUSINESS SERVICES	\$331.77	RE PARKING GARAGE EXPENSE
FORCE EQUIPMENT	\$329.00	EQUIPMENT/PARTS
HUBWISE TECHNOLOGY INC	\$318.86	RE PARKING GARAGE EXPENSE
DAVID A NEWMAN	\$310.00	TRAINING
CENGAGE LEARNING INC	\$299.83	BOOKS/PERIODICALS/SUB
PV BUSINESS SOLUTIONS INC	\$298.50	SUBSCRIPTION
TRICARE FOR LIFE	\$286.02	REFUND
WHCC OF OMAHA, INC.	\$276.55	EQUIPMENT/PARTS
STANARD & ASSOCIATES INC	\$272.00	SUPPLIES
AHLERS & COONEY P.C	\$271.00	LEGAL SERVICES
BENNETT REFRIGERATION INC	\$264.43	REPAIRS & MAINTENANCE
ABLE LOCKSMITHS	\$257.50	PROFESSIONAL SVCS
FASTENAL COMPANY	\$246.59	SUPPLIES
NODDLE SERVICES LLC	\$239.54	RE PARKING GARAGE EXPENSE
TECH INC	\$233.54	SUPPLIES
WASTE CONNECTIONS OF IOWA	\$230.98	DODGE OPERATING EXPENSE
HY VEE, INC.	\$225.00	PROPERTY ACQUISITION
ECHO GROUP	\$214.20	SUPPLIES
DAVIS EQUIPMENT CORPORATION	\$209.89	EQUIPMENT/PARTS
TK ELEVATOR CORPORATION	\$206.23	RE PARKING GARAGE EXPENSE
YANT EQUIPMENT	\$203.50	REPAIRS & MAINTENANCE
DOLL DISTRIBUTING LLC	\$201.35	DODGE OPERATING EXPENSE
MARTIN RESOURCE MANAGEMENT	\$200.00	SUPPLIES
TK ELEVATOR CORPORATION	\$199.30	PROFESSIONAL SVCS
GEOFFREY G ATCHLEY	\$195.00	REPAIRS & MAINTENANCE
U.S. VENTURE, INC.	\$194.72	EQUIPMENT/PARTS
BOUND TO STAY BOUND BOOKS INC	\$183.05	BOOKS/PERIODICALS/SUB
MIDSTATES	\$180.49	MAC OPERATING EXPENSE
RLKM INC	\$180.00	REPAIRS & MAINTENANCE
I-80 LIQUOR	\$177.81	DODGE OPERATING EXPENSE
RES GREAT LAKES LLC	\$175.83	LANDSCAPING SUPPLIES
RESOURCE RENTAL CENTER INC	\$165.00	RENTAL EXPS
BLACKSTONE AUDIO INC	\$158.65	BOOKS/PERIODICALS/SUB
HEARTLAND CO-OP	\$157.36	FUEL
PAITYN SPARR	\$155.00	REIMB EMPLOYEE EXPENSE
DALES TRASH SERVICE INC	\$153.00	RENTAL EXPS
M & R WELDING	\$146.00	WELDING SUPPLIES/SERVICE
GFSI LLC	\$138.40	DODGE OPERATING EXPENSE
MUTUAL OF OMAHA	\$133.47	DODGE OPERATING EXPENSE
LINCOLN NATIONAL LIFE INS CO	\$128.60	DODGE OPERATING EXPENSE
TED'S MOWER SALES & SERVICE INC	\$125.60	EQUIPMENT/PARTS
UMR	\$124.31	REFUND
GRP & ASSOCIATES	\$124.00	SUPPLIES
KYLE COLEY	\$120.00	REFUND
DATASHIELD CORPORATION	\$117.00	SERVICE LABOR
LORETTA GOESCHEL	\$112.06	REIMB EMPLOYEE EXPENSE



UNITED PARCEL SERVICE	\$106.64	FREIGHT/POSTAGE
ONE SOURCE THE BACKGROUND CHECK COMPANY	\$104.30	CONSULTANT
MCINTOSH PLUMBING INC	\$102.50	PLUMBING NEW OR REPAIR
KIMBERLEY RAHE	\$100.00	REFUND
ATHLETICO EXCEL NEBRASKA LLC	\$95.00	PROFESSIONAL SVCS
DEMCO INC	\$93.91	SUPPLIES
C & E WELDING AND FAB INC	\$85.00	REPAIRS & MAINTENANCE
NUCO PUMP SALES AND SERVICE	\$80.25	DODGE OPERATING EXPENSE
AMERITAS LIFE INS CORP	\$77.64	DODGE OPERATING EXPENSE
METROPOLITAN CHIEFS ASSOCIATION	\$75.00	DUES/MEMBERSHIP
O'REILLY AUTOMOTIVE INC	\$66.46	EQUIPMENT/PARTS
AMERICAN NATIONAL BANK	\$65.00	BANK SERVICES
DIANE WADE	\$63.00	REFUND
SMA ENTERPRISES INC.	\$61.40	EQUIPMENT/PARTS
AMEX	\$59.78	MAC OPERATING EXPENSE
CREDIT MANAGEMENT, LP	\$56.25	COLLECTION FEE
NMC INC.	\$54.18	EQUIPMENT/PARTS
THRYV, INC.	\$51.50	ADVERTISEMENT
GREAT AMERICA FINANCIAL SERVICES	\$50.92	DODGE OPERATING EXPENSE
RIVERS EDGE BANK FEES	\$50.50	RE PARKING GARAGE EXPENSE
ABBEY EDWARDS	\$50.00	PROFESSIONAL SVCS
HEARTLAND TOXICOLOGY	\$50.00	PROFESSIONAL SVCS
WANDA J MCNEAL	\$50.00	REFUND
JOHNSTONE SUPPLY	\$46.48	RE PARKING GARAGE EXPENSE
JONATHON SIMONIN	\$37.83	REIMB EMPLOYEE EXPENSE
POTTAWATTAMIE COUNTY SHERIFF	\$35.00	PROFESSIONAL SVCS
BOFA	\$21.49	MAC OPERATING EXPENSE
RED LIGHT REFUNDS	\$20.00	REFUND
ROTELLAS ITALIAN BAKERY	\$16.02	DODGE OPERATING EXPENSE
RIEKES EQUIPMENT COMPANY	\$15.33	EQUIPMENT/PARTS
MARY W LEEK	\$15.00	REFUND
AMERICAN MESSAGING SERVICES LLC	\$14.90	PHONE/INTERNET SVC
DAVID W WALTER	\$14.00	REFUND
UNIOIN BANK/OMNIFY BENEFITS	\$12.50	DODGE OPERATING EXPENSE
TRISHA D ALFERS	\$11.15	REIMB EMPLOYEE EXPENSE
JAMIE MENNING	\$9.44	REIMB EMPLOYEE EXPENSE
JULIANNE M JOHNSON	\$5.89	REIMB EMPLOYEE EXPENSE
ELAVON INC	\$0.00	FEES
<b>TOTAL</b>	<b>\$10,661,818.92</b>	



**CITY OF COUNCIL BLUFFS**  
**AP POSTING BY VENDOR**  
**JANUARY 2024**  
**(\$'S)**

VENDOR	AMOUNT	DESCRIPTION
2ND WIND EXERCISE EQUIPMENT INC	\$571.60	EQUIPMENT/PARTS
A RAYMOND PLUMBING	\$9,700.00	REPAIRS & MAINTENANCE
ABBAY EDWARDS	\$50.00	PROFESSIONAL SVCS
ABLE LOCKSMITHS	\$257.50	PROFESSIONAL SVCS
AHLERS & COONEY P.C	\$271.00	LEGAL SERVICES
AKSARBEN FENCE & GATE LLC	\$4,133.00	SERVICE LABOR
ALEGENT CREIGHTON HEALTH	\$1,130.00	PROFESSIONAL SVCS
ALL COPY PRODUCTS INC	\$812.00	LEASE
ALLIED OIL & TIRE COMPANY	\$528.00	SUPPLIES
AMBULANCE REFUNDS	\$2,810.85	REFUND
AMERICAN MESSAGING SERVICES LLC	\$14.90	PHONE/INTERNET SVC
AMERICAN NATIONAL BANK	\$65.00	BANK SERVICES
AMERICAN PROGRAM BUREAU, INC.	\$6,250.00	LIBRARY PREFORMANCES
AMERICAN TRAFFIC SOLUTIONS, INC.	\$75,858.00	PROFESSIONAL SVCS
AMERIGROUP IOWA INC	\$1,274.34	REFUND
AMERITAS LIFE INS CORP	\$77.64	DODGE OPERATING EXPENSE
AMEX	\$59.78	MAC OPERATING EXPENSE
AQUA-CHEM INCORPORATED	\$563.40	SUPPLIES
ARNOLD MOTOR SUPPLY, LLP	\$4,450.01	EQUIPMENT/PARTS
ARROW TOWING	\$5,955.49	TOWING/STORAGE/AUCTION
ATHENS TECHNICAL SPECIALISTS INC	\$727.60	REPAIRS & MAINTENANCE
ATHLETICO EXCEL NEBRASKA LLC	\$95.00	PROFESSIONAL SVCS
B G PETERSON COMPANY	\$49,885.00	SUPPLIES
BAKER & TAYLOR INC	\$4,813.77	BOOKS/PERIODICALS/SUB
BARR ENGINEERING CO.	\$40,935.50	PROFESSIONAL SVCS
BENNETT REFRIGERATION INC	\$264.43	REPAIRS & MAINTENANCE
BEVEL GARDNER & ASSOCIATES	\$695.00	TRAINING
BGNE INC.	\$377.07	SUPPLIES
BIZCO, INC.	\$30,767.00	EQUIPMENT/PARTS
BLACK HILLS UTILITY HOLDINGS, INC.	\$12,025.36	NATURAL GAS
BLACKBURN MANUFACTURING COMPANY	\$419.80	SUPPLIES
BLACKSTONE AUDIO INC	\$158.65	BOOKS/PERIODICALS/SUB
BLUE CROSS BLUE SHIELD OF IOWA	\$399.54	REFUND
BLUFFS ELECTRIC INC	\$1,834.50	ELECTRICAL REPAIR
BLUFFS PAVING & UTILITY INC	\$48,738.60	CONSTRUCTION
BLUFFS TAXI & COURIER	\$971.50	TRANSIT SERVICES
BOBCAT OF OMAHA	\$3,491.47	EQUIPMENT/PARTS
BOFA	\$21.49	MAC OPERATING EXPENSE
BOUND TO STAY BOUND BOOKS INC	\$183.05	BOOKS/PERIODICALS/SUB
C & E WELDING AND FAB INC	\$85.00	REPAIRS & MAINTENANCE
C & J INDUSTRIAL SUPPLY	\$929.25	JANITORIAL SERVICE
CADD MICROSYSTEMS, INC.	\$2,200.00	HARDWARE/SOFTWARE
CAESARS ENTERTAINMENT	\$235,773.84	MAC OPERATING EXPENSE
CANON SOLUTIONS AMERICA INC	\$343.51	COPY/PRINTER MAINTANCE
CARROLL DISTRIBUTING & CONSTRUCTION SUPPLY	\$1,302.96	EQUIPMENT/PARTS
CENGAGE LEARNING INC	\$299.83	BOOKS/PERIODICALS/SUB
CENTURYLINK	\$1,261.34	PHONE/INTERNET SVC
CFI TIRE SERVICE	\$1,116.00	TIRE REPLACEMENT/REPAIR
CHAMPLIN TIRE RECYCLING INC	\$2,520.00	TIRE DISPOSAL
CITY EMPLOYEE PAYROLL	\$2,221,986.25	EMPLOYEE PAYROLL
CITY OF COUNCIL BLUFFS-DEPENDENT	\$4,996.16	PAYROLL RELATED
CITY OF COUNCIL BLUFFS-FLEX	\$9,239.08	PAYROLL RELATED
CITY TREASURER	\$3,112.94	DODGE OPERATING EXPENSE
CIVICPLUS	\$4,120.33	HARDWARE/SOFTWARE
CLARK EQUIPMENT COMPANY	\$651.88	EQUIPMENT/PARTS



COLLECTION SERVICES CENTER	\$8,637.62	PAYROLL RELATED
CONTINENTAL FIRE/ALARM	\$1,649.40	PROFESSIONAL SVCS
CONVERGEONE INC	\$92,422.00	HARDWARE/SOFTWARE
CORNHUSKER INTERNATIONAL TRUCKS	\$6,407.78	EQUIPMENT/PARTS
COUNCIL BLUFFS AIRPORT AUTHORITY	\$42,894.03	AIRPORT AUTH TAX
COUNCIL BLUFFS CHAMBER OF COMMERCE	\$800.00	CONTRACT AGREEMENT
COUNCIL BLUFFS CONVENTION & VISITORS BUREAU	\$189,294.00	CONTRIBUTIONS
COUNCIL BLUFFS WATER WORKS	\$6,617.93	WATER
COX BUSINESS	\$716.38	DODGE OPERATING EXPENSE
COX BUSINESS SERVICES	\$331.77	RE PARKING GARAGE EXPENSE
COX COMMUNICATION INC	\$16,813.48	PHONE/INTERNET SVC
CREDIT MANAGEMENT, LP	\$56.25	COLLECTION FEE
CRITEX LLC	\$1,488.00	EQUIPMENT/PARTS
DAILY NONPAREIL	\$563.75	ADVERTISEMENT
DALES TRASH SERVICE INC	\$153.00	RENTAL EXPS
DAN BECKMANN	\$1,416.00	JANITORIAL SERVICE
DATA POWER TECHNOLOGY LLC	\$912.50	REPAIRS & MAINTENANCE
DATASHIELD CORPORATION	\$117.00	SERVICE LABOR
DAVID A NEWMAN	\$310.00	TRAINING
DAVID W WALTER	\$14.00	REFUND
DAVIS EQUIPMENT CORPORATION	\$209.89	EQUIPMENT/PARTS
DEMCO INC	\$93.91	SUPPLIES
DENNIS SUPPLY COMPANY	\$789.89	SUPPLIES
DIANE WADE	\$63.00	REFUND
DIGITECH COMPUTER LLC	\$14,519.36	AMBULANCE BILLING FEE
DMG INC	\$4,893.56	ELECTRICAL REPAIR
DODGE RIVERSIDE PAYROLL	\$32,069.67	DODGE OPERATING EXPENSE
DODGE RIVERSIDE SALES TAX	\$1,352.06	DODGE OPERATING EXPENSE
DODGE RIVERSIDE SALES TAX	\$403.69	DODGE OPERATING EXPENSE
DOLL DISTRIBUTING	\$3,331.19	MAC OPERATING EXPENSE
DOLL DISTRIBUTING LLC	\$201.35	DODGE OPERATING EXPENSE
DOSTALS CONSTRUCTION CO INC	\$78,300.00	CONSTRUCTION
DP MANAGEMENT LLC	\$15,120.00	MOWING/GROUNDS MAINT
DTN LLC	\$8,340.96	SUBSCRIPTION
EAKES INC	\$3,711.70	SUPPLIES
ECHO GROUP	\$214.20	SUPPLIES
ECOLAB INC	\$1,919.30	SUPPLIES
ECO-STORAGE INVESTMENTS INC	\$22,925.30	SOLID WASTE DISPOSAL
EDWARDS CHEVROLET-CADILLAC INC	\$2,828.98	EQUIPMENT/PARTS
EDWARDS MOTORSPORTS LLC	\$53,465.44	EQUIPMENT/PARTS
EFTPS	\$615,187.89	PAYROLL RELATED
EHRHART GRIFFIN & ASSOCIATES INC	\$13,251.96	CONSULTANT
ELAVON INC	\$0.00	FEES
EMPLOYERS MUTUAL CASUALTY COMPANY	\$46,791.62	INSURANCE
ENNIS-FLINT, INC.	\$767.89	SUPPLIES
ENTERPRISE FM TRUST	\$1,281.50	RENTAL EXPS
EQUIPMENTSHARE.COM INC.	\$1,063.96	RENTAL EXPS
ERRIN K GUNDERSON	\$812.00	MOWING/GROUNDS MAINT
FACTORY MOTOR PARTS	\$2,733.36	EQUIPMENT/PARTS
FASTENAL COMPANY	\$246.59	SUPPLIES
FELD FIRE	\$38,597.61	EQUIPMENT/PARTS
FIRST NATIONAL BANK P CARDS	\$4,690.14	DODGE OPERATING EXPENSE
FORCE EQUIPMENT	\$329.00	EQUIPMENT/PARTS
FORTE PAYMENT SYSTEMS INC	\$1,286.43	EQUIPMENT/PARTS
FOUNDERS SERIES LOCKTON CO LLC	\$3,145.00	DODGE OPERATING EXPENSE
GENIE SERVICES LLC	\$710.00	PEST CONTROL
GEOFFREY G ATCHLEY	\$195.00	REPAIRS & MAINTENANCE
GEORGE DARNELL	\$806.00	VETERINARIAN SVC/SUPPLIES
GFSI LLC	\$138.40	DODGE OPERATING EXPENSE
GLOBAL PAYMENTS DIRECT, INC	\$7,414.96	CREDIT CARD CHGS
GM DODGE CHARITABLE TRUST	\$569.89	DODGE TRUST REIMBURSEMENT



GRANICUS LLC	\$1,375.00	SUBSCRIPTION
GREAT AMERICA FINANCIAL SERVICES	\$50.92	DODGE OPERATING EXPENSE
GREAT PLAINS COMMUNICATIONS HOLDINGS LLC	\$4,400.00	PHONE/INTERNET SVC
GREAT PLAINS UNIFORMS	\$1,782.00	UNIFORMS
GRP & ASSOCIATES	\$124.00	SUPPLIES
HARMS OIL COMPANY	\$3,666.26	FUEL
HARVEYS BR MANAGEMENT CO INC	\$425,088.11	FEES
HDR ENGINEERING INC	\$36,684.24	PROFESSIONAL SVCS
HEARTLAND BUSINESS SYSTEMS LLC	\$3,200.00	HARDWARE/SOFTWARE
HEARTLAND CO-OP	\$157.36	FUEL
HEARTLAND TIRES & TREADS INC	\$8,575.03	TIRE REPLACEMENT/REPAIR
HEARTLAND TOXICOLOGY	\$50.00	PROFESSIONAL SVCS
HGM ASSOCIATES INC	\$33,632.33	CONSULTANT
HR GREEN INC	\$1,408.00	CONSULTANT
HUBWISE TECHNOLOGY INC	\$318.86	RE PARKING GARAGE EXPENSE
HUFFMAN ENGINEERING INC	\$1,162.50	CONSTRUCTION
HY VEE, INC.	\$225.00	PROPERTY ACQUISITION
I-80 LIQUOR	\$177.81	DODGE OPERATING EXPENSE
ICMA RETIREMENT TRUST - 457	\$13,447.64	PAYROLL RELATED
IMPACT7G INC	\$22,273.50	PROFESSIONAL SVCS
INLAND TRUCK PARTS COMPANY INC	\$3,939.38	EQUIPMENT/PARTS
INTERGRAPH CORPORATION	\$57,422.00	HARDWARE/SOFTWARE
IOWA ALCOHOLIC BEVERAGES DIV	\$1,625.00	DODGE OPERATING EXPENSE
IOWA DEPARTMENT OF HUMAN SERVICES	\$22,613.99	AMBULANCE BILLING FEE
IOWA DEPARTMENT OF REVENUE	\$27,363.20	MAC OPERATING EXPENSE
IOWA DEPT OF REVENUE	\$126,282.00	PAYROLL RELATED
IOWA DEPT OF TRANSPORTATION	\$8,250.50	CONSULTANT
IOWA GOLF ASSOCIATION	\$750.00	DODGE OPERATING EXPENSE
IOWA WASTE SERVICES HOLDINGS INC	\$33,837.20	SOLID WASTE DISPOSAL
IPERS	\$346,018.83	PAYROLL RELATED
IPFS CORPORATION	\$527.56	DODGE OPERATING EXPENSE
J & J SMALL ENGINE SERVICE	\$404.75	EQUIPMENT/PARTS
J&R LIQUOR	\$1,275.34	MAC OPERATING EXPENSE
JAMIE MENNING	\$9.44	REIMB EMPLOYEE EXPENSE
JEFF'S WASH & GLO LTD	\$620.80	REPAIRS & MAINTENANCE
JEO CONSULTING GROUP INC	\$25,859.97	CONSULTANT
JESTER INSURANCE SERVICES INC.	\$149,692.00	INSURANCE
JOHNSTONE SUPPLY	\$46.48	RE PARKING GARAGE EXPENSE
JONATHON SIMONIN	\$37.83	REIMB EMPLOYEE EXPENSE
JONES AUTOMOTIVE	\$1,546.82	EQUIPMENT/PARTS
JULIANNE M JOHNSON	\$5.89	REIMB EMPLOYEE EXPENSE
KANSAS CITY METRO TACTICAL OFFICERS ASSOCIATION	\$350.00	DUES/MEMBERSHIP
KELTEK, INCORPORATED	\$60,471.73	EQUIPMENT/PARTS
KERRY NORTHWAY	\$750.00	EQUIPMENT/PARTS
KIMBERLEY RAHE	\$100.00	REFUND
KRIHA FLUID POWER	\$997.52	DODGE OPERATING EXPENSE
KYLE COLEY	\$120.00	REFUND
LANDSCAPES GOLF MANAGEMENT LLC	\$22,976.20	DODGE OPERATING EXPENSE
LAWSON PRODUCTS INC	\$1,591.79	SUPPLIES
LEWIS CENTRAL COMMUNITY SCHOOLS	\$13,376.05	MAC OPERATING EXPENSE
LIBRARY FURNITURE INTERNATIONAL INC	\$3,956.00	CONTRACT LABOR
LINCOLN NATIONAL LIFE INS CO	\$128.60	DODGE OPERATING EXPENSE
LINKEDIN CORP	\$3,820.00	DUES/MEMBERSHIP
LKQ CORPORATION	\$553.76	EQUIPMENT/PARTS
LORETTA GOESCHEL	\$112.06	REIMB EMPLOYEE EXPENSE
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$4,970.00	PAYROLL RELATED
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$340.00	PAYROLL RELATED
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$4,400.00	PAYROLL RELATED
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$5,248.15	PAYROLL RELATED
LYMAN RICHEY SAND & GRAVEL COMPANY	\$6,473.00	STREET MAINTENANCE SUPPLS
LYNCH DALLAS, P.C.	\$3,260.00	ATTORNEY FEES



M & R WELDING	\$146.00	WELDING SUPPLIES/SERVICE
MACQUEEN EQUIPMENT, INC.	\$11,625.19	EQUIPMENT/PARTS
MANSFIELD OIL COMPANY OF GAINESVILLE, INC.	\$17,085.89	FUEL
MARCO HOLDINGS, LLC	\$13,533.41	COPY/PRINTER MAINTANCE
MARTIN RESOURCE MANAGEMENT	\$200.00	SUPPLIES
MARTINA MATHISEN	\$1,700.00	LIBRARY PREFORMANCES
MARY W LEEK	\$15.00	REFUND
MATHESON TRI GAS INC.	\$936.37	SUPPLIES
MAX I WALKER UNIFORM & APPAREL	\$1,098.90	UNIFORMS
MCINTOSH PLUMBING INC	\$102.50	PLUMBING NEW OR REPAIR
MCKINNIS ROOFING & SHEET METAL LLC	\$931.94	REPAIRS & MAINTENANCE
MCMULLEN FORD INC	\$1,492.55	EQUIPMENT/PARTS
METOLIUS LLC	\$1,838.00	DODGE OPERATING EXPENSE
METRO WASTE AUTHORITY	\$21,610.40	SERVICE LABOR
METROPOLITAN CHIEFS ASSOCIATION	\$75.00	DUES/MEMBERSHIP
MFPRSI	\$505,633.35	PAYROLL RELATED
MICHAEL TODD AND COMPANY INC	\$350.00	EQUIPMENT/PARTS
MID AMERICAN ENERGY CO	\$957.78	RE PARKING GARAGE EXPENSE
MIDLANDS HUMANE SOCIETY	\$10,328.17	CONTRACT AGREEMENT
MIDSTATES	\$180.49	MAC OPERATING EXPENSE
MIDWEST DCM INC	\$2,367.50	RE PARKING GARAGE EXPENSE
MIDWEST GLASS	\$9,698.00	REPAIRS & MAINTENANCE
MIDWEST TAPE, LLC	\$6,496.99	DVD/AUDIO/CD
MIDWEST TURF & IRRIGATION	\$616.48	EQUIPMENT/PARTS
MIDWEST TURF & IRRIGATION	\$839.45	DODGE OPERATING EXPENSE
MMC MECHANICAL CONTRACTORS INC	\$2,451.80	RE PARKING GARAGE EXPENSE
MOBOTREX INC	\$1,224.00	STREET MAINTENANCE SUPLS
MONROE TRUCK EQUIPMENT, INC.	\$4,253.15	EQUIPMENT/PARTS
MOODYS INVESTORS SERVICE	\$19,500.00	PROFESSIONAL SVCS
MOORE'S SERVICE INCORPORATED	\$5,200.00	SERVICE LABOR
MORPHO USA INC	\$3,295.00	HARDWARE/SOFTWARE
MULTIPLE OPTIONS INC	\$1,348.50	HARDWARE/SOFTWARE
MURPHY TRACTOR & EQUIPMENT CO CORP	\$15,218.99	EQUIPMENT/PARTS
MUTUAL OF OMAHA	\$133.47	DODGE OPERATING EXPENSE
NAPA AUTO PARTS	\$6,185.23	EQUIPMENT/PARTS
NATIONWIDE RETIREMENT SOLUTIONS INC	\$73,359.32	PAYROLL RELATED
NEBRASKA AIR FILTER INC	\$1,118.04	SUPPLIES
NEBRASKA CHILD SUPPORT PAYMENT CTR	\$912.02	PAYROLL RELATED
NEBRASKA GOLF AND TURF	\$983.18	DODGE OPERATING EXPENSE
NEBRASKA IOWA SUPPLY CO INC	\$12,164.43	FUEL
NEIL L ARBOGAST	\$2,618.62	PROFESSIONAL SVCS
NMC INC.	\$54.18	EQUIPMENT/PARTS
NODDLE DEVELOPMENT CO	\$2,875.00	RE PARKING GARAGE EXPENSE
NODDLE DEVELOPMENT CO	\$1,000.00	RE PARKING GARAGE EXPENSE
NODDLE SERVICES LLC	\$703.53	RE PARKING GARAGE EXPENSE
NODDLE SERVICES LLC	\$239.54	RE PARKING GARAGE EXPENSE
NUCO PUMP SALES AND SERVICE	\$80.25	DODGE OPERATING EXPENSE
OLSSON INC.	\$3,500.00	CONSULTANT
OMAHA DOOR & WINDOW CO INC	\$7,096.75	REPAIRS & MAINTENANCE
OMAHA TRUCK CENTER COMPANY INC.	\$1,308.34	EQUIPMENT/PARTS
OMNI ENGINEERING	\$5,793.52	STREET MAINTENANCE SUPLS
ONE SOURCE THE BACKGROUND CHECK COMPANY	\$104.30	CONSULTANT
O'REILLY AUTOMOTIVE INC	\$66.46	EQUIPMENT/PARTS
OVERDRIVE INC	\$990.45	BOOKS/PERIODICALS/SUB
PAITYN SPARR	\$155.00	REIMB EMPLOYEE EXPENSE
PASSPORT LABS INC	\$664.75	PARKING FEES
PATRICK G BARTOS	\$28,800.00	CONSTRUCTION
PAYROLL	\$92,024.71	MAC OPERATING EXPENSE
PER MAR SECURITY SERVICES	\$523.96	DODGE OPERATING EXPENSE
PETERSON CONTRACTORS INC	\$269,569.80	CONSTRUCTION
PETROLEUM TRADERS CORPORATION	\$14,384.19	FUEL



PITNEY BOWES GLOBAL FINANCIAL LLC	\$568.29	POSTAGE & PRINTING
POLYDYNE INC	\$25,740.00	SUPPLIES
POM INCORPORATED	\$789.00	EQUIPMENT/PARTS
PORTOLITE PITCHING MOUNDS LLC	\$7,271.00	EQUIPMENT/PARTS
POTTAWATTAMIE COUNTY SHERIFF	\$35.00	PROFESSIONAL SVCS
PREMIER GLAZERS	\$1,833.75	MAC OPERATING EXPENSE
PROQUEST LP	\$3,186.37	SUBSCRIPTION
PROTECH COMMERCIAL VEHICLE OUTFITTERS INC	\$552.76	EQUIPMENT/PARTS
PV BUSINESS SOLUTIONS INC	\$298.50	SUBSCRIPTION
RAPIDSCALE INC	\$1,754.95	SUBSCRIPTION
RASMUSSEN MECHANICAL SERVICES INC	\$4,895.44	EQUIPMENT/PARTS
RDO TRUCK CENTER CO	\$4,276.21	EQUIPMENT/PARTS
REAMS SPRINKLER SUPPLY CORP	\$515.52	SUPPLIES
RED LIGHT REFUNDS	\$20.00	REFUND
RELIANCE STANDARD LIFE INSURANCE CO	\$22,235.73	PAYROLL RELATED
REPORTING SERVICES LLC	\$1,085.40	PROFESSIONAL SVCS
RES GREAT LAKES LLC	\$175.83	LANDSCAPING SUPPLIES
RESOURCE RENTAL CENTER INC	\$165.00	RENTAL EXPS
RIEKES EQUIPMENT COMPANY	\$15.33	EQUIPMENT/PARTS
RIVERS EDGE BANK FEES	\$50.50	RE PARKING GARAGE EXPENSE
RIVERS EDGE MASTER PROPERTY OWNERS ASSOC	\$6,541.65	RE PARKING GARAGE EXPENSE
RJN GROUP	\$7,630.03	ENGINEERING
RLKM INC	\$180.00	REPAIRS & MAINTENANCE
RMUS LLC	\$2,372.00	EQUIPMENT/PARTS
ROAD BUILDERS MACHINE & SUPPLY CO INC	\$1,985.00	EQUIPMENT/PARTS
ROBERT PRACHT	\$1,425.00	PROFESSIONAL SVCS
RODNEY JOHNSON	\$672.00	SERVICE LABOR
ROSE HOLDING, INC.	\$3,297.54	EQUIPMENT/PARTS
ROTELLAS ITALIAN BAKERY	\$16.02	DODGE OPERATING EXPENSE
RPL UTILITY LLC	\$100,510.42	CONSTRUCTION
RTG BUILDING SERVICES INC	\$22,488.13	JANITORIAL SERVICE
RYAN ROBERT ADKINS	\$15,361.42	MOWING/GROUNDS MAINT
SAFETY KLEEN SYSTEMS, INC	\$1,075.43	SERVICE LABOR
SANDOVAL CUSTOM CREATIONS, INC.	\$19,572.00	EQUIPMENT/PARTS
SAPP BROTHERS INC	\$3,827.98	FUEL
SCHINDLER ELEVATOR CORPORATION	\$399.88	REPAIRS & MAINTENANCE
SCOTT D REELFS	\$8,850.00	REPAIRS & MAINTENANCE
SECURITY EQUIPMENT INCORPORATED	\$20,900.48	ALARM SECURITY
SJ ELECTRO SYSTEMS INC	\$20,294.76	EQUIPMENT/PARTS
SMA ENTERPRISES INC.	\$61.40	EQUIPMENT/PARTS
SNYDER & ASSOCIATES INC	\$15,574.39	CONSULTANT
SOUTHWEST IOWA NARCOTICS	\$16,093.35	FEES
STANARD & ASSOCIATES INC	\$272.00	SUPPLIES
STAPLES INC	\$1,441.00	SUPPLIES
STATE FARM	\$845.00	REFUND
STEPP MANUFACTURING CO INC	\$746.79	EQUIPMENT/PARTS
STEVE ANDREWS	\$1,200.00	CONSULTANT
STUART TINLEY LAW FIRM LLP	\$6,092.70	ATTORNEY FEES
STUDIO 15 COMMERCIAL INTERIORS INC	\$59,937.08	PROFESSIONAL SVCS
SUSPENSION SHOP INC	\$487.96	EQUIPMENT/PARTS
SYSCO LINCOLN	\$1,511.67	DODGE OPERATING EXPENSE
TECH INC	\$233.54	SUPPLIES
TED'S MOWER SALES & SERVICE INC	\$125.60	EQUIPMENT/PARTS
THE DAVEY TREE EXPERT COMPANY	\$4,400.00	TREE WORK
THE DOLLYWOOD FOUNDATION	\$4,062.36	BOOKS/PERIODICALS/SUB
THE RETROFIT COMPANIES INC	\$4,399.73	SERVICE LABOR
THE SCHEMMER ASSOCIATES INC	\$22,177.39	CONSULTANT
THERMAL SERVICES	\$15,146.41	REPAIRS & MAINTENANCE
THIELE GEOTECH INC	\$2,204.00	PROFESSIONAL SVCS
THRYV, INC.	\$51.50	ADVERTISEMENT
TIREHUB, LLC	\$4,521.18	EQUIPMENT/PARTS



TITLECORE NATIONAL LLC	\$30,000.00	CONTRACT AGREEMENT
TK ELEVATOR CORPORATION	\$199.30	PROFESSIONAL SVCS
TK ELEVATOR CORPORATION	\$206.23	RE PARKING GARAGE EXPENSE
TOYNE INC	\$1,477,087.42	EQUIPMENT/PARTS
TREASURER STATE OF IOWA/SALES TAX	\$36,545.55	SALES TAX
TRICARE FOR LIFE	\$286.02	REFUND
TRISHA D ALFERS	\$11.15	REIMB EMPLOYEE EXPENSE
TURNER MORGAN	\$3,395.00	PROFESSIONAL SVCS
TVH PARTS CO	\$1,280.00	SUPPLIES
TWO RIVERS INSURANCE COMPANY, INC.	\$1,100,933.50	EMPLOYEE INSURANCE
TYLER TECHNOLOGIES INC	\$247,002.32	HARDWARE/SOFTWARE
U.S. VENTURE, INC.	\$194.72	EQUIPMENT/PARTS
UKG KRONOS SYSTEMS	\$25,318.75	HARDWARE/SOFTWARE
UMB BANK N.A.	\$600.00	BOND PAYMENT
UMR	\$124.31	REFUND
UMR	\$2,704.44	DODGE OPERATING EXPENSE
UNDERGROUND LOCATION COMPANY	\$701.20	PROFESSIONAL SVCS
UNIOIN BANK/OMNIFY BENEFITS	\$12.50	DODGE OPERATING EXPENSE
UNITED HEALTHCARE	\$1,771.71	REFUND
UNITED LABORATORIES INC	\$1,538.44	SUPPLIES
UNITED PARCEL SERVICE	\$106.64	FREIGHT/POSTAGE
US BANK	\$105,649.84	CREDIT CARD PURCHASES
VALUE LINE PUBLISHING INC	\$5,815.00	SUBSCRIPTION
VERIZON WIRELESS SERVICES LLC	\$5,697.54	CELL PHONE
VIKING AUTOMATIC SPRINKLER CO	\$825.00	RE PARKING GARAGE EXPENSE
VOYA RETIREMENT INSURANCE & ANNUITY COMPANY	\$10,360.00	PAYROLL RELATED
W.W. GRAINGER, INC.	\$1,604.46	EQUIPMENT/PARTS
WANDA J MCNEAL	\$50.00	REFUND
WASTE CONNECTIONS OF IOWA	\$268,843.67	HOUSEHOLD TRASH
WASTE CONNECTIONS OF IOWA	\$230.98	DODGE OPERATING EXPENSE
WATER ENGINEERING INC	\$600.06	MOWING/GROUNDS MAINT
WEST BROADWAY CLINIC P C	\$443.00	MEDICAL SERVICES
WEST PUBLISHING CORPORATION	\$933.60	SUBSCRIPTION
WHCC OF OMAHA, INC.	\$276.55	EQUIPMENT/PARTS
WHITE CAP, LP	\$962.16	SUPPLIES
YANT EQUIPMENT	\$203.50	REPAIRS & MAINTENANCE
YMCA OF GREATER OMAHA	\$460.00	DUES/MEMBERSHIP
ZOHO CORPORATION	\$6,750.00	HARDWARE/SOFTWARE
<b>TOTAL</b>	<b>\$10,661,818.92</b>	



**City of Council Bluffs**

**Receipts by Fund  
For the Month of January FY24**

General Fund	5,007,906.92
Special Revenue	3,569,426.84
Debt Service	299,533.62
Capital Project	1,100,592.83
Enterprise	1,731,685.39
<b>Total Receipts</b>	<b>11,709,145.60</b>

**Expenditures by Fund  
For the Month of January FY24**

General Fund	7,144,289.76
Special Revenue	461,063.36
Debt Service	600.00
Capital Project	2,292,127.72
Enterprise	763,738.08
<b>Total Expenditures</b>	<b>10,661,818.92</b>

**Transfer from City Operating Accounts  
For the Month of January FY24**

to Mid America Center	0.00
to Dodge Riverside	0.00
to RE Parking Garage	14,000.00
<b>Total Transfers</b>	<b>14,000.00</b>



Date: 4-1-24CLERK  
2024  
APR 22  
2024**NOTICE OF EXPRIATION OF RIGHT OF REDEMPTION FROM TAX SALE**

TO:

PHILLIP D POINTS  
221 9TH AVENUE  
COUNCIL BLUFFS, IA 51503

UNKNOWN SPOUSE IF ANY OF  
PHILLIP D POINTS  
221 9TH AVENUE  
COUNCIL BLUFFS, IA 51503

SHARON K POINTS  
221 9TH AVENUE  
COUNCIL BLUFFS, IA 51503

UNKNOWN SPOUSE IF ANY OF  
SHARON K POINTS  
221 9TH AVENUE  
COUNCIL BLUFFS, IA 51503

PARTIES IN POSSESSION  
151 HUNTER AVENUE  
COUNCIL BLUFFS, IA 51503

CITY OF COUNCIL BLUFFS  
C/O CITY CLERK  
209 PEARL STREET  
COUNCIL BLUFFS, IA 51503

POTTAWATTAMIE COUNTY  
C/O COUNTY AUDITOR  
277 S 6TH STREET  
COUNCIL BLUFFS, IA 51503

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.

In accordance with Iowa Code Section 447.9 you are hereby notified that on June 20, 2022, the following described parcel, situated in POTTAWATTAMIE County, Iowa, to-wit:

Lot 24 in Block 5, in Babbitt Place, an Addition to the City of Council Bluffs, Pottawattamie County, Iowa

Parcel No. 754330106006

Cert No. 22-0594

Was sold at tax sale by the Treasurer of POTTAWATTAMIE County for the then delinquent and unpaid taxes against the parcel, which a Certificate of Purchase was duly issued by the County Treasurer of POTTAWATTAMIE County, Iowa, to LSA INVESTMENTS, LLC Series 8 PS pursuant to said tax sale, which Certificate is now lawfully held and owned by LSA INVESTMENTS, LLC Series 8 PS, and that the right of redemption will expire and a deed to the said parcel will be made unless redemption from said tax sale is made within ninety (90) days from the completed service of this Notice.



Chad Learned

Attorney for LSA INVESTMENTS, LLC Series 8 PS



Date: 4-1-24

CLERK REC  
26 MAR 24  
PM 2:15

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

TO:

MIKE COLLINS  
9 BONITA BAY DR  
NEW ORLEANS, LA 70131

UNKNOWN SPOUSE IF ANY OF MIKE  
COLLINS  
9 BONITA BAY DR  
NEW ORLEANS, LA 70131

CITY OF COUNCIL BLUFFS  
C/O CITY CLERK  
209 PEARL STREET  
COUNCIL BLUFFS, IA 51503

POTTAWATTAMIE COUNTY  
C/O COUNTY AUDITOR  
277 S 6TH STREET  
COUNCIL BLUFFS, IA 51503

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.

In accordance with Iowa Code Section 447.9 you are hereby notified that on June 20, 2022, the following described parcel, situated in POTTAWATTAMIE County, Iowa, to-wit:

E 160' of Lot 1, South of Hyde Avenue, Partition Subdivision, SE 1/4 NE 1/4 Section 25, Township 75, Range 44 in the City of Council Bluffs, Iowa

Parcel No. 754425280013

Cert No. 22-0595

Was sold at tax sale by the Treasurer of POTTAWATTAMIE County for the then delinquent and unpaid taxes against the parcel, which a Certificate of Purchase was duly issued by the County Treasurer of POTTAWATTAMIE County, Iowa, to LSA INVESTMENTS, LLC Series 14 PS pursuant to said tax sale, which Certificate is now lawfully held and owned by LSA INVESTMENTS, LLC Series 14 PS, and that the right of redemption will expire and a deed to the said parcel will be made unless redemption from said tax sale is made within ninety (90) days from the completed service of this Notice.

  
Chad Learned

Attorney for LSA INVESTMENTS, LLC Series 14 PS



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

TO:

THOMAS J FREKING  
1610 N BROADWAY ST  
COUNCIL BLUFFS, IA 51503

AMY J FREKING  
1610 N BROADWAY ST  
COUNCIL BLUFFS, IA 51503

PARTIES IN POSSESSION  
1610 N BROADWAY ST  
COUNCIL BLUFFS, IA 51503

MORTGAGE ELECTRONIC  
REGISTRATION SYSTEM  
11819 MIAMI STREET  
OMAHA, NE 68164

CITY OF COUNCIL BLUFFS  
C/O CITY CLERK  
209 PEARL STREET  
COUNCIL BLUFFS, IA 51503

POTTAWATTAMIE COUNTY  
C/O COUNTY AUDITOR  
277 S 6TH STREET  
COUNCIL BLUFFS, IA 51503

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.

In accordance with Iowa Code Section 447.9 you are hereby notified that on June 20, 2022, the following described parcel, situated in POTTAWATTAMIE County, Iowa, to-wit:

Lot 6, except the South 8.0 feet, Block 1, S.W. Besley's Subdivision in Council Bluffs, Iowa and that part of the Westerly 1/2 of the vacated alley adjoining part of Lot 6 in Block 1 in S.W. Besley's Subdivision in Council Bluffs, Pottawattamie County, Iowa

Parcel No. 754319329007

Cert No. 22-0573

Was sold at tax sale by the Treasurer of POTTAWATTAMIE County for the then delinquent and unpaid taxes against the parcel, which a Certificate of Purchase was duly issued by the County Treasurer of POTTAWATTAMIE County, Iowa, to LSA INVESTMENTS, LLC Series 15 PS pursuant to said tax sale, which Certificate is now lawfully held and owned by LSA INVESTMENTS, LLC Series 15 PS, and that the right of redemption will expire and a deed to the said parcel will be made unless redemption from said tax sale is made within ninety (90) days from the completed service of this Notice.

  
Chad Learned

Attorney for LSA INVESTMENTS, LLC Series 15 PS



Action by Council:

Receive & File:

Date: 4-1-24

2024  
APR 1 10 30 AM  
COUNCIL BLUFFS, IA

## NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION

To:

PATRICE A. HUDSON, PERSON WHOM PARCEL IS TAXED  
453 Houston Avenue  
Council Bluffs, IA 51503  
Service by Certified Mail, Return Receipt Requested and regular mail

MICHAEL D. HUDSON, PERSON WHOM PARCEL IS TAXED  
453 Houston Avenue  
Council Bluffs, IA 51503  
Service by Certified Mail, Return Receipt Requested and regular mail

PERSON OR PARTIES IN POSSESSION, PERSON IN POSSESSION  
453 Houston Avenue  
Council Bluffs, IA 51503  
Service by Certified Mail, Return Receipt Requested and regular mail

POTTAWATTAMIE COUNTY AUDITOR, A PERSON WHO HAS AN INTEREST OF RECORD  
Box 649  
Council Bluffs, IA 51502  
Service by Certified Mail, Return Receipt Requested and regular mail

J. DOE, SPOUSE OF PATRICE A. HUDSON, REAL NAME UNKNOWN, A PERSON WHO HAS  
AN INTEREST OF RECORD  
453 Houston Avenue  
Council Bluffs, IA 51503  
Service by Certified Mail, Return Receipt Requested and regular mail

J. DOE, SPOUSE OF MICHAEL D. HUDSON, REAL NAME UNKNOWN, A PERSON WHO HAS  
AN INTEREST OF RECORD  
453 Houston Avenue  
Council Bluffs, IA 51503  
Service by Certified Mail, Return Receipt Requested and regular mail

J. DOE, SPOUSE OF DOROTHY LONGMEYER, REAL NAME UNKNOWN, A PERSON WHO  
HAS AN INTEREST OF RECORD  
c/o JoAnn A. Osovski  
1232 Walnut Street  
Nebraska City, NE 68410  
Service by Certified Mail, Return Receipt Requested and regular mail



IOWA ATTORNEY GENERAL, A PERSON WHO HAS AN INTEREST OF RECORD  
Hoover State Office Building  
1305 E. Walnut Street  
Des Moines, IA 50319  
Service by Certified Mail, Return Receipt Requested and regular mail

POTTAWATTAMIE COUNTY ATTORNEY, A PERSON WHO HAS AN INTEREST OF RECORD  
Pottawattamie County Courthouse  
Fifth Floor, 227 S. 6th Street  
Council Bluffs, IA 51501  
Service by Certified Mail, Return Receipt Requested and regular mail

MIDLAND FUNDING LLC, A PERSON WHO HAS AN INTEREST OF RECORD  
c/o Corporation Service Company  
505 5th Avenue  
Des Moines, IA 50309  
Service by Certified Mail, Return Receipt Requested and regular mail

CITY OF COUNCIL BLUFFS, A PERSON WHO HAS AN INTEREST OF RECORD  
c/o Council Bluffs City Attorney  
209 Pearl Street  
Council Bluffs, IA 51503  
Service by Certified Mail, Return Receipt Requested and regular mail

BETHANY LUTHERAN HEALTH SERVICES, A PERSON WHO HAS AN INTEREST OF RECORD  
c/o Joseph D. Thorton  
133 W. Broadway, PO Box 249  
Council Bluffs, IA 51503  
Service by Certified Mail, Return Receipt Requested and regular mail

ADAIR 0457 WITH UNION BANK AS SECURED PARTY, A PERSON WHO HAS AN INTEREST  
OF RECORD  
PO Box 82668  
Lincoln, NE 68501  
Service by Certified Mail, Return Receipt Requested and regular mail

CITY OF COUNCIL BLUFFS, THE CITY WHERE THE PARCEL IS LOCATED  
c/o City Clerk  
209 Pearl Street, #103  
Council Bluffs, IA 51503  
Service by Certified Mail, Return Receipt Requested and regular mail

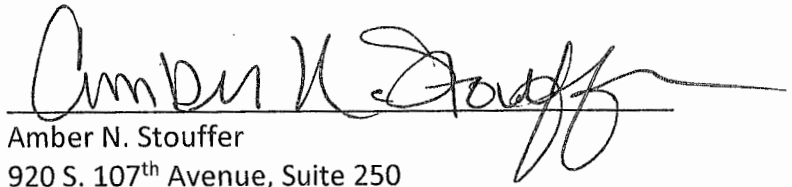
In accordance with Iowa Code § 447.9, you are hereby notified that:



1. Date of Sale: On June 21, 2021, the following described real property was sold by Pottawattamie County, for delinquent and unpaid taxes levied against the real property.
2. Description of the property sold:
  - a. Address: 453 Houston Avenue, Council Bluffs, IA 51503
  - b. Legal Description: Lot 6 in HOUSTON ADDITION to the City of Council Bluffs, Pottawattamie County, Iowa.
3. Name of the Purchaser: On the day of the sale, a certificate of purchase, No. 21-0344 was issued to BERACH LAND HOLDINGS 35 LLC, who bought the property at the sale.
4. Your Right of Redemption pursuant to Iowa Code will expire and a Deed for the property described above will be made unless redemption is made within ninety (90) days from the completed service of this Notice.
5. If the Right of Redemption is allowed to expire, a tax deed will be issued by the Treasurer of Pottawattamie County.

Dated this 20<sup>th</sup> day of March 2024.

BERACH LAND HOLDINGS 35 LLC



Amber N. Stouffer  
920 S. 107<sup>th</sup> Avenue, Suite 250  
Omaha, NE 68114  
402-973-1725  
Fax: 402-513-6483  
[astouffer@11tservices.com](mailto:astouffer@11tservices.com)



# City of Council Bluffs Iowa

## Office of the Mayor P R O C L A M A T I O N

**WHEREAS,** libraries create potential and possibilities within their communities, campuses, and schools; and

**WHEREAS,** libraries level the playing field for all who seek information and access to technologies; and

**WHEREAS,** libraries continuously grow and evolve in how they provide for the needs of every member of their communities; and

**WHEREAS,** libraries and librarians open up a world of possibilities through innovative STEAM programming, Makerspaces, job-seeking resources, and the power of reading; and

**WHEREAS,** librarians are trained, tech-savvy professionals, providing technology training and access to downloadable content like e-books; and

**WHEREAS,** libraries support democracy and effect social change through their commitment to providing equitable access to information for all library users regardless of race, ethnicity, creed, ability, sexual orientation, gender identity, or socio-economic status; and

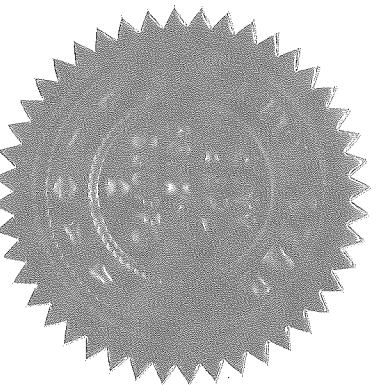
**WHEREAS,** libraries, librarians, library workers, and supporters across America are celebrating National Library Week.

**NOW, THEREFORE, I, Matthew J. Walsh, Mayor of the City of Council Bluffs, Iowa do hereby**  
proclaim April 7<sup>th</sup> – 13<sup>th</sup>, 2024 as

## NATIONAL LIBRARY WEEK “Ready, Set, Library”

in the City of Council Bluffs, Iowa, and encourage residents to visit the library during the week to take advantage of the wonderful library resources available at our library.

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 1st day of April, in the year  
Two Thousand Twenty-Four.



Matthew J. Walsh, Mayor



## Council Communication

Department: City Clerk  
Case/Project No.: ZC-24-002  
Submitted by: Haley Weber,  
Planner

Ordinance 6601  
ITEM 5.A.

Council Action: 4/1/2024

### Description

Ordinance to amend the zoning map as adopted by reference in Section 15.27.020 and setting a public hearing for April 1, 2024 at 7:00 p.m. by rezoning property described as undeveloped land located north of 1102 State Orchard Road, more specifically described in the Council packet, from A-2/Parks, Estates, and Agricultural District to R-1E/Single-Family Residential Estates District as defined in chapter 15.08a. ZC-24-002

### Background/Discussion

See attached staff report.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/15/2024
Attachment A: Proposed Oak View Estates Final Plat	Other	3/15/2024
Attachment B: Location/zoning map	Map	3/15/2024
Notice of Public Hearing	Notice	3/15/2024
Ordinance 6601	Ordinance	3/20/2024



## City Council Communication

Department: Community Development  CASES #SUB-24-001, #ZC-24-002  Applicant/Property Owner: Luke A. and Natalie R. Norville 4206 Cambridge Street Kansas City, KS 66103  Engineer/Surveyor: Snyder & Associates 231 Bennett Avenue Council Bluffs, IA 51503	Ordinance No. _____  Resolution No. _____	CASE #ZC-24-002: 1 <sup>st</sup> Consideration: 3/25/2024 2 <sup>nd</sup> Consideration: 4/1/2024 3 <sup>rd</sup> Consideration: 4/22/2024  CASE #SUB-24-001: 4/22/2024  Planning Commission: 3/12/2024
<div style="text-align: center;"><b>Subject/Title</b></div> <p><b>Request:</b> Combined public hearings on the request of Luke A. and Natalie R. Norville for final plat approval of a four-lot residential subdivision to be known as Oak View Estates, legally described as being a replat of Parcel 'D' of the NE1/4 SE1/4 of Section 33-75-43, City of Council Bluffs, Pottawattamie County, Iowa and to rezone the subject property, legally described above, from A-2/Parks, Estates, and Agricultural District to R-1E/Single-Family Residential Estates District.</p> <p><b>Location:</b> Undeveloped land located north of property addressed as 1102 State Orchard Road</p>		
<div style="text-align: center;"><b>Background</b></div> <p>The Community Development Department has received the following requests from Luke A. and Natalie R. Norville for property legally described above:</p> <ol style="list-style-type: none"> <li>1. <b><u>CASE #SUB-24-001:</u></b> Final plat approval of a four-lot residential estate subdivision to be known as Oak View Estates; and</li> <li>2. <b><u>CASE #ZC-24-002:</u></b> Rezone the property from A-2/Parks, Estates, and Agricultural District to R-1E/Single-family Residential Estates District.</li> </ol> <p><b><u>CASE #SUB-24-001</u></b></p> <p>The proposed subdivision, to be known as Oak View Estates, contains 25.65 acres, more or less, of undeveloped land and will consist of four residential estate lots. The applicant intends to retain ownership of proposed Lot 1 to develop with a single-family dwelling and sell off proposed Lots 2-4 for future single-family residential development. All lots will have direct access to State Orchard Road. The proposed final plat is included as Attachment 'A.'</p>		
<div style="text-align: center;"><b>Comments</b></div> <ol style="list-style-type: none"> <li>A. The proposed subdivision is consistent with the purpose and intent of Title 14: Subdivisions of the Council Bluffs Municipal Code. The developer has submitted an application to rezone the subject property (see Case #ZC-24-002) to R-1E/Single-Family Residential Estates District to ensure the proposed subdivision is consistent with Title 15: Zoning of the Council Bluffs Municipal Code.</li> <li>B. All proposed lots comply with minimum R-1E/Single-Family Residential Estates District lot size requirements             <ol style="list-style-type: none"> <li>1. Proposed Lot 1 contains 22.654 acres of land (more/less)</li> <li>2. Proposed Lots 2-4 contain 1.0 acres of land each (more/less).</li> </ol> </li> <li>C. All development on the proposed lots shall comply with the site development standards listed in Section 15.08A.050, <i>Site Development Regulations</i>, for the R-1E District. For zoning purposes, the easterly property line adjacent to State Orchard Road shall be considered the front property line; the northerly property line shall be</li> </ol>		



considered an interior side property line; the westerly property line shall be considered the rear property line; the southerly property line adjacent to Steven Road right-of-way shall be considered the street side property line; with all other property lines being considered interior side yard property lines.

- D. All proposed lots will have direct access to State Orchard Road, which is a public street. Driveway locations shall conform to Public Works Department standards. Proposed Lot 1 also abuts the future extension of Steven Road, which the applicant has not requested access to at this time. Any future access to Steven Road shall be coordinated with the Public Works Department. No new public streets are proposed within this subdivision.
- E. The subject property is located along State Orchard Road, which does not have sanitary sewer, but has water, electric, and gas utilities available. The purpose of the proposed R-1E zoning designation is to allow for septic systems and on-site water wells to be utilized in areas of the City in which access to utilities is not readily available. All utilities shall be installed underground. All costs to construct, remove and/or relocate any utilities for the proposed subdivision shall be the responsibility of the developer and not the City.
- F. All driveways and off-street parking areas within the proposed subdivision shall be hard-surfaced paved and designed in accordance with the standards stated in Section 15.23, *Off-Street Parking, Loading and Unloading*, of the Council Bluffs Municipal Code (Zoning Ordinance).
- G. The Council Bluffs Zoning Board of Adjustment (ZBA) approved a conditional use permit to allow a 180-foot tall monopole communication tower within a 60'x60' lease area in an A-2/Parks, Estates, and Agricultural District on the subject property on March 17, 2010. The tower is located in the northeastern corner of the subject property. The proposed final plat notes a fall zone with a 190' radius around the communication tower. No dwelling shall be located within said fall zone.
- H. The following existing easements are recorded on the subject property and are shown on the proposed final plat:
  - 1. Transmission line easements to Midwest Power Systems, Inc. along the westerly property line, as filed on December 18, 1992 in Book 93, Page 18023.
  - 2. Exclusive and access and utility easements over the access drive and tower area for the existing communication tower (Case #CU-10-001) as filed on March 31, 2017 in Book 2017, Page 03808.
- I. The proposed final plat includes a dedication of a 33'x603.93' (0.458 acres) section of State Orchard Road right-of-way to the City of Council Bluffs.
- J. The subject property is not located within a floodzone.

#### **CASE #ZC-24-002**

The subject property is zoned A-2/Parks, Estates, and Agricultural District and is surrounded by the following zoning districts and existing land uses:

Direction	Existing Zoning Districts	Existing Land Uses
North	R-3 (County Zoning)	Single-family residential dwellings
South	A-2/Parks, Estates and Agricultural District	Former site of single-family dwelling, undeveloped land
East	A-2/Parks, Estates and Agricultural District and R-1E/Single-Family Residential Estates District	Undeveloped land and single-family dwellings
West	A-2/Parks, Estates and Agricultural District	Undeveloped land

A location/zoning map is included with this report as Attachment 'B.'

Public notices were mailed to all property owners within 200 feet of the subject property. The following responses have been received as of the date of this report:

Warren Weber, 4703 Cedar Lane, Council Bluffs, IA 51503 contacted the Community Development Department on February 27, 2024 and expressed concerns regarding the condition of State Orchard Road and how it would be negatively affected by additional traffic. W. Weber stated that the County currently maintains the road and asked if they had been informed of the current requests. W. Weber expressed concern with the potential to further subdivide proposed Lot 1 in the future. W. Weber was informed of the City's future plan to rebuild State Orchard Road between Steven Road and Eastern Hills Drive. W. Weber emailed the Community Development and Public Works Departments



on March 4, 2024 requesting that the City also improve State Orchard Road between Steven Road and Cedar Lane at that time.

### Discussion

- A. The subject property is zoned A-2/Parks, Estates and Agricultural District and is proposed to be rezoned to R-1E/Single-Family Residential Estates District to allow for the proposed single-family residential estates development. The subject property is located along State Orchard Road, which does not have sanitary sewer, but has water, electric, and gas utilities available. The purpose of the proposed R-1E zoning designation is to allow for septic systems and on-site water wells to be utilized in areas of the City in which access to utilities is not readily available.
- B. The applicant is proposing to retain ownership of proposed Lot 1 for their single-family dwelling and to sell proposed Lots 2-4 for future single-family residential development.
- C. The future land use map of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property as 'Low Density Residential.' Rezoning the subject property from A-2 to R-1E would support the goals of the Comprehensive Plan and be an appropriate zoning designation based on the future land use map.
- D. The Council Bluffs ZBA approved a conditional use permit to allow a 180-foot tall monopole communication tower within a 60'x60' leased area in an A-2/Parks, Estates, and Agricultural District on the subject property on March 17, 2010. Per Section 15.31, Communication Towers, "*communication towers exceeding the maximum height allowed in the underlying zoning district to a maximum height of two hundred (200) feet are permitted in all zoning districts, subject to approval of a conditional use permit as set forth in CBMC 15.02 and the additional minimum standards and procedures of this chapter.*" Therefore, as communication towers are allowed as a conditional use permit in all zoning districts, the proposed rezoning would not result in the tower becoming nonconforming. The tower has a fall zone with a 190' radius; no dwelling shall be located within said fall zone.

The rezoning and subdivision requests were routed to all City Departments and local utility providers. The following comments were received:

The Council Bluffs Public Works Department stated that no public improvements are required at the time of platting but all lots shall be required to manage stormwater runoff at the time of development. The Public Works Department also reviewed the comments received from W. Weber and stated that the City is planning a complete reconstruction of State Orchard Road between Steven Road and Eastern Hills Drive with an anticipated construction date of 2025.

The Council Bluffs Fire Department noted there is a fire hydrant south of Cedar Lane on State Orchard Road for fire protection.

The Council Bluffs Police Department stated they have no comment on the requests.

Lumen noted that they have facilities that run along the easterly portion of Lots 1-4 and that an access and maintenance easement shall be retained over this area.

Note: The applicant shall coordinate with Lumen to identify the easement area to be reserved for access and maintenance purposes prior to execution of the final plat.

Council Bluffs Water Works stated they have no comment on the requests.

MidAmerican Energy stated they have no concerns regarding the proposed subdivision or rezoning and noted that the developer or their agents should contact them directly to identify costs, responsibilities, and timelines for extending electric services to the proposed subdivision.



### **Recommendation**

The Community Development Department recommends the following:

- A. Final plat approval of a four-lot residential subdivision to be known as Oak View Estates, legally described as being a replat of Parcel 'D' of the NE1/4 SE1/4 of Section 33-75-43, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments above and the conditions below:
  1. The final plat shall be recorded within 90 days of City Council approval or the plat will become null and void unless an extension has been requested and granted by the Community Development Director.
  2. The final plat shall conform to all City standards and specifications, the zoning and subdivision ordinances, and the Department of Public Works standards for Public Improvements.
  3. The applicant shall coordinate with Lumen to identify the easement area to be reserved for access and maintenance purposes prior to execution of the final plat.
  4. No dwelling shall be located within the 190' fall zone around the existing communication tower, as shown on the final plat.
  5. All utilities shall be installed underground. Any costs to construct, remove, and/or relocate any utilities shall be the responsibility of the applicant and/or developer, not the City.
  6. All applicable permits necessary to meet local, state, and federal requirements shall be the developer's responsibility; and
- B. Approval of the request to rezone property legally described as being a replat of Parcel 'D' of the NE1/4 SE1/4 of Section 33-75-43, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates, and Agricultural District to R-1E/Single-Family Residential Estates District, subject to the comments stated above.

### **Public Hearing**

Staff speakers for the request:

1. Haley Weber, Planner, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503
2. Christopher Gibbons, Planning Manager, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor:

1. John Jerkovich, 535 West Broadway, Suite 100, Council Bluffs, IA 51503
2. Warren Weber, 4703 Cedar Lane, Council Bluffs, IA 51503

Speakers against: None

The City Planning Commission recommended the following:

- A. Final plat approval of a four-lot residential subdivision to be known as Oak View Estates, legally described as being a replat of Parcel 'D' of the NE1/4 SE1/4 of Section 33-75-43, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments above and the conditions below:
  1. The final plat shall be recorded within 90 days of City Council approval or the plat will become null and void unless an extension has been requested and granted by the Community Development Director.
  2. The final plat shall conform to all City standards and specifications, the zoning and subdivision ordinances, and the Department of Public Works standards for Public Improvements.
  3. The applicant shall coordinate with Lumen to identify the easement area to be reserved for access and maintenance purposes prior to execution of the final plat.
  4. No dwelling shall be located within the 190' fall zone around the existing communication tower, as shown on the final plat.
  5. All utilities shall be installed underground. Any costs to construct, remove, and/or relocate any utilities shall be the responsibility of the applicant and/or developer, not the City.



6. All applicable permits necessary to meet local, state, and federal requirements shall be the developer's responsibility; and

- B. Approval of the request to rezone property legally described as being a replat of Parcel 'D' of the NE1/4 SE1/4 of Section 33-75-43, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates, and Agricultural District to R-1E/Single-Family Residential Estates District, subject to the comments stated above.

VOTE: AYE – Bass, Hutcheson, Knauss, Opperman, Rater, Rew, Stroebele, VanHouten, and Watson. NAY – None. ABSTAIN – None ABSENT – Bailey. VACANT - One Motion: Carried.

#### **Attachments**

Attachment A: Proposed Oak View Estates Final Plat

Attachment B: Location/zoning map

Prepared by: Haley Weber, Planner, Community Development Department



OAK VIEW ESTATES  
FINAL PLAT  
A REPLAT OF PARCEL "D" OF THE NORTHEAST QUARTER OF THE SOUTHEAST  
QUARTER OF SECTION 33, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH  
P.M., POTTAWATTAMIE COUNTY, IOWA.

INDEX LEGEND

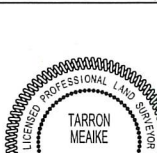
SURVEYOR'S NAME / RETURN TO:  
TARRON MEAIKE  
SNYDER & ASSOCIATES, INC.  
231 BENNETT AVENUE  
COUNCIL BLUFFS, IOWA 51503  
712-322-3202  
TMEAIKE@SNYDER-ASSOCIATES.COM  
SERVICE PROVIDED BY:  
SNYDER & ASSOCIATES, INC.  
SURVEY LOCATED:  
NE 1/4 SE 1/4  
SEC. 33-T75N-R43W  
POTTAWATTAMIE, IOWA  
OWNER/REQUESTED BY:  
LUKE NORVILLE

PLAT DESCRIPTION

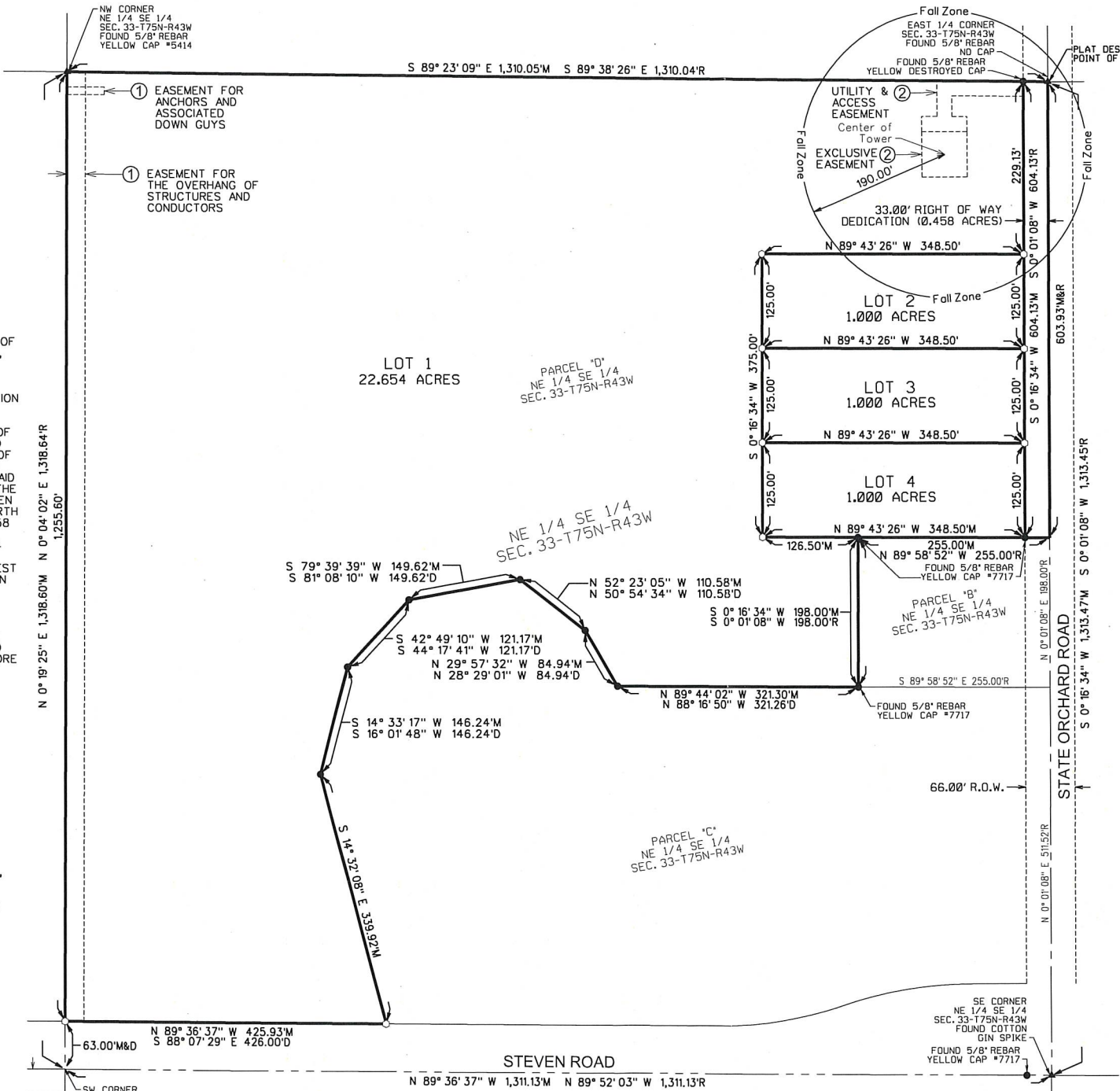
A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA AND DESCRIBED AS FOLLOWS:  
BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 33; THENCE SOUTH 0° 16' 34" WEST ALONG THE EAST LINE OF SAID SECTION 33 A DISTANCE OF 603.93 FEET TO THE NORTHEAST CORNER OF PARCEL "B"; THENCE NORTH 89° 43' 26" WEST ALONG THE NORTH LINE OF SAID PARCEL "B", 255.00 FEET TO THE NORTHWEST CORNER OF SAID PARCEL "B"; THENCE SOUTH 0° 16' 34" WEST ALONG THE WEST LINE OF SAID PARCEL "B", 198.00 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL "B"; THENCE SOUTHEASTERLY CORNER OF PARCEL "D" OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL "D" FOR THE FOLLOWING SEVEN COURSES: THENCE NORTH 89° 44' 02" WEST, 321.30 FEET; THENCE NORTH 29° 57' 32" WEST, 84.94 FEET; THENCE NORTH 52° 23' 05" WEST, 110.58 FEET; THENCE SOUTH 79° 39' 39" WEST, 149.62 FEET; THENCE SOUTH 42° 49' 10" WEST, 121.17 FEET; THENCE SOUTH 14° 33' 17" WEST, 146.24 FEET; THENCE SOUTH 14° 32' 08" EAST, 339.92 FEET TO THE NORTH RIGHT OF WAY LINE OF STEVEN ROAD; THENCE NORTH 89° 36' 37" WEST ALONG SAID NORTH RIGHT OF WAY LINE, 425.93 FEET TO A POINT ON THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 0° 19' 25" EAST ALONG SAID WEST LINE, 1255.60 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE SOUTH 89° 23' 09" EAST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, 1310.05 FEET TO THE POINT OF BEGINNING AND CONTAINING 28.112 ACRES MORE OR LESS, INCLUDING 0.458 ACRES MORE OR LESS OF PUBLIC ROAD RIGHT OF WAY.

EXISTING EASEMENTS

- ① TRANSMISSION LINE EASEMENT TO MIDWEST POWER SYSTEMS, INC., FILED DECEMBER 18, 1992 IN BOOK 93, PAGE 18023  
② EASEMENT AND ASSIGNMENT AGREEMENT, FILED MARCH 31, 2017 IN BOOK 2017, PAGE 03808.



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.  
*Tarron Meaika* 2/5/2024  
Tarron Meaika, PLS  
License Number 23722  
My License Renewal Date is December 31, 2025  
Pages or sheets covered by this seal:  
Sheet 1 of 1



LEGEND

Survey	Found	Set
Section Corner	▲	△
1/2" Rebar, Yellow Cap #23722 (Unless Otherwise Noted)	●	○
5/8" Rebar, Aluminum Cap #11416 (Unless Otherwise Noted)	●	○
Platted Distance	P	M
Measured Bearing & Distance	B	M
Recorded As	R	M
Deed Distance	D	M
Calculated Distance	C	M
Centerline	---	---
Section Line	---	---
1/4 Section Line	---	---
1/4 1/4 Section Line	---	---
Easement Line	---	---

PROPRIETOR'S DEDICATION

1. A 5-FOOT WIDE EASEMENT ON ALL SIDE LOT LINES AND A 10-FOOT WIDE EASEMENT ALONG ALL FRONT AND REAR LOT LINES IS RESERVED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES;  
A. ERECTION OF STRUCTURES PROHIBITED: GRANTOR SHALL NOT ERECT ANY STRUCTURE OVER OR WITHIN THE EASEMENT AREA WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER, PROVIDED HOWEVER GRANTOR SHALL HAVE THE RIGHT TO PLACE AND MAINTAIN A SURFACED ROADWAY OVER AND WITHIN THE EASEMENT AREA.  
B. CHANGE OF GRADE PROHIBITED: GRANTOR SHALL NOT CHANGE THE GRADE, ELEVATION OR CONTOUR OF ANY PART OF THE EASEMENT AREA WITHOUT OBTAINING PRIOR WRITTEN CONSENT OF THE CITY ENGINEER.  
C. RIGHT OF ACCESS: CITY SHALL HAVE THE RIGHT OF ACCESS TO THE EASEMENT AREA AND HAVE ALL RIGHT OF INGRESS AND EGRESS REASONABLY NECESSARY FOR THE USE AND ENJOYMENT OF THE EASEMENT AREA AS HEREIN DESCRIBED.  
D. REMOVAL AND REPLACEMENT: THE COST OF REMOVAL AND REPLACEMENT OF ANY UNAUTHORIZED IMPROVEMENT OR STRUCTURES WITHIN THE EASEMENT AREA, NECESSITATED BY THE EXERCISE OF THE RIGHTS UNDER THIS EASEMENT, SHALL BE BORNE BY THE GRANTOR OR THEIR SUCCESSORS OR ASSIGNS.  
E. SURFACE RESTORATION: THE CITY'S LIABILITY TO RESTORE THE SURFACE WITHIN THE EASEMENT AREA SHALL BE LIMITED ONLY TO GRADING AND SEEDING, AND REPLACEMENT OF GRANTORS SURFACED ROADWAY.  
F. DUTY TO REPAIR: CITY AGREES THAT ANY DRAIN TILE, DRIVE OR ACCESS WAY, FENCE, YARD OR OTHER IMPROVEMENTS OUTSIDE OF THE EASEMENT AREA WHICH MAY BE DAMAGED AS A RESULT OF ANY ENTRY MADE THROUGH AN EXERCISE OF THE CITY'S RIGHT OF ACCESS SHALL BE REPAIRED AT NO EXPENSE TO THE GRANTOR.  
G. EASEMENT RUNS WITH LAND: THIS EASEMENT SHALL BE DEEMED TO RUN WITH THE LAND AND SHALL BE BINDING ON GRANTOR AND ON GRANTOR'S SUCCESSORS AND ASSIGNS.  
H. GRANTOR RESERVATION: GRANTOR RESERVES THE RIGHT TO USE THE EASEMENT AREA FOR OTHER PURPOSES PROVIDED HOWEVER THESE PURPOSES SHALL NOT INTERFERE WITH GRANTEES USE OF THE EASEMENT AREA UNDER THE RIGHTS OF THIS AGREEMENT.  
2. PRIVATE RESTRICTIONS AND/OR COVENANTS FOR OAK VIEW ESTATES WILL BE RECORDED SEPARATELY.

KNOW ALL PERSONS BY THESE PRESENTS THAT LUKE NORVILLE AND NATALIE NORVILLE BEING THE OWNERS OF THE PROPERTY DESCRIBED IN THE LEGAL DESCRIPTION AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED THE SAME TO BE SUBDIVIDED AS LOTS 1 THROUGH 4 TO BE KNOWN AS OAK VIEW ESTATES, LUKE NORVILLE AND NATALIE NORVILLE DO HEREBY DEDICATE TO THE CITY OF COUNCIL BLUFFS, IOWA, THE RIGHT-OF-WAY FOR STATE ORCHARD ROAD (0.458 ACRES).  
IN WITNESS THEREOF, I DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF THE PROPERTY AS CONTAINED HEREIN ON THIS \_\_\_\_ DAY OF \_\_\_\_, 2024

BY: LUKE NORVILLE BY: NATALIE NORVILLE  
STATE OF IOWA } SS.  
COUNTY OF POTTAWATTAMIE }

ON THIS \_\_\_\_ DAY OF \_\_\_\_, 2024, BEFORE ME A NOTARY PUBLIC IN AND FOR THE STATE OF IOWA, PERSONALLY APPEARED LUKE NORVILLE AND NATALIE NORVILLE, HUSBAND AND WIFE, TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN, AND THE ABOVE AND FORGOING INSTRUMENT WAS SIGNED ON THEIR BEHALF AND ACKNOWLEDGED THE EXECUTION OF SAID INSTRUMENT TO BE THEIR VOLUNTARY ACT AND DEED.

NOTARY PUBLIC IN AND FOR SAID STATE

MY COMMISSION EXPIRES

CITY COUNCIL

APPROVED BY MAYOR: THE HONORABLE MATTHEW J. WALSH

ATTESTED TO BY:

CITY CLERK: JODIQUAKENBUSH DATE

COMMUNITY DEVELOPMENT DIRECTOR: COURTNEY HARTER DATE

CERTIFICATE OF TREASURER OF POTTAWATTAMIE COUNTY, IOWA  
I, THE TREASURER OF POTTAWATTAMIE COUNTY, IOWA HEREBY CERTIFY THAT THE PROPERTY INCLUDED IN THE OAK VIEW ESTATES, IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.

TREASURER OF POTTAWATTAMIE COUNTY, IOWA: LEA VOSS DATE

OAK VIEW ESTATES

FINAL PLAT



Project No: 1231362

Sheet 1 of 1

COUNCIL BLUFFS, IA

231 BENNETT AVENUE  
COUNCIL BLUFFS, IA 51503  
712-322-3202 | www.snyder-associates.com

SNYDER & ASSOCIATES, INC.

Sheet 1 of 1

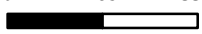


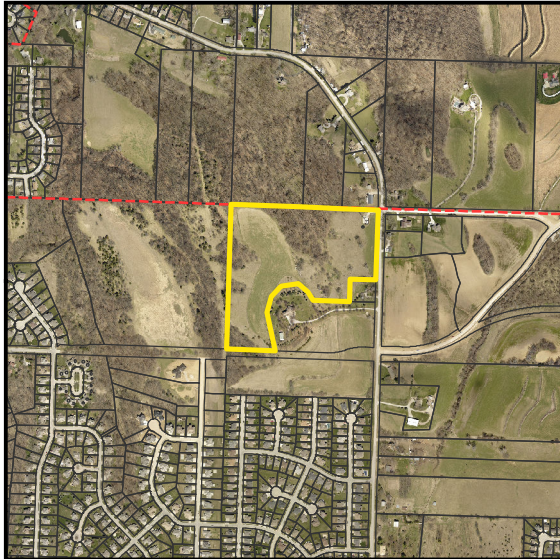
# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION

## CASES #SUB-24-001 AND #ZC-24-002

### Legend

- Subject Property Cases #SUB-24-001 and #ZC-24-002
- Parcels
- City of Council Bluffs Corporate Limits

0      165      330  
  
 1 Inch = 333 Feet

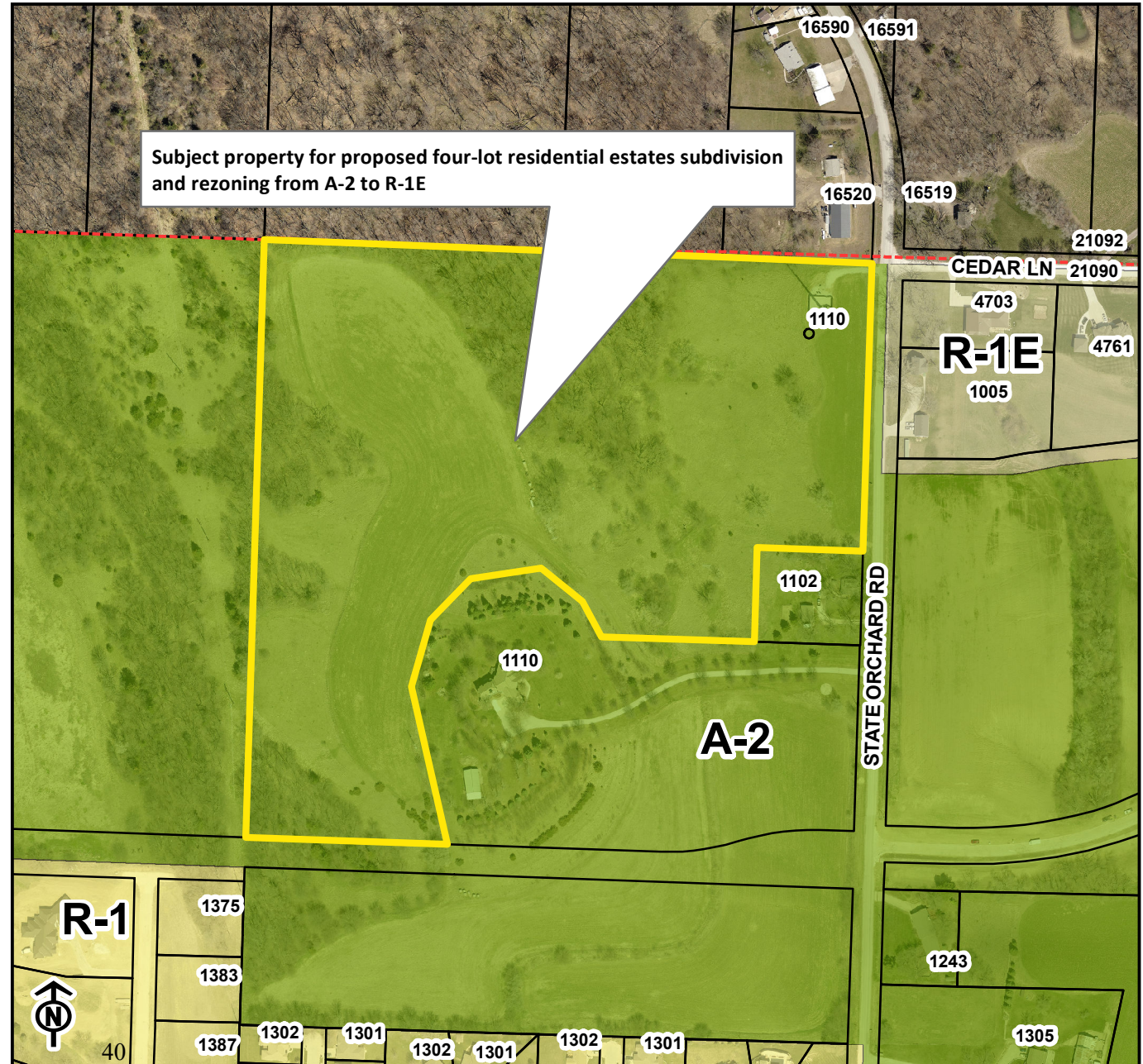


Last updated on 2/20/2024



Council Bluffs Community  
 Development Department  
 209 Pearl Street  
 Council Bluffs, IA 51503  
 Telephone: (712) 890-5350

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





### **NOTICE OF PUBLIC HEARING**

You are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing for April 1, 2024 at 7:00 p.m. in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs at which time all persons interested in this matter will be given an opportunity to be heard on the request of Luke A. and Natalie R. Norville to rezone property legally described as being a replat of Parcel 'D' of the NE1/4 SE1/4 of Section 33-75-43, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates, and Agricultural District to R-1E/Single-Family Residential Estates District.

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Jodi Quakenbush, City Clerk



**ORDINANCE NO. 6601**

**AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.27.020 OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPERTY LEGALLY DESCRIBED AS BEING A REPLAT OF PARCEL 'D' OF THE NE1/4 SE1/4 OF SECTION 33-75-43, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA FROM A-2/PARKS, ESTATES, AND AGRICULTURAL DISTRICT TO R-1E/SINGLE-FAMILY RESIDENTIAL ESTATES DISTRICT AS SET FORTH AND DEFINED IN CHAPTER 15.08A OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA.**

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

**SECTION 1.** That the Zoning Map of the City of Council Bluffs, Iowa, as adopted by reference in Section 15.02.070 of the 2020 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended by rezoning property legally described as being a replat of Parcel 'D' of the NE1/4 SE1/4 of Section 33-75-43, City of Council Bluffs, Pottawattamie County, Iowa, from A-2/Parks, Estates, and Agricultural District to R-1E/Single-Family Residential Estates District as set forth and defined in Chapter 15.08A of the Municipal Code of Council Bluffs, Iowa.

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

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

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

ADOPTED  
AND  
APPROVED

April 1, 2024

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

Mayor

Attest:

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

City Clerk

First Consideration: 3-25-24  
Second Consideration: 4-1-24  
Public Hearing: 4-1-24  
Third Consideration: \_\_\_\_\_



## Council Communication

Department: Parks and Recreation  
Case/Project No.: Recreation  
Complex Facility Maintenance Yard  
Upgrade, Project R23-14 & R25-03  
Submitted by: Zach Smith

Resolution 24-102  
ITEM 5.B.

Council Action: 4/1/2024

### Description

Resolution approving the plans, specifications, and cost estimate for the Recreation Complex Facility Maintenance Yard Upgrade Project.

### Background/Discussion

The City Council approved \$375,000 for the upgrade to the Recreation Complex Facility Maintenance Yard in the FY 23 CIP and \$175,000 in the FY 25 CIP for a total funding amount of \$550,000. The upgrade will include a perimeter fence, realignment of the trail to the north of the maintenance yard, new storm water lines, new dry storage building, a turnaround constructed in the parking lot for public use, and outdoor material storage bins.

The Recreation Complex is over 20 years old and has not had significant upgrades to the facility in that time. The maintenance yard is immediately adjacent to public parking and there is no separation between the spaces. This leads to direct public access to the yard and limits the ability to create a secure maintenance yard. Soil is stored in the parking lot because there is not a dedicated space and this leaves the area unsightly.

The upgrade to the maintenance yard will create a securable space, screened from the public. A round about will also be constructed and allow the public to easily turn around and leave the parking lot without accessing the maintenance yard. It is anticipated the project will occur over late summer and be completed by late fall of 2024 with minimal impact on event schedule.

The probable cost opinion of the project is approximately \$518,750 and includes design and engineering fees. The cost opinion is within the remaining available budget of \$520,750. Approximately \$25,000 in additional reductions have been identified if bids come in higher than expected.

### Recommendation

Approve resolution authorizing the Mayor to initiate the Recreation Complex Facility Maintenance Yard Upgrade Project, R23-14 & R25-03, by issuing a bid for the project.

### ATTACHMENTS:

Description	Type	Upload Date
Design Set	Other	3/22/2024
Resolution 24-102	Resolution	3/27/2024



# RECREATION COMPLEX FACILITY MAINTENANCE YARD IMPROVEMENTS

Project R-23-14 and R-25-03 | City of Council Bluffs  
2900 Richard Downing Avenue | Council Bluffs, Iowa

CONFLUENCE

## SHEET INDEX

SHEET NO.	SHEET TITLE
G100	COVER SHEET
L000	SITE SURVEY
L100	DEMOLITION PLAN
L200	KEYNOTE PLAN
L201	LAYOUT PLAN
L300	GRADING & DRAINAGE PLAN
L500	SITE DETAILS
L501	SITE DETAILS
L502	SITE DETAILS
A1.1	ARCHITECTURAL



## VICINITY MAP



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COVER SHEET

CONFLUENCE PROJECT # 20430

G100

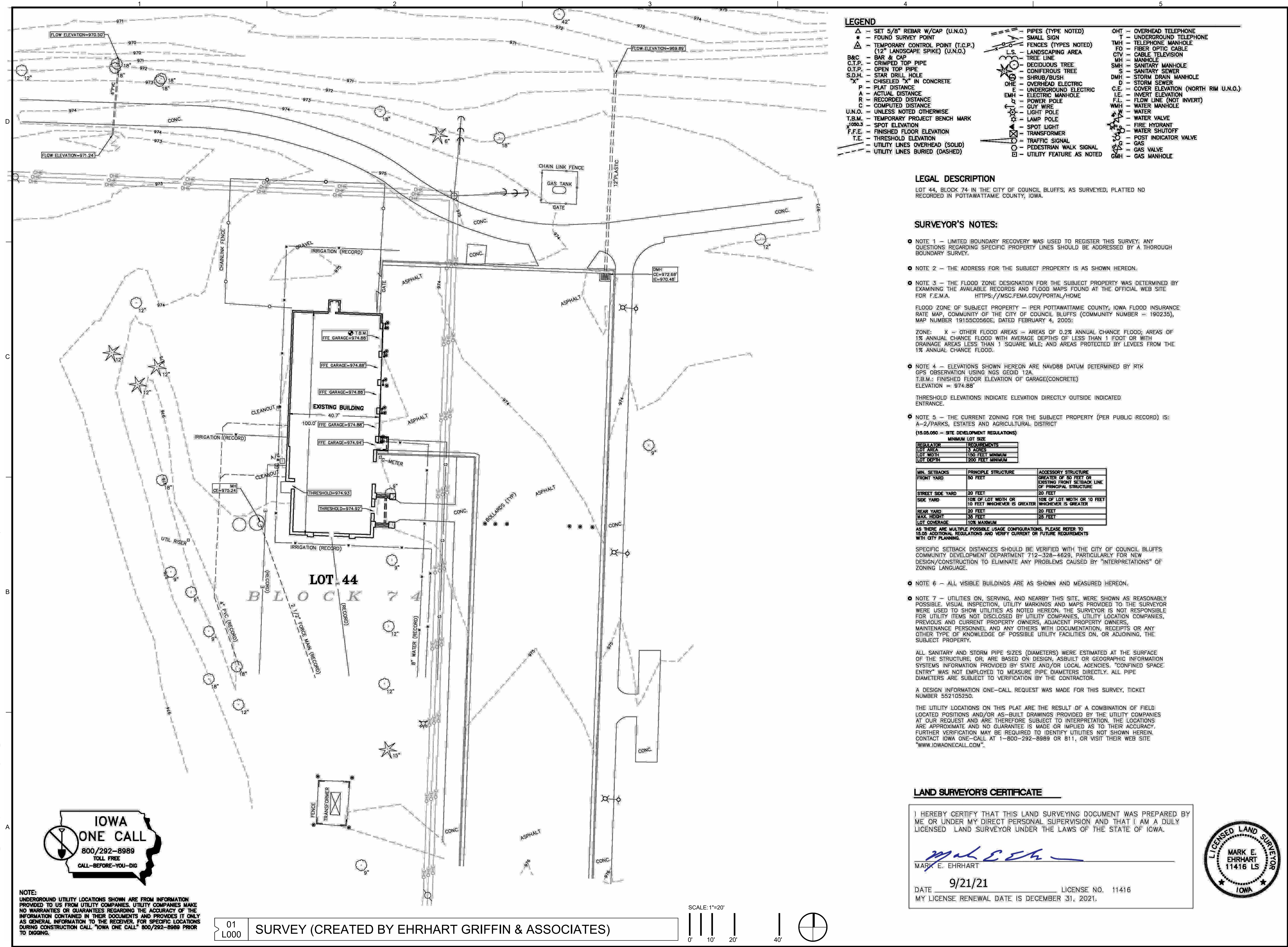
ARCHITECT  
PAUL J. KELLY ARCHITECTURE  
440 N 61ST STREET  
OMAHA, NE 68132  
PH: (402) 320-4131  
PAUL J. KELLY

LANDSCAPE ARCHITECT  
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PH: (402) 973-9908  
[www.thinkconfluence.com](http://www.thinkconfluence.com)  
CONTACT: Dolores Silkworth

NAME REGISTRATION #337 DATE:  
SHEETS COVERED BY THIS SEAL: G100, L100, L200, L201, L300, L500, L501, L502

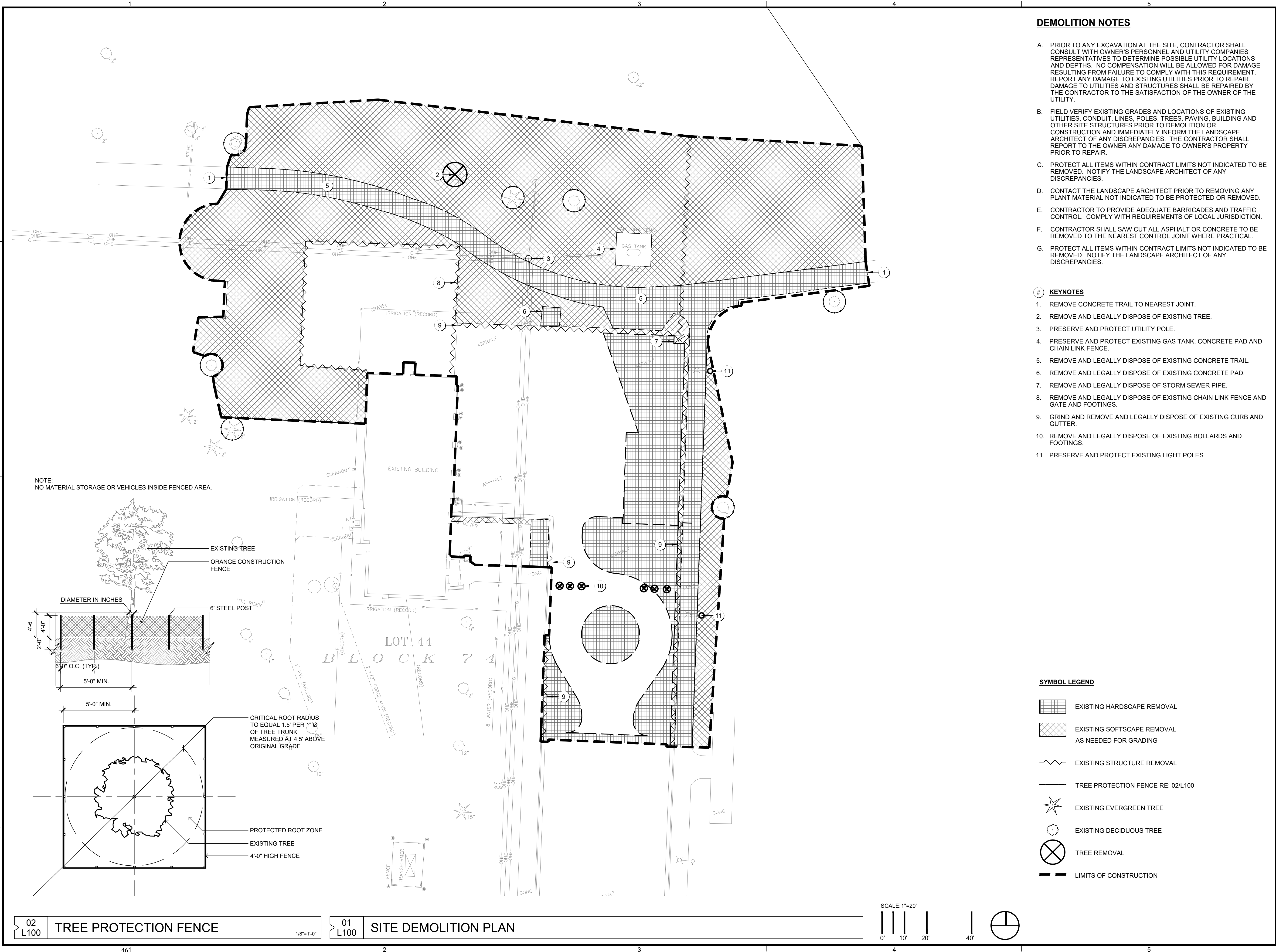


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File Location: N:\1 PROJECTS\2020\20430\_C8 Rec Complex Maintenance Facility\20430\_L1 0 DEMO / SAVE DATE: 3/21/2024 10:26 AM BY: jsharon / PLOT DATE: 3/21/2024 4:42 PM BY: John Sharon



DEMOLITION NOTES

- A. PRIOR TO ANY EXCAVATION AT THE SITE, CONTRACTOR SHALL CONSULT WITH OWNER'S PERSONNEL AND UTILITY COMPANIES REPRESENTATIVES TO DETERMINE POSSIBLE UTILITY LOCATIONS AND DEPTHS. NO COMPENSATION WILL BE ALLOWED FOR DAMAGE RESULTING FROM FAILURE TO COMPLY WITH THIS REQUIREMENT. REPORT ANY DAMAGE TO EXISTING UTILITIES PRIOR TO REPAIR. DAMAGE TO UTILITIES AND STRUCTURES SHALL BE REPAIRED BY THE CONTRACTOR TO THE SATISFACTION OF THE OWNER OF THE UTILITY.
- B. FIELD VERIFY EXISTING GRADES AND LOCATIONS OF EXISTING UTILITIES, CONDUIT, LINES, POLES, TREES, PAVING, BUILDING AND OTHER SITE STRUCTURES PRIOR TO DEMOLITION OR CONSTRUCTION AND IMMEDIATELY INFORM THE LANDSCAPE ARCHITECT OF ANY DISCREPANCIES. THE CONTRACTOR SHALL REPORT TO THE OWNER ANY DAMAGE TO OWNER'S PROPERTY PRIOR TO REPAIR.
- C. PROTECT ALL ITEMS WITHIN CONTRACT LIMITS NOT INDICATED TO BE REMOVED. NOTIFY THE LANDSCAPE ARCHITECT OF ANY DISCREPANCIES.
- D. CONTACT THE LANDSCAPE ARCHITECT PRIOR TO REMOVING ANY PLANT MATERIAL NOT INDICATED TO BE PROTECTED OR REMOVED.
- E. CONTRACTOR TO PROVIDE ADEQUATE BARRICADES AND TRAFFIC CONTROL. COMPLY WITH REQUIREMENTS OF LOCAL JURISDICTION.
- F. CONTRACTOR SHALL SAW CUT ALL ASPHALT OR CONCRETE TO BE REMOVED TO THE NEAREST CONTROL JOINT WHERE PRACTICAL.
- G. PROTECT ALL ITEMS WITHIN CONTRACT LIMITS NOT INDICATED TO BE REMOVED. NOTIFY THE LANDSCAPE ARCHITECT OF ANY DISCREPANCIES.

KEYNOTES

1. REMOVE CONCRETE TRAIL TO NEAREST JOINT.
2. REMOVE AND LEGALLY DISPOSE OF EXISTING TREE.
3. PRESERVE AND PROTECT UTILITY POLE.
4. PRESERVE AND PROTECT EXISTING GAS TANK, CONCRETE PAD AND CHAIN LINK FENCE.
5. REMOVE AND LEGALLY DISPOSE OF EXISTING CONCRETE TRAIL.
6. REMOVE AND LEGALLY DISPOSE OF EXISTING CONCRETE PAD.
7. REMOVE AND LEGALLY DISPOSE OF STORM SEWER PIPE.
8. REMOVE AND LEGALLY DISPOSE OF EXISTING CHAIN LINK FENCE AND GATE AND FOOTINGS.
9. GRIND AND REMOVE AND LEGALLY DISPOSE OF EXISTING CURB AND GUTTER.
10. REMOVE AND LEGALLY DISPOSE OF EXISTING BOLLARDS AND FOOTINGS.
11. PRESERVE AND PROTECT EXISTING LIGHT POLES.

SYMBOL LEGEND

- EXISTING HARDSCAPE REMOVAL
- EXISTING SOFTSCAPE REMOVAL AS NEEDED FOR GRADING
- EXISTING STRUCTURE REMOVAL
- TREE PROTECTION FENCE RE: 02/L100
- EXISTING EVERGREEN TREE
- EXISTING DECIDUOUS TREE
- TREE REMOVAL
- LIMITS OF CONSTRUCTION

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Recreation Complex Facility  
Maintenance Yard  
Improvements  
Project R-23-14 and R-25-03 | City of Council Bluffs  
Council Bluffs, Iowa

ISSUE SCHEDULE

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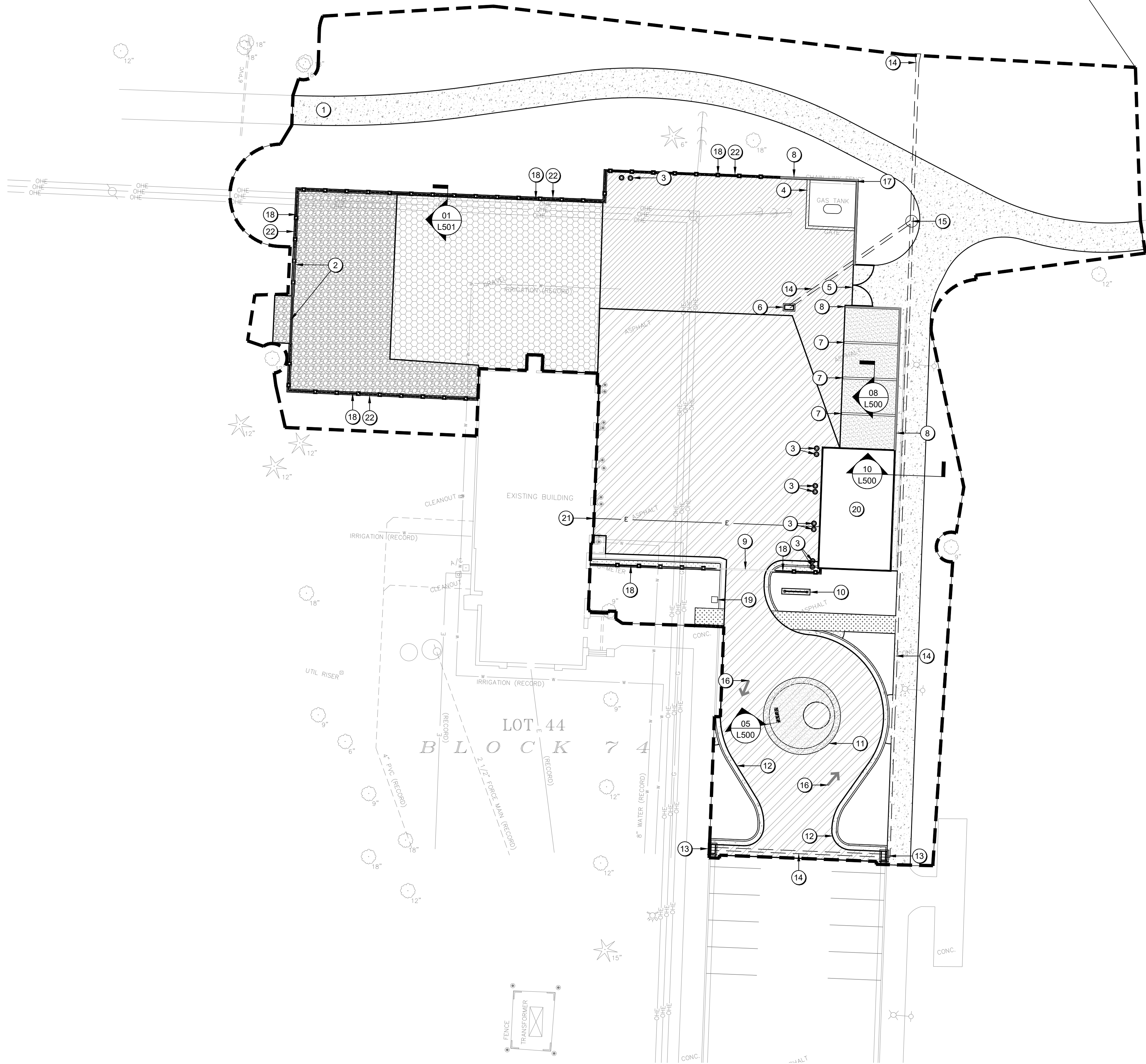
DEMOLITION PLAN

CONFLUENCE PROJECT # 20430

L100



File Location: N:\1 PROJECTS\2020\20430\_CB Rec-Complex Maintenance Facility\20430\_L200 KEYNOTE PLAN / SAVE DATE: 3/21/2024 3:31 PM BY: jstarron / PLOT DATE: 3/21/2024 4:42 PM BY: John Starron



#### SITE LAYOUT NOTES

- ALL CURB AND GUTTER DIMENSIONS ARE TO FACE OF CURB. ALL SIDEWALK DIMENSIONS ARE TO THE BACK OF CURB UNLESS OTHERWISE NOTED.
- WHEN CONTROL POINTS ARE PROVIDED THE CONTRACTOR SHALL VERIFY CONTROL POINTS PRIOR TO CONSTRUCTION.
- ALL RAMPS AND CURB RAMPS SHALL COMPLY WITH FEDERAL AND LOCAL ACCESSIBILITY STANDARDS.
- CONTRACTOR TO SUPPLY AND INSTALL ALL NECESSARY SLEEVES UNDER PAVING AND WALKS. COORDINATE LOCATIONS WITH GENERAL CONTRACTOR.
- SITE PLAN SHOWS DIAGRAMMATIC LAYOUT OF CONTROL JOINTS. UNLESS NOTED OTHERWISE EXPANSION JOINTS SHALL BE PLACED AT A MAXIMUM OF 35' O.C. AND ADJACENT TO FIXED VERTICAL STRUCTURES SUCH AS WALLS, CURBS, STEPS AND BUILDINGS.
- PROPOSED SIGNAGE TO MEET LOCAL SIGN CODES. CONTRACTOR SHALL SECURE SIGN PERMITS WHERE REQUIRED

#### # KEYNOTES

- INSTALL 6" CONCRETE TRAIL.
- INSTALL MANUAL SLIDING GATE WITH 16" OPENING RE: 01/L502, SLIDE NORTH TO OPEN. MATCH FENCE MATERIAL AND HEIGHT.
- INSTALL NEW BOLLARDS RE: 02/L501.
- INSTALL ROLL OVER ASPHALT CURB TO EXISTING CONCRETE PAD AND FENCED GAS TANK RE: 06/L500.
- INSTALL 14" DOUBLE SWING GATE, OPEN TO EAST. MATCH FENCE MATERIAL AND HEIGHT.
- INSTALL GRATE INTAKE TYPE Q PER SUDAS RE: 04/L501 AND 06/L501.
- INSTALL 5' MASONRY WALL RE: 08/L500.
- INSTALL 8' MASONRY WALL RE: 10/L500.
- INSTALL AUTOMATIC SLIDING GATE RE: 01/L502 WITH 20' OPENING, SLIDE WEST TO OPEN. MATCH FENCE MATERIAL AND HEIGHT. PROVIDE CARD ACTIVATION.
- MONUMENT SIGN. OWNER PROVIDED AND INSTALLED.
- INSTALL ROLL OVER CONCRETE CURB RE: 05/L500.
- INSTALL NEW CURB AND GUTTER RE: 04/L500.
- INSTALL NEW GRATE INTAKE TYPE R PER SUDAS RE: 04/L501 AND 06/L501.
- INSTALL 12" REINFORCED CONCRETE PIPE FOR DRAINAGE.
- INSTALL CONCENTRIC RCP MANHOLE 48" DIAMETER WITH 21" OPENING OVER THE CENTERLINE OF THE PIPE OR ON AN OFFSET NOT TO EXCEED 12". A MINIMUM CONCRETE LEG OF 12" TO REMAIN BETWEEN THE MANHOLE BLOCKOUTS FOR ADJACENT PIPE PER SUDAS. CAST IRON COVER.
- 6' LONG PAINTED DIRECTIONAL ARROW, WHITE. BY OWNER.
- LEAVE 1-BLOCK GAP AT BOTTOM OF WALL CORNER AND LOW POINT OF CONCRETE PAD TO ALLOW WATER TO DRAIN THROUGH.
- INSTALL 8" BLACK PVC-COATED CHAIN LINK FENCE WITH THEFT DETERRENT RE: 03/L501 AND 05/L501.
- MECHANICAL GATE OPERATOR: LIFTMASTER SL3000UL. INSTALL ON 6" CONCRETE PAD PER MANUFACTURER'S SPECIFICATIONS.
- DRY STORAGE BUILDING AND PAD; RE: A1.1
- CONTRACTOR TO PROVIDE 3" ELECTRICAL CONDUIT IN TRENCH BENEATH PAVING FROM EXISTING BUILDING TO NEW DRY STORAGE BUILDING. CONTRACTOR TO COORDINATE WITH OWNER ON EXACT LOCATION PRIOR TO TRENCHING.
- CONCRETE MOW STRIP; RE: 01/L501

#### SYMBOL LEGEND

- |  |  |
|--|--|
|  | REPLENISH EXISTING GRAVEL AS NECESSARY TO PROVIDE LEVEL DRIVING SURFACE WITH CONSISTENT DRAINAGE, 1-1/2" MINUS CRUSHED LIMESTONE BY OWNER. |
|  | 2" MILL AND OVERLAY EXISTING ASPHALT   |
|  | ASPHALT PAVING RE: 07/L500   |
|  | 4" CONCRETE PAVING RE: 01/L500   |
|  | 6" CONCRETE PAVING RE: 02/L500   |
|  | 8" CONCRETE PAVING RE: 03/L500   |
|  | 8" BLACK PVC-COATED CHAIN LINK FENCE WITH THEFT DETERRENT RE: 03/L501 AND 05/L501  |
|  | 5' MASONRY WALL  |
|  | 8' MASONRY WALL  |

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## Recreation Complex Facility Maintenance Yard Improvements

Project R-23-14 and R-25-03 | City of Council Bluffs  
Council Bluffs, Iowa

#### ISSUE SCHEDULE

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#### KEYNOTE PLAN

CONFLUENCE PROJECT # 20430

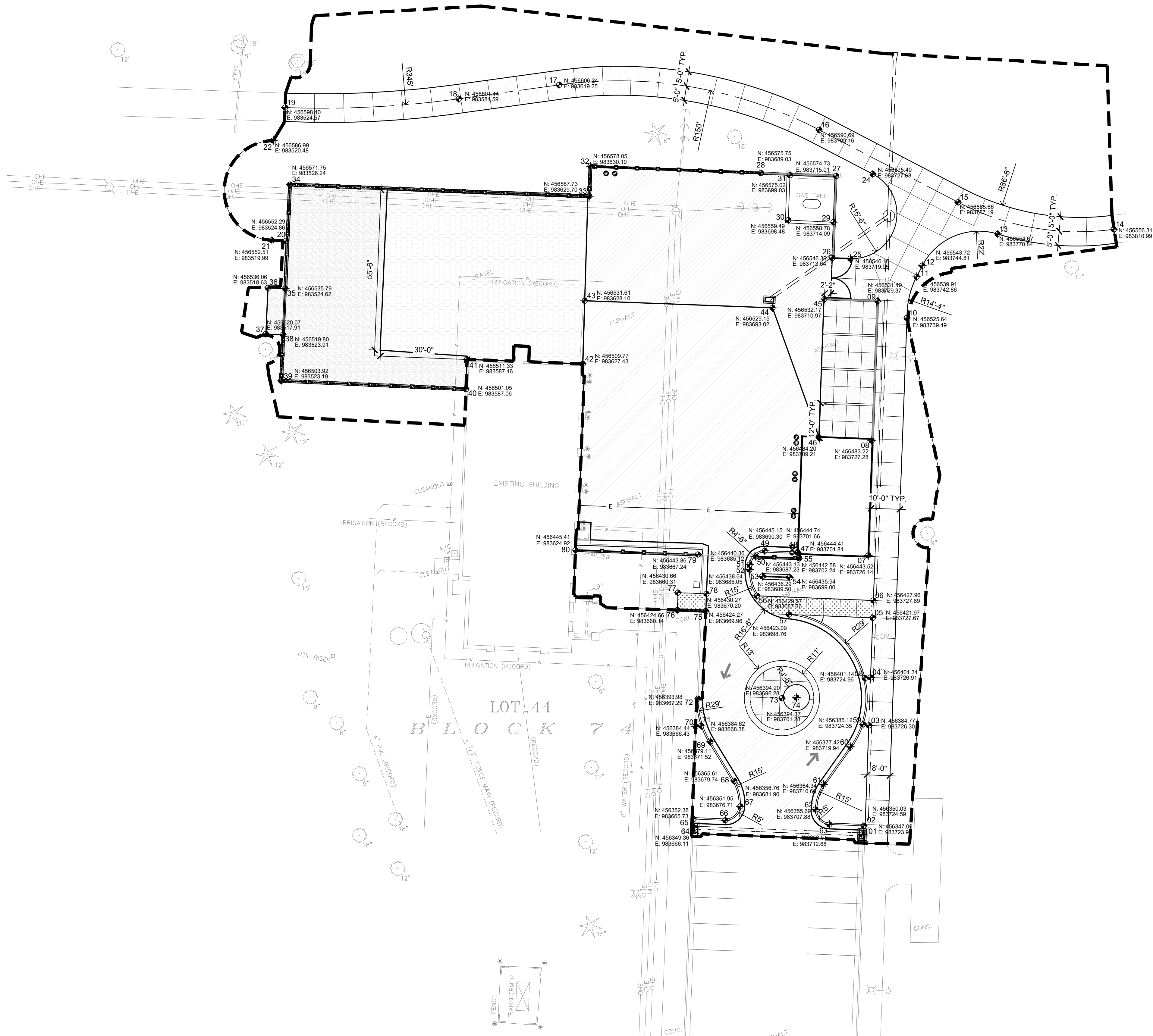
L200

01  
L200 KEYNOTE PLAN



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01  
L200 SITE LAYOUT PLAN



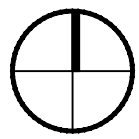
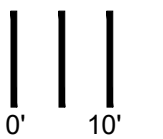
SITE LAYOUT NOTES

- A. LANDSCAPING BY OTHERS. CONTRACTOR TO FINE GRADE AND PREPARE TURF AREAS FOR SEEDING BY OTHERS.
- B. ALL CURB AND GUTTER DIMENSIONS ARE TO FACE OF CURB. ALL SIDEWALK DIMENSIONS ARE TO THE BACK OF CURB UNLESS OTHERWISE NOTED.
- C. WHEN CONTROL POINTS ARE PROVIDED THE CONTRACTOR SHALL VERIFY CONTROL POINTS PRIOR TO CONSTRUCTION.
- D. ALL RAMPS AND CURB RAMPS SHALL COMPLY WITH FEDERAL AND LOCAL ACCESSIBILITY STANDARDS.
- E. CONTRACTOR TO SUPPLY AND INSTALL ALL NECESSARY SLEEVES UNDER PAVING AND WALKS. COORDINATE LOCATIONS WITH GENERAL CONTRACTOR.
- F. SITE PLAN SHOWS DIAGRAMMATIC LAYOUT OF CONTROL JOINTS. UNLESS NOTED OTHERWISE EXPANSION JOINTS SHALL BE PLACED AT A MAXIMUM OF 35' O.C. AND ADJACENT TO FIXED VERTICAL STRUCTURES SUCH AS WALLS, CURBS, STEPS AND BUILDINGS.
- G. PROPOSED SIGNAGE TO MEET LOCAL SIGN CODES. CONTRACTOR SHALL SECURE SIGN PERMITS WHERE REQUIRED

SYMBOL LEGEND

- REPLENISH EXISTING GRAVEL AS NECESSARY TO PROVIDE LEVEL DRIVING SURFACE WITH CONSISTENT DRAINAGE, 1-1/2" MINUS CRUSHED LIMESTONE BY OWNER.
- GRAVEL, MATCH EXISTING, MINIMUM 4" DEPTH, 1-1/2" MINUS CRUSHED LIMESTONE BY OWNER.
- 2" MILL AND OVERLAY EXISTING ASPHALT
- ASPHALT PAVING RE: 07/L500
- 4" CONCRETE PAVING RE: 01/L500
- 6" CONCRETE PAVING RE: 02/L500
- 8" CONCRETE PAVING RE: 03/L500
- 8" BLACK PVC-COATED CHAIN LINK FENCE WITH THEFT DETERRENT RE: 03/L501 AND 05/L501
- 5' MASONRY WALL
- 8' MASONRY WALL

SCALE: 1"=20'



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Recreation Complex Facility  
Maintenance Yard  
Improvements

Project R-23-14 and R-25-03 | City of Council Bluffs  
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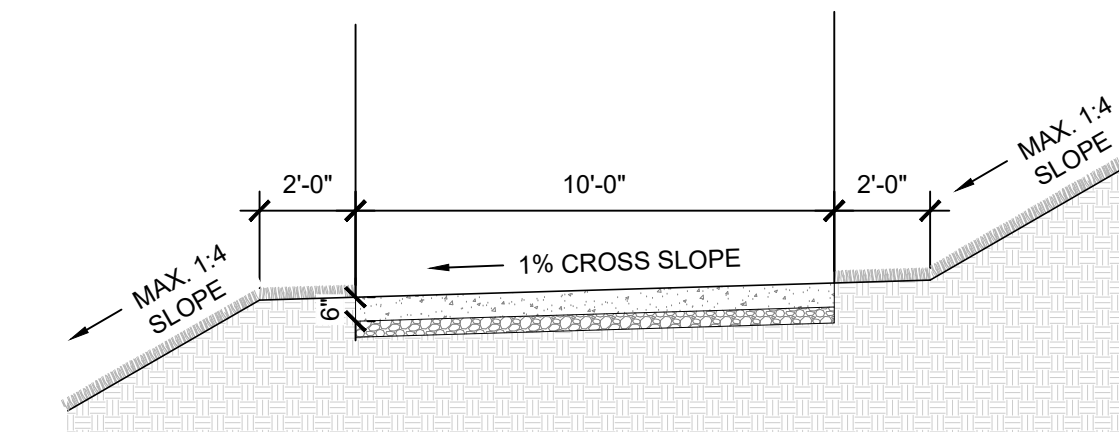
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LAYOUT PLAN

CONFLUENCE PROJECT # 20430

L201





SCALE: 1"=20'



## GRADING NOTES

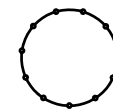
- A. ALL SPOT ELEVATIONS ARE AT THE TOP OF FINISHED SURFACES.
- B. CONTRACTOR TO VERIFY ALL SPOT ELEVATIONS FOR POSITIVE DRAINAGE BEFORE INSTALLATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR POSITIVE SURFACE DRAINAGE IN ALL AREAS, UNLESS OTHERWISE NOTED. ALL NEWLY GRADED GROUND SURFACES SHALL BE FINISHED TO UNIFORM GRADES AND SLOPED IN SUCH A MANNER TO BE FREE OF DEPRESSIONS THAT CAUSE AREAS OF STANDING WATER. THE CONTRACTOR SHALL REPORT ANY CONFLICTS WITH THIS REQUIREMENT TO THE LANDSCAPE ARCHITECT FOR RESOLUTION PRIOR TO FINAL GRADING OPERATIONS.
- C. WALK CROSS SLOPE MAY NOT EXCEED 2%. RUNNING SLOPE MAY NOT EXCEED 5%. RUNNING SLOPE FOR RAMPS MAY NOT EXCEED 1:12 WITH LANDINGS THAT DO NOT EXCEED 2% IN ANY DIRECTION.
- D. WHERE PROPOSED GRADES MEET EXISTING, BLEND GRADES TO PROVIDE A SMOOTH TRANSITION BETWEEN THE NEW WORK AND EXISTING WORK. PONDING AT JOINTS WILL NOT BE ACCEPTED.
- E. EXISTING LANDSCAPE ARCHITECT PRIOR TO BACKFILLING AGAINST EXISTING BUILDINGS. PROVIDE WATERPROOFING WHEN BACKFILLING AGAINST EXISTING BUILDINGS.
- F. FINAL BERM SHAPE TO APPROVED BY LANDSCAPE ARCHITECT.
- G. SEE SPECIFICATIONS FOR MINIMUM DEPTH OF TOPSOIL FOR ALL LAWN AREAS AND PLANTING BEDS.
- H. DEBRIS SHALL BE REMOVED AND PAVEMENT WITHIN THE RIGHT-OF-WAY SWEEPED AT THE END OF EACH WORKING DAY.
- I. CONTRACTOR TO FIELD ADJUST ALL EXISTING SITE UTILITIES TO NEW FINISHED GRADES. EXISTING UTILITIES INCLUDE, BUT ARE NOT LIMITED TO, FIRE HYDRANTS, MANHOLE RIMS, INLETS, WATER VALVES, AND LIGHT BASES.
- J. SILT FENCE AND INLET PROTECTION SHALL BE MAINTAINED UNTIL ESTABLISHMENT OF PERMANENT GROUND COVER.

## KEYNOTES

1. FEATHER ASPHALT LIFTS AS NECESSARY TO ACHIEVE POSITIVE DRAINAGE TO INTAKE.
2. SLOPE AT 3% WITHIN 3' OF INTAKE RE: 03/L300.
3. SLOPE AWAY FROM DOOR.
4. EXTEND TRAIL CROSS SLOPE 2' IN BOTH DIRECTIONS RE: 02/L300.
5. MINIMIZE GRADING WITHIN TREE PROTECTION ZONE.
6. TAPER CURB FROM 6 TO 0" IN LAST 2'.

### SYMBOL LEGEND

ME = MATCH EXISTING  
TC = TOP OF CURB  
BC = BOTTOM OF CURB  
HP = HIGH POINT  
LP = LOW POINT



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# Recreation Complex Facility Maintenance Yard Improvements

Project R-23-14 and R-25-03 | City of Council Bluffs  
Council Bluffs, Iowa

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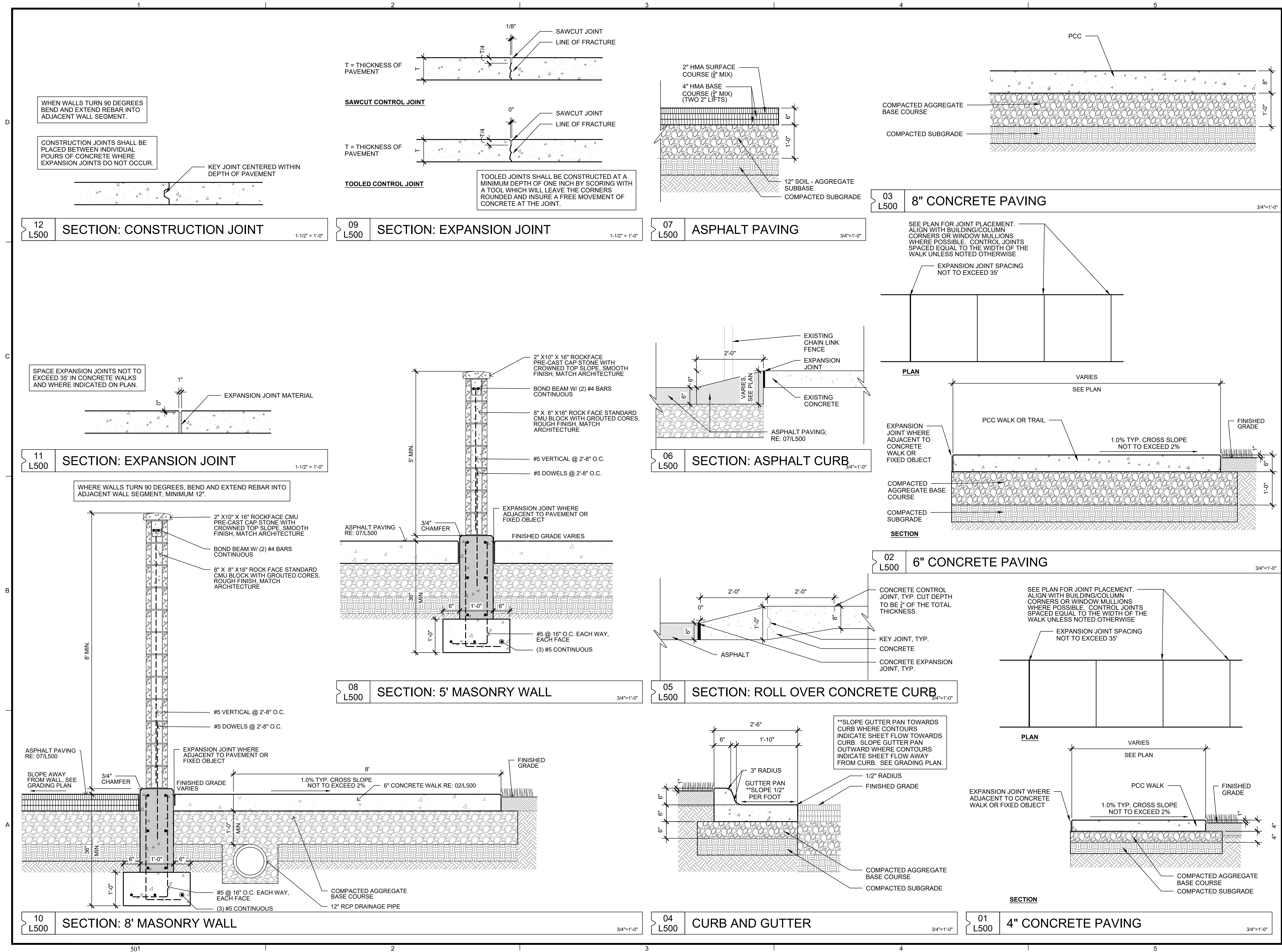
## GRADING AND DRAINAGE

CONFLUENCE PROJECT # 20430

# L300



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Recreation Complex Facility  
Maintenance Yard  
Improvements

Project R-23-14 and R-25-03 | City of Council Bluffs  
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ISSUE SCHEDULE		
ISSUE	DATE	DESCRIPTION

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SITE DETAILS

CONFLUENCE PROJECT # 20430

L500



# Recreation Complex Facility Maintenance Yard Improvements

Project R-23-14 and R-25-03 | City of Council Bluffs  
Council Bluffs, Iowa

## ISSUE SCHEDULE

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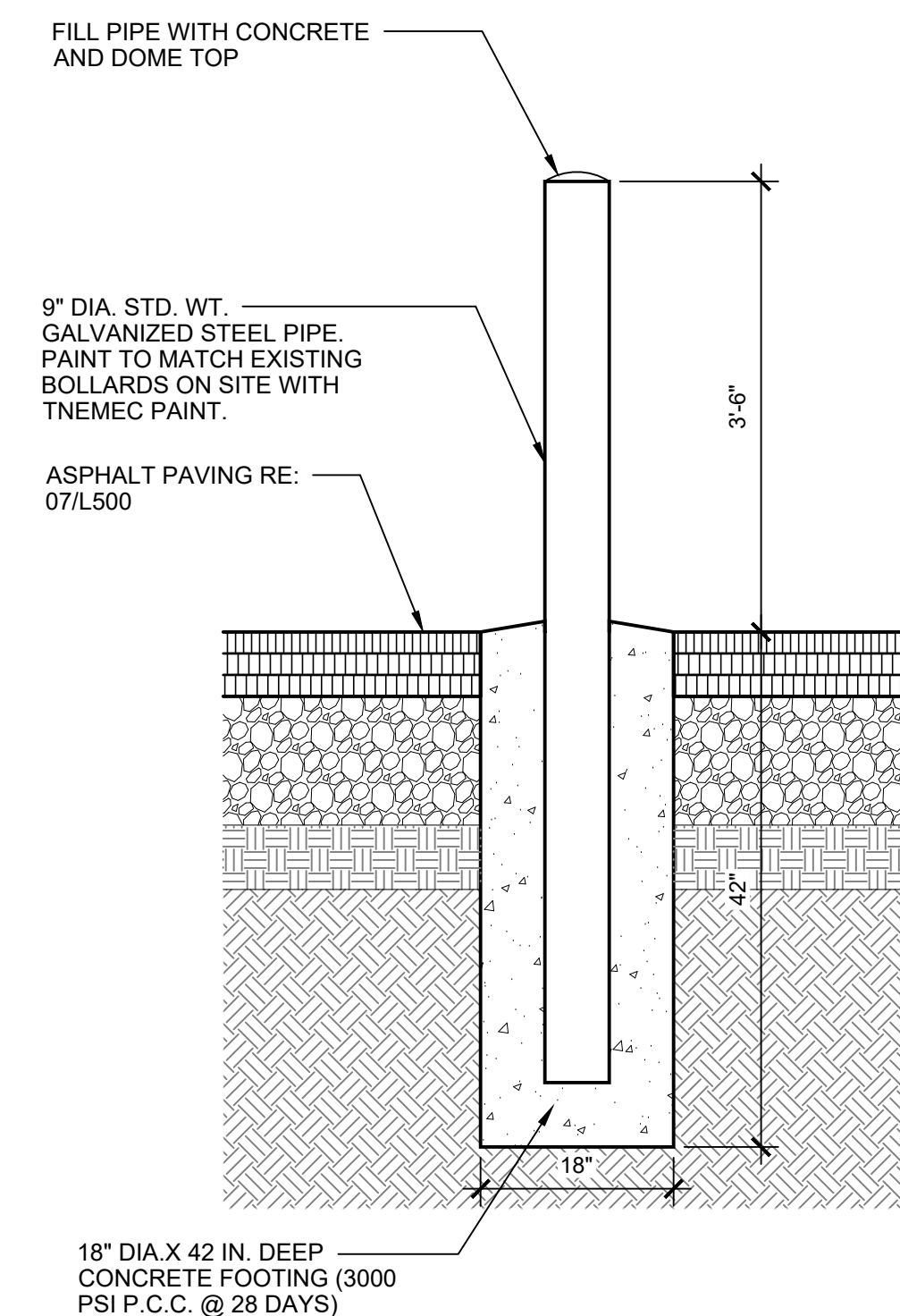
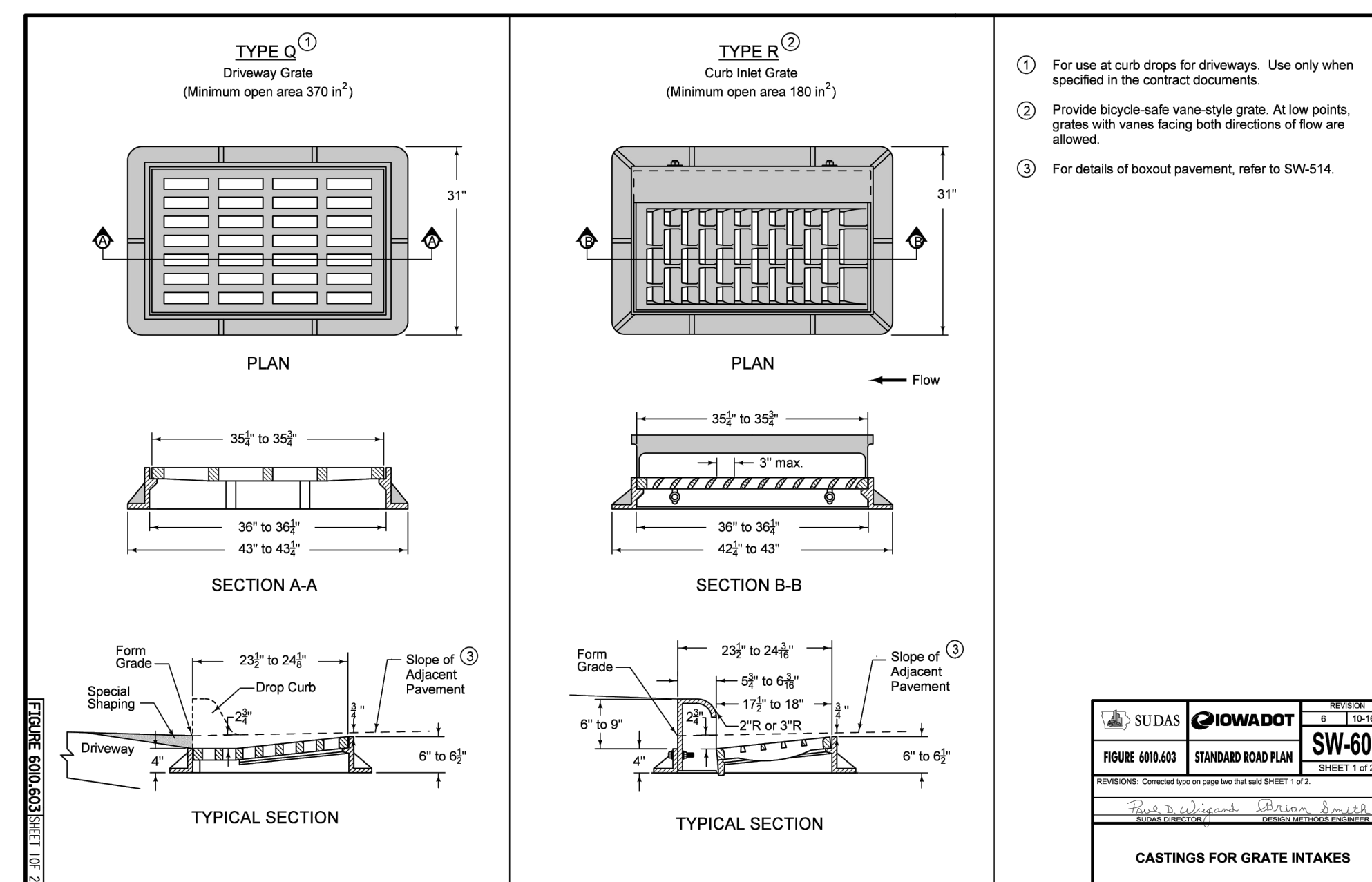
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## SITE DETAILS

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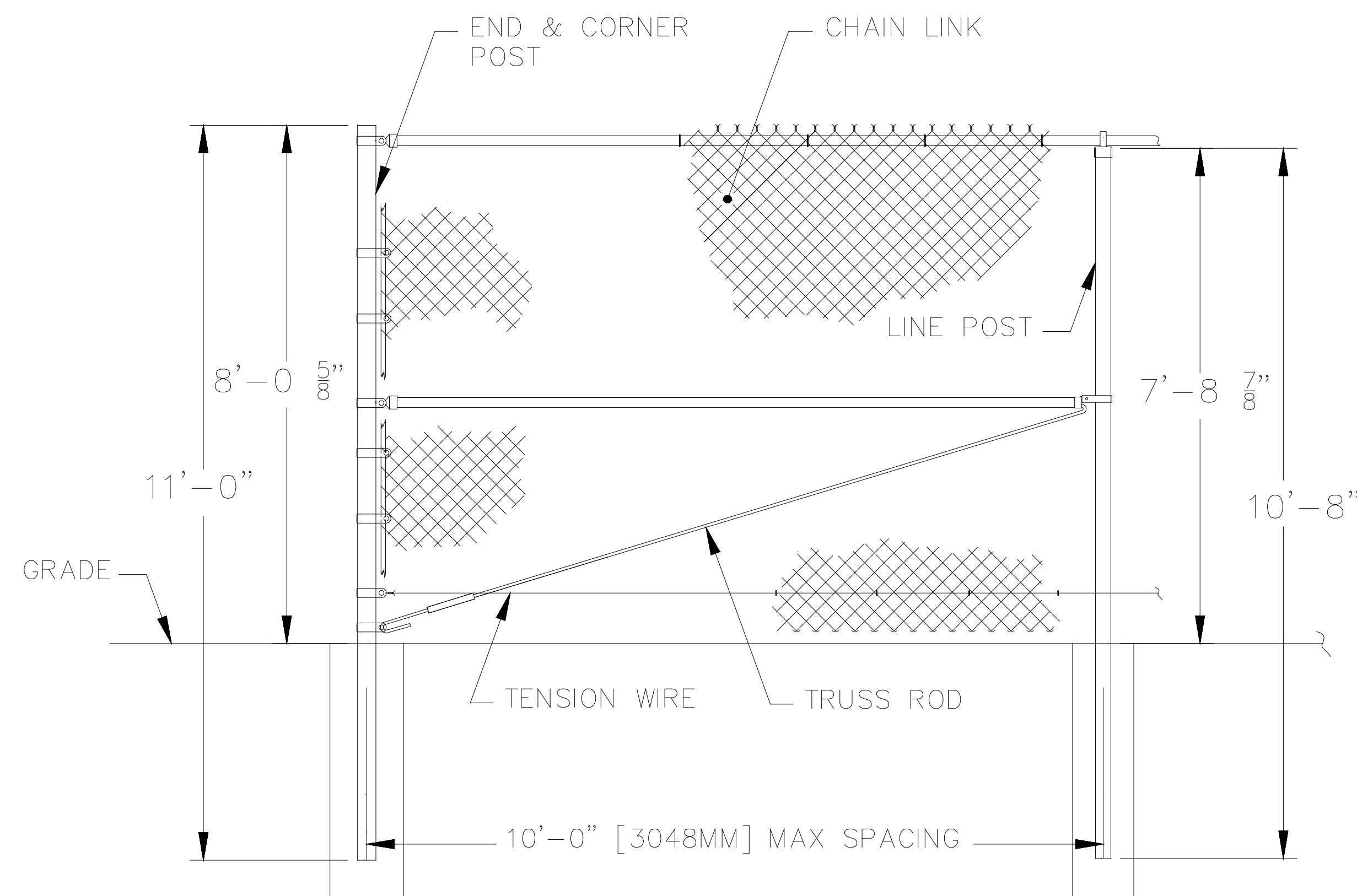
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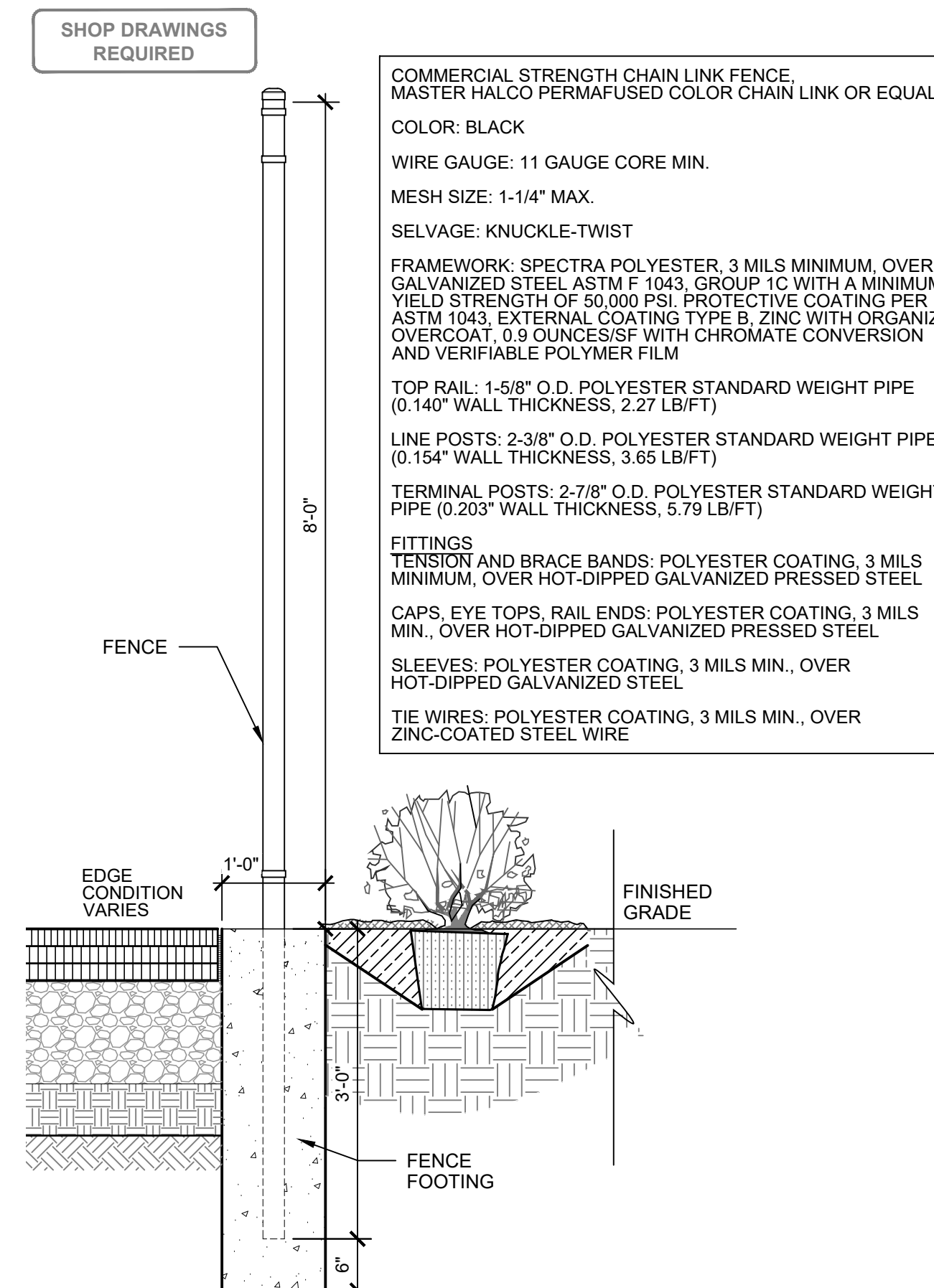
06 501	SINGLE GRATE INTAKE (SUDAS)	N.T.S.
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04 L501	CASTINGS FOR GRATE INTAKES (SUDAS)	N.T.S.
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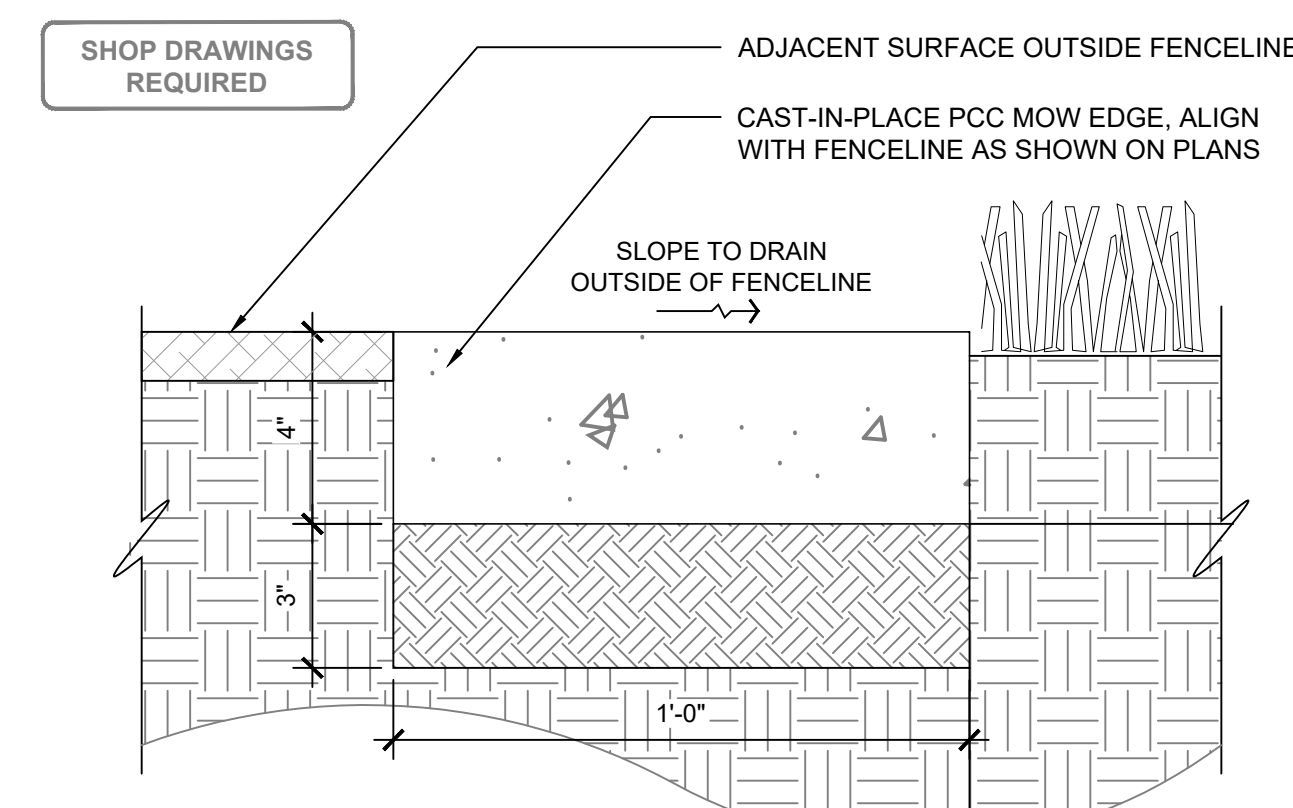
02 SECTION: PIPE BOLLARD 3/4"=1'-0"



05 L501	SECTION ELEVATION: 8' CHAIN LINK FENCE	N.T.S.
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03  
L501 SECTION: 8' CHAIN LINK FENCE 3/4"=1'-0"



01  
L501 SECTION: CONCRETE MOW STRIP 1/2"=1'-0"



File Location: N:\1 PROJECTS\2020\20430\_C3B Rec: Complex Maintenance Facility\20430\_L5.0 DETAILS / SAVE DATE: 3/21/2024 2:51 PM BY: jsharon / PLOT DATE: 3/21/2024 4:42 PM BY: John Sharon

D  
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B  
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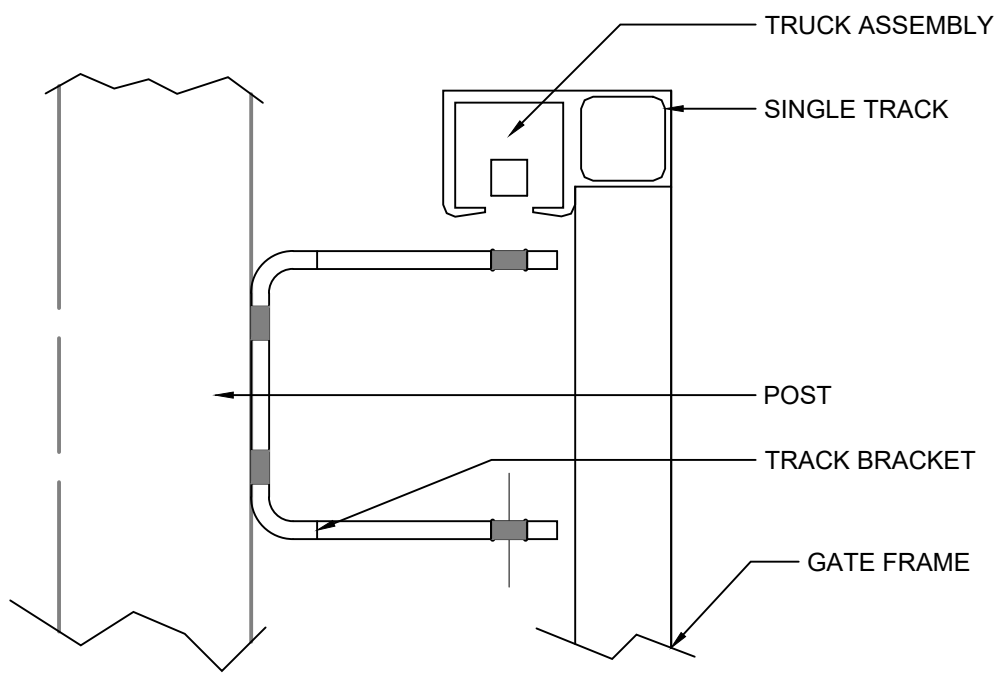
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3

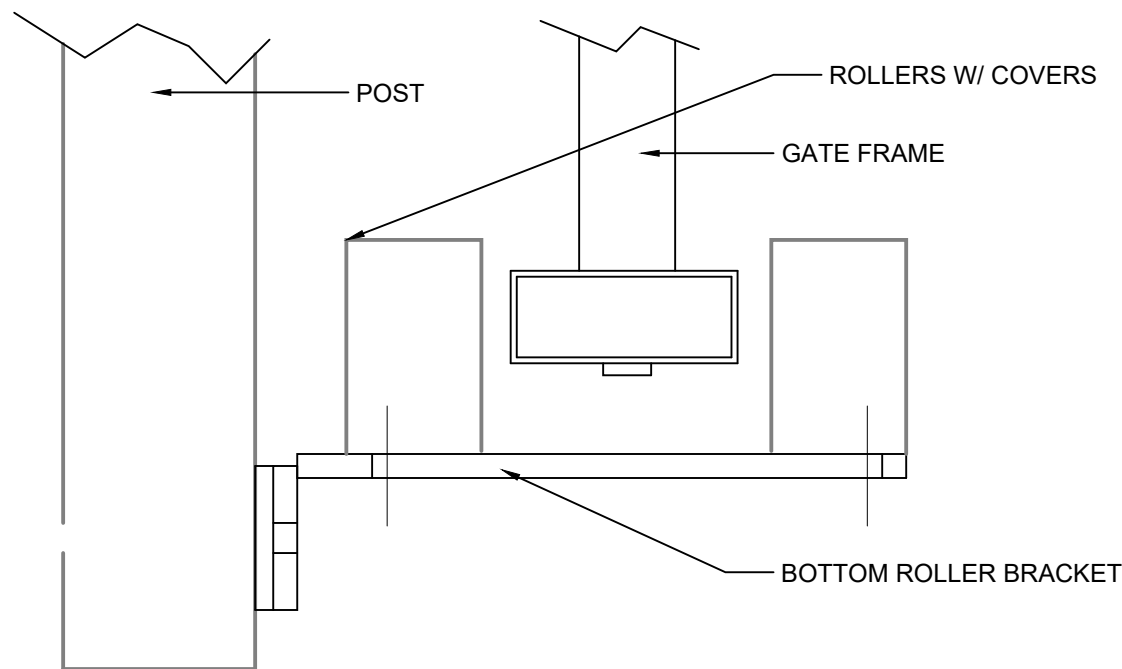
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5



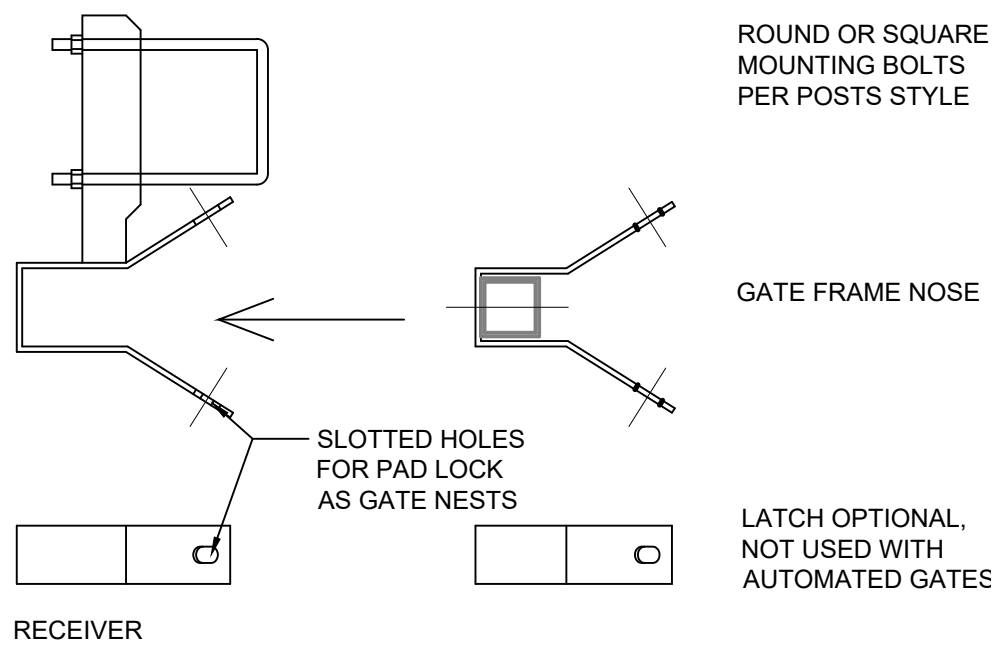
SHOP DRAWINGS  
REQUIRED

04  
L502 SINGLE TRACK ENLARGEMENT 3" = 1'-0"



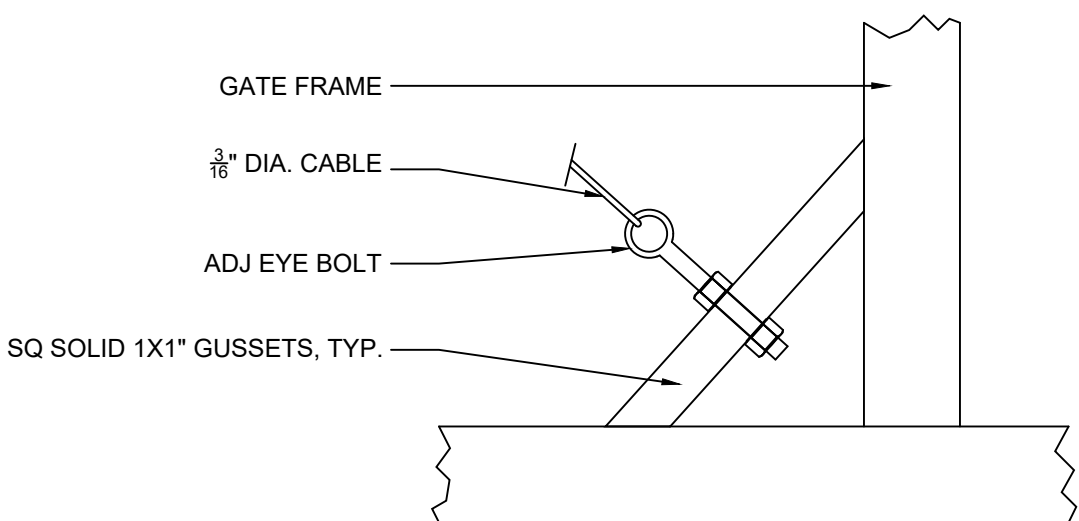
SHOP DRAWINGS  
REQUIRED

06  
L502 BOTTOM ROLLER ENLARGEMENT 3" = 1'-0"



SHOP DRAWINGS  
REQUIRED

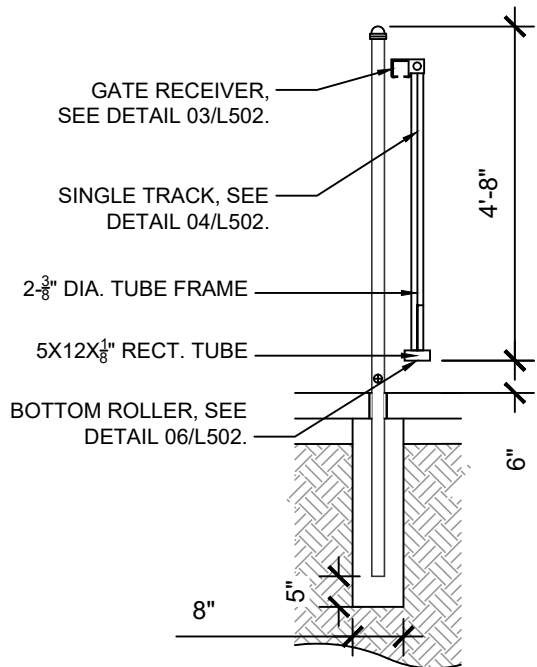
03  
L502 GATE RECEIVER ENLARGEMENT 3" = 1'-0"



SHOP DRAWINGS  
REQUIRED

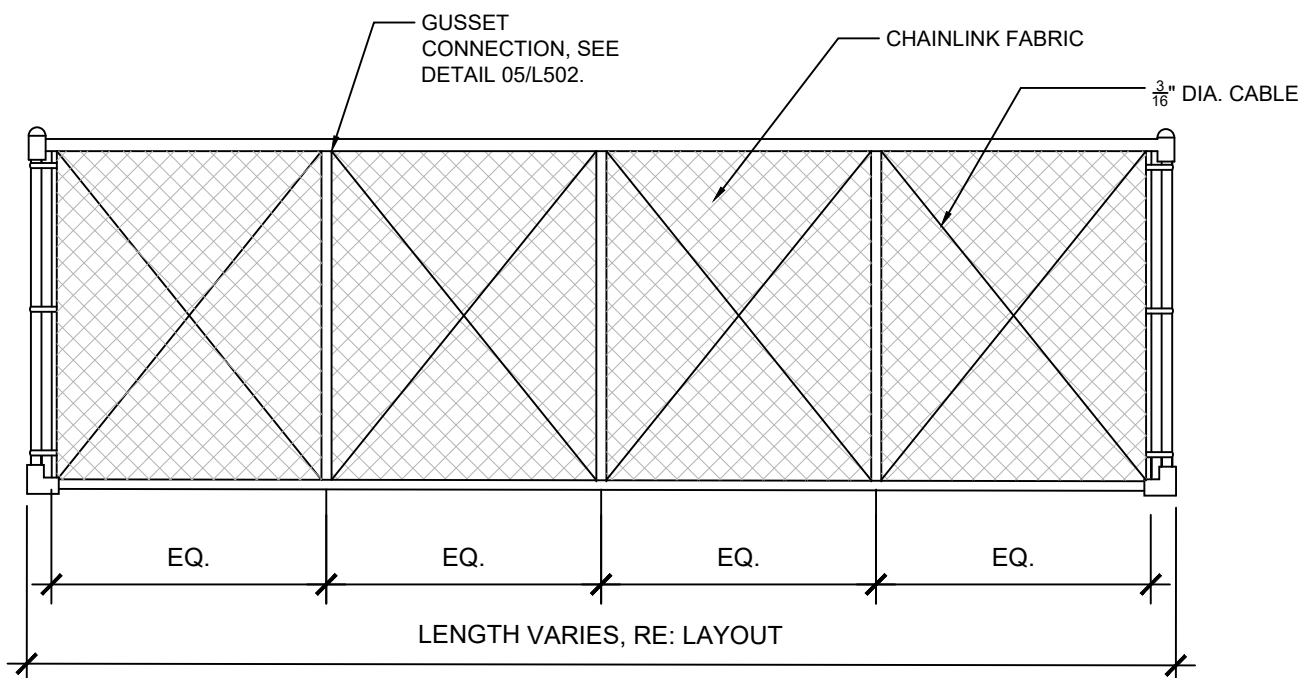
05  
L502 GUSSET ENLARGEMENT 3" = 1'-0"

02  
L502 NOT USED 1" = 1'-0"



SHOP DRAWINGS  
REQUIRED

01  
L502 ELEVATION: SLIDER GATE 3/8" = 1'-0"



521

2

3

4

5

CONFLUENCE

LANDSCAPE ARCHITECT  
CONFLUENCE  
1111 N 13TH STREET, STUDIO 204  
OMAHA, NE 68102  
PH: (402) 973-9908  
www.thinkconfluence.com

# Recreation Complex Facility Maintenance Yard Improvements

Project R-23-14 and R-25-03 | City of Council Bluffs  
Council Bluffs, Iowa

## ISSUE SCHEDULE

ISSUE	DATE	DESCRIPTION
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ISSUED FOR  
CONSTRUCTION

100%  
CDS

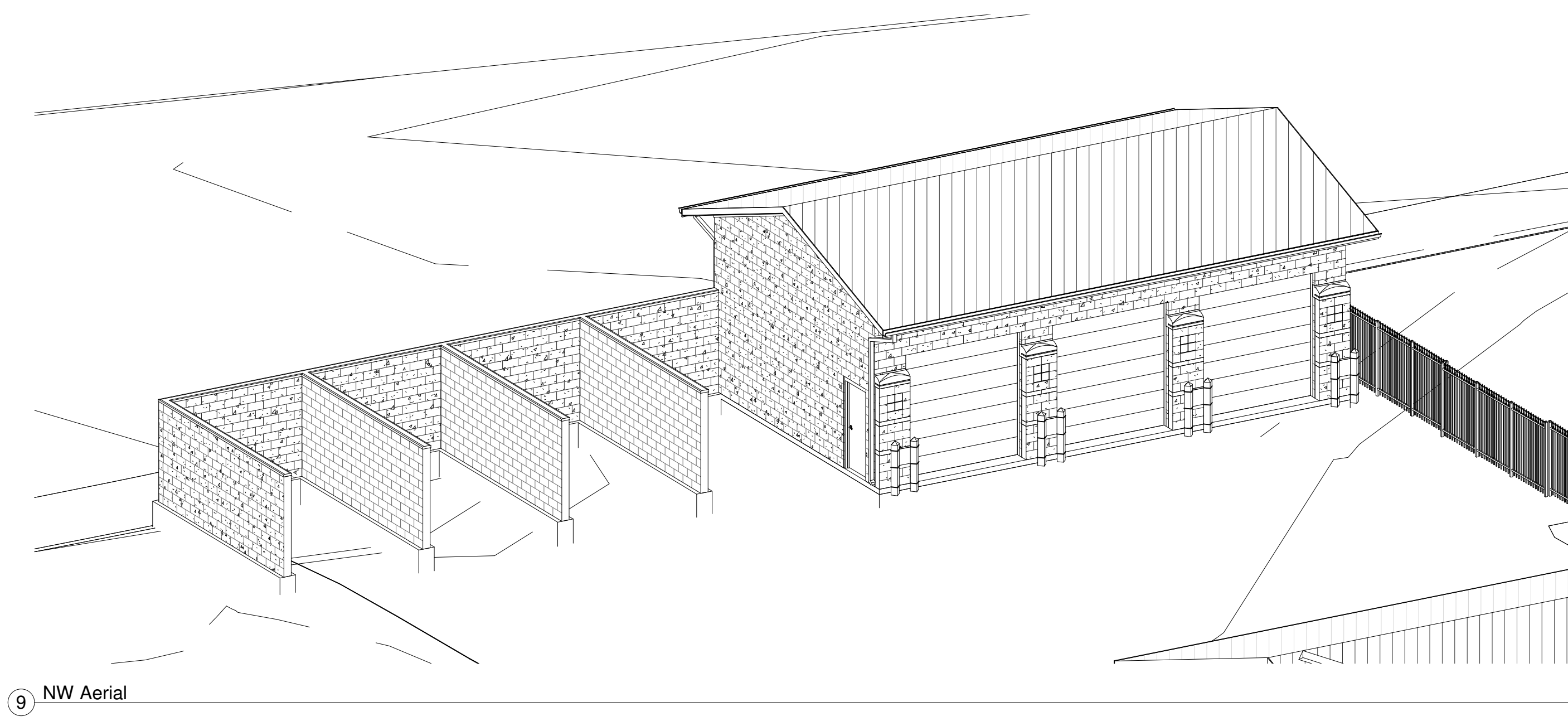
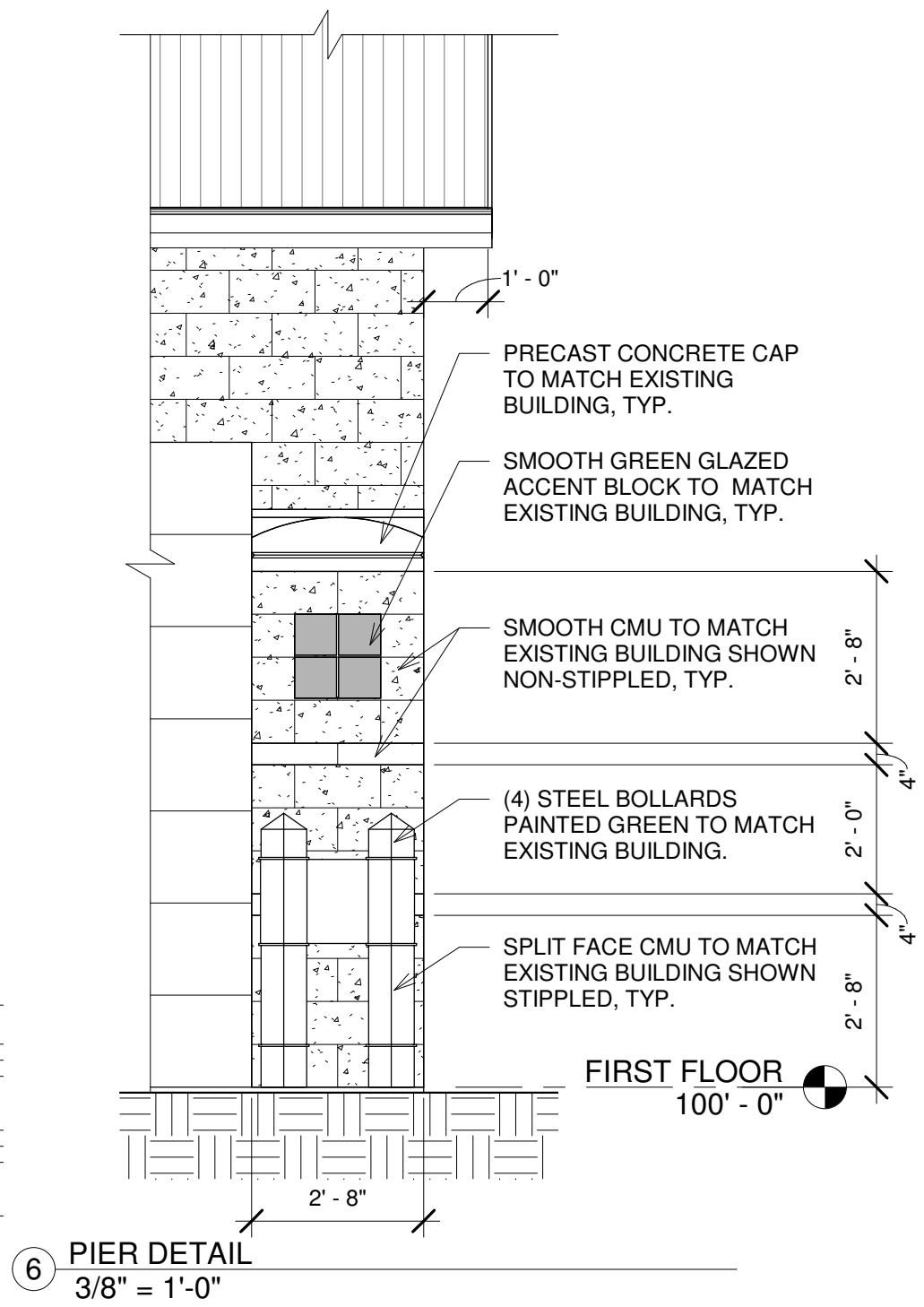
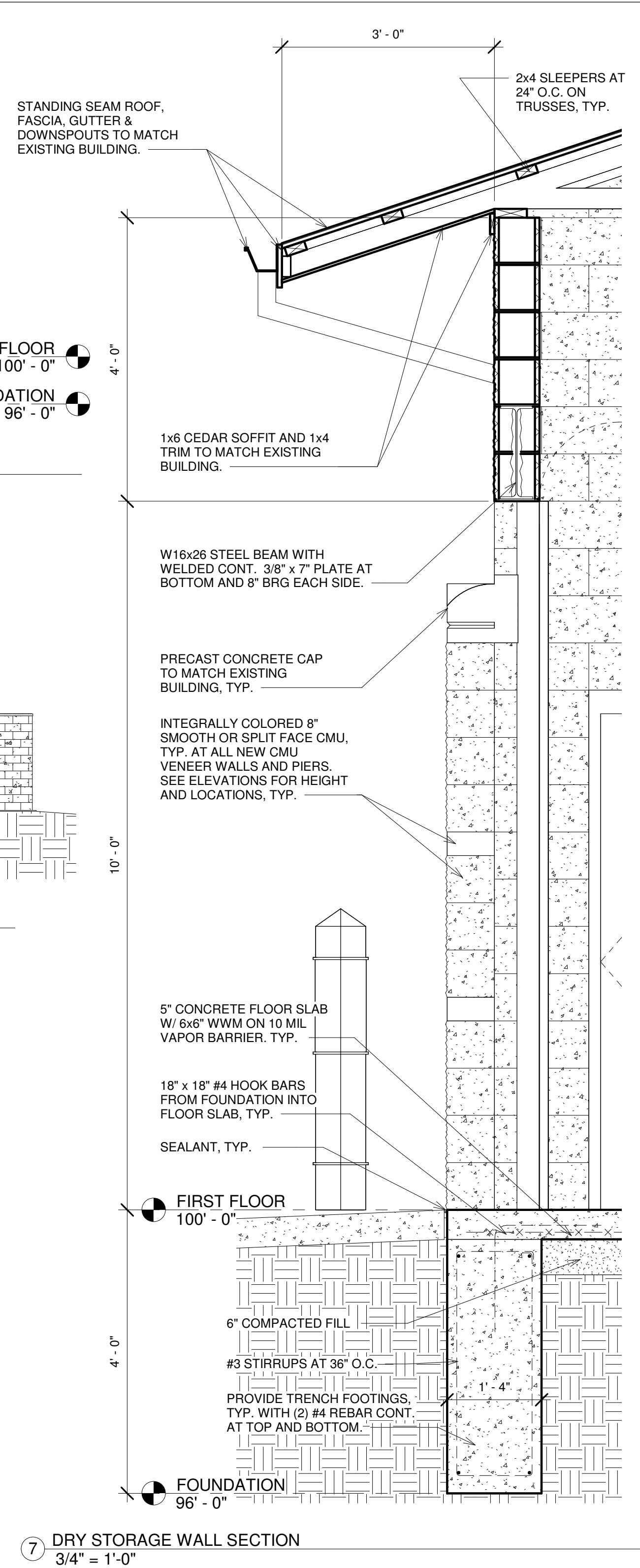
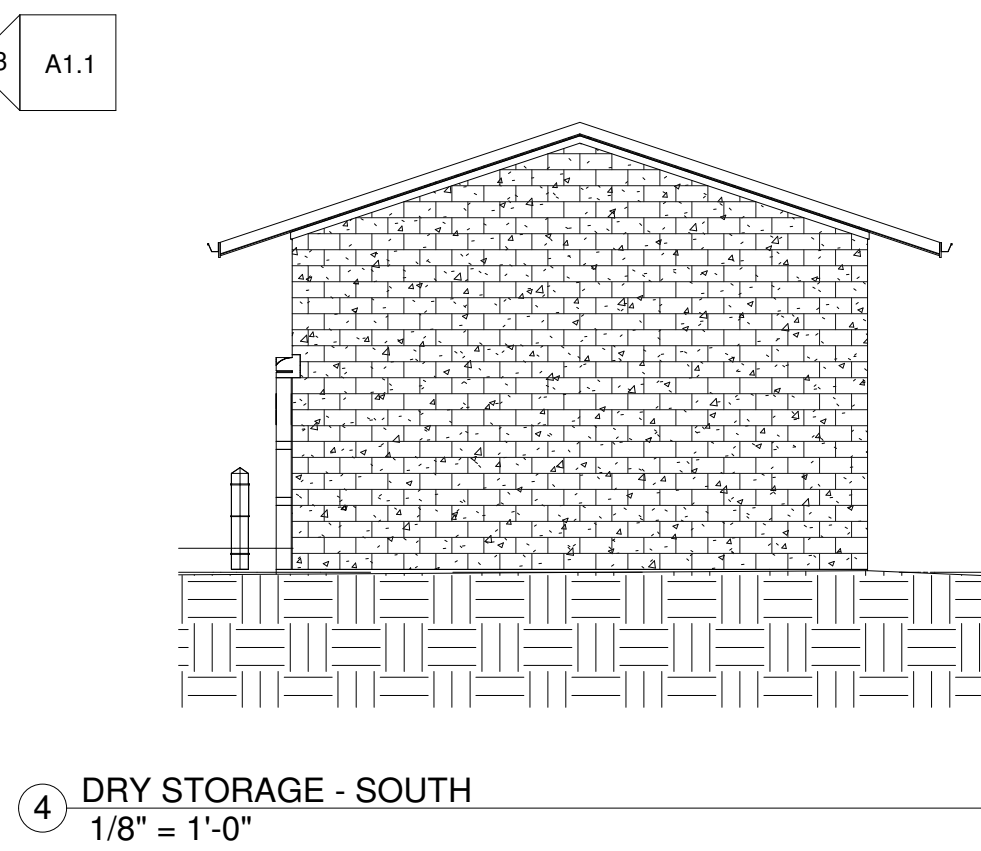
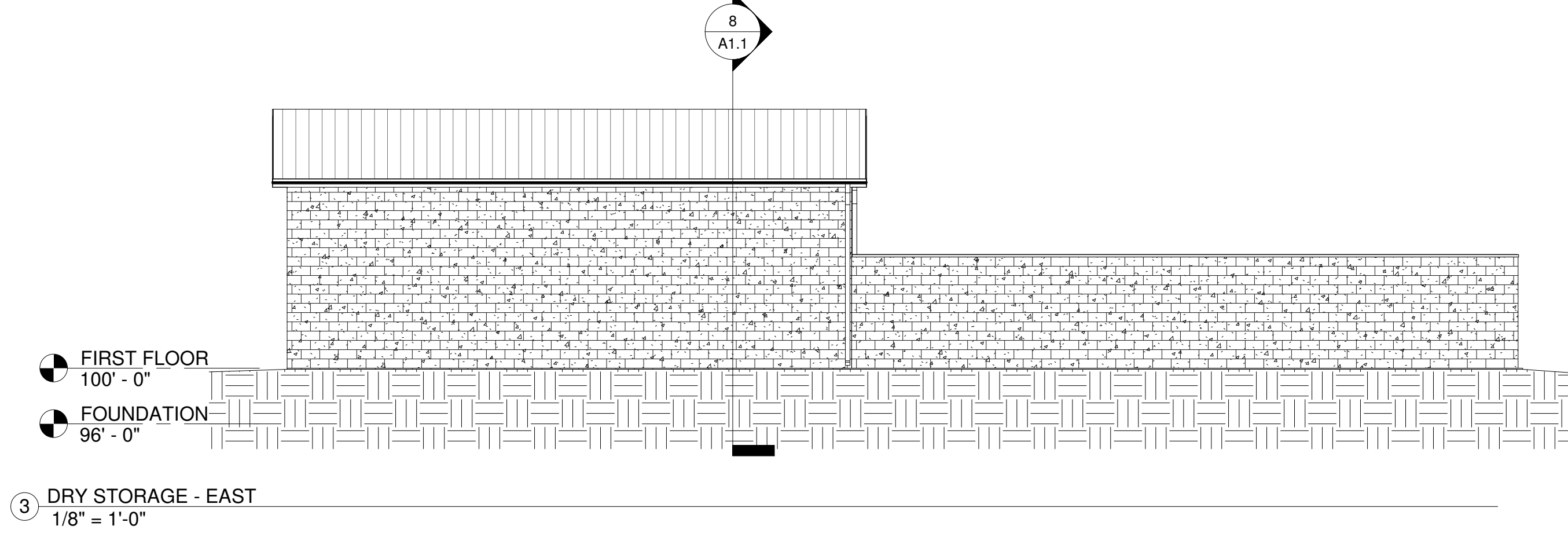
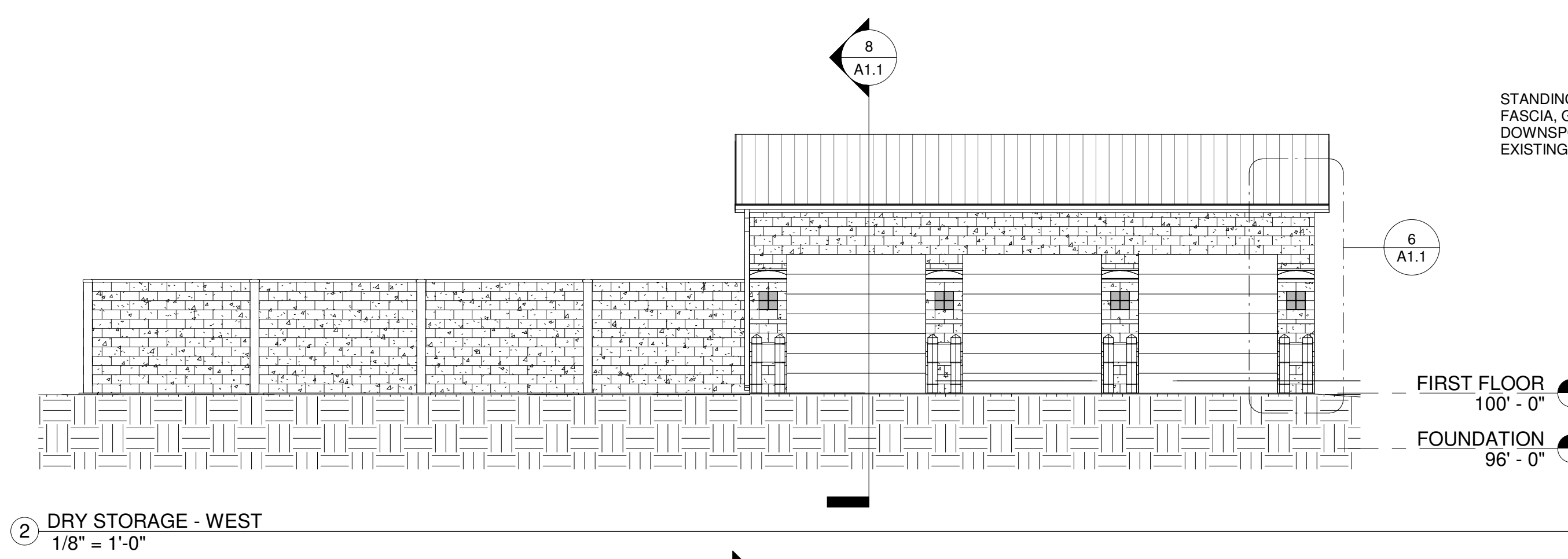
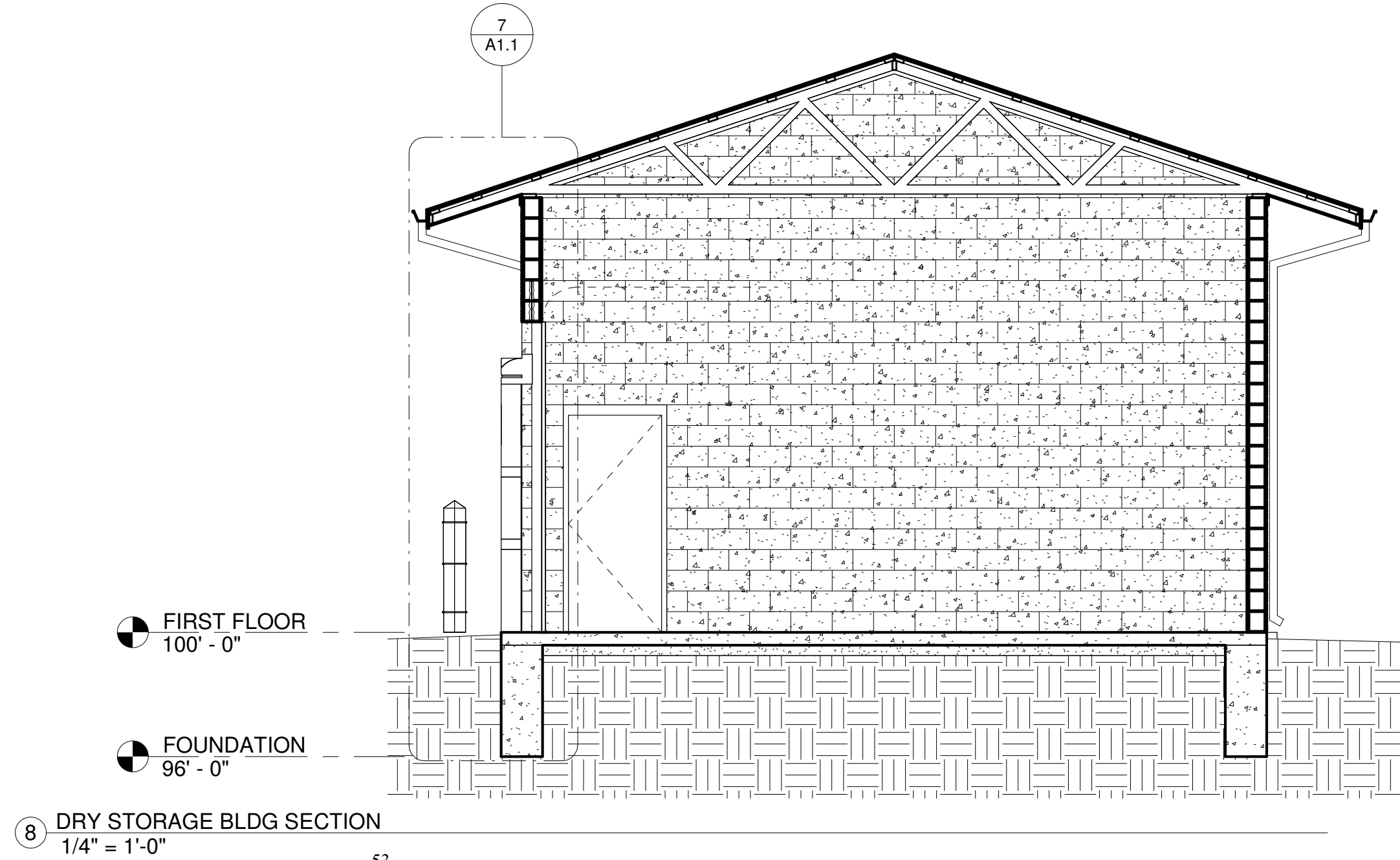
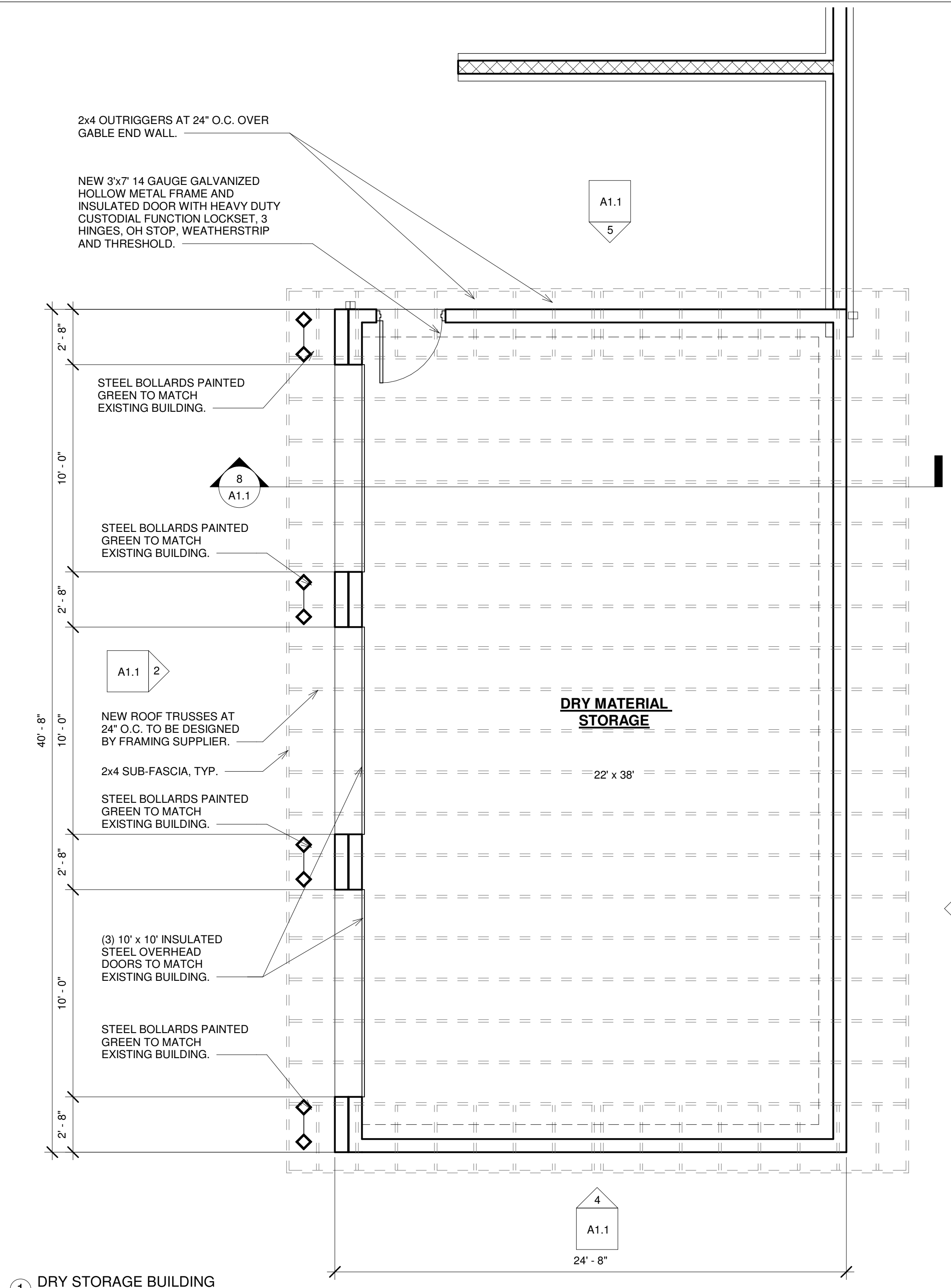
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## SITE DETAILS

CONFLUENCE PROJECT # 20430

L502





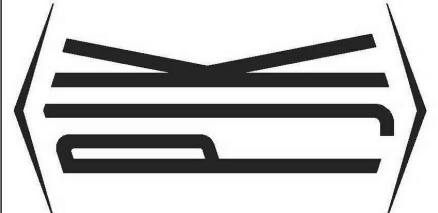
DRY STORAGE BLDG

REVISIONS		Date
No.	Description	

CB Sports Complex Maintenance Area

City of Council Bluffs

34th Avenue & South 24th Street, Council Bluffs, Iowa



Paul J. Kelly  
Architecture  
440 North 61st Street  
Omaha, Nebraska 68132  
(402) 320 - 4131  
pkjarchitecture.com

A.I.I

Project No. 24-009-01  
Date 13 March 2024

Print on 24" x 36" format for proper scale

3/13/2024 10:11:57 PM



**RESOLUTION**  
**NO 24-102**

**RESOLUTION FOR RECREATION COMPLEX FACILITY  
MAINTENANCE YARD UPGRADE PROJECT, R23-14 & R25-03**

- WHEREAS, the City Council approved \$375,000 for the upgrade to the Recreation Complex Facility Maintenance Yard in the FY 23 CIP and \$175,000 in the FY 25 CIP for a total funding amount of \$550,000; and
- WHEREAS, the upgrade will include a perimeter fence, realignment of the trail to the north of the maintenance yard, new storm water lines, new dry storage building, new parking area, and a turnaround constructed in the parking lot for public use, and outdoor material storage bins; and
- WHEREAS, the opinion of probable cost for construction is approximately \$518,750 and is within the \$520,750 available budget; and
- WHEREAS it is anticipated the project will occur over late summer and be completed by fall of 2024 with minimal impact on event schedule; and
- WHEREAS Notice of Public Hearing was published as required by law, and a public hearing was held on April 1, 2024; and
- WHEREAS the city council deems approval of said improvements 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 authorized to initiate the Recreation Complex Facility Maintenance Yard Upgrade Project, R23-14 & R25-03 by issuing a bid for the project.

ADOPTED  
AND  
APPROVED

April 1, 2024

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

ATTEST:

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



## Council Communication

Department: Community  
Development

Case/Project No.: URV-24-001  
Submitted by: Marianne Collins,  
Housing & Economic Development  
Planner

Resolution 24-103  
ITEM 5.C.

Council Action: 4/1/2024

### Description

Resolution adopting the Amended and Restated Consolidated Urban Revitalization Plan for the Council Bluffs Consolidated Urban Revitalization Area. URV-24-001

### Background/Discussion

See attached staff report.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/22/2024
Attachment A – Consolidated Urban Revitalization Plan	Other	3/22/2024
Attachment B – Boundary Map	Map	3/22/2024
Resolution 24-103	Resolution	3/27/2024



## Council Communication

Department: Community Development  Case No.: URV-24-001  Submitted by: Housing & Economic Development	Resolution No.: 24-	Resolution of Intent: 02/26/2024 Planning Commission: 02/13/2024 Public Hearing & First Reading: 04/01/2024 Second Reading: 04/22/2024 Third Reading: Request to Waive
<p style="text-align: center;"><b>Subject/Title</b></p> <p>Amendment to restate and consolidate the 16 current urban revitalization areas and add an additional area, South Expressway Urban Revitalization Area.</p>		
<p style="text-align: center;"><b>Background/Discussion</b></p> <p><u>Background</u></p> <p>Chapter 404 of the Iowa Code authorizes a City to designate an area as an urban revitalization area. Improvements to qualified real estate within designated areas may then be eligible to receive a total or partial exemption from property taxes for a specified number of years. The exemptions are intended to stimulate private investment by reducing the tax increase that would normally result from making improvements to real estate property.</p> <p>Urban revitalization tax abatement incentives can apply to residential, commercial and industrial development. Both new construction on vacant or unimproved land and rehabilitation of existing structures are eligible for tax abatement.</p> <p>Staff has prepared a Consolidated Urban Revitalization Plan, including South Expressway Urban Revitalization Area, in accordance with Chapter 404 of the Iowa Code and has scheduled the matter for City Council consideration.</p> <p><u>Discussion</u></p> <p>The Community Development Department has created a Consolidated Urban Revitalization Plan. The consolidated plan includes the 16 current urban revitalization area plans that are in effect and adds the South Expressway Urban Revitalization Plan. Consolidating the 16 urban revitalization plans into one will make all the plans consistent and easier to update in the future.</p> <p>Two updates are included in the Consolidated Urban Revitalization Plan:</p> <ol style="list-style-type: none"> <li>1. Multi-Family Housing Development: In the prior individual plans the period of time for exemption was 4 years, we are wanting to extend the time period to 6 years for the exemption. This extension is vital to many developers when deciding to come to Council Bluffs or take their developments elsewhere.</li> <li>2. Additional Area Added: The City is working with a developer to construct a 20,000 square foot new construction commercial retail car dealership that will improve the property by \$9,000,000. It is located along the South Expressway in an undeveloped parcel. There is a separate parcel that is currently being used for salvage storage that has the potential for redevelopment. These additional parcels are comprised of 6.83 acres, more or less, of land. If the South Expressway Urban Revitalization Area is approved, the project as proposed could be eligible for full exemption from taxation for three years or a ten year declining property tax abatement.</li> </ol>		



## Council Communication

On February 26, 2024, City Council approved Resolution 24-48, which directed staff to initiate the process of consolidating the 16 urban revitalization areas and adding the South Expressway Urban Revitalization Area to the Consolidated Urban Revitalization Plan. This resolution set April 1, 2024 as the date of the public hearing.

Staff specifically asks that the Commission consider the following:

- Consolidating the 16 urban revitalization areas into one consistent and uniform plan.
- The proposed South Expressway Urban Revitalization Area furthers the goals of the City's Comprehensive Plan.
- The South Expressway Urban Revitalization Area is an area appropriate for urban revitalization designation as specified in Iowa Code Section 404.1.4, which discusses an area which is appropriate as an economic development area as defined in section 403.17. Provides that "economic development area" means an area of a municipality designated by the local governing body as appropriate for commercial and industrial enterprises or housing and residential development for low and moderate income families, including single or multi-family housing.

This matter was brought before the City Planning Commission at their February 13, 2024 meeting. The Commission found the following: 1) That the proposed Consolidated Urban Revitalization Plan furthers the goals of the City's *Bluffs Tomorrow: 2030 Plan*, which is the general plan for the development of the City of Council Bluffs; and 2) That the Consolidated Urban Revitalization Area is an area appropriate for urban revitalization as specified in Section 404.1.4.

Property owners were notified and no written correspondence was received by the Community Development Department either in support or against the proposed plan. Concurrent with the adoption of an urban revitalization plan, an ordinance establishing the consolidated urban revitalization area can be considered. Upon adoption of the area and approval of an ordinance, the City is permitted to grant tax abatement to qualified projects.

### **Staff Recommendation**

The Community Development Department recommends approval of consolidating the 16 Urban Revitalization Areas and add the South Expressway Urban Revitalization Area and 1<sup>st</sup> consideration of the ordinance.

### **Planning Commission Recommendation**

The Planning Commission recommended approval of the Consolidated Urban Revitalization Plan.

Vote: 7-0-4

AYE – Hutcheson, Opperman, Rater, Rew, Stroebele, Van Houten and Watson

NAY – None

ABSTAIN – None

ABSENT – Bailey, Bass and Knauss

VACANT - One

Motion: Carried



## Council Communication

<b>Attachments</b> Attachment A – Consolidated Urban Revitalization Plan Attachment B – Boundary Map

Prepared by: Marianne Collins, Community Development Housing & Economic Planner, Community Development Department  
Submitted by: Courtney Harter, Housing & Economic Development Director, Community Development Department



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**AMENDED AND RESTATED  
CONSOLIDATED  
URBAN REVITALIZATION PLAN**

**FOR THE**

**CITY OF COUNCIL BLUFFS, IOWA**

---

**2024**



**AMENDED AND RESTATED  
CONSOLIDATED URBAN REVITALIZATION PLAN  
FOR THE  
CITY OF COUNCIL BLUFFS, IOWA**

**I. INTRODUCTION AND HISTORY**

The Urban Revitalization Act, Chapter 404 of the *Code of Iowa*, is intended to encourage development, redevelopment, and revitalization within a designated area of a city by authorizing property tax development incentives to the private sector. Qualified real estate within a designated area may be eligible to receive a total or partial exemption from property taxes on improvements for a specified number of years. The primary intent of this act is to provide communities with a long-term increase or stabilization in their tax base by encouraging rehabilitation or new construction which might not otherwise have occurred.

The City Council of the City of Council Bluffs, Iowa (the “City”) has previously adopted several urban revitalization plans to establish revitalization areas within the City under the provisions of Iowa Code Chapter 404, including the following plans which currently remain in existence:

- 1<sup>st</sup> Avenue Urban Revitalization Plan, adopted by Resolution No. 13-149 on June 10, 2013
- 5<sup>th</sup> and West Broadway Urban Revitalization Plan, adopted by Resolution No. 20-135 on May 18, 2020
- 14<sup>th</sup> Avenue Urban Revitalization Plan, adopted by Resolution No. 20-134 on May 18, 2020
- 16<sup>th</sup> Avenue Urban Revitalization Plan, adopted by Resolution No. 22-09 on January 10, 2022
- 21<sup>st</sup> Avenue Urban Revitalization Plan, adopted by Resolution No. 22-124 on May 9, 2022
- American Games Urban Revitalization Plan, adopted by Resolution No. 21-312 on November 8, 2021
- Black Squirrel Flats Urban Revitalization Plan, adopted by Resolution No. 22-300 on November 28, 2022
- Bluffs Northway Urban Revitalization Plan, adopted by Resolution No. 16-243 on September 26, 2016
- College Road Urban Revitalization Plan, adopted by Resolution No. 17-230 on October 23, 2017
- Council Pointe Road Urban Revitalization Plan, adopted by Resolution No. 18-95 on March 26, 2018
- Mid-America Urban Revitalization Plan, adopted by Resolution No. 21-263 on September 13, 2021
- River Road Urban Revitalization Plan, adopted by Resolution No. 21-199 on June 28, 2021
- South Pointe Urban Revitalization Plan, adopted by Resolution No. 18-325 on November 26, 2018



- Valley View Urban Revitalization Plan, adopted by Resolution No. 17-77 on April 10, 2017
- Veterans Memorial Highway Urban Revitalization Plan, adopted by Resolution No. 20-118 on May 4, 2020
- Whispering Oaks Urban Revitalization Plan, adopted by Resolution No. 22-301 on November 28, 2022

The City Council has determined it is appropriate to consolidate these existing urban revitalization plans into a single plan. With the adoption of this Amended and Restated Consolidated Urban Revitalization Plan (the “Amended and Restated Plan” or “Plan”), the City is: (1) consolidating the existing urban revitalization plans, as listed above, into this single Amended and Restated Plan and (2) amending and restating the provisions of the existing urban revitalization plans.

Additionally, in connection with the adoption of this Plan, the City is designating a new urban revitalization area to be established as an additional revitalization area under this Amended and Restated Plan.

Upon adoption of this Amended and Restated Plan, all of the City’s previously adopted urban revitalization plans shall be amended and consolidated into this Plan, and this Amended and Restated Plan shall replace the previously adopted urban revitalization plans. In case of any conflict or uncertainty, the terms of this Amended and Restated Plan shall control. Any parts of the previously adopted urban revitalization plans in conflict with this Amended and Restated are hereby repealed.

## II. DESCRIPTION OF REVITALIZATION AREAS

Each of the revitalization plans being consolidated into this Amended and Restated Plan was established for a different revitalization area that were designated by separate ordinances, respectively, as follows:

- 1<sup>st</sup> Avenue Urban Revitalization Area – Ordinance No. 6177
- 5<sup>th</sup> and West Broadway Urban Revitalization Area – Ordinance No. 6411
- 14<sup>th</sup> Avenue Urban Revitalization Area – Ordinance No. 6412
- 16<sup>th</sup> Avenue Urban Revitalization Area – Ordinance No. 6479
- 21<sup>st</sup> Avenue Urban Revitalization Area – Ordinance No. 6495
- American Games Urban Revitalization Area – Ordinance No. 6476
- Black Squirrel Flats Urban Revitalization Area – Ordinance No. 6532
- Bluffs Northway Urban Revitalization Area – Ordinance No. 6281
- College Road Urban Revitalization Area – Ordinance No. 6310
- Council Pointe Road Urban Revitalization Area – Ordinance No. 6326
- Mid-America Urban Revitalization Area – Ordinance No. 6469
- River Road Urban Revitalization Area – Ordinance No. 6464
- South Pointe Urban Revitalization Area – Ordinance No. 6375
- Valley View Urban Revitalization Area – Ordinance No. 6289
- Veterans Memorial Highway Urban Revitalization Area – Ordinance No. 6409



- Whispering Oaks Urban Revitalization Area – Ordinance No. 6533

Following the adoption of this Amended and Restated Plan, these revitalization areas shall be treated as subareas of a revitalization area known as the Council Bluffs Consolidated Revitalization Area (referred to herein as the “Revitalization Area”). The previously existing subareas of the Revitalization Area are legally described in Exhibit A attached to this Plan.

Additionally, in connection with the adoption of this Amended and Restated Plan, the City is designating a new revitalization area that will be a subarea of the Council Bluffs Consolidated Revitalization Area. This new revitalization area will be known as the South Expressway Subarea of the Council Bluffs Consolidated Revitalization Area. The South Expressway Subarea of the Revitalization Area is legally described in Exhibit B to this Plan.

Maps of the subareas of the Revitalization Area are attached as Exhibit C to this Plan.

The City may amend the land included in the Revitalization Area by adoption of future amendments to this Plan and by the adoption of additional designating ordinances or the repeal of existing designating ordinances.

### III. DESIGNATION OF REVITALIZATION AREA

Iowa Code Chapter 404 provides that the City Council may designate an area of the City as a revitalization area, if that area meets any of the criteria set forth in Iowa Code Section 404.1. The subsections of Section 404.1 provide the following criteria:

1. An area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, the existence of conditions which endanger life or property by fire and other causes or a combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime, and which is detrimental to the public health, safety, or welfare.
2. An area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, or welfare in its present condition and use.



3. An area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significance should be preserved or restored to productive use.
4. “An area which is appropriate as an economic development area as defined in section 403.17.” [Iowa Code Section 403.17(10) provides that “economic development area” means an area of a municipality designated by the local governing body as appropriate for commercial and industrial enterprises or housing and residential development for low and moderate income families, including single or multi-family housing.]
5. “An area or an area designated as appropriate for public improvements related to housing and residential development, or construction of housing and residential development, including single or multi-family housing.”

Previously, the City has used a variety of these designations for various subareas of the Revitalization Area. With the adoption of this Amended and Restated Plan, the City is clarifying and affirming that the Revitalization Area as a whole, as described herein, including the new South Expressway Subarea of the Revitalization Area, is designated as a revitalization area meeting the criteria of Iowa Code Sections 404.1(4) and Section 404.1(5). Furthermore, the following subareas of the Revitalization Area shall continue to be designated as revitalization areas under the following additional criteria:

- 1<sup>st</sup> Avenue Urban Revitalization Area – Iowa Code Sections 404.1(1) and (3)
- 5<sup>th</sup> and West Broadway Urban Revitalization Area – Iowa Code Section 404.1(2)
- Veterans Memorial Highway Urban Revitalization Area – Iowa Code Section 404.1(2)

With the adoption of this Plan, the City Council affirms that the rehabilitation, conservation, redevelopment, economic development, or a combination thereof, of the Revitalization Area, is necessary in the interest of the public health, safety, and welfare of the residents of the City and that the Revitalization Area substantially meets the criteria established in Section 404.1 of the *Code of Iowa* for a revitalization area.

#### IV. EXISTING ZONING

Existing zoning classifications of the property within the Revitalization Area include:

- I-2/General Industrial
- A-2/Parks, Estates, and Agricultural
- R-3/Low Density Multifamily Residential
- P-C/Planned Commercial
- C-2/Commercial

The City’s zoning ordinance(s) and a detailed zoning map are available for public inspection at City Hall.

#### V. EXISTING AND PROPOSED LAND USE



Existing land use categories are the same as the zoning classifications described above.

New and expanded commercial, industrial, and residential development, including improvements to and revitalization of existing commercial, industrial, and residential structures, is proposed for the Revitalization Area, in accordance with the City's zoning ordinance(s).

#### VI. PROPOSALS FOR EXPANDING CITY SERVICES

No extensions or upgrades to existing municipal services or infrastructure are currently planned as part of this Plan. As development and redevelopment within the Revitalization Area warrants, municipal services within the Revitalization Area will be expanded and improved, as needed and as financially feasible, to serve new and expanded development.

#### VII. ELIGIBLE IMPROVEMENTS

The Plan is applicable to all of the property in the Revitalization Area assessed as residential, commercial, or industrial ("Eligible Property").

Improvements to Eligible Property, including rehabilitation and additions to any existing buildings on Eligible Property and new construction of buildings on vacant Eligible Property or on Eligible Property with existing buildings, which increase the actual assessed value of the Eligible Property by at least fifteen percent (15%) for Eligible Property assessed as commercial or industrial, or by at least ten percent (10%) for Eligible Property assessed as residential, are "Qualifying Improvements" under this Plan.

"Actual Value Added by the Qualifying Improvements" or "Actual Value Added," as used in this Plan, means the actual value added by Qualifying Improvements to the assessed value of the Eligible Property as of the first year for which the exemption is received.

All Qualifying Improvements, in order to be considered eligible for tax abatement, must be completed in conformance with all applicable ordinances and regulations for the City and must be completed during the time the Eligible Property was designated as a revitalization area (under this Amended and Restated Plan or under one of the revitalization plans consolidated into this Plan).

#### VIII. LIMITATION TO ELIGIBILITY FOR PROPERTY IN URBAN RENEWAL AREA

The City has established urban renewal areas that overlap with the Revitalization Area and, in the future, may establish additional urban renewal areas that overlap with the Revitalization Area. The City has a tax increment financing program within these urban renewal areas that is designed to provide incentives for development. Accordingly, a property that, in the determination of the City Council, is within an urban renewal area and is receiving either direct or indirect benefits that were financed through a tax increment financing program, shall not be eligible for tax abatement under the Plan absent specific approval from the City Council.

#### IX. EXEMPTIONS



The following exemption schedules are available under this Plan for Eligible Properties located within the Revitalization Area to which Qualifying Improvements are made:

Multi-Residential: All Eligible Property assessed as residential under Iowa Code Section 441.21(14)(a)(6) (requiring three or more separate dwelling units) is eligible under this Plan to receive an exemption from taxation on Qualifying Improvements as follows:

New Construction: If the Qualifying Improvements consist of the new construction of at least twelve (12) separate dwelling units, then the Eligible Property is eligible to receive an exemption from taxation in an amount equal to 100% of the Actual Value Added by the Qualifying Improvements for a period of six (6) years.

Rehabilitation of Existing Improvements: If the Qualifying Improvements consist of the rehabilitation of existing improvements containing at least three (3) separate dwelling units, then the Eligible Property is eligible to receive an exemption from taxation in an amount equal to 100% of the Actual Value Added by the Qualifying Improvements for a period of ten (10) years.

With respect to both of these exemption options, if the Eligible Property is assessed as residential, then the exemption from taxation shall not apply to property tax levies imposed by a school district for applications submitted on or after July 1, 2024, as and to the extent required by Iowa Code Section 404.3D.

Commercial or Industrial: All Eligible Property assessed as (i) commercial or (ii) industrial is eligible under this Plan to receive an exemption from taxation on Qualifying Improvements under one of the following schedules:

Three-Year Exemption: The property owner may elect to receive an exemption from taxation in an amount equal to 100% of the Actual Value Added by the Qualifying Improvements for a period of three (3) years.

Ten-Year Exemption: The property owner may elect to receive an exemption from taxation in an amount equal to a declining percentage of the Actual Value Added by the Qualifying Improvements, over a period of ten (10) years, as set forth below:

- i. For the first year, eighty percent (80%) of the Actual Value Added
- ii. For the second year, seventy percent (70%) of the Actual Value Added
- iii. For the third year, sixty percent (60%) of the Actual Value Added
- iv. For the fourth year, fifty percent (50%) of the Actual Value Added
- v. For the fifth year, forty percent (40%) of the Actual Value Added
- vi. For the sixth year, forty percent (40%) of the Actual Value Added
- vii. For the seventh year, thirty percent (30%) of the Actual Value Added
- viii. For the eighth year, thirty percent (30%) of the Actual Value Added
- ix. For the ninth year, twenty percent (20%) of the Actual Value Added
- x. For the tenth year, twenty percent (20%) of the Actual Value Added



The property owner must elect which of the above exemption options they have selected for their Eligible Property upon applying for the exemption.

## X. APPLICATION PROCEDURES

Property owners must file an application, on the form provided by the City, for each new exemption claimed. The application shall be filed by the property owner with the City Council by February 1 of the assessment year for which the exemption is first claimed, but not later than the year in which all improvements included in the project are first assessed for taxation, or the following two assessment years. The application shall contain, but is not limited to the following information:

- The nature of the improvement(s);
- The cost of the improvement(s);
- Estimated or actual completion date of the improvement(s);
- The tenants that occupied the property on the date the City adopted the resolution adopting the original plan for the particular revitalization area, if known (with respect to the South Expressway Subarea, tenants that occupied the property on the date of the resolution adopting the Amended and Restated Plan); and
- Identification of which exemption option the property owner is applying for under this Plan.

Additional Requirement for Properties Assessed as Commercial: Property owners submitting applications on or after July 1, 2024 for improvements to property assessed as commercial must also enter into a written assessment agreement with the City, in substantially the form attached as Exhibit E, specifying a minimum actual value for the completed improvements, consistent with and to the extent required by the provisions of Iowa Code Chapter 404 in effect at the time the application is submitted to the City.

Property owners may submit a proposal for an improvement project to the City Council to receive prior approval for eligibility for a tax exemption on the project. The City Council shall give its prior approval if the project is in conformance with this Plan for revitalization. However, if the proposal is not approved, the owner(s) may submit an amended proposal for the City Council to approve or reject. Such prior approval shall not entitle the owner(s) to exemption from taxation until the improvements have been completed and found to be qualified for the exemption under this Plan.

## XI. APPLICATION REVIEW

The City Council shall, subject to review by the County Assessor, approve all applications submitted for approval if:

1. The project, as determined by the City Council, is in conformance with this Plan and all other requirements of City Code, including, but not limited to, zoning and building code requirements; and



2. The project is located within the Revitalization Area; and
3. The improvements were made during the time the Revitalization Area was so designated.

The City Council will determine which exemption is applicable to the project (if any), subject to review by the County Assessor, based upon the terms of the Plan in effect when the application is reviewed and approved by the Council.

All approved applications shall be forwarded to the County Assessor by March 1 for review, pursuant to Iowa Code Section 404.5. The County Assessor shall make a physical review of all properties with approved applications. The County Assessor shall determine the increase in actual value for tax purposes due to the improvements and notify the applicant of the determination, which may be appealed to the local board of review pursuant to the provisions of the Iowa Code. After the initial tax exemption is granted, the County Assessor shall continue to grant the tax exemption for the time period specified on the approved application. The tax exemptions for the succeeding years shall be granted without the owner(s) having to file an application for succeeding years.

## XII. OTHER SOURCES OF REVITALIZATION FUNDS

The City is not aware of a federal, state, or private grant or loan program that is permanently a source of funding for residential improvements in the Revitalization Area. However, it is not the intention of the City to prohibit the use of any other appropriate federal or state revitalization or incentive programs within the Revitalization Area. The City Council encourages all property owners to investigate other public and private funding sources for improvements to real property, and to apply to those sources which are applicable to the types of improvements being proposed.

## XIII. RELOCATION PROVISIONS

The City does not anticipate the displacement or relocation of any persons, families, or businesses as a result of the improvements to be made in the Revitalization Area. However, if the relocation or displacement of a qualified tenant results from a property owner's action to qualify for a tax exemption under this Plan, upon the City's verification of such relocation or displacement, the City may require the property owner to compensate the qualified tenant for at least one month's rent and actual relocation expenses. A "qualified tenant" means the legal occupant of a residential dwelling unit which is located within the designated Revitalization Area and who has occupied the same dwelling unit continuously since one year prior to the adoption of the original plan for the revitalization area.

## XIV. ASSESSED VALUATIONS AND OWNERS OF RECORD

Listings of the names and addresses of the owners of record for all real estate in the Revitalization Area, along with the assessed valuations stated separately for land and buildings for the real estate, as of the adoption dates for each of the revitalization plans consolidated into this Plan, are maintained in the office of the City Clerk.



With respect to the South Expressway Subarea, a listing of the names and addresses of the owners of record for the real estate within the subarea, as well as the assessed valuations stated separately for land and buildings for the real estate, as of the date of the Amended and Restated Plan is attached as Exhibit D.

#### XV. TIME FRAME

The subareas of the Revitalization Area were each established with a particular duration period. With the adoption of this Amended and Restated Plan, the City is removing the limited eligibility periods from the subareas of the Revitalization Area. Revitalization activities in the Revitalization Area shall be eligible under this Plan until the City repeals or amends the ordinance(s) establishing the Revitalization Area as a whole, or any subarea or portion of the Revitalization Area, or repeals or amends the exemption benefits contained in this Plan.

If at any time, in the opinion of the City Council, the desired level of revitalization has been attained or economic conditions are such that the continuation of the exemption granted would cease to be of benefit to the City, then, pursuant to Iowa Code Section 404.7, the City Council may repeal the ordinance(s) designating the Revitalization Area, or any subarea or portion of the Revitalization Area. Following the repeal of the ordinance(s) designating the Revitalization Area, or any subarea or portion of the Revitalization Area, all previously approved exemptions shall continue until their expiration. The City reserves the right to extend, amend, terminate, or repeal the Plan and/or the designating ordinances to the extent allowed by law.

#### XVI. SEVERABILITY

If any part of the Amended and Restated Plan is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted urban revitalization plans as a whole or any part of the previously adopted urban revitalization plans, prior amendments to revitalization plans, or the Amended and Restated Plan not determined to be invalid or unconstitutional.

#### XVII. EFFECTIVE DATE

This Amended and Restated Plan shall be effective upon the approval of a resolution by the City Council adopting the Amended and Restated Plan (“Effective Date”).

Applications submitted under this Plan following the Effective Date shall be eligible to apply only for those exemptions contained in this Amended and Restated Plan, subject to the terms of the Plan. All exemptions awarded prior to the Effective Date shall continue until their expiration.



**EXHIBIT A**  
**SUBAREAS OF REVITALIZATION AREA – LEGAL DESCRIPTIONS**

Whispering Oaks Urban Revitalization Area

A PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 4, TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, AND ALSO TOGETHER WITH PART OF THE SE 1/4 OF THE NE 1/4 OF SECTION 5, SAID TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN; ALL LOCATED IN POTTAWATTAMIE COUNTY, COUNCIL BLUFFS, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SECTION 5, TOWNSHIP 74N, RANGE 43 WEST; THENCE N1°06'10"E (ASSUMED BEARING), 53.00 FEET TO THE POINT OF BEGINNING; THENCE N88°28'13"W A DISTANCE OF 351.12 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF FOREST GLEN DRIVE; THENCE NORTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE OF FOREST GLEN DRIVE ON THE FOLLOWING DESCRIBED COURSES: THENCE N1°20'57"E, A DISTANCE OF 433.34 FEET; THENCE N88°16'18"W, A DISTANCE OF 15.99 FEET; THENCE N1°31'50"E, A DISTANCE OF 313.54 FEET TO THE SOUTHWEST CORNER OF LOT 106, WHISPERING OAKS; THENCE S88°34'04"E, A DISTANCE OF 56.87 FEET ALONG THE SOUTH LINE OF LOT 106, WHISPERING OAKS TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN BOOK 2017 PAGE 2889; THENCE S88°28'13"E, A DISTANCE OF 306.04 FEET ALONG THE SOUTH LINE OF LOT 106 & SOUTH LINE OF OUTLOT A, WHISPERING OAKS TO A POINT AT THE INTERSECTION OF THE SOUTH LINE OF OUTLOT A & THE EAST LINE OF A TRACT OF LAND DESCRIBED IN BOOK 2017 PAGE 2889; THENCE S88°15'01"E, A DISTANCE OF 562.24 FEET ALONG THE SOUTH LINE OF OUTLOT A, & LOTS 87-90 WHISPERING OAKS TO THE SOUTHEAST CORNER OF LOT 87 WHISPERING OAKS; THENCE S88°15'01"E, A DISTANCE OF 714.76 FEET; THENCE S88°15'01"E, A DISTANCE OF 17.46, TO THE WEST RIGHT OF WAY LINE OF FRANKLIN AVENUE; THENCE S1°43'39"W, A DISTANCE OF 747.00 FEET ALONG SAID WEST RIGHT-OF-WAY LINE OF FRANKLIN AVENUE; THENCE N88°15'01"W DISTANCE OF 1,086.30 FEET TO THE EAST LINE OF A PARCEL BOOK 87, PAGE 22729; THENCE N01°06'10"E ALONG SAID EAST LINE OF SAID PARCEL BOOK 87, PAGE 22729, A DISTANCE OF 180.01 FEET TO THE NORTHEAST CORNER OF SAID PARCEL BOOK 87, PAGE 22729; THENCE N88°15'01"W ALONG THE NORTH LINE OF SAID PARCEL, BOOK 87, PAGE 22729 A DISTANCE OF 200.00 FEET; THENCE S1°06'10"W ALONG SAID PARCEL BOOK 87, PAGE 22729, A DISTANCE OF 180.01 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS 1,193,878.13 SQ.FT. OR 27.40 ACRES MORE OR LESS



South Pointe Urban Revitalization Area

A PARCEL OF LAND BEING ALL OF ROGERS AUTO SUBDIVISION, SOUTH POINTE SUBDIVISION, SOUTH POINTE SUBDIVISION REPLAT 1, SOUTH POINTE SUBDIVISION REPLAT 2, SOUTH POINT SUBDIVISION PHASE 2, SOUTH 24TH AND HIGHWAY 275 INDUSTRIAL AND A PORTION OF THE SOUTHEAST QUARTER OF SECTION 10, THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 11, SECTION 14, GOVERNMENT LOT 1 TO SAID SECTION 14 AND A PORTION OF THE EAST HALF OF SECTION 15, ALL IN TOWNSHIP 74 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 CENTER OF SAID SECTION 10, SAID CENTER BEING ON THE SOUTH RIGHT-OF-WAY LINE OF RICHARD DOWNING AVENUE; THENCE EASTERLY ON SAID SOUTH RIGHT-OF-WAY LINE, 2,730 FEET MORE OR LESS TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH 24TH STREET; THENCE SOUTHERLY ON SAID WESTERLY RIGHT-OF-WAY LINE, 2,329 FEET MORE OR LESS TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF VETERANS MEMORIAL HIGHWAY; THENCE WESTERLY ON SAID NORTHERLY RIGHT-OF-WAY LINE, 197 FEET MORE OR LESS TO A POINT ON THE EASTERLY LINE OF SAID SECTION 10; THENCE SOUTHERLY ON SAID EASTERLY LINE AND ON IT'S SOUTHERLY PROLONGATION, 390 FEET MORE OR LESS TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID VETERANS MEMORIAL HIGHWAY; THENCE EASTERLY ON SAID SOUTHERLY RIGHT-OF-WAY LINE, 2,760 FEET MORE OR LESS TO THE NORTHEAST CORNER OF SAID SOUTH POINTE SUBDIVISION REPLAT 2; THENCE SOUTHERLY ON THE EAST LINE OF SAID SOUTH POINTE SUBDIVISION REPLAT 2, 1,246 FEET MORE OR LESS TO THE NORTHEAST CORNER OF SAID SOUTH POINTE SUBDIVISION REPLAT 1; THENCE SOUTHERLY ON THE EAST LINE OF SAID SOUTH POINTE SUBDIVISION REPLAT 1, 533 FEET MORE OR LESS TO A POINT ON THE NORTH LINE OF SAID SOUTH POINTE SUBDIVISION PHASE 2; THENCE EASTERLY ON SAID NORTH LINE, 110 FEET MORE OR LESS TO THE NORTHEAST CORNER OF SAID SOUTH POINTE SUBDIVISION PHASE 2, SAID NORTHEAST CORNER ALSO BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF INDIAN CREEK; THENCE SOUTHWESTERLY ON THE EAST LINE OF SAID SOUTH POINTE SUBDIVISION PHASE 2 AND ON SAID WESTERLY RIGHT-OF-WAY LINE, 2,742 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF LOT 5 IN SAID SOUTH POINTE SUBDIVISION PHASE 2; THENCE WESTERLY ON THE SOUTH LINE OF SAID LOT 5, 149 FEET MORE OR LESS TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF GIFFORD ROAD; THENCE NORTHWESTERLY ON SAID EASTERLY RIGHT-OF-WAY LINE, 1,420 FEET MORE OR LESS TO A POINT ON THE NORTHERLY



RIGHT-OF-WAY LINE OF GIFFORD ROAD; THENCE WESTERLY ON SAID NORTHERLY RIGHT-OF-WAY LINE, 1,209 FEET MORE OR LESS; THENCE SOUTHWESTERLY, 1,883 FEET MORE OR LESS TO A POINT ON THE MISSOURI RIVER MEANDER LINE; THENCE SOUTHWESTERLY ON SAID MISSOURI RIVER MEANDER LINE, 1,174 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF SAID SECTION 15; THENCE NORTHERLY ON SAID EAST LINE, 802 FEET MORE OR LESS; THENCE WESTERLY, 631 FEET MORE OR LESS; THENCE NORTHWESTERLY, 2,019 FEET MORE OR LESS TO A POINT ON THE EAST-WEST CENTERLINE OF SAID SECTION 15; THENCE WESTERLY ON SAID EAST-WEST CENTERLINE, 1,322 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF GATEWAY SUBDIVISION IN SAID CITY OF COUNCIL BLUFFS; THENCE NORTHERLY ON SAID EAST LINE, 1,256 FEET MORE OR LESS TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID VETERANS MEMORIAL HIGHWAY; THENCE NORTHEASTERLY ON SAID SOUTH RIGHT-OF-WAY LINE, 1,355 FEET MORE OR LESS TO A POINT ON THE SOUTHERLY PROLONGATION OF THE NORTH-SOUTH CENTERLINE OF SAID SOUTHEAST QUARTER OF SECTION 10; THENCE NORTHERLY ON SAID SOUTHERLY PROLONGATION AND ON SAID NORTH-SOUTH CENTER, 2,480 FEET MORE OR LESS; THENCE WESTERLY, 1,315 FEET MORE OR LESS TO A POINT ON THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTHERLY ON SAID WEST LINE, 998 FEET MORE OR LESS TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 500 ACRES, MORE OR LESS.

Valley View Urban Revitalization Area

Lot 3 of New Horizon Subdivision, City of Council Bluffs, Pottawattamie County, Iowa

Veterans Memorial Highway Urban Revitalization Area

The North 660 feet of the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 12-74-44, except the West 250 feet, and the West 16.5 feet of the South 20 feet north of the highway in the SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 12-74-44 and commencing at a point 660 feet East of the NW corner of the SW  $\frac{1}{4}$  of the SW quarter of section 12, thence South 660 feet, thence East 250 feet, thence North 660 feet, thence West 250 feet to the place of beginning, subject to right of ways of public highway City of Council Bluffs, Pottawattamie County, Iowa

College Road Urban Revitalization Area

Proposed Lots 1-4, New Horizon Subdivision, Replat Two, City of Council Bluffs, Pottawattamie County, Iowa



Council Pointe Road Urban Revitalization Area

Lot 1, Fox Run Landing, Replat Three, City of Council Bluffs, Pottawattamie County, Iowa.

Lot 116, Fox Run Landing, except the northwest corner dedicated to City right-of-way, along with northerly part of Lot 117 commencing at the southeast corner of said Lot 116, thence North 469.54 feet, thence Northeasterly 885.29 feet, thence South 787.74 feet, and thence West 806.06 feet back to the point of beginning, all in the City of Council Bluffs, Pottawattamie County, Iowa

Mid-America Urban Revitalization Area

A PARCEL OF LAND BEING ALL OF BASS PRO SUBDIVISION, BLUFFS VISION SUBDIVISION, BLUFFS VISION SUBDIVISION REPLAT 1, BLUFFS VISION 4 SUBDIVISION, BLUFFS VISION 4 SUBDIVISION REPLAT 1, HORSESHOE SUBDIVISION, HOTEL PLAZA AT THE MAC, HOTEL PLAZA AT THE MAC REPLAT 1, INRIP SUBDIVISION TRACT NO 1 1<sup>st</sup> ADDITION, MORRIS SUBDIVISION, MORRIS SUBDIVISION REPLAT 1, PLAZA AT MARCC, SAPP BROS TRAVEL CENTER, A PORTION OF RAILROAD ADDITION, A PORTION OF THE SOUTH HALF OF SECTION 03 AND A PORTION OF GOVERNMENT LOTS 2 AND 3 IN SECTION 04, ALL IN TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5<sup>th</sup> PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOW:

BEGINNING AT THE NORTHEAST CORNER OF SAID SAPP BROS TRAVEL CENTER, SAID NORTHEAST CORNER ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF SOUTH 24<sup>th</sup> STREET;

THENCE SOUTH ON SAID WEST RIGHT-OF-WAY LINE, 726 FEET MORE OR LESS TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF MID-AMERICAN DRIVE;

THENCE ON SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:

- 1 WESTERLY, 352 FEET MORE OR LESS;
- 2 SOUTHWESTERLY, 1,272 FEET MORE OR LESS;
- 3 WESTERLY AND WESTERLY ON THE WESTERLY PROLONGATION, 2,382 FEET MORE OR LESS TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 29;

THENCE NORTHWESTERLY ON SAID EASTERLY RIGHT-OF-WAY LINE, 3,909 FEET MORE OR LESS TO A POINT ON THE SOUTHWESTERLY



PROLONGATION OF THE NORTH LINE OF SAID INRIP SUBDIVISION TRACT NO 1 1<sup>st</sup> ADDITION;

THENCE NORTHEASTERLY ON SAID WESTERLY PROLONGATION AND ON SAID LINE, 942 FEET MORE OR LESS TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SOUTH 35<sup>th</sup> STREET;

THENCE SOUTHEASTERLY ON SAID SOUTHWESTERLY RIGHT-OF-WAY LINE AND SOUTHEASTERLY ON IT'S SOUTHEASTERLY PROLONGATION, 1,073 FEET MORE OR LESS TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 23<sup>rd</sup> AVENUE;

THENCE EASTERLY ON SAID SOUTHERLY RIGHT-OF-WAY LINE, 4,982 FEET MORE OR LESS TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID SOUTH 24<sup>th</sup> STREET;

THENCE SOUTH ON SAID WESTERLY RIGHT-OF-WAY, 610 FEET MORE OR LESS TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 285 ACRES, MORE OR LESS.

River Road Urban Revitalization Area

Lot 1, River Road Subdivision, City of Council Bluffs, Pottawattamie County, Iowa

American Games Urban Revitalization Area

Lot 3, Pollard Games Addition, City of Council Bluffs, Pottawattamie County, Iowa

Black Squirrel Flats Urban Revitalization Area

Lot 1, Black Squirrel Flats Subdivision, City of Council Bluffs, Pottawattamie County, Iowa

Bluffs Northway Urban Revitalization Area

Lots 2 and 3, Walmart Bluffs Northway Subdivision, City of Council Bluffs, Pottawattamie County, Iowa

Lots 10 through 18 and the east/west alley abutting Belmont Addition along with the Canadian National Railway right-of-way abutting on the north and Avenue P right-of-way abutting on the south; Lots 33 through 37 and the North ½ vacated alley abutting and Lots 56 through 61 and the South ½ vacated alley abutting Belmont Addition along with Avenue O right-of-way abutting on the south; Lots 79 through 83 and the North ½ vacated alley abutting and Lots 102 through 106



and the South ½ vacated alley abutting Belmont Addition, City of Council Bluffs, Pottawattamie County, Iowa

#### 16<sup>th</sup> Avenue Urban Revitalization Area

A parcel of land situated in the North Half (N1/2) of Section 2, Township 74 North, Range 44 West and the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section 35, Township 75 North, Range 44 West of the Fifth Principal Meridian, City of Council Bluffs, Pottawattamie County, State of Iowa, according to an official plat of said land filed in the District Land Office, bounded and described as follows: Beginning at a point on the North-South centerline of said Section 2, from which point the center of said section bears South, 264.98 feet; thence North 89 degrees 50 minutes 17 seconds East, 200.00 feet; thence North 00 degrees 00 minutes 17 sections East, 2150.79 feet to the south line of 16<sup>th</sup> Avenue; thence along said south line South 89 degrees 30 minutes 12 seconds West, 200.0 feet to a point on said North-South centerline of said Section 2; thence along said North-South centerline North 20.90 feet to the north quarter corner of said Section 2; thence along the North-South centerline of said Section 35, North 00 degrees 21 minutes 09 seconds West, 60.0 feet to a point on the north line of 16<sup>th</sup> Avenue, said point also being the southwest corner of Lot 12, Block 36, Fleming and Davis addition; thence South 89 degrees 38 minutes 51 seconds West, 16.0 feet; thence North 00 degrees 21 minutes 09 seconds West, 646.37 feet to a point on the south line of 14<sup>th</sup> Avenue prolonged, said point being South 89 degrees 38 minutes 53 seconds West, 16.0 feet from the northwest corner of Lot 1, Block 29, Fleming and Davis Addition; thence South 89 degrees 38 minutes 53 seconds West, 379.00 feet; thence South 75 degrees 42 minutes 26 seconds West, 399.46 feet; thence South 82 degrees 12 minutes 26 seconds West, 126.58 feet; thence South 21 degrees 28 minutes 31 seconds East, 2490.70 feet to a point on the North-South centerline of said Section 2; thence along said North-South centerline, South 441.28 feet to the Point of Beginning. Containing an area of 1,548,471 square feet, more or less, or 35.548 acres, more or less.

AND

A parcel of land legally described as being the East 16 feet of the South 686 feet, except the South 178 feet of the North 323 feet, all in the SE1/4 SW1/4 of Section 35-75-44, City of Council Bluffs, Pottawattamie County, Iowa. Said parcel of land contains an area of 8,276 square feet more or less, or .19 acres, more or less.

#### 21<sup>st</sup> Avenue Urban Revitalization Area

Lots 9, 10, 18, 19, 20, 21 and 22, a portion of Lots 7, 8, 11, 12, 13, 16, 17, 23, 24 and 25 in Block 14, a portion of Lots 16, 17, 18 and 19 in Block 19, all of the vacated alley's in said Block 14 and all of vacated 22nd Avenue right-of-way lying within the following described parcel, all in Hughes and Doniphan's Addition, City of Council Bluffs, Pottawattamie County, Iowa



*And*

Lots 14 and 15 and that part of Lot 13 in Block 14, Hughes and Doniphan's Addition to the City of Council Bluffs, Pottawattamie County, Iowa, all lying Southwest of the former Wabash Railroad Right-of-Way (now Southside Trail Bike Trail Right-of-Way) AND That part of the vacated north/south alley lying north of the north right-of-way line of 22nd Avenue and south of the southerly right-of-way of the former Wabash Railroad (now Southside Trail Bike Trail) AND The North 1/2 of vacated 22nd Avenue lying between the east right-of-way line of South 6th Street and southwesterly right-of-way line of Southside Trail Bike Trail.

#### 14<sup>th</sup> Avenue Urban Revitalization Area

Lots 16-30, Block 37, Brown's Subdivision, Council Bluffs, Pottawattamie County, Iowa

#### 5<sup>th</sup> and West Broadway Urban Revitalization Area

The portion of Block 6, Mynster's Addition Southeast of the right-of-way of Kanesville Boulevard; The portion of Lots C and D, Auditor's Subdivision of Block 6 Mynster's Addition and Block 2 Bayliss 1st Addition located Southeast of the right-of-way of Kanesville Boulevard, and the entirety of the alleyway adjacent to Lot D; Lots E-P, Auditor's Subdivision of Block 6 Mynster's Addition and Block 2 Bayliss 1st Addition, and the vacated alley adjacent to Lot N; Lot 5, Block 2, Bayliss Addition to Council Bluffs, Pottawattamie County, Iowa;

And:

Lots 1-13, Auditor's Subdivision of Lot 5, Block 5 Mynster's Addition and Block 1, Bayliss 1st Addition, and the alleyway adjacent; Lot 2 excluding City right-of-way, Lots 3 and 4, and Lots 6-10, Mynster's Addition, all in the City of Council Bluffs, Pottawattamie County, Iowa.

#### 1<sup>st</sup> Avenue Urban Revitalization Area

Lots 9 through 16, Block 6, Bayliss First Addition, City of Council Bluffs, Pottawattamie County, Iowa



**EXHIBIT B**  
**LEGAL DESCRIPTION OF SOUTH EXPRESSWAY SUBAREA OF**  
**REVITALIZATION AREA**

South Expressway Subarea of Revitalization Area

Lots 5, 6, 7, 8, 16, 17 and all of Lot 4 except the North 3.5 feet, Country Club Acres,  
City of Council Bluffs, Pottawattamie County, Iowa



[illegible]



**EXHIBIT D**  
**INFORMATION CONCERNING SOUTH EXPRESSWAY SUBAREA**

Current Tax Parcel Number	Name of Property Owner	Address of Record for Property Owner	Current Assessed Value – Land Value	Current Assessed Value – Improvement Value
744412377022	David H. Edwards	1010 34 <sup>th</sup> Ave Council Bluffs, IA 51501	\$772,600	\$0
744412327002	Johnstone Partners LLC	1914 Tostevin St Council Bluffs, IA 51503	\$120,000	\$106,500



**EXHIBIT E**  
**FORM OF MINIMUM ASSESSMENT AGREEMENT**

THIS MINIMUM ASSESSMENT AGREEMENT (“Minimum Assessment Agreement”) is dated as of \_\_\_\_\_, 20\_\_\_\_, by and between the City of Council Bluffs, Iowa (the “City”), an Iowa municipal corporation, and [PROPERTY OWNER, a(n) Iowa \_\_\_\_\_] (“Owner”).

WHEREAS, consistent with the provisions of the City’s Amended and Restated Consolidated Urban Revitalization Plan (the “Plan”), the Owner has submitted an Application for Tax Abatement dated as of \_\_\_\_\_, 20\_\_\_\_ (the “Application”) regarding certain commercial real estate owned by Owner and located in the Council Bluffs Consolidated Revitalization Area, which real estate is legally described as follows:

**[LEGAL DESCRIPTION]**

(the “Property”);

WHEREAS, the Application describes certain improvements that have been or are proposed to be constructed on the Property (the “Eligible Improvements”); and

WHEREAS, pursuant to Iowa Code Section 404.3C, the City and Owner desire to establish a Minimum Actual Value for the Eligible Improvements and Property following completion of the Eligible Improvements for the duration of the tax abatement requested by the Owner by submission of the Application, under the provisions of the Plan; and

WHEREAS, the Pottawattamie County Assessor has reviewed the preliminary plans and specifications for the Eligible Improvements that are contemplated to be constructed.

NOW, THEREFORE, the parties to this Minimum Assessment Agreement, in consideration of the promises, covenants and agreements made by each other, do hereby agree as follows:

1. Upon substantial completion of construction of the Eligible Improvements, but in no event later than January 1, 20\_\_\_\_, the minimum actual value fixed for assessment purposes for the Eligible Improvements and the Property (building and land value) in the aggregate shall be not less than \_\_\_\_\_ Dollars (\$\_\_\_\_\_), before rollback.

The Minimum Actual Value shall terminate and be of no further force or effect as of December 31, 20\_\_\_\_ (“Assessment Termination Date”). Upon the Assessment Termination Date, this Minimum Assessment Agreement shall no longer control the assessment of the Property.

2. This Minimum Assessment Agreement shall be promptly recorded by the City with the Recorder of Pottawattamie County, Iowa. Such filing shall constitute notice to any subsequent encumbrancer of the Property (or part thereof), whether voluntary or involuntary, and this Minimum Assessment Agreement shall be binding and enforceable in its entirety against any



such subsequent encumbrancer, including the holder of any mortgage. The City shall pay all costs of recording.

3. This Minimum Assessment Agreement shall be binding upon and inure to the benefit of and be enforceable by the parties hereto and their respective successors and permitted assigns.

4. Nothing herein shall be deemed to waive the rights of Owner from seeking administrative or legal remedies to reduce the actual value assignment made by the Assessor in excess of the Minimum Actual Value established herein. In no event, however, shall Owner seek to reduce the actual value to an amount below the Minimum Actual Value established herein during the term of this Minimum Assessment Agreement. This Minimum Assessment Agreement may be amended or modified and any of its terms, covenants, representations, warranties or conditions waived, only by a written instrument executed by the parties hereto, or in the case of a waiver, by the party waiving compliance.

5. If any term, condition or provision of this Minimum Assessment Agreement is for any reason held to be illegal, invalid or inoperable, such illegality, invalidity or inoperability shall not affect the remainder hereof, which shall at the time be construed and enforced as if such illegal or invalid or inoperable portion were not contained herein.

6. The Minimum Actual Value herein established shall be of no further force and effect and this Minimum Assessment Agreement shall terminate pursuant to the Assessment Termination Date set forth in Section 1 above.

*[Remainder of this page is blank. Signatures start on the next page.]*



CITY OF COUNCIL BLUFFS, IOWA

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

ATTEST:

By: \_\_\_\_\_  
City Clerk

STATE OF IOWA )  
 ) SS  
COUNTY OF POTTAWATTAMIE )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me a Notary Public in and for said State, personally appeared \_\_\_\_\_ and \_\_\_\_\_, to me personally known, who being duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Council Bluffs, Iowa, a Municipality created and existing under the laws of the State of Iowa, and that the seal affixed to the foregoing instrument is the seal of said Municipality, and that said instrument was signed and sealed on behalf of said Municipality by authority and resolution of its City Council, and said Mayor and City Clerk acknowledged said instrument to be the free act and deed of said Municipality by it voluntarily executed.

Notary Public in and for the State of Iowa

*[Signature page to Minimum Assessment Agreement – City]*



[OWNER]

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

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

Its: \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

This record was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by \_\_\_\_\_, as the \_\_\_\_\_ of [OWNER], on behalf of whom the record was executed.

Notary Public in and for said state

*[Signature page to Minimum Assessment Agreement – Owner]*



## CERTIFICATION OF ASSESSOR

The undersigned, having reviewed the plans and specifications for the Eligible Improvements to be constructed, and being of the opinion that the minimum actual value contained in the foregoing Minimum Assessment Agreement appears reasonable, hereby certifies as follows:

The undersigned Assessor, being legally responsible for the assessment of the above described property upon completion of the improvement to be made on it, certifies that the actual value assigned to that land and improvements upon completion shall be not less than \$\_\_\_\_\_.

Assessor for Pottawattamie County, Iowa

Date

STATE OF IOWA )  
 ) SS  
COUNTY OF POTTAWATTAMIE )

Subscribed and sworn to before me by \_\_\_\_\_, Assessor for  
Pottawattamie County, Iowa on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public for the State of Iowa



Consistent with Iowa Code §404.3C, a copy of Iowa Code §404.3C is attached, as follows:

1. For revitalization areas established under this chapter on or after the effective date of this division of this Act and for first-year exemption applications for property located in a revitalization area in existence on the effective date of this division of this Act filed on or after the effective date of this division of this Act, commercial property shall not receive a tax exemption under this chapter unless the city or county, as applicable, and the owner of the qualified real estate enter into a written assessment agreement specifying a minimum actual value until a specified termination date for the duration of the exemption period.

2. a. The assessment agreement shall be presented to the appropriate assessor. The assessor shall review the plans and specifications for the improvements to be made to the property and if the minimum actual value contained in the assessment agreement appears to be reasonable, the assessor shall execute the following certification upon the agreement:

The undersigned assessor, being legally responsible for the assessment of the above described property upon completion of the improvements to be made on it, certifies that the actual value assigned to that land and improvements upon completion shall not be less than\$ .....

b. The assessment agreement with the certification of the assessor and a copy of this subsection shall be filed in the office of the county recorder of the county where the property is located. Upon completion of the improvements, the assessor shall value the property as required by law, except that the actual value shall not be less than the minimum actual value contained in the assessment agreement. This subsection does not prohibit the assessor from assigning a higher actual value to the property or prohibit the owner from seeking administrative or legal remedies to reduce the actual value assigned except that the actual value shall not be reduced below the minimum actual value contained in the assessment agreement. An assessor, county auditor, board of review, director of revenue, or court of this state shall not reduce or order the reduction of the actual value below the minimum actual value in the agreement during the term of the agreement regardless of the actual value which may result from the incomplete construction of improvements, destruction or diminution by any cause, insured or uninsured, except in the case of acquisition or reacquisition of the property by a public entity. Recording of an assessment agreement complying with this subsection constitutes notice of the assessment agreement to a subsequent purchaser or encumbrancer of the land or any part of it, whether voluntary or involuntary, and is binding upon a subsequent purchaser or encumbrancer.

02247976-1\10342-193







**Resolution 24-103**

**ITEMS TO INCLUDE ON AGENDA**

**CITY OF COUNCIL BLUFFS, IOWA**

April 1, 2024

7:00 P.M.

Amended and Restated Consolidated Urban Revitalization Plan

- Public hearing on the matter of the adoption of the Amended and Restated Consolidated Urban Revitalization Plan for the Council Bluffs Consolidated Urban Revitalization Area
- Resolution adopting the proposed Amended and Restated Consolidated Urban Revitalization Plan for the Council Bluffs Consolidated Urban Revitalization Area
- Ordinance designating the Council Bluffs Consolidated Urban Revitalization Area for the City of Council Bluffs, 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.**



April 1, 2024

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

\_\_\_\_\_

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

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

\* \* \* \* \*



This being the time and place fixed for a public hearing on the matter of the adoption of the Amended and Restated Consolidated Urban Revitalization Plan, the Mayor asked the City Clerk whether any written objections had been filed with respect to the proposed Amended and Restated Plan. The City Clerk reported that \_\_\_\_\_ written objections had been filed. The Mayor then called for any oral objections to the adoption of the Amended and Restated Plan and \_\_\_\_\_ were made. The public hearing was closed.

Council Member \_\_\_\_\_ then introduced the following Resolution entitled "RESOLUTION ADOPTING THE AMENDED AND RESTATED CONSOLIDATED URBAN REVITALIZATION PLAN FOR THE COUNCIL BLUFFS CONSOLIDATED URBAN REVITALIZATION AREA," and moved:

- ☐ that the Resolution be adopted.
- ☐ to defer action on the Resolution and the proposal to the meeting to be held at \_\_\_\_\_ .M. on the \_\_\_\_\_ day of \_\_\_\_\_, 2024, at this place.

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

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

\_\_\_\_\_

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

Whereupon, the Mayor declared the measure duly adopted.



RESOLUTION NO. 24-103

RESOLUTION ADOPTING THE AMENDED AND RESTATED  
CONSOLIDATED URBAN REVITALIZATION PLAN FOR THE  
COUNCIL BLUFFS CONSOLIDATED URBAN  
REVITALIZATION AREA

WHEREAS, the City of Council Bluffs currently has sixteen urban revitalization plans for various urban revitalization areas within the City, including the 1<sup>st</sup> Avenue Urban Revitalization Plan, the 5<sup>th</sup> and West Broadway Urban Revitalization Plan, the 14<sup>th</sup> Avenue Urban Revitalization Plan, the 16<sup>th</sup> Avenue Urban Revitalization Plan, the 21<sup>st</sup> Avenue Urban Revitalization Plan, the American Games Urban Revitalization Plan, the Black Squirrel Flats Urban Revitalization Plan, the Bluffs Northway Urban Revitalization Plan, the College Road Urban Revitalization Plan, the Council Pointe Road Urban Revitalization Plan, the Mid-America Urban Revitalization Plan, the River Road Urban Revitalization Plan, the South Pointe Urban Revitalization Plan, the Valley View Urban Revitalization Plan, the Veterans Memorial Highway Urban Revitalization Plan, and the Whispering Oaks Urban Revitalization Plan; and

WHEREAS, the Council has previously determined that the urban revitalization areas within the City are suitable revitalization areas authorized by Iowa Code Chapter 404; and

WHEREAS, the Council has determined that the City would be best served by amending the existing urban revitalization plans to consolidate them into a single urban revitalization plan that incorporates and amends the provisions of the existing urban revitalization plans; and

WHEREAS, a proposed Amended and Restated Consolidated Urban Revitalization Plan ("Amended and Restated Plan") has been prepared, the purpose of which is to (i) consolidate the existing urban revitalization plans into the Amended and Restated Plan, (ii) amend and restate the provisions of the existing urban revitalization plans, (iii) consolidate the existing urban revitalization areas to be subareas of the Council Bluffs Consolidated Urban Revitalization Area (the "Revitalization Area"), and (iv) designate a new urban revitalization area, the South Expressway Revitalization Area, to be established as an additional subarea of the Council Bluffs Consolidated Urban Revitalization Area; and

WHEREAS, after published notice was given, as required by Section 404.2(6) of the Act, the City Council held a public hearing at its meeting on April 1, 2024, on the Amended and Restated Plan and considered all objections, comments, and evidence presented.

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

Section 1. That all objections received, if any, at the public hearing referred to in the preamble above are found to be without sufficient merit to warrant adopting the proposed Amended and Restated Plan.

Section 2. That the Amended and Restated Plan, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as "Amended



and Restated Consolidated Urban Revitalization Plan for the City of Council Bluffs, State of Iowa", and that the Amended and Restated Plan is hereby in all respects approved. The City Clerk is hereby directed to file a certified copy of the Amended and Restated Plan, along with a copy of this Resolution, with the Recorder for Pottawattamie County, Iowa, to be recorded, and with the Assessor for Pottawattamie County, Iowa.

Section 3. That, notwithstanding any prior resolution, ordinance, plan, amendment, or other documents, the Amended and Restated Plan shall be in full force and effect from the date of this Resolution until the Council amends or repeals the Plan, as amended.

Section 4. That all other provisions of the previously adopted urban revitalization plans not affected or otherwise revised by the Amended and Restated Plan are hereby ratified, confirmed, and approved in all respects, and that all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed, to the extent of such conflict.

PASSED AND APPROVED this 1<sup>st</sup> day of April, 2024.

\_\_\_\_\_  
Mayor

ATTEST:

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



ATTACH AMENDED AND  
RESTATED PLAN LABELED AS  
EXHIBIT 1 HERE



# CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF POTTAWATTAMIE )

I, the undersigned City Clerk of the City of Council Bluffs, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective city offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 2<sup>nd</sup> day of April, 2024.

(SEAL)

City Clerk, City of Council Bluffs, State of Iowa

02304378\10342-193



## Council Communication

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

Resolution 24-104  
ITEM 5.D.

Council Action: 4/1/2024

### Description

Resolution authorizing the Mayor to enter into an Electric Easement with MidAmerican Energy Company to install underground electric facilities in a portion of city-owned property along Valley View Dr

### Background/Discussion

The City has received a request from MidAmerican Energy Company to install underground electric facilities on city-owned property along Valley View Drive as shown in the attached easement. Such installation is necessary for the planned development of the area that will benefit the community and grow our city. It is in the best interest of the City of Council Bluffs to enter into this easement.

### Recommendation

Approval is recommended.

### ATTACHMENTS:

Description	Type	Upload Date
Easement	Other	3/19/2024
Resolution 24-104	Resolution	3/27/2024



Prepared by and return to:  
MIDAMERICAN ENERGY ATTN: RIGHT-OF-WAY SERVICES

**MIDAMERICAN ENERGY COMPANY  
ELECTRIC EASEMENT**

Folder No. 2024-122299  
Work Req. No. 2024-3023591  
Project No. A1175

State of Iowa  
County of Pottawattamie  
Section 32  
Township 75 North  
Range 43 West of the 5<sup>th</sup> P.M.

This MidAmerican Energy Company Electric Easement (this "Easement") is made this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between **CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, A MUNICIPAL CORPORATION** ("Grantor"), and **MIDAMERICAN ENERGY COMPANY**, an Iowa Corporation, its successors and assigns ("Grantee") (individually referred to at times as "Party", or collectively the "Parties").

**RECITALS**

WHEREAS, Grantor is the owner of the property legally described as:

See Attached Exhibit "A", attached hereto and made a part hereof by record (the "Property").

WHEREAS, Grantor desires to grant to Grantee an electric easement to be located on a portion of the Property and Grantee desires to accept the easement on the following terms and conditions.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. **Electric Easement.** Grantor does hereby establish, give, grant, and convey to Grantee a perpetual, non-exclusive easement under, upon, through and across the Easement Area, described on **Exhibit A** attached hereto, to construct, attach, reconstruct, operate, maintain, inspect, replace or remove electric supply line(s) for the transmission and distribution of electric energy and for communication and electrical controls, including other reasonably necessary poles, wires, conduit, duct, transformers, switching equipment, measurement and monitoring equipment, guys, guy stubs, anchors, ground rods, and further including other reasonably necessary equipment incident thereto (collectively "Facilities"), together with the right to survey the Property and the right of ingress and egress to and from same and all the rights and privileges incident and necessary to the enjoyment of this Easement. Additionally, if Grantor provides or installs duct or conduit for said Facilities, this grant shall cover and include all Facilities installed as a part of the Easement Area



2. **Erection and Placement of Structures, Obstructions, Plantings or Materials Prohibited.** Grantor shall not construct or place any permanent or temporary buildings, pavement, hardscape, structures, fences, trees, plants or other objects on or within the Easement Area without prior written permission from Grantee indicating that said construction or placement will not result in inadequate or excessive ground cover, or otherwise interfere with the Grantee's rights to operate and maintain its Facilities, nor shall Grantor cause or permit any obstruction or material to be placed on or within the Easement Area which violates the clearance requirements of the National Electrical Safety Code and/or the rules of the Iowa Utilities Board. No brush, vegetation or other flammable materials shall be deposited, placed, accumulated, or burned within the Easement Area. Subject to the rights of Grantee granted in this Easement, Grantor shall have the right to cultivate, use, and occupy the Property.
3. **Change of Grade Prohibited.** Grantor shall not change the grade, elevation or contour of any part of the Easement Area without prior written consent from Grantee, nor shall Grantor place or install any rocking, paving or other hardscape materials in the Easement Area without prior written consent from Grantee. Grantee shall have the right to restore any changes in grade, elevation or contour without prior written consent of Grantor.
4. **Violations by Grantor.** In the event Grantor, its successors, assigns, contractors, employees, or agents violates Section 2 or 3 above or otherwise commits an intentional or negligent act, which results in damage to Grantee's Facilities or the Easement Area, Grantor shall be solely responsible for all costs associated with the repair, reconstruction, replacement, and/or work to the Easement Area and Grantee's Facilities.
5. **Right of Access and Removal.** Grantee shall have the right of access to the Easement Area and have all rights of ingress and egress reasonably necessary for the use and enjoyment of the Easement Area from property adjacent thereto. Grantee shall have the right to remove, trim, spray, or cut down any unauthorized fences, hardscape, structures, trees, shrubs, branches, saplings, brush, vegetation, or other obstructions within, upon, across, along, adjacent to and overhanging the Easement Area that may interfere with the proper construction, maintenance, operation or removal of Grantee's Facilities.
6. **Property to be Restored.** Grantee shall repair or pay for any damage which may be caused to crops, fences, or other property, real or personal of the Grantor by Grantee's construction, reconstruction, maintenance, operation, replacement or removal of Grantee's Facilities (except for damage to property placed subsequent to the granting of this easement). For any such repairs required to be made by Grantee hereunder, Grantee agrees to repair such damaged property to the approximate condition of such property existing immediately before being damaged, to the extent reasonably practicable. 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.
7. **Easement Runs with the Land.** This Easement shall be deemed perpetual and to run with the land. All provisions of this Easement, including benefits and burdens, shall run with the Property and are binding upon and inure to the heirs, assigns, successors, tenants, and personal representatives of the Parties hereto.
8. **Grantor Certification.** Grantor certifies that it is not acting, directly or indirectly, for or on behalf of any person, group, entity or nation named by any Executive Order or the United States Treasury Department as a terrorist, "Specially Designated National and Blocked Person" or any other banned or blocked person, entity, nation or transaction pursuant to any law, order, rule or regulation that is enforced or administered by the Office of Foreign Assets Control; and are not engaged in this transaction, directly or indirectly on behalf of, any such person, group, entity or nation. Grantor hereby agrees to defend, indemnify and hold harmless Grantee from and against any and all claims, damages, losses, risks, liabilities and expenses (including attorney's fees and costs) arising from or related to any breach of the foregoing certification.



9. **Severability, Choice of Law and Waiver.** Each of the provisions of this Easement shall be enforceable independently of any other provision of this easement and independent of any other claim or cause of action. In the event of any matter or dispute arising out of or related to this easement, it is agreed between the parties that the law of the jurisdiction and location where this easement is recorded (including statute of limitation provisions) will govern the interpretation, validity and effect of this easement without regard to the place of execution or place of performance thereof, or any conflicts or law provisions. TO THE FULLEST EXTENT PERMITTED BY LAW, EACH OF THE PARTIES HERETO WAIVES ANY RIGHT IT MAY HAVE TO A TRIAL BY JURY IN RESPECT OF LITIGATION DIRECTLY OR INDIRECTLY ARISING OUT OF, UNDER OR IN CONNECTION WITH THIS EASEMENT. EACH PARTY FURTHER WAIVES ANY RIGHT TO CONSOLIDATE ANY ACTION IN WHICH A JURY TRIAL HAS BEEN WAIVED WITH ANY OTHER ACTION IN WHICH A JURY TRIAL CANNOT BE OR HAS NOT BEEN WAIVED.
10. **Dower, Homestead, and Distributive Share.** Grantor hereby relinquishes all rights of dower, homestead and distributive share in and to the Easement Area and waives all rights of exemption as to any of the Easement Area. 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, Grantor voluntarily gives up any right to this protection for the Easement Area with respect to claims based upon this Easement.
11. **IRS W-9 Form.** Prior to any payments referenced herein being made, Grantor is required to submit a fully executed IRS W-9 form to Grantee. Grantor's failure to submit a fully executed IRS W-9 form shall not impact any other provisions or obligations under this Easement.
12. **Fee Simple.** 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.
13. **Headings and Captions.** The titles or captions of sections and paragraphs in this Easement are provided for convenience of reference only and shall not be considered a part hereof for purposes for interpreting or applying this Easement, and such titles or captions do not define, limit, extend, explain or describe the scope or extent of this Easement or any of its terms or conditions.
14. **Counterparts.** This Easement may be executed in two (2) or more counterparts, each of which shall be deemed an original for all purposes and all of which together shall constitute one and the same instrument. Parties may sign and deliver this Easement by facsimile, electronic, or PDF signatures, each such signature to be treated as an original.
15. **Entire Agreement.** It is mutually understood and agreed that this Easement covers all of the agreements and stipulations between the parties and that no representations or statements, oral or written, have been made modifying or changing the terms hereof.

**Signature Page Follows**



Signed, sealed and delivered this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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

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



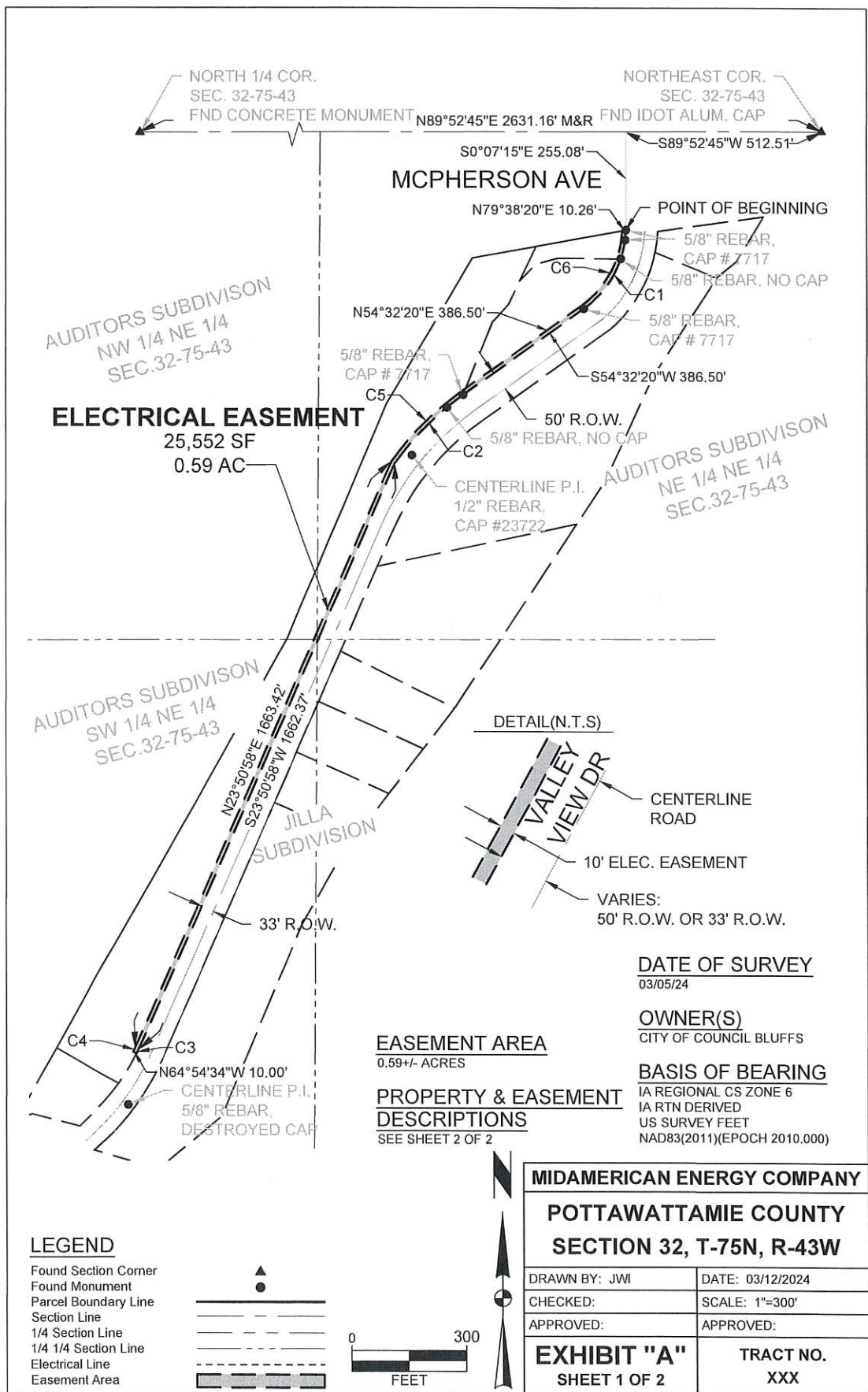
Typed or Printed name and title

STATE OF \_\_\_\_\_ :  
COUNTY OF \_\_\_\_\_ : SS

(S E A L)

Notary Public







### PROPERTY DEED DESCRIPTION

A PART OF LOT 1 OF AN AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER AND A PART OF LOT 1 OF AN AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER AND A PART OF LOT 1 OF AN AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND A PART OF LOT 1 AND LOT 2 OF AN AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER ALL IN SECTION 32, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH P.M., COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED IN BOOK 2007, PAGE 013016 AND IN BOOK 2007, PAGE 006655 AND IN BOOK 2020, PAGE 01234 IN THE POTTAWATTAMIE COUNTY RECORDER'S OFFICE.

### EASEMENT AREA DESCRIPTION

A PART OF LOT 1 OF AN AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER AND A PART OF LOT 1 OF AN AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER AND A PART OF LOT 1 OF AN AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND A PART OF LOT 1 AND LOT 2 OF AN AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER ALL IN SECTION 32, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH P.M., COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 32; THENCE SOUTH 89° 52' 45" WEST ON THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 512.51 FEET, THENCE SOUTH 0° 07' 15" EAST, 255.08 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF MCPHERSON AVENUE AND THE WESTERLY RIGHT-OF-WAY LINE OF VALLEY VIEW DRIVE AND THE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING FIVE COURSES: SOUTHWESTERLY ON A 264.34 FEET RADIUS CURVE, CONCAVE NORTHWESTERLY, WITH AN ARC LENGTH OF 241.20 FEET AND WHOSE CHORD BEARS SOUTH 28° 23' 57" WEST, 232.92 FEET; THENCE SOUTH 54° 32' 20" WEST, 386.50 FEET; THENCE SOUTHWESTERLY ON A 779.21 FEET RADIUS CURVE, CONCAVE SOUTHEASTERLY, WITH AN ARC LENGTH OF 255.13 FEET AND WHOSE CHORD BEARS SOUTH 45° 09' 33" WEST, 253.99 FEET; THENCE SOUTH 23° 50' 58" WEST, 1662.37 FEET; THENCE SOUTHWESTERLY ON A 604.61 FEET RADIUS CURVE, CONCAVE NORTHWESTERLY, WITH AN ARC LENGTH OF 13.09 FEET AND WHOSE CHORD BEARS SOUTH 24° 28' 12" WEST, 13.09 FEET; THENCE NORTH 64° 54' 34" WEST, 10.00 FEET; THENCE NORTHEASTERLY ON A 594.61 FEET RADIUS CURVE, CONCAVE NORTHWESTERLY, WITH AN ARC LENGTH OF 12.88 FEET AND WHOSE CHORD BEARS NORTH 24° 28' 12" EAST, 12.88 FEET; THENCE NORTH 23° 50' 58" EAST, 1663.42 FEET; THENCE NORTHEASTERLY ON A 789.21 FEET RADIUS CURVE, CONCAVE SOUTHEASTERLY, WITH AN ARC LENGTH OF 259.45 FEET AND WHOSE CHORD BEARS NORTH 45° 07' 16" EAST, 258.28 FEET; THENCE NORTH 54° 32' 20" EAST, 386.50 FEET; THENCE NORTHEASTERLY ON A 254.34 FEET RADIUS CURVE, CONCAVE NORTHWESTERLY, WITH AN ARC LENGTH OF 229.83 FEET AND WHOSE CHORD BEARS NORTH 28° 39' 06" EAST, 222.09 FEET TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE; THENCE NORTH 79° 38' 20" EAST ON SAID SOUTH RIGHT-OF-WAY LINE, 10.26 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.59 ACRES, MORE OR LESS.

CURVE TABLE

CURVE NO.	Δ	RADIUS	ARC LENGTH	TANGENT	CHORD BEARING/LENGTH
C1	52°16'48"	264.34'	241.20'	129.73'	S28°23'57"W 232.92'
C2	18°45'35"	779.21'	255.13'	128.72'	S45°09'33"W 253.99'
C3	1°14'27"	604.61'	13.09'	6.55'	S24°28'12"W 13.09'
C4	1°14'27"	594.61'	12.88'	6.44'	N24°28'12"E 12.88'
C5	18°50'09"	789.21'	259.45'	130.91'	N45°07'16"E 258.28'
C6	51°46'30"	254.34'	229.83'	123.43'	N28°39'06"E 222.09'

MIDAMERICAN ENERGY COMPANY

POTTAWATTAMIE COUNTY  
SECTION 32, T-75N, R-43W

DRAWN BY: JWI

DATE: 03/12/2024

CHECKED:

SCALE: 1"=300'

APPROVED:

APPROVED:

EXHIBIT "A"  
SHEET 2 OF 2

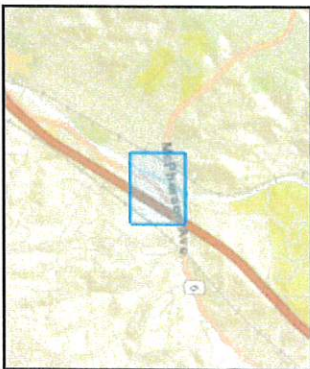
TRACT NO.  
XXX





SCALE: 4407  
0 200 400  
ft

Users of Pottawattamie County (The County) GIS data agree that he/she will at all times indemnify and hold The County and its officers, employees, and agents harmless from any damages, claims, lawsuits, costs, or liability arising from any act, omission, or commission with respect to the release and use of information in this Agreement and any of the terms thereof. The County makes no claim as to the accuracy of the spatial data and its associated data tables and assumes no responsibility for their positional or content accuracy. The County makes no claim as to the ability of the spatial data to fulfill the Contracting Organization's application requirements. In providing data (or access to data), The County assumes no obligation to assist in the use of the data, or in the development, use, or maintenance of any applications applied to the data. In no event shall The County be liable for any direct, indirect, incidental, consequential or special damages that may result from the use of the GIS data.



### Legend

Aerial Photo Spring 2022  
Accuplus (Map Service)

- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3

World Imagery (Map Service)  
World Imagery

High Resolution 60cm  
Imagery

227 S 6th St.  
Suite #169  
Council Bluffs, IA 51501  
(712) 328-4885  
gis@pottcounty-ia.gov  
<https://gis.pottcounty-ia.gov>  
3/14/2024

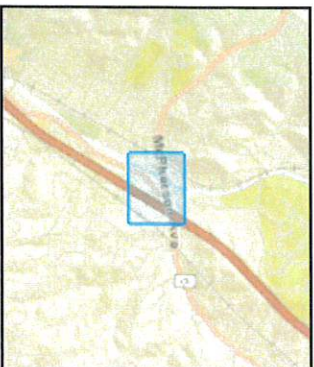




Users of Pottawattamie County (The County) GIS data agree that he/she will, at all times indemnify and hold The County and its officers, employees, and agents harmless from any damages, claims, lawsuits, costs, or liability arising from any act, omission, or commission with respect to the release and use of information in this Agreement and any of the terms thereof. The County makes no claim as to the accuracy of the spatial data and its associated data tables and assumes no responsibility for their positional or content accuracy. The County makes no claim as to the ability of the spatial data to fulfill the Contracting Organization's application requirements. In providing data (or access to data), The County assumes no obligation to assist in the use of the data, or in the development, use, or maintenance of any applications applied to the data. In no event shall The County be liable for any direct, indirect, incidental, consequential or special damages that may result from the use of the GIS data.

SCALE: 4407

0 200 400  
ft



### Legend

Aerial Photo Spring 2022  
Accuplus (Map Service)

- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3

World Imagery (Map Service)

World Imagery

High Resolution 60cm  
Imagery

227 S 6th St.  
Suite #169  
Council Bluffs, IA 51501  
(712) 328-4885  
[gis@pottcounty-ia.gov](mailto:gis@pottcounty-ia.gov)  
<https://gis.pottcounty-ia.gov>  
3/14/2024



**RESOLUTION NO. 24-104**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN ELECTRIC EASEMENT WITH MIDAMERICAN ENERGY COMPANY TO INSTALL UNDERGROUND ELECTRIC FACILITIES IN A PORTION OF CITY-OWNED PROPERTY LOCATED ALONG VALLEY VIEW DRIVE.**

**WHEREAS,** the City has received a request from MidAmerican Energy Company to install underground electric facilities on city-owned property along Valley View Drive as shown in the attached easement.

**WHEREAS,** such installation is necessary for the planned development of the area that will benefit the community and grow our city.

**WHEREAS,** it is in the best interest of the City of Council Bluffs to enter into this easement.

**WHEREAS,** a public hearing was held on this matter April 1, 2024.

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

That the Mayor is hereby authorized to enter into an Electric Easement with MidAmerican Energy Company.

ADOPTED

AND

APPROVED:

April 1, 2024.

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

\_\_\_\_\_  
Mayor

Attest:

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

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



## Council Communication

Department: Community  
Development

Case/Project No.: URV-24-001  
Submitted by: Marianne Collins,  
Housing & Economic Development  
Planner

Ordinance 6603  
ITEM 6.A.

Council Action: 4/1/2024

### Description

Ordinance designating the Council Bluffs Consolidated Urban Revitalization Area for the City of Council Bluffs, Iowa. URV-24-001

### Background/Discussion

See attached staff report.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/22/2024
Ordinance 6603	Ordinance	3/27/2024



## Council Communication

<p>Department: Community Development</p> <p>Case No.: URV-24-001</p> <p>Submitted by: Housing &amp; Economic Development</p>	<p>Resolution No.: 24-</p> <p>Ordinance No.:</p>	<p>Resolution of Intent: 02/26/2024</p> <p>Planning Commission: 02/13/2024</p> <p>Public Hearing &amp; First Reading: 04/01/2024</p> <p>Second Reading: 04/22/2024</p> <p>Third Reading: Request to Waive</p>
<p style="text-align: center;"><b>Subject/Title</b></p> <p>Amendment to restate and consolidate the 16 current urban revitalization areas and add an additional area, South Expressway Urban Revitalization Area.</p>		
<p style="text-align: center;"><b>Background/Discussion</b></p> <p><u>Background</u></p> <p>Chapter 404 of the Iowa Code authorizes a City to designate an area as an urban revitalization area. Improvements to qualified real estate within designated areas may then be eligible to receive a total or partial exemption from property taxes for a specified number of years. The exemptions are intended to stimulate private investment by reducing the tax increase that would normally result from making improvements to real estate property.</p> <p>Urban revitalization tax abatement incentives can apply to residential, commercial and industrial development. Both new construction on vacant or unimproved land and rehabilitation of existing structures are eligible for tax abatement.</p> <p>Staff has prepared a Consolidated Urban Revitalization Plan, including South Expressway Urban Revitalization Area, in accordance with Chapter 404 of the Iowa Code and has scheduled the matter for City Council consideration.</p> <p><u>Discussion</u></p> <p>The Community Development Department has created a Consolidated Urban Revitalization Plan. The consolidated plan includes the 16 current urban revitalization area plans that are in effect and adds the South Expressway Urban Revitalization Plan. Consolidating the 16 urban revitalization plans into one will make all the plans consistent and easier to update in the future.</p> <p>Two updates are included in the Consolidated Urban Revitalization Plan:</p> <ol style="list-style-type: none"> <li>1. Multi-Family Housing Development: In the prior individual plans the period of time for exemption was 4 years, we are wanting to extend the time period to 6 years for the exemption. This extension is vital to many developers when deciding to come to Council Bluffs or take their developments elsewhere.</li> <li>2. Additional Area Added: The City is working with a developer to construct a 20,000 square foot new construction commercial retail car dealership that will improve the property by \$9,000,000. It is located along the South Expressway in an undeveloped parcel. There is a separate parcel that is currently being used for salvage storage that has the potential for redevelopment. These additional parcels are comprised of 6.83 acres, more or less, of land. If the South Expressway Urban Revitalization Area is approved, the project as proposed could be eligible for full exemption from taxation for three years or a ten year declining property tax abatement.</li> </ol>		



## Council Communication

On February 26, 2024, City Council approved Resolution 24-48, which directed staff to initiate the process of consolidating the 16 urban revitalization areas and adding the South Expressway Urban Revitalization Area to the Consolidated Urban Revitalization Plan. This resolution set April 1, 2024 as the date of the public hearing.

Staff specifically asks that the Commission consider the following:

- Consolidating the 16 urban revitalization areas into one consistent and uniform plan.
- The proposed South Expressway Urban Revitalization Area furthers the goals of the City's Comprehensive Plan.
- The South Expressway Urban Revitalization Area is an area appropriate for urban revitalization designation as specified in Iowa Code Section 404.1.4, which discusses an area which is appropriate as an economic development area as defined in section 403.17. Provides that "economic development area" means an area of a municipality designated by the local governing body as appropriate for commercial and industrial enterprises or housing and residential development for low and moderate income families, including single or multi-family housing.

This matter was brought before the City Planning Commission at their February 13, 2024 meeting. The Commission found the following: 1) That the proposed Consolidated Urban Revitalization Plan furthers the goals of the City's *Bluffs Tomorrow: 2030 Plan*, which is the general plan for the development of the City of Council Bluffs; and 2) That the Consolidated Urban Revitalization Area is an area appropriate for urban revitalization as specified in Section 404.1.4.

Property owners were notified and no written correspondence was received by the Community Development Department either in support or against the proposed plan. Concurrent with the adoption of an urban revitalization plan, an ordinance establishing the consolidated urban revitalization area can be considered. Upon adoption of the area and approval of an ordinance, the City is permitted to grant tax abatement to qualified projects.

### **Staff Recommendation**

The Community Development Department recommends approval of consolidating the 16 Urban Revitalization Areas and add the South Expressway Urban Revitalization Area and 1<sup>st</sup> consideration of the ordinance.

### **Planning Commission Recommendation**

The Planning Commission recommended approval of the Consolidated Urban Revitalization Plan.

Vote: 7-0-4

AYE – Hutcheson, Opperman, Rater, Rew, Stroebele, Van Houten and Watson

NAY – None

ABSTAIN – None

ABSENT – Bailey, Bass and Knauss

VACANT - One

Motion: Carried

Prepared by: Marianne Collins, Community Development Housing & Economic Planner, Community Development Department  
Submitted by: Courtney Harter, Housing & Economic Development Director, Community Development Department



ORDINANCE NO. 6603

ORDINANCE DESIGNATING THE COUNCIL BLUFFS  
CONSOLIDATED URBAN REVITALIZATION AREA FOR  
THE CITY OF COUNCIL BLUFFS, IOWA

WHEREAS, Iowa Code Chapter 404 (the “Urban Revitalization Act”), authorizes cities by ordinance to designate revitalization areas if such areas meet the criteria of the Urban Revitalization Act, pursuant to the procedural requirements of the Urban Revitalization Act; and

WHEREAS, the City of Council Bluffs currently has sixteen urban revitalization plans for various urban revitalization areas within the City, including the 1<sup>st</sup> Avenue Urban Revitalization Plan, the 5<sup>th</sup> and West Broadway Urban Revitalization Plan, the 14<sup>th</sup> Avenue Urban Revitalization Plan, the 16<sup>th</sup> Avenue Urban Revitalization Plan, the 21<sup>st</sup> Avenue Urban Revitalization Plan, the American Games Urban Revitalization Plan, the Black Squirrel Flats Urban Revitalization Plan, the Bluffs Northway Urban Revitalization Plan, the College Road Urban Revitalization Plan, the Council Pointe Road Urban Revitalization Plan, the Mid-America Urban Revitalization Plan, the River Road Urban Revitalization Plan, the South Pointe Urban Revitalization Plan, the Valley View Urban Revitalization Plan, the Veterans Memorial Highway Urban Revitalization Plan, and the Whispering Oaks Urban Revitalization Plan; and

WHEREAS, each revitalization plan was established for different revitalization areas, and in connection therewith the City adopted Ordinances Nos. 6177, 6411, 6412, 6479, 6495, 6476, 6532, 6281, 6310, 6326, 6469, 6464, 6375, 6289, 6409, and 6533 to designate corresponding urban revitalization areas; and

WHEREAS, on April 1, 2024, this Council did, by Resolution No. 24-103, adopt an Amended and Restated Consolidated Urban Revitalization Plan (“Amended and Restated Plan”) that amended and consolidated the previously established urban revitalization plans into a single urban revitalization plan and consolidated the previously existing urban revitalization areas into a single urban revitalization area to be known as the Council Bluffs Consolidated Urban Revitalization Area (“Area” or “Revitalization Area”); and

WHEREAS, the Council has previously determined that the urban revitalization areas within the City are suitable revitalization areas authorized by Iowa Code Chapter 404; and

WHEREAS, the Amended and Restated Plan additionally identifies a new area to be established as a subarea of the Revitalization Area, referred to as the South Expressway Subarea of the Revitalization Area, as legally described herein; and

WHEREAS, the continued revitalization of the Area, as amended, will enhance the rehabilitation, conservation, redevelopment, economic development, or a combination thereof of the Area and is necessary in the interest of the public health, safety, or welfare of the residents of the City, and the Area substantially meets the criteria of Iowa Code Section 404.1; and



WHEREAS, pursuant to the provisions of the Urban Revitalization Act, the City has adopted the Amended and Restated Plan for said Area, and now desires to amend the prior ordinances designating revitalization areas within the City and to designate the consolidated Revitalization Area as an urban revitalization area by ordinance.

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

Section 1. That, consistent with the adoption of the Amended and Restated Plan, the previously established urban revitalization areas legally described as follows are hereby designated as subareas of an urban revitalization area to be known as the Council Bluffs Consolidated Urban Revitalization Area of the City of Council Bluffs, Iowa:

Whispering Oaks Urban Revitalization Area

A PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 4, TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, AND ALSO TOGETHER WITH PART OF THE SE 1/4 OF THE NE 1/4 OF SECTION 5, SAID TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN; ALL LOCATED IN POTTAWATTAMIE COUNTY, COUNCIL BLUFFS, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SECTION 5, TOWNSHIP 74N, RANGE 43 WEST; THENCE N1°06'10"E (ASSUMED BEARING), 53.00 FEET TO THE POINT OF BEGINNING; THENCE N88°28'13"W A DISTANCE OF 351.12 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF FOREST GLEN DRIVE; THENCE NORTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE OF FOREST GLEN DRIVE ON THE FOLLOWING DESCRIBED COURSES: THENCE N1°20'57"E, A DISTANCE OF 433.34 FEET; THENCE N88°16'18"W, A DISTANCE OF 15.99 FEET; THENCE N1°31'50"E, A DISTANCE OF 313.54 FEET TO THE SOUTHWEST CORNER OF LOT 106, WHISPERING OAKS; THENCE S88°34'04"E, A DISTANCE OF 56.87 FEET ALONG THE SOUTH LINE OF LOT 106, WHISPERING OAKS TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN BOOK 2017 PAGE 2889; THENCE S88°28'13"E, A DISTANCE OF 306.04 FEET ALONG THE SOUTH LINE OF LOT 106 & SOUTH LINE OF OUTLOT A, WHISPERING OAKS TO A POINT AT THE INTERSECTION OF THE SOUTH LINE OF OUTLOT A & THE EAST LINE OF A TRACT OF LAND DESCRIBED IN BOOK 2017 PAGE 2889; THENCE S88°15'01"E, A DISTANCE OF 562.24 FEET ALONG THE SOUTH LINE OF OUTLOT A, & LOTS 87-90 WHISPERING OAKS TO THE SOUTHEAST CORNER OF LOT 87 WHISPERING OAKS; THENCE S88°15'01"E, A DISTANCE OF 714.76 FEET; THENCE S88°15'01"E, A DISTANCE OF 17.46, TO THE WEST RIGHT OF WAY LINE OF FRANKLIN AVENUE; THENCE S1°43'39"W, A DISTANCE OF 747.00 FEET ALONG SAID WEST RIGHT-OF-WAY LINE OF FRANKLIN AVENUE; THENCE N88°15'01"W DISTANCE OF 1,086.30 FEET



TO THE EAST LINE OF A PARCEL BOOK 87, PAGE 22729; THENCE N01°06'10"E ALONG SAID EAST LINE OF SAID PARCEL BOOK 87, PAGE 22729, A DISTANCE OF 180.01 FEET TO THE NORTHEAST CORNER OF SAID PARCEL BOOK 87, PAGE 22729; THENCE N88°15'01"W ALONG THE NORTH LINE OF SAID PARCEL, BOOK 87, PAGE 22729 A DISTANCE OF 200.00 FEET; THENCE S1°06'10"W ALONG SAID PARCEL BOOK 87, PAGE 22729, A DISTANCE OF 180.01 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS 1,193,878.13 SQ.FT. OR 27.40 ACRES MORE OR LESS

South Pointe Urban Revitalization Area

A PARCEL OF LAND BEING ALL OF ROGERS AUTO SUBDIVISION, SOUTH POINTE SUBDIVISION, SOUTH POINTE SUBDIVISION REPLAT 1, SOUTH POINTE SUBDIVISION REPLAT 2, SOUTH POINT SUBDIVISION PHASE 2, SOUTH 24TH AND HIGHWAY 275 INDUSTRIAL AND A PORTION OF THE SOUTHEAST QUARTER OF SECTION 10, THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 11, SECTION 14, GOVERNMENT LOT 1 TO SAID SECTION 14 AND A PORTION OF THE EAST HALF OF SECTION 15, ALL IN TOWNSHIP 74 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 CENTER OF SAID SECTION 10, SAID CENTER BEING ON THE SOUTH RIGHT-OF-WAY LINE OF RICHARD DOWNING AVENUE; THENCE EASTERLY ON SAID SOUTH RIGHT-OF-WAY LINE, 2,730 FEET MORE OR LESS TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH 24TH STREET; THENCE SOUTHERLY ON SAID WESTERLY RIGHT-OF-WAY LINE, 2,329 FEET MORE OR LESS TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF VETERANS MEMORIAL HIGHWAY; THENCE WESTERLY ON SAID NORTHERLY RIGHT-OF-WAY LINE, 197 FEET MORE OR LESS TO A POINT ON THE EASTERLY LINE OF SAID SECTION 10; THENCE SOUTHERLY ON SAID EASTERLY LINE AND ON IT'S SOUTHERLY PROLONGATION, 390 FEET MORE OR LESS TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID VETERANS MEMORIAL HIGHWAY; THENCE EASTERLY ON SAID SOUTHERLY RIGHT-OF-WAY LINE, 2,760 FEET MORE OR LESS TO THE NORTHEAST CORNER OF SAID SOUTH POINTE SUBDIVISION REPLAT 2; THENCE SOUTHERLY ON THE EAST LINE OF SAID SOUTH POINTE SUBDIVISION REPLAT 2, 1,246 FEET MORE OR LESS TO THE NORTHEAST CORNER OF SAID SOUTH POINTE SUBDIVISION REPLAT 1; THENCE SOUTHERLY ON THE EAST LINE OF SAID SOUTH POINTE SUBDIVISION REPLAT 1, 533 FEET MORE OR LESS TO A POINT ON THE NORTH LINE OF SAID SOUTH POINTE SUBDIVISION PHASE 2; THENCE EASTERLY ON SAID NORTH LINE, 110 FEET MORE OR LESS TO THE NORTHEAST CORNER OF SAID



SOUTH POINTE SUBDIVISION PHASE 2, SAID NORTHEAST CORNER ALSO BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF INDIAN CREEK; THENCE SOUTHWESTERLY ON THE EAST LINE OF SAID SOUTH POINTE SUBDIVISION PHASE 2 AND ON SAID WESTERLY RIGHT-OF-WAY LINE, 2,742 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF LOT 5 IN SAID SOUTH POINTE SUBDIVISION PHASE 2; THENCE WESTERLY ON THE SOUTH LINE OF SAID LOT 5, 149 FEET MORE OR LESS TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF GIFFORD ROAD; THENCE NORTHWESTERLY ON SAID EASTERLY RIGHT-OF-WAY LINE, 1,420 FEET MORE OR LESS TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF GIFFORD ROAD; THENCE WESTERLY ON SAID NORTHERLY RIGHT-OF-WAY LINE, 1,209 FEET MORE OR LESS; THENCE SOUTHWESTERLY, 1,883 FEET MORE OR LESS TO A POINT ON THE MISSOURI RIVER MEANDER LINE; THENCE SOUTHWESTERLY ON SAID MISSOURI RIVER MEANDER LINE, 1,174 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF SAID SECTION 15; THENCE NORTHERLY ON SAID EAST LINE, 802 FEET MORE OR LESS; THENCE WESTERLY, 631 FEET MORE OR LESS; THENCE NORTHWESTERLY, 2,019 FEET MORE OR LESS TO A POINT ON THE EAST-WEST CENTERLINE OF SAID SECTION 15; THENCE WESTERLY ON SAID EAST-WEST CENTERLINE, 1,322 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF GATEWAY SUBDIVISION IN SAID CITY OF COUNCIL BLUFFS; THENCE NORTHERLY ON SAID EAST LINE, 1,256 FEET MORE OR LESS TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID VETERANS MEMORIAL HIGHWAY; THENCE NORTHEASTERLY ON SAID SOUTH RIGHT-OF-WAY LINE, 1,355 FEET MORE OR LESS TO A POINT ON THE SOUTHERLY PROLONGATION OF THE NORTH-SOUTH CENTERLINE OF SAID SOUTHEAST QUARTER OF SECTION 10; THENCE NORTHERLY ON SAID SOUTHERLY PROLONGATION AND ON SAID NORTH-SOUTH CENTER, 2,480 FEET MORE OR LESS; THENCE WESTERLY, 1,315 FEET MORE OR LESS TO A POINT ON THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTHERLY ON SAID WEST LINE, 998 FEET MORE OR LESS TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 500 ACRES, MORE OR LESS.

Valley View Urban Revitalization Area

Lot 3 of New Horizon Subdivision, City of Council Bluffs, Pottawattamie County,  
Iowa

Veterans Memorial Highway Urban Revitalization Area

The North 660 feet of the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 12-74-44, except the West 250 feet, and the West 16.5 feet of the South 20 feet north of the highway in the SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 12-74-44 and commencing at a point 660 feet East of the NW



corner of the SW ¼ of the SW quarter of section 12, thence South 660 feet, thence East 250 feet, thence North 660 feet, thence West 250 feet to the place of beginning, subject to right of ways of public highway City of Council Bluffs, Pottawattamie County, Iowa

#### College Road Urban Revitalization Area

Proposed Lots 1-4, New Horizon Subdivision, Replat Two, City of Council Bluffs, Pottawattamie County, Iowa

#### Council Pointe Road Urban Revitalization Area

Lot 1, Fox Run Landing, Replat Three, City of Council Bluffs, Pottawattamie County, Iowa.

Lot 116, Fox Run Landing, except the northwest corner dedicated to City right-of-way, along with northerly part of Lot 117 commencing at the southeast corner of said Lot 116, thence North 469.54 feet, thence Northeasterly 885.29 feet, thence South 787.74 feet, and thence West 806.06 feet back to the point of beginning, all in the City of Council Bluffs, Pottawattamie County, Iowa

#### Mid-America Urban Revitalization Area

A PARCEL OF LAND BEING ALL OF BASS PRO SUBDIVISION, BLUFFS VISION SUBDIVISION, BLUFFS VISION SUBDIVISION REPLAT 1, BLUFFS VISION 4 SUBDIVISION, BLUFFS VISION 4 SUBDIVISION REPLAT 1, HORSESHOE SUBDIVISION, HOTEL PLAZA AT THE MAC, HOTEL PLAZA AT THE MAC REPLAT 1, INRIP SUBDIVISION TRACT NO 1 1<sup>st</sup> ADDITION, MORRIS SUBDIVISION, MORRIS SUBDIVISION REPLAT 1, PLAZA AT MARCC, SAPP BROS TRAVEL CENTER, A PORTION OF RAILROAD ADDITION, A PORTION OF THE SOUTH HALF OF SECTION 03 AND A PORTION OF GOVERNMENT LOTS 2 AND 3 IN SECTION 04, ALL IN TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5<sup>th</sup> PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOW:

BEGINNING AT THE NORTHEAST CORNER OF SAID SAPP BROS TRAVEL CENTER, SAID NORTHEAST CORNER ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF SOUTH 24<sup>th</sup> STREET;

THENCE SOUTH ON SAID WEST RIGHT-OF-WAY LINE, 726 FEET MORE OR LESS TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF MID-AMERICAN DRIVE;

THENCE ON SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:



- 1 WESTERLY, 352 FEET MORE OR LESS;
- 2 SOUTHWESTERLY, 1,272 FEET MORE OR LESS;
- 3 WESTERLY AND WESTERLY ON THE WESTERLY PROLONGATION, 2,382 FEET MORE OR LESS TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 29;

THENCE NORTHWESTERLY ON SAID EASTERLY RIGHT-OF-WAY LINE, 3,909 FEET MORE OR LESS TO A POINT ON THE SOUTHWESTERLY PROLONGATION OF THE NORTH LINE OF SAID INRIP SUBDIVISION TRACT NO 1 1<sup>st</sup> ADDITION;

THENCE NORTHEASTERLY ON SAID WESTERLY PROLONGATION AND ON SAID LINE, 942 FEET MORE OR LESS TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SOUTH 35<sup>th</sup> STREET;

THENCE SOUTHEASTERLY ON SAID SOUTHWESTERLY RIGHT-OF-WAY LINE AND SOUTHEASTERLY ON IT'S SOUTHEASTERLY PROLONGATION, 1,073 FEET MORE OR LESS TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 23<sup>rd</sup> AVENUE;

THENCE EASTERLY ON SAID SOUTHERLY RIGHT-OF-WAY LINE, 4,982 FEET MORE OR LESS TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID SOUTH 24<sup>th</sup> STREET;

THENCE SOUTH ON SAID WESTERLY RIGHT-OF-WAY, 610 FEET MORE OR LESS TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 285 ACRES, MORE OR LESS.

River Road Urban Revitalization Area

Lot 1, River Road Subdivision, City of Council Bluffs, Pottawattamie County, Iowa

American Games Urban Revitalization Area

Lot 3, Pollard Games Addition, City of Council Bluffs, Pottawattamie County, Iowa

Black Squirrel Flats Urban Revitalization Area

Lot 1, Black Squirrel Flats Subdivision, City of Council Bluffs, Pottawattamie County, Iowa

Bluffs Northway Urban Revitalization Area

Lots 2 and 3, Walmart Bluffs Northway Subdivision, City of Council Bluffs, Pottawattamie County, Iowa



Lots 10 through 18 and the east/west alley abutting Belmont Addition along with the Canadian National Railway right-of-way abutting on the north and Avenue P right-of-way abutting on the south; Lots 33 through 37 and the North ½ vacated alley abutting and Lots 56 through 61 and the South ½ vacated alley abutting Belmont Addition along with Avenue O right-of-way abutting on the south; Lots 79 through 83 and the North ½ vacated alley abutting and Lots 102 through 106 and the South ½ vacated alley abutting Belmont Addition, City of Council Bluffs, Pottawattamie County, Iowa

#### 16<sup>th</sup> Avenue Urban Revitalization Area

A parcel of land situated in the North Half (N1/2) of Section 2, Township 74 North, Range 44 West and the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section 35, Township 75 North, Range 44 West of the Fifth Principal Meridian, City of Council Bluffs, Pottawattamie County, State of Iowa, according to an official plat of said land filed in the District Land Office, bounded and described as follows: Beginning at a point on the North-South centerline of said Section 2, from which point the center of said section bears South, 264.98 feet; thence North 89 degrees 50 minutes 17 seconds East, 200.00 feet; thence North 00 degrees 00 minutes 17 sections East, 2150.79 feet to the south line of 16<sup>th</sup> Avenue; thence along said south line South 89 degrees 30 minutes 12 seconds West, 200.0 feet to a point on said North-South centerline of said Section 2; thence along said North-South centerline North 20.90 feet to the north quarter corner of said Section 2; thence along the North-South centerline of said Section 35, North 00 degrees 21 minutes 09 seconds West, 60.0 feet to a point on the north line of 16<sup>th</sup> Avenue, said point also being the southwest corner of Lot 12, Block 36, Fleming and Davis addition; thence South 89 degrees 38 minutes 51 seconds West, 16.0 feet; thence North 00 degrees 21 minutes 09 seconds West, 646.37 feet to a point on the south line of 14<sup>th</sup> Avenue prolonged, said point being South 89 degrees 38 minutes 53 seconds West, 16.0 feet from the northwest corner of Lot 1, Block 29, Fleming and Davis Addition; thence South 89 degrees 38 minutes 53 seconds West, 379.00 feet; thence South 75 degrees 42 minutes 26 seconds West, 399.46 feet; thence South 82 degrees 12 minutes 26 seconds West, 126.58 feet; thence South 21 degrees 28 minutes 31 seconds East, 2490.70 feet to a point on the North-South centerline of said Section 2; thence along said North-South centerline, South 441.28 feet to the Point of Beginning. Containing an area of 1,548,471 square feet, more or less, or 35.548 acres, more or less.

AND

A parcel of land legally described as being the East 16 feet of the South 686 feet, except the South 178 feet of the North 323 feet, all in the SE1/4 SW1/4 of Section 35-75-44, City of Council Bluffs, Pottawattamie County, Iowa. Said parcel of land contains an area of 8,276 square feet more or less, or .19 acres, more or less.



#### 21<sup>st</sup> Avenue Urban Revitalization Area

Lots 9, 10, 18, 19, 20, 21 and 22, a portion of Lots 7, 8, 11, 12, 13, 16, 17, 23, 24 and 25 in Block 14, a portion of Lots 16, 17, 18 and 19 in Block 19, all of the vacated alley's in said Block 14 and all of vacated 22nd Avenue right-of-way lying within the following described parcel, all in Hughes and Doniphan's Addition, City of Council Bluffs, Pottawattamie County, Iowa

*And*

Lots 14 and 15 and that part of Lot 13 in Block 14, Hughes and Doniphan's Addition to the City of Council Bluffs, Pottawattamie County, Iowa, all lying Southwest of the former Wabash Railroad Right-of-Way (now Southside Trail Bike Trail Right-of-Way) AND That part of the vacated north/south alley lying north of the north right-of-way line of 22nd Avenue and south of the southerly right-of-way of the former Wabash Railroad (now Southside Trail Bike Trail) AND The North 1/2 of vacated 22nd Avenue lying between the east right-of-way line of South 6th Street and southwesterly right-of-way line of Southside Trail Bike Trail.

#### 14<sup>th</sup> Avenue Urban Revitalization Area

Lots 16-30, Block 37, Brown's Subdivision, Council Bluffs, Pottawattamie County, Iowa

#### 5<sup>th</sup> and West Broadway Urban Revitalization Area

The portion of Block 6, Mynster's Addition Southeast of the right-of-way of Kanesville Boulevard; The portion of Lots C and D, Auditor's Subdivision of Block 6 Mynster's Addition and Block 2 Bayliss 1st Addition located Southeast of the right-of-way of Kanesville Boulevard, and the entirety of the alleyway adjacent to Lot D; Lots E-P, Auditor's Subdivision of Block 6 Mynster's Addition and Block 2 Bayliss 1st Addition, and the vacated alley adjacent to Lot N; Lot 5, Block 2, Bayliss Addition to Council Bluffs, Pottawattamie County, Iowa;

*And:*

Lots 1-13, Auditor's Subdivision of Lot 5, Block 5 Mynster's Addition and Block 1, Bayliss 1st Addition, and the alleyway adjacent; Lot 2 excluding City right-of-way, Lots 3 and 4, and Lots 6-10, Mynster's Addition, all in the City of Council Bluffs, Pottawattamie County, Iowa.

#### 1<sup>st</sup> Avenue Urban Revitalization Area

Lots 9 through 16, Block 6, Bayliss First Addition, City of Council Bluffs, Pottawattamie County, Iowa



Section 2. That, consistent with the adoption of the Amended and Restated Plan and in accordance with the provisions of the Urban Revitalization Act, the area legally described as follows is hereby designated as an urban revitalization area, as a subarea of the Council Bluffs Consolidated Urban Revitalization Area of the City of Council Bluffs, Iowa:

South Expressway Subarea

Lots 5, 6, 7, 8, 16, 17 and all of Lot 4 except the North 3.5 feet, Country Club Acres,  
City of Council Bluffs, Pottawattamie County, Iowa

Section 3. That Ordinances Nos. 6177, 6411, 6412, 6479, 6495, 6476, 6532, 6281, 6310, 6326, 6469, 6464, 6375, 6289, 6409, and 6533 and all other previously adopted ordinances of the City designating urban revitalization areas within the City are hereby amended and replaced by this Ordinance, and that all other ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 4. That if any section, provision, or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

Section 5. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this 22<sup>nd</sup> day of April, 2024.

\_\_\_\_\_  
Mayor

ATTEST:

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

First Consideration: 4-1-24

Second Consideration: 4-22-24

Public Hearing: N/A

Third Consideration: Request to Waive

PASSED AND APPROVED: April 22, 2024.

I, Jodi Quakenbush, City Clerk of the City of Council Bluffs, County of Pottawattamie, State of Iowa, do hereby certify that the above and foregoing is a true copy of Ordinance No. 6603



passed and approved by the City Council of the City at a meeting held April 22, 2024, and published in the Daily Nonpareil on \_\_\_\_\_, 2024.

---

City Clerk, Council Bluffs, Iowa

(SEAL)

02304382\10342-193



## Council Communication

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

Ordinance 6602  
ITEM 7.A.

Council Action: 4/1/2024

### Description

Ordinance to amend Chapter 3.62 Solicitors by amending Section 3.62.100 "Prohibited Acts"

### Background/Discussion

being amended to add the following as a prohibited act:

E. circulate, distribute, scatter or place any material on the city's public streets, alleys, sidewalks, public grounds and places, or on automobiles or other vehicles private or public and which may be parked on the city's public streets, alleys or parking lots or on any private lots within the city.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Redline Ordinance	Ordinance	3/20/2024
Ordinance 6602	Ordinance	3/20/2024



**ORDINANCE NO.**

**AN ORDINANCE TO AMEND CHAPTER 3.62 SOLICITORS BY AMENDING SECTION 3.62.100 "PROHIBITED ACTS;**

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

**3.62.100 Prohibited Acts**

No Solicitor, or person making street sales, shall:

- A. Shout, blow on a horn, ring a bell, or use any loudspeaker or amplifying system for the purpose of advertising or otherwise announcing his or her wares, or business activities, except as may be permissible under any other ordinance of the city of Council Bluffs, Iowa, or statute of the state of Iowa, and such acts shall be specifically prohibited after 9:00 p.m. and before 9:00 a.m. on any day of the week;
- B. Have any right to any location in the public streets or ways or upon any public property, nor shall he/she be permitted to operate in any congested area where such operations might impede or inconvenience the public. The judgment of a police officer exercised in good faith shall be deemed conclusive as to whether the area is congested or the public inconvenienced;
- C. Sell or offer to sell goods, wares, or merchandise on any of the city's public streets;
- D. Enter upon any residential premises in the city where the owner, occupant, or person legally in charge of the premises has posted, at the entry to the premises or at the entry to the principal building on the premises, a sign bearing the words "No Peddlers," "No Solicitors," or words of similar import.
- E. circulate, distribute, scatter or place any material on the city's public streets, alleys, sidewalks, public grounds and places, or on automobiles or other vehicles private or public and which may be parked on the city's public streets, alleys or parking lots or on any private lots within the city.

(Ord No. 6591, 11-13-2023)

(Ord. No. 6082, § 1, 6-14-2010)

(Ord. No. 5794, § 3, 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 publication, as by law provided.

PASSED  
AND  
APPROVED

April 1, 2024

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

\_\_\_\_\_  
Mayor

Attest:

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

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

First Consideration: 3-25-24  
Second Consideration: 4-1-24  
Public Hearing: N/A  
Third Consideration:



**ORDINANCE NO. 6602**

**AN ORDINANCE TO AMEND CHAPTER 3.62 SOLICITORS BY AMENDING SECTION 3.62.100 "PROHIBITED ACTS;**

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

**3.62.100 Prohibited Acts**

No Solicitor, or person making street sales, shall:

- A. Shout, blow on a horn, ring a bell, or use any loudspeaker or amplifying system for the purpose of advertising or otherwise announcing his or her wares, or business activities, except as may be permissible under any other ordinance of the city of Council Bluffs, Iowa, or statute of the state of Iowa, and such acts shall be specifically prohibited after 9:00 p.m. and before 9:00 a.m. on any day of the week;
- B. Have any right to any location in the public streets or ways or upon any public property, nor shall he/she be permitted to operate in any congested area where such operations might impede or inconvenience the public. The judgment of a police officer exercised in good faith shall be deemed conclusive as to whether the area is congested or the public inconvenienced;
- C. Sell or offer to sell goods, wares, or merchandise on any of the city's public streets;
- D. Enter upon any residential premises in the city where the owner, occupant, or person legally in charge of the premises has posted, at the entry to the premises or at the entry to the principal building on the premises, a sign bearing the words "No Peddlers," "No Solicitors," or words of similar import.
- E. circulate, distribute, scatter or place any material on the city's public streets, alleys, sidewalks, public grounds and places, or on automobiles or other vehicles private or public and which may be parked on the city's public streets, alleys or parking lots or on any private lots within the city.

(Ord No. 6591, 11-13-2023)

(Ord. No. 6082, § 1, 6-14-2010)

(Ord. No. 5794, § 3, 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 publication, as by law provided.

PASSED  
AND  
APPROVED

April 1, 2024

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

Attest:

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

First Consideration: 3-25-24  
Second Consideration: 4-1-24  
Public Hearing: N/A  
Third Consideration:



## Council Communication

Department: City Clerk  
Case/Project No.: ZT-24-001  
Submitted by: Moises Monrroy,  
Planner

Ordinance 6597  
ITEM 8.A.

Council Action: 4/1/2024

### Description

Ordinance to amend Chapter 15.09 R-2/Two-Family Residential District of the Municipal Code (zoning ordinance) by amending Section 15.09.030 “Conditional Uses” to include “boarding, lodging, rooming house or bed and breakfast”. ZT-24-001

### Background/Discussion

See attached staff report.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	2/16/2024
Attachment A: Proposed Section 15.09.030	Code Section	2/16/2024
Ordinance 6597	Ordinance	3/27/2024



## City Council Communication

Department: Community Development  CASE #ZT-24-001  Applicant: Just Wright Investments Danielle Wright 2122 Avenue 'A' Council Bluffs, IA 51501  Representative: Deborah Petersen 215 South Main Street, Suite 301 Council Bluffs, IA 51503	Ordinance No. _____	<u>City Council</u> 1 <sup>st</sup> Consideration: 2/26/2024 2 <sup>nd</sup> Consideration: 3/11/2024 3 <sup>rd</sup> Consideration: 3/25/2024  Planning Commission: 2/13/2024
<b>Subject/Title</b> <b>Request:</b> Public hearing on the request of Just Wright Investments LLC, represented by Deborah Petersen, to amend Section 15.09.030 of the Council Bluffs Municipal Code by adding 'boarding, lodging, rooming house or bed and breakfast' as a conditional use in the R-2/Two-Family Residential District.		
<b>Background</b> <p>The Community Development Department has received a request from Just Wright Investments LLC, represented by Deborah Petersen, to amend Section 15.09.030 of the Council Bluffs Municipal Code by adding 'boarding, lodging, rooming house or bed and breakfast' as a conditional use in the R-2/Two-Family Residential District. The purpose of this request is to allow the applicant to operate a faith-based rooming house for individuals recovering from substance abuse on property addressed at 424 North 1<sup>st</sup> Street, which is currently zoned R-2/Two-Family Residential District. If the proposed text amendment is approved, the applicant will be required to obtain a conditional use permit from the Zoning Board of Adjustment for the proposed use.</p> <p>All City Departments and local utilities were notified of the proposed text amendment. The following comments were received:</p> <ul style="list-style-type: none"> <li>A. The Council Bluffs Permits and Inspections Division and the Council Bluffs Fire Department stated that the proposed rooming house at 424 North 1<sup>st</sup> Street would be acceptable per the Building and Fire Codes provided the number of residents is limited to five.</li> <li>B. The Council Bluffs Public Works Department stated that they have no comments on the request.</li> <li>C. The Council Bluffs Parks and Recreation Department stated that they have no comments on the request.</li> <li>D. The Council Bluffs Police Department stated that they have no objections to the request. They also noted that if residents of the rooming house require a high level of care, it may lead to heightened calls for service and complaints from neighbors should the facility not be suited to the residents' needs.</li> <li>E. Council Bluffs Water Works stated that they have no comments on the request.</li> <li>F. MidAmerican Energy Company stated that they have conflicts or concerns on the request.</li> </ul>		



### **Discussion**

- A. As per Section 17.01.010 of the Council Bluffs Municipal Code, a ‘boarding, lodging, rooming house or bed and breakfast’ is defined as “any dwelling or that part of any dwelling containing one or more rooming units in which space is let by the owner or operator to one or more roomers.”
- B. The R-2/Two-Family Residential District is intended to provide for a medium-density residential neighborhood in established and developing areas of the community, and is primarily comprised of one- and two-family structures.
- C. ‘Boarding, lodging, rooming house or bed and breakfast’ is a principal use in the R-3/Low Density Multifamily Residential District, the R-4/High Density Multifamily Residential District, and the A-P/Administrative-Professional District. If the proposed text amendment were approved, ‘boarding, lodging, rooming house or bed and breakfast’ would be allowed as a conditional use in the R-2 District, and thus would require the issuance of a conditional use permit by the Zoning Board of Adjustment.
- D. The Community Development Department finds that ‘boarding, lodging, rooming house or bed and breakfast’ can be a compatible land use with the R-2 District as such use can be an adaptive reuse of existing residential structures previously used for single- and two-family uses, provided all applicable building and fire code requirements are met. In the case of new construction, a ‘boarding, lodging, rooming house or bed and breakfast’ can be developed to a similar scale and size of surrounding single- and two-family residential uses. Furthermore, allowing such use as a conditional use in the R-2 District provides the opportunity to establish additional site development, off-street parking, landscaping, and screening/buffering standards in order to ensure compatibility with surrounding residential development.

### **Recommendation**

The Community Development Department recommends approval of the request to amend Section 15.09.030 of the Council Bluffs Municipal Code by adding ‘boarding, lodging, rooming house or bed and breakfast’ as a conditional use in the R-2/Two-Family Residential District.

### **Public Hearing**

Staff speakers for the request:

- 1. Moises Monrroy, Planner, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503
- 2. Christopher Gibbons, Planning Manager, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor:

- 1. Danielle Wright, Just Wright Investments, LLC, 2122 Avenue ‘A’, Council Bluffs, IA 51501
- 2. Deborah Petersen, Petersen Law PLLC, 215 South Main Street, Council Bluffs, IA 51503

Speakers against: None

The City Planning Commission recommended approval of the request to amend Section 15.09.030 of the Council Bluffs Municipal Code by adding ‘boarding, lodging, rooming house or bed and breakfast’ as a conditional use in the R-2/Two-Family Residential District, based on reasons stated above.

VOTE: AYE – Hutcheson, Opperman, Rater, Rew, Stroebele, Van Houten, and Watson. NAY – None.  
ABSTAIN – None ABSENT – Bailey, Bass, and Knauss. VACANT - One Motion: Carried.



**Attachments**

Attachment A: Proposed Section 15.09.030, Conditional Uses, R-2/Two-Family Residential District, of the Council Bluffs Municipal Code (Zoning Ordinance)

Prepared by: Moises Monrroy, Planner, Community Development Department



## **Attachment 'A'**

### **15.09.030 Conditional Uses**

The following conditional uses shall be permitted in an R-2 district, in accordance with the requirements set forth in CBMC 15.27.020:

- A. Boarding, Lodging, Rooming House, or Bed and Breakfast;
- B. Cemetery;
- C. Day care services.

(Ord. 5306 § 1 (part), 1996)

DRAFT



**ORDINANCE NO. 6597**

**AN ORDINANCE TO AMEND CHAPTER 15.09 R-2/TWO-FAMILY RESIDENTIAL DISTRICT OF THE MUNICIPAL CODE (ZONING ORDINANCE) OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 15.09.030 “CONDITIONAL USES” TO INCLUDE “BOARDING, LODGING, ROOMING HOUSE OR BED AND BREAKFAST”.**

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

**SECTION 1.** That Chapter 15.09 R-2/Two-Family Residential District, be and the same is hereby amended by amending Section 15.09.030 “Conditional Uses” to read as follows:

15.09.030 Conditional Uses

The following conditional uses shall be permitted in an R-2 district, in accordance with the requirements set forth in CBMC 15.27.020:

1. Boarding, lodging, rooming house or bed and breakfast;
2. Cemetery;
3. Day care services.

(Ord. 5306 § 1 (part), 1996)

**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

April 1, 2024.

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

\_\_\_\_\_  
Mayor

Attest:

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

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

First Consideration: 2-26-24

Second Consideration: 3-11-24

Public Hearing: 3-11-24

Continuation of Second Consideration & Public Hearing 3-25-24

Third Consideration: 4-1-24

Planning Case No. #ZT-24-001



## Council Communication

Department: Public Works Admin  
Case/Project No.: PW25-10  
Submitted by: Matthew Cox, Public  
Works Director

Resolution 24-105  
ITEM 9.A.

Council Action: 4/1/2024

### Description

Resolution authorizing the Mayor and City Clerk to execute an agreement with HGM Associates Inc. for engineering services in connection with the West Graham Reconstruction. PW25-10

### Background/Discussion

West Graham Avenue is in need of reconstruction. The project extends approximately 1,360 feet in length, from High Street to Fairmount Avenue. This street segment is a boulevard with a 30-foot wide raised median with trees, located within an existing right-of-way of 100-feet. West Graham extends east – west with a single lane of travel in each direction and parallel parking allowed along the outside curbs in most locations. It is a residential area with houses fronting the street, with the majority having individual driveways. West Graham is a collector roadway that serves as a connection to East Graham and S. 1st Street.

It is likely that the original construction of West Graham Avenue dates to 1907, the same time Fairmount Avenue was constructed. The roadway and utilities are old, in poor condition, and are due for replacement.

The project will include new street pavement and sidewalks, drainage improvements, and new sanitary sewers. It is likely that the Council Bluffs Water Works will replace their water main. The other utilities in the area will also be investigated for replacement with the project.

During design, an alternatives analysis will be completed to review options for a new roadway typical section.

This Federal-aid project was included in the FY25 CIP and includes a budget of \$2,405,000 in STBG funds and \$1,250,000 in Local Option Sales Tax funds.

HGM Associates Inc. was selected as the most qualified to perform the work for this project. They have a clear understanding of the project, and can assist the City with the Iowa DOT Federal-aid process. HGM has proposed a team of qualified staff that can successfully complete this challenging project.

### Recommendation

Approval of this resolution to enter into an agreement with HGM for engineering services for the West Graham Reconstruction project.

### **ATTACHMENTS:**


Description	Type	Upload Date
Map	Map	3/20/2024
Engineering Agreement	Agreement	3/20/2024
Resolution 24-105	Resolution	3/27/2024



PW 25-10  
WEST GRAHAM AVE.  
RECONSTRUCTION



Legend

 PW 25-10



## Contract for Engineering Services

THIS CONTRACT, executed by the CITY OF COUNCIL BLUFFS, IOWA, FIRST PARTY, hereinafter referred to as the CONTRACTING AUTHORITY; and HGM ASSOCIATES INC., 640 Fifth Avenue, Council Bluffs, Iowa, 51501-6427, SECOND PARTY, hereinafter referred to as the ENGINEER; made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, in consideration of the mutual covenants hereinafter:

WHEREAS, the CONTRACTING AUTHORITY proposes to make the following improvements described as:

WEST GRAHAM CONSTRUCTION  
CITY OF COUNCIL BLUFFS, IOWA  
CITY PROJECT NO. PW 25-10  
HGM PROJECT NO. 150324

WHEREAS, the CONTRACTING AUTHORITY desires to employ the ENGINEER to perform General Consulting and Construction Phase Engineering Services for the above designated improvement program as described in the following general Scope of Services:

**I. Scope of Services:**

- A. Meet with the CONTRACTING AUTHORITY to define the project and to prepare a detailed scope of services for the project.
- B. Conduct a topographic survey of defined project area in sufficient detail to prepare construction plans.
- C. Prepare plans and specifications for the construction of the project improvements. There will be four submittals: 30%, 60%, 95% and Final.
- D. Provide bid phase services as follows: preparation of final opinion of probable cost; distribution of bid documents, plans and specifications; attend letting; check and tabulate bids; and prepare letter of recommendation regarding award of construction contract for improvements.
- E. Provide engineering services during construction phase including part-time construction observation to allow the ENGINEER to prepare a statement that improvements have been completed in substantial compliance with the plans and specifications. Services will include a project representative, construction contract administration, staking of proposed construction improvements and the preparation of record drawings at the completion of construction.



- F. Provide project management services including coordination of other subconsultants or consulting services as directed by the CONTRACTING AUTHORITY.
- G. Additional services, as authorized in writing by the CONTRACTING AUTHORITY, requiring the use of other subconsultants or commercial testing laboratories.
- H. Prepare, as authorized in writing by the CONTRACTING AUTHORITY, right-of-way plats and descriptions, easement descriptions, outside permits and special assessments.

WHEREAS, the ENGINEER desires to accept the said employment under the terms and conditions hereinafter outlined.

NOW, THEREFORE, IT IS AGREED AND STIPULATED by and between the parties hereto as follows:

**II. Terms and Conditions:**

- A. The ENGINEER agrees to:
  - 1. Provide all office and field equipment and supplies to perform such duties designated in the scope of services.
  - 2. Provide, in addition to his own professional services, the necessary personnel to perform such duties as shall be designated by the CONTRACTING AUTHORITY and to act under the direction of said authority.
- B. The CONTRACTING AUTHORITY agrees to employ and pay the ENGINEER under the following terms and conditions:
  - 1. For items I.A. and I.F. of the scope of services, the fees will be computed on an hourly basis by multiplying the ENGINEER'S payroll costs times 2.19 with a negotiated "not to exceed" maximum amount.
  - 2. For items I.B., I.C., and I.D. of the scope of services, the fees will be a negotiated lump sum amount for each of these services.
  - 3. For item I.E. of the scope of services, the fees will be computed on an hourly basis by multiplying the ENGINEER'S payroll cost times 2.19 with negotiated maximum amount based on a percent (%) of the *averaged construction cost amount*. The *averaged construction cost amount* shall be equal to the average amount of the bid amount of the two (2) low bidders.
  - 4. For item I.G. the fee will be the actual cost as billed by the subconsultant or commercial testing laboratory.



5. For item I.H. the fees will be computed on an hourly basis by multiplying the ENGINEER'S payroll cost times 2.19.
6. For additional services performed by the ENGINEER as authorized in writing by the CONTRACTING AUTHORITY the fees will be computed on an hourly basis by multiplying the ENGINEER'S payroll cost times 2.19.
7. All engineering and related fees will be billed on a monthly basis for services rendered during the specific period.
8. The payroll cost used as a basis for payment shall mean the salaries and wages paid to principals and employees engaged directly on the project, including--but not limited to -- engineers, architects, surveyors, designers, drafters, specification writers, estimators, other technical personnel, stenographers, typists, and clerks; plus the cost of fringe benefits including -- but not limited to -- social security contributions, unemployment, excise and payroll taxes, workmen's compensation, health and retirement benefits, sick leave, vacation and holiday pay applicable thereto. The payroll cost will be determined by multiplying actual payroll times 1.4612.

C. GENERAL CONDITIONS:

1. Ownership of Documents:

Both parties agree that the ownership of documents prepared by the ENGINEER at the direction of the CONTRACTING AUTHORITY, including specifications, drawings, maps, plats, and other related documents, shall be and remain property of the CONTRACTING AUTHORITY; and further, that such right in the CONTRACTING AUTHORITY shall not preclude the right of the ENGINEER to make and retain copies of same, to which copies ENGINEER shall have full right of ownership.

2. Termination of Agreement:

This agreement, or any portion thereof, may be terminated immediately upon written notice by the CONTRACTING AUTHORITY. In event such Notice of Termination shall be given by the CONTRACTING AUTHORITY, the payment for unbilled Engineering Services for work performed prior to the date of termination shall be determined by multiplying the ENGINEER'S payroll cost times 2.19, plus outside expense.



3. Revision of Completed Documents of Service:

Drafts of documents of service shall be submitted to the CONTRACTING AUTHORITY by the ENGINEER for review and comment. The comments received from the CONTRACTING AUTHORITY and the reviewing agencies shall be incorporated by the ENGINEER prior to submission of the final work product by the ENGINEER. Documents of service revised in accordance with review comments shall constitute "satisfactorily completed and accepted work." Requests for changes on documents of service by the CONTRACTING AUTHORITY shall be in writing. In the event there are no comments from the CONTRACTING AUTHORITY or reviewing agencies to be incorporated by the ENGINEER into the final document of service, the CONTRACTING AUTHORITY shall immediately notify the ENGINEER, in writing, that the document of service is considered to constitute "satisfactorily completed and accepted work."

In the event that the document of service prepared by the ENGINEER is found to be inadequate and revision or reworking of the document of service is necessary, the ENGINEER agrees that it shall do such revising without expense to the CONTRACTING AUTHORITY, even though final payment may have been received. The ENGINEER must give immediate attention to these changes so there will be a minimum of delay in the project.

Should the CONTRACTING AUTHORITY find it desirable to have previously satisfactorily completed and accepted document of service or parts thereof revised, the ENGINEER shall make such revisions if requested and directed by the CONTRACTING AUTHORITY in writing. This work will be paid for as provided in Section II.B.6.

4. Extra Work/Changes in Scope:

If the ENGINEER is of the opinion that any work it has been directed to perform is beyond the scope of this Agreement, and constitutes "Extra Work," the ENGINEER shall promptly notify the CONTRACTING AUTHORITY in writing to that effect. In the event that the CONTRACTING AUTHORITY determines that such work does constitute "Extra Work," the CONTRACTING AUTHORITY shall provide extra compensation to the ENGINEER as provided in Section II.B.6. or at a negotiated lump sum. Unless written approval from the CONTRACTING AUTHORITY for "Extra Work" has been secured in advance from the ENGINEER, no claims will be allowed. However, the CONTRACTING AUTHORITY shall have benefit of the service rendered.



5. 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.

6. Insurance:

The ENGINEER shall maintain insurance to protect the ENGINEER from claims under Worker's-Compensation Acts; claims due to personal injury or death of any employees or any other person; claims due to injury or destruction of property; and claims arising out of errors, omissions, or negligent acts for 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



7. Dispute Resolution – 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.

8. 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.

9. Successors and Assigns:

Both parties agree that, upon execution of this agreement, same shall be binding upon their/its successors, assigns, and legal representatives until terminated by the expiration of agreement or termination by written notice, as provided above.

10. Title VI Requirements:

Appendix "A" attached to this Agreement lists Title VI requirements that are part of this Agreement.

(Signature page to follow)




Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.


CITY OF COUNCIL BLUFFS, IOWA \* FIRST PARTY  
CONTRACTING AUTHORITY

By: \_\_\_\_\_  
Mayor: Matthew J. Walsh

Attest: \_\_\_\_\_  
City Clerk: Jodi Quakenbush

HGM ASSOCIATES INC. \* SECOND PARTY  
ENGINEER

By:  \_\_\_\_\_  
Terrence L Smith, P.E.  
President

Attest:  \_\_\_\_\_  
John E Jorgensen, P.E.  
Project Manager



## **APPENDIX “A”**

During the performance of this 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 reference 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 of 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, orders 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 interests 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.



**RESOLUTION**  
**NO 24-105**

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK  
TO EXECUTE AN AGREEMENT WITH  
HGM ASSOCIATES INC. FOR ENGINEERING SERVICES  
IN CONNECTION WITH THE  
WEST GRAHAM RECONSTRUCTION  
PROJECT #PW25-10**

WHEREAS,           the city wishes to make improvements known as the  
West Graham Reconstruction within the city,  
as therein described; and

WHEREAS,           HGM 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  
HGM Associates Inc. for engineering services relative to the West Graham Reconstruction  
project.

ADOPTED  
AND  
APPROVED

April 1, 2024

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

ATTEST:

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



## Council Communication

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

Resolution 24-106  
ITEM 9.B.

Council Action: 4/1/2024

### Description

Resolution authorizing the advance of \$1,240,000 from the General Fund to satisfy the City of Council Bluffs' obligations for the Marketplace Urban Renewal Area.

### Background/Discussion

City staff is requesting authorization to advance up to \$1,240,000 from the general fund to satisfy the City of Council Bluffs' obligations related to the Marketplace Urban Renewal Area. The general fund will be reimbursed through the collection of tax increment financing (TIF) revenue.

The actual amount of the advance will be certified to the County Auditor on or before December 1, 2024 in accordance with Iowa Code Section 403.19.

### Recommendation

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

### ATTACHMENTS:

Description	Type	Upload Date
Resolution 24-106	Resolution	3/27/2024



RESOLUTION NO. 24-106

RESOLUTION AUTHORIZING ADVANCEMENT OF  
PAYMENT FOR AN URBAN RENEWAL PROJECT AND  
CERTIFICATION OF EXPENSES INCURRED BY THE CITY  
FOR PAYMENT UNDER IOWA CODE SECTION 403.19

WHEREAS, the City of Council Bluffs, Iowa has previously adopted the Marketplace Urban Renewal Plan (the “Plan”) for the Marketplace Urban Renewal Area (the "Urban Renewal Area") for the purpose of undertaking urban renewal projects within the Urban Renewal Area; and

WHEREAS, the City has authorized various projects as eligible urban renewal projects to be undertaken within the Urban Renewal Area, including a development agreement with Legacy CB, LLC (the “Legacy Development Agreement”); and

WHEREAS, the Legacy Development Agreement project was previously determined to be a valid urban renewal project that, in the judgment of the Council, would further one or more of the objectives of the Plan; and

WHEREAS, in furtherance of the Legacy Development Agreement project, the Iowa Finance Authority (“IFA”) issued economic development revenue bonds (the “IFA Bonds”) and the City agreed to use incremental tax revenues collected pursuant to Iowa Code Section 403.19 from the Urban Renewal Area (the “TIF Revenues”) for payments related to the IFA Bonds; and

WHEREAS, due to changed circumstances of the Legacy Development Agreement project, the City and IFA have agreed to provide for the early redemption of the IFA Bonds and, accordingly, the City will issue payment of approximately \$1,240,000 to IFA (the “Payoff Payment”); and

WHEREAS, the City intends to advance funds from the City’s General Fund to pay the Payoff Payment, and intends to reimburse said fund with TIF Revenues; and

WHEREAS, before approving an urban renewal project for reimbursement with tax increment, it is necessary to make certain findings under Iowa Code Chapter 403; and

WHEREAS, it is the intention of the City to certify the amount of funds advanced for the Payoff Payment for reimbursement under Iowa Code Section 403.19 before December 1, 2024; and

WHEREAS, the City has previously certified debt to the County Auditor, pursuant to Iowa Code Section 403.19, related to the City’s obligation to use said TIF Revenues for payments related to the IFA Bonds and the City intends to decertify this debt in the amount of the Payoff Payment being advanced.



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

Section 1. Pursuant to Ordinance no. 5941, there has been established the Marketplace TIF Account (the "Tax Increment Fund"), into which incremental property tax revenues received from the Urban Renewal Area are deposited. The Council finds the Payoff Payment to be an expenditure for an urban renewal project as defined in Iowa Code Chapter 403, and further finds that said project is included in the Plan for the Urban Renewal Area.

Section 2. It is hereby directed that the amount advanced from General Fund in order to pay the amount of the Payoff Payment shall be treated as an advance from the General Fund (the "Advance"), and said fund shall be reimbursed the total actual amount of the Advance from the Tax Increment Fund.

Section 3. The amount of the Advance is expected to total \$1,240,000.

Section 4. Certification for reimbursement under Iowa Code Section 403.19 for the actual amount of the Advance shall be made by the City to the County Auditor on or before December 1, 2024; furthermore, to the extent the same amount was previously certified as debt for reimbursement from the Tax Increment Fund related to paying off the IFA Bonds directly, such amount shall be decertified on or before December 1, 2024.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, STATE OF IOWA, this 1<sup>st</sup> day of April 2024.

\_\_\_\_\_  
Mayor

ATTEST:

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

02324453\10342-101



## Council Communication

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

Resolution 24-107A & 24-107B  
ITEM 9.C.

Council Action: 4/1/2024

### Description

A) Resolution directing the advertisement for sale of \$23,960,000 (dollar amount subject to change) General Obligation Bonds, Series 2024A, and approving electronic bidding procedures and Official Statement.

B) Resolution directing the advertisement for sale of \$2,800,000 (dollar amount subject to change) Taxable General Obligation Bonds, Series 2024B, and approving electronic bidding procedures and Official Statement.

### Background/Discussion

The General Obligation Bonds previously approved for FY25 CIP via Public Hearing, shall be two separate bond issues:

A) General Obligation Bonds, Series 2024A of \$23,960,000 (dollar amount subject to change) for various general obligation bonds (essential corporate purposes and general corporate purposes) shall be combined for the purpose of issuance

B) Taxable General Obligation Bonds, Series 2024B of \$2,800,000 (dollar amount subject to change) for general corporate purposes outlined within

In conjunction with PFM Financial Advisors LLC, the City has caused an Official Statement to be prepared outlining the details of the proposed sale of Bonds as well as to receive bids to purchase such Bonds by means of both sealed and electronic internet communication.

### Recommendation

The City is currently at phase 1 of Step 7 in the General Obligation Bonding process, which is to request approval of the resolution to advertise and publish notice of the sale of General Obligation Bonds. It is in the best interest of the City to continue to move forward in the process of proposing the issuance of General Obligation Bonds to satisfy the funding requirements for capital improvement projects for FY25. Upon approval of the advertisement, the next step is to hold the public hearing/sale of bond.

### ATTACHMENTS:

Description	Type	Upload Date
Notice of Public Hearing Sale of Bonds	Notice	3/25/2024
GO Bond Process	Other	3/25/2024
FY25 CIP	Other	3/25/2024
FY25 CIP Supplemental Info	Other	3/25/2024
Preliminary Official Statement	Other	3/25/2024
Resolution 24-107A	Resolution	3/27/2024
Resolution 24-107B	Resolution	3/27/2024



(To be published on or before April 16, 2024)

## NOTICE OF BOND SALE

Time and Place of Sealed Bids: Bids for the sale of Bonds of the City of Council Bluffs, State of Iowa, hereafter described, must be received at the office of the Director of Finance, City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503; Telephone: 712-890-5303 (the "Issuer") before 10:00 A.M., on the 22<sup>nd</sup> day of April, 2024. The bids will then be publicly opened and referred for action to the meeting of the City Council in conformity with the TERMS OF OFFERING.

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

GENERAL OBLIGATION BONDS, SERIES 2024A, in the amount of \$23,960,000\*, to be dated June 3, 2024

TAXABLE GENERAL OBLIGATION BONDS, SERIES 2024B, in the amount of \$2,800,000\*, to be dated June 3, 2024

(collectively the "Bonds")

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

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

- Sealed Bidding: Sealed bids may be submitted and will be received at the office of the Director of Finance at City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503.
- Electronic Internet Bidding: Electronic internet bids will be received at the office of the Director of Finance at City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503 and at the office of the City's Municipal Advisor, PFM Financial Advisors LLC, 801 Grand Avenue, Suite 3300, Des Moines, Iowa 50309. The bids must be submitted through the PARITY® competitive bidding system.

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

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

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



Form, which is incorporated by reference as a part of this notice. The Official Statement may be obtained by request addressed to the Director of Finance, City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503; Telephone: 712-890-5305 or the Issuer's Municipal Advisor, PFM Financial Advisors LLC, 801 Grand Avenue, Suite 3300, Des Moines, Iowa, 50309, telephone 515-243-2600.

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

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

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

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

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City Clerk, City of Council Bluffs, State of  
Iowa

(End of Notice)



# City of Council Bluffs

## GO Bonding Process

Step 1 – Determine CIP requirements and Tax levy for next year budget

- a. 5 year CIP prepared and presented to Planning Commission
- b. Set public hearing
- c. Conduct public hearing on approval of 5 year CIP

Step 2 – Set public hearing for bond purposes

- a. 4/20 notice for essential corporate purpose
- b. 10/20 notice for general corporate purpose

Step 3 – Conduct public hearing and approve bond purpose resolutions to issue bonds

Step 4 – Reimbursement resolution

Step 5 – Resolution to collect a tax levy (also referred to as pre-levy)

Step 6 – Prepare Preliminary Official Statement (no Council action needed)

- a. Presentation to Moody's Investors for debt rating

Step 7 – Notice of Bond Sale; set public hearing for sale of bonds

Step 8 – Sale of Bonds public hearing

Step 9 – Final resolution is to approve the Bond paying agent and registrar



FY 25

PROJECT #	PROJECT TITLE	DESCRIPTION	Current Year Funding Sources											Current Year Project Cost	Notes/Further information
			Federal	State	Sales	Road Use	GO	Gen Fund Gaming	Gen Fund Operating	Iowa West Grant	Other Grant	Donations	Other		
Building Maintenance			\$0	\$0	\$0	\$0	\$3,060,000	\$735,000	\$0	\$0	\$0	\$0	\$0	\$3,795,000	
BM-25-01	MAC Parking Lot Rehab - Phase V	Replacement of City owned lots					\$700,000	\$300,000						\$1,000,000	
BM-25-02	MAC Cooling Towers	Replace existing cooling towers due to age and condition					\$700,000	\$200,000						\$900,000	
BM-25-03	Library Building Automation Upgrades	Replace failing building automation components and purchase new building automation software					\$320,000	\$60,000						\$380,000	Gaming
BM-25-04	UP Museum Windows and Doors	Replace all windows and doors					\$530,000							\$530,000	Gaming
BM-25-05	UP Museum Roof Top Mechanical	Replace two roof top units					\$150,000							\$150,000	Gaming
BM-25-06	Central Fire Station Exterior Repair	Clean and seal exterior walls						\$100,000						\$100,000	Gaming
BM-25-07	MAC Arena Upgrades - Phase I	Replace south retractable seating					\$660,000							\$660,000	
BM-25-08	MAC Automated Floor Scrubber	Purchase Automated Floor scrubber						\$75,000						\$75,000	Gaming
Community Development			\$350,000	\$0	\$0	\$0	\$1,134,000		\$0	\$0	\$2,000,000	\$0	\$3,866,000	\$7,350,000	
CD-25-01	FIRST AVE Program (Furthering Interconnections, Revitalization, Streetscapes, Transportation, and Aesthetics for a Vibrant Economy)	Acquisitions/demolition					\$500,000							\$500,000	
CD-25-02	Downtown projects	Acquisitions/demolition/infrastructure/studies/façade grants					\$200,000							\$200,000	
CD-25-03	Rivers Edge Water Main	Extension of water main to Rivers Edge					\$434,000						\$866,000	\$1,300,000	Other: PY 2021B GO Bonds
CD-25-04	East Manawa Development	Planning, design, infrastructure	\$350,000								\$2,000,000		\$3,000,000	\$5,350,000	Other: ARPA
Police Department			\$0	\$0	\$0	\$0	\$542,300		\$0	\$0	\$0	\$0	\$0	\$542,300	
PD-25-01	Vehicles and Heavy Equipment	Equipment purchases and improvements, to include fleet					\$542,300							\$542,300	
Fire Department			\$0	\$0	\$0	\$0	\$1,010,000		\$0	\$0	\$0	\$0	\$0	\$1,010,000	
FD-25-01	Medic Unit Refurbishment	Apparatus Replacement Previous year delay FY/24					\$350,000							\$350,000	
FD-25-02	Medic Unit Refurbishment	Apparatus Replacement					\$270,000							\$270,000	
FD-25-03	Vehicles and Heavy Equipment	Equipment purchases and improvements, to include fleet					\$390,000							\$390,000	
IT			\$0	\$0	\$0	\$0	\$500,000	\$200,000	\$0	\$0	\$80,000	\$0	\$0	\$780,000	
IT-25-01	Safety and Security	Parameter cameras at City Hall and pump stations; Cyber security					\$75,000							\$75,000	
IT-25-02	Infrastructure & Services	Fiber, network switches, servers, storage					\$350,000				\$80,000			\$430,000	Library Foundation
IT-25-03	Mobile Technology	MDTs and tablets					\$75,000							\$75,000	
IT-25-04	Software Licensing	Software renewals; permit/licensing software implementation						\$200,000						\$200,000	Gaming
Parks and Recreation Department			\$0	\$0	\$0	\$0	\$672,940		\$50,000	\$0	\$0	\$0	\$0	\$722,940	
PR-25-01	City Wide Parking Lot Upgrades	Additional funding request to completed improvements to Big Lake Park and Valley View Park parking lots					\$150,000							\$150,000	
PR-25-03	Council Bluffs Recreation Complex Facility Maintenance Yard Improvements	Additional funding for Improvements to Existing Facility to Include Security Fence, Outdoor Storage and Parking Lot Modifications					\$175,000							\$175,000	
PR-25-05	Bahnsen Field Maintenance Building	Install prefabricated storage building at Bahnsen Field					\$20,000							\$20,000	
PR-25-06	Valley View Trail Sealcoat	sealcoat existing trail							\$50,000					\$50,000	Operating
PR-25-07	Vehicles and Heavy Equipment	Equipment purchases and improvements					\$327,940							\$327,940	
Public Works Department			\$0	\$4,605,000	\$9,600,000	\$0	\$0		\$0	\$0	\$0	\$0	\$2,600,000	\$16,805,000	
PW-25-01	Infrastructure Maintenance	PCC Street Repairs			\$400,000									\$400,000	
PW-25-04	Infrastructure Management	Traffic studies - Franklin, Valley View, Harry Landon			\$150,000									\$150,000	
PW-25-05	NPDES PH II Program Management	Citywide MS4 permit - storm sewer improvements			\$100,000									\$100,000	
PW-25-06	Levee Certification Projects														
	Program Management	Consultant Services			\$250,000									\$250,000	
	Geotech MC_3	Stability improvements to Mosquito Creek Levee		\$2,200,000										\$2,200,000	FMP
PW-25-07	State Orchard Road Reconstruction	EHD to Steven Rd			\$3,000,000									\$3,000,000	



FY 25

PROJECT #	PROJECT TITLE	DESCRIPTION	Current Year Funding Sources											Current Year Project Cost	Notes/Further information
			Federal	State	Sales	Road Use	GO	Gen Fund Gaming	Gen Fund Operating	Iowa West Grant	Other Grant	Donations	Other		
PW-25-08	30th Ave Sewer Rehab - Phase III	Sewer											\$500,000	\$500,000	Other = Sewer
PW-25-09	E Manawa Sewer Rehab - Phase XIII	Mowhawk Street - Pavement, sewers			\$1,300,000								\$450,000	\$1,750,000	Other = Sewer
PW-25-10	West Graham Reconstruction	Pavement, sewer		\$2,405,000	\$1,250,000									\$3,655,000	STBG
PW-25-12	30th Avenue Reconstruction	Pavement - Entrance to Power Center at S Expressway			\$750,000									\$750,000	
PW-25-13	Avenue B	Pavement, sewer - 8th St. to 13th St.			\$1,400,000								\$600,000	\$2,000,000	Other = Sewer
PW-25-14	Fiber Optic Extension to WPCP	Fiber connection for communication											\$250,000	\$250,000	Other = Sewer
PW-25-15	Storm Pump Station Rehab	Backup Gen Set at I-80			\$500,000									\$500,000	
PW-25-16	WPCP Solids Bldg Concrete Repairs	Concrete rehab of walls and ceiling in head cell pit			\$500,000									\$500,000	
PW-25-17	Pump Station Rehab	Southwest Trash Rack Replacement											\$800,000	\$800,000	Other = Sewer
Total			\$350,000	\$4,605,000	\$9,600,000	\$0	\$6,919,240	\$935,000	\$50,000	\$0	\$2,080,000	\$0	\$6,466,000	\$31,005,240	



City of Council Bluffs  
2024 Series Bond Hearing Supplemental Information  
FY25 CIP

Essential Corporate Purpose Reso 24-XX (not to exceed \$23,500,000) GENERAL OBLIGATION BONDS, SERIES 2024			ECP Hearing #1
Total Purpose		\$22,956,300	
FIRST AVE Program (Furthering Interconnections, Revitalization, Streetscapes, Transportation, and Aesthetics for a Vibrant Economy)	CD-25-01	\$500,000	
Rivers Edge Water Main	CD-25-03	\$434,000	
Vehicles and Heavy Equipment	PD-25-01, FD-25-03	\$932,300	
Medic Unit Refurbishment	FD-25-01	\$350,000	
Medic Unit Refurbishment	FD-25-02	\$270,000	
Bahnsen Field Maintenance Building	PR-25-05	\$20,000	
City Wide Parking Lot Upgrades	PR-25-01	\$150,000	
Levee Projects (flood control)	FY24 CIP	\$20,300,000	
General Corporate Purpose Reso 24-XX (not to exceed \$700,000) GENERAL OBLIGATION BONDS, SERIES 2024			GCP Hearing #3
Total Purpose		\$700,000	
MAC Cooling Towers	BM-25-02	\$700,000	
General Corporate Purpose Reso 24-XX (not to exceed \$700,000) GENERAL OBLIGATION BONDS, SERIES 2024			GCP Hearing #2
Total Purpose		\$680,000	
UP Museum Windows and Doors	BM-25-04	\$530,000	
UP Museum Roof Top Mechanical	BM-25-05	\$150,000	
General Corporate Purpose Reso 24-XX (not to exceed \$550,000) GENERAL OBLIGATION BONDS, SERIES 2024			GCP Hearing #7
Total Purpose		\$502,940	
Council Bluffs Recreation Complex Facility Maintenance Yard Improvements	PR-25-03	\$175,000	
Vehicles and Heavy Equipment	PR-25-07	\$327,940	
General Corporate Purpose Reso 24-XX (not to exceed \$700,000) GENERAL OBLIGATION BONDS, SERIES 2024			GCP Hearing #4
Total Purpose		\$700,000	
MAC Parking Lot Rehab - Phase V	BM-25-01	\$700,000	
General Corporate Purpose Reso 24-XX (not to exceed \$400,000) GENERAL OBLIGATION BONDS, SERIES 2024			GCP Hearing #5
Total Purpose		\$320,000	
Library Building Automation Upgrades	BM-25-03	\$320,000	
General Corporate Purpose Reso 24-XX (not to exceed \$550,000) GENERAL OBLIGATION BONDS, SERIES 2024			GCP Hearing #6
Total Purpose		\$500,000	
Safety and Security	IT-25-01	\$75,000	
Infrastructure & Services	IT-25-02	\$350,000	
Mobile Technology	IT-25-03	\$75,000	

\*Note: Project BM-25-07 and CD-25-02 have been postponed as funding sources are re-evaluated.

Total CIP Projects	\$ 26,359,240
Total Refunding	-
<b>Total GO Bond Funding</b>	<b>\$ 26,359,240</b>



## PRELIMINARY OFFICIAL STATEMENT DATED APRIL 1, 2024

### New Issue

**Rating: Application Made to Moody's Investors Service, Inc.**

*Assuming compliance with certain covenants, in the opinion of Ahlers & Cooney, P.C., Bond Counsel, under present law and assuming continued compliance with the requirements of the Internal Revenue Code of 1986, as amended (the "Code"), interest on the Series 2024A Bonds is excludable from gross income for federal income tax purposes. Interest on the Series 2024A Bonds is not an item of tax preference for purposes of the federal alternative minimum tax on individuals; however, such interest is taken into account in determining the annual adjusted financial statement income of applicable corporations (as defined in Section 59(k) of the Code) for the purpose of computing the alternative minimum tax imposed on corporations for tax years beginning after December 31, 2022. The Series 2024A Bonds will NOT be designated as "qualified tax-exempt obligations". In the opinion of Ahlers & Cooney, P.C., Bond Counsel, interest on the Series 2024B Bonds paid to the owners thereof is includible in gross income for purposes of present federal income taxation. Interest on the Bonds is NOT exempt from present Iowa income taxes. See "TAX MATTERS" section herein for a more detailed discussion.*

### CITY OF COUNCIL BLUFFS, IOWA

**\$23,960,000\* General Obligation Bonds, Series 2024A**

**\$2,800,000\* Taxable General Obligation Bonds, Series 2024B**

**BIDS RECEIVED: Monday, April 22, 2024, 10:00 A.M., Central Time**

**AWARD: Monday, April 22, 2024, 7:00 P.M., Central Time**

**Dated:** Date of Delivery (June 3, 2024)

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

The \$23,960,000\* General Obligation Bonds, Series 2024A (the "Series 2024A Bonds") and the \$2,800,000\* Taxable General Obligation Bonds, Series 2024B (the "Series 2024B Bonds") (collectively, the "Bonds") are being issued pursuant to Subchapter III of Chapter 384 of the Code of Iowa and resolutions (the "Resolutions") to be adopted by the City Council of the City of Council Bluffs, Iowa (the "City"). The Bonds are being issued for various new money purposes. See "AUTHORITY AND PURPOSE" section herein for detailed project descriptions. The Bonds are general obligations of the City for which the City will pledge its power to levy direct ad valorem taxes against all taxable property within the City without limitation as to rate or amount to the repayment of the Bonds.

The Bonds will be issued as fully registered Bonds without coupons and, when issued, will be registered in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC"). DTC will act as securities depository for the Bonds. Individual purchases may be made in book-entry-only form, in the principal amount of \$5,000 and integral multiples thereof. Purchasers will not receive certificates representing their interest in the Bonds purchased. Principal of the Bonds, payable annually on each June 1, beginning June 1, 2025 and interest on the Bonds, payable initially on December 1, 2024 and thereafter on each June 1 and December 1, will be paid to DTC by the City's Registrar/Paying Agent, UMB Bank, N.A., West Des Moines, Iowa (the "Registrar"). DTC will in turn remit such principal and interest to its participants for subsequent disbursements to the beneficial owners of the Bonds as described herein. Interest and principal shall be paid to the registered holder of a bond as shown on the records of ownership maintained by the Registrar as of the 15<sup>th</sup> day of the month preceding such interest payment date (the "Record Date").

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

	<u>Series 2024A Bonds</u>	<u>Series 2024B Bonds</u>
<b>MINIMUM BID:</b>	\$23,720,400	\$2,783,200
<b>GOOD FAITH DEPOSIT:</b>	\$239,600 Required of Purchaser Only	\$28,000 Required of Purchaser Only
<b>TAX MATTERS:</b>	Federal: Tax-Exempt State: Taxable See "TAX MATTERS" for more information.	Federal: Taxable State: Taxable See "TAX MATTERS" for more information.

The Bonds are offered, subject to prior sale, withdrawal or modification, when, as and if issued subject to the unqualified approving legal opinion of Ahlers & Cooney, P.C., Bond Counsel, Des Moines Iowa, to be furnished upon delivery of the Bonds. Ahlers & Cooney, P.C. is also serving as Disclosure Counsel to the City in connection with the issuance of the Bonds. It is expected the Bonds in the definitive form will be available on or about June 3, 2024 via Fast Automated Securities Transfer delivery with the Registrar holding the Bonds on behalf of DTC. The Preliminary Official Statement in the form presented is deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission, subject to revisions, corrections or modifications as determined to be appropriate, and is authorized to be distributed in connection with the offering of the Bonds for sale.

\* Preliminary; subject to change.



## CITY OF COUNCIL BLUFFS, IOWA

### **\$23,960,000\* General Obligation Bonds, Series 2024A**

**MATURITY:** The Series 2024A Bonds will mature June 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount*</u>
2025	\$1,070,000
2026	1,590,000
2027	1,670,000
2028	1,935,000
2029	2,600,000
2030	2,730,000
2031	2,870,000
2032	3,010,000
2033	3,165,000
2034	3,320,000

**\* PRINCIPAL**

**ADJUSTMENT:** Preliminary; subject to change. The aggregate principal amount of the Series 2024A Bonds, and each scheduled maturity thereof, are subject to increase or reduction by the City or its designee after the determination of the successful bidder. The City may increase or decrease each maturity in increments of \$5,000 but the total amount to be issued will not exceed \$24,200,000. Interest rates specified by the successful bidder for each maturity will not change. Final adjustments shall be in the sole discretion of the City.

The dollar amount of the purchase price proposed by the successful bidder will be changed if the aggregate principal amount of the Series 2024A Bonds is adjusted as described above. Any change in the principal amount of any maturity of the Series 2024A Bonds will be made while maintaining, as closely as possible, the successful bidder's net compensation, calculated as a percentage of bond principal. The successful bidder may not withdraw or modify its bid as a result of any post-bid adjustment. Any adjustment shall be conclusive, and shall be binding upon the successful bidder.

**INTEREST:** Interest on the Series 2024A Bonds will be payable initially on December 1, 2024 and semiannually thereafter.

**OPTIONAL**

**REDEMPTION:** The Series 2024A Bonds, due after June 1, 2032, will be subject to call for redemption prior to maturity on said date or on any day thereafter upon terms of par plus accrued interest to date of call. Written notice of such call shall be given at least thirty (30) days prior to the date fixed for redemption to the registered owners of the Series 2024A Bonds to be redeemed at the address shown on the registration books.



## CITY OF COUNCIL BLUFFS, IOWA

### **\$2,800,000\* Taxable General Obligation Bonds, Series 2024B**

**MATURITY:** The Series 2024B Bonds will mature June 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount*</u>
2025	\$1,630,000
2026	410,000
2027	430,000
2028	330,000

**\* PRINCIPAL**

**ADJUSTMENT:** Preliminary; subject to change. The aggregate principal amount of the Series 2024B Bonds, and each scheduled maturity thereof, are subject to increase or reduction by the City or its designee after the determination of the successful bidder. The City may increase or decrease each maturity in increments of \$5,000 but the total amount to be issued will not exceed \$2,900,000. Interest rates specified by the successful bidder for each maturity will not change. Final adjustments shall be in the sole discretion of the City.

The dollar amount of the purchase price proposed by the successful bidder will be changed if the aggregate principal amount of the Series 2024B Bonds is adjusted as described above. Any change in the principal amount of any maturity of the Series 2024B Bonds will be made while maintaining, as closely as possible, the successful bidder's net compensation, calculated as a percentage of bond principal. The successful bidder may not withdraw or modify its bid as a result of any post-bid adjustment. Any adjustment shall be conclusive, and shall be binding upon the successful bidder.

**INTEREST:** Interest on the Series 2024B Bonds will be payable initially on December 1, 2024 and semiannually thereafter.

**NO OPTIONAL  
REDEMPTION:**

The Series 2024B Bonds will NOT be subject to early redemption.



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

Municipal obligations (issued in an aggregate amount over \$1,000,000) are subject to General Rules and Regulations, Securities Exchange Act of 1934, Rule 15c2-12 Municipal Securities Disclosure.

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

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

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

## REPRESENTATIONS

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

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

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

Ahlers & Cooney, P.C. is also serving as Disclosure Counsel to the City in connection with the issuance of the Bonds.

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



## **City of Council Bluffs, Iowa**

### Elected Officials

Matt Walsh	Mayor
Chris Peterson	Council Member
Roger Sandau	Council Member
Joe Disalvo	Council Member
Jill Shudak	Council Member
Steve Gorman	Council Member

### Administration

Danielle Bemis, Director of Finance  
Jodi Quakenbush, City Clerk  
Richard Wade, City Attorney

### Bond Counsel and Disclosure Counsel

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

### Municipal Advisor

PFM Financial Advisors LLC  
Des Moines, Iowa



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## TERMS OF OFFERING

### CITY OF COUNCIL BLUFFS, IOWA

#### **\$23,960,000\* General Obligation Bonds, Series 2024A** **\$2,800,000\* Taxable General Obligation Bonds, Series 2024B**

Bids for the purchase of the City of Council Bluffs, Iowa's (the "City") \$23,960,000\* General Obligation Bonds, Series 2024A (the "Series 2024A Bonds") and the \$2,800,000\* Taxable General Obligation Bonds, Series 2024B (the "Series 2024B Bonds") (collectively, the "Bonds") will be received on Monday, April 22, 2024 before 10:00 A.M., Central Time, after which time they will be tabulated. The City Council will consider award of the Bonds at 7:00 P.M., Central Time, on the same day. Questions regarding the sale of the Bonds should be directed to the City's Municipal Advisor, PFM Financial Advisors LLC (the "Municipal Advisor"), 801 Grand Avenue, Suite 3300, Des Moines, Iowa, 50309, telephone 515-724-5724. Information may also be obtained from Ms. Danielle Bemis, Director of Finance, City of Council Bluffs, 209 Pearl Street, Council Bluffs, Iowa 51503, telephone 712-890-5305.

This section sets forth the description of certain terms of the Bonds as well as the TERMS OF OFFERING with which all bidders and bid proposals are required to comply, as follows:

#### DETAILS OF THE SERIES 2024A BONDS

GENERAL OBLIGATION BONDS, SERIES 2024A, in the principal amount of \$23,960,000\* to be dated the date of delivery (anticipated to be June 3, 2024) in the denomination of \$5,000 or multiples thereof, will mature June 1, as follows:

<u>Year</u>	<u>Amount*</u>
2025	\$1,070,000
2026	1,590,000
2027	1,670,000
2028	1,935,000
2029	2,600,000
2030	2,730,000
2031	2,870,000
2032	3,010,000
2033	3,165,000
2034	3,320,000

\* Preliminary; subject to change.

#### ADJUSTMENT TO SERIES 2024A BOND MATURITY AMOUNTS

The aggregate principal amount of the Series 2024A Bonds, and each scheduled maturity thereof, are subject to increase or reduction by the City or its designee after the determination of the successful bidder. The City may increase or decrease each maturity in increments of \$5,000 but the total amount to be issued will not exceed \$24,200,000. Interest rates specified by the successful bidder for each maturity will not change. Final adjustments shall be in the sole discretion of the City.

The dollar amount of the purchase price proposed by the successful bidder will be changed if the aggregate principal amount of the Series 2024A Bonds is adjusted as described above. Any change in the principal amount of any maturity of the Series 2024A Bonds will be made while maintaining, as closely as possible, the successful bidder's net compensation, calculated as a percentage of bond principal. The successful bidder may not withdraw or modify its bid as a result of any post-bid adjustment. Any adjustment shall be conclusive, and shall be binding upon the successful bidder.



## INTEREST ON THE SERIES 2024A BONDS

Interest on the Series 2024A Bonds will be payable on December 1, 2024 and semiannually on the 1<sup>st</sup> day of June and December thereafter. Interest and principal shall be paid to the registered holder of a Series 2024A Bond as shown on the records of ownership maintained by the Registrar as of the 15<sup>th</sup> day of the month (whether or not a business day) preceding such interest payment date (the “Record Date”). Interest will be computed on the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to rules of the Municipal Securities Rulemaking Board.

## OPTIONAL REDEMPTION OF THE SERIES 2024A BONDS

The Series 2024A Bonds, due after June 1, 2032, will be subject to call prior to maturity in whole, or from time to time in part, in any order of maturity and within a maturity by lot on said date or on any date thereafter at the option of the City, upon terms of par plus accrued interest to date of call. Written notice of such call shall be given at least thirty (30) days prior to the date fixed for redemption to the registered owners of the Series 2024A Bonds to be redeemed at the address shown on the registration books.

## DETAILS OF THE SERIES 2024B BONDS

TAXABLE GENERAL OBLIGATION BONDS, SERIES 2024B, in the principal amount of \$2,800,000\* to be dated the date of delivery (anticipated to be June 3, 2024) in the denomination of \$5,000 or multiples thereof, will mature June 1, as follows:

<u>Year</u>	<u>Amount*</u>
2025	\$1,630,000
2026	410,000
2027	430,000
2028	330,000

\* Preliminary; subject to change.

## ADJUSTMENT TO SERIES 2024B BOND MATURITY AMOUNTS

The aggregate principal amount of the Series 2024B Bonds, and each scheduled maturity thereof, are subject to increase or reduction by the City or its designee after the determination of the successful bidder. The City may increase or decrease each maturity in increments of \$5,000 but the total amount to be issued will not exceed \$2,900,000. Interest rates specified by the successful bidder for each maturity will not change. Final adjustments shall be in the sole discretion of the City.

The dollar amount of the purchase price proposed by the successful bidder will be changed if the aggregate principal amount of the Series 2024B Bonds is adjusted as described above. Any change in the principal amount of any maturity of the Series 2024B Bonds will be made while maintaining, as closely as possible, the successful bidder's net compensation, calculated as a percentage of bond principal. The successful bidder may not withdraw or modify its bid as a result of any post-bid adjustment. Any adjustment shall be conclusive, and shall be binding upon the successful bidder.

## INTEREST ON THE SERIES 2024B BONDS

Interest on the Series 2024B Bonds will be payable on December 1, 2024 and semiannually on the 1<sup>st</sup> day of June and December thereafter. Interest and principal shall be paid to the registered holder of a Series 2024B Bond as shown on the records of ownership maintained by the Registrar as of the 15<sup>th</sup> day of the month (whether or not a business day) preceding such interest payment date (the “Record Date”). Interest will be computed on the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to rules of the Municipal Securities Rulemaking Board.

## NO OPTIONAL REDEMPTION OF THE SERIES 2024B BONDS

The Series 2024B Bonds will NOT be subject to early redemption.



## TERM BOND OPTION

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

## GOOD FAITH DEPOSITS

A good faith deposit in the amount of \$239,600 for the Series 2024A Bonds and \$28,000 for the Series 2024B Bonds (collectively, the “Deposits”) is required from the lowest bidder(s) only for each respective series of the Bonds. The lowest bidder(s) are required to submit such Deposits, payable to the order of the City, not later than 12:00 P.M., Central Time, on the day of sale of the Bonds and in the form of either (i) a cashier’s check provided to the City or its Municipal Advisor, or (ii) a wire transfer as instructed by the City’s Municipal Advisor. If not so received, the bid of the lowest bidder may be rejected and the City may direct the second lowest bidder to submit a deposit and thereafter may award the sale of the Bonds to the same. No interest on the Deposits will accrue to the successful bidder(s) (the “Purchaser(s)”). The Deposits will be applied to the purchase price of each respective series of the Bonds. In the event a Purchaser(s) fails to honor its accepted bid proposal, the applicable deposit will be retained by the City.

## FORM OF BIDS AND AWARD

All bids shall be unconditional for the Bonds for a price not less than \$23,720,400 for the Series 2024A Bonds and \$2,783,200 for the Series 2024B Bonds, plus accrued interest, and shall specify the rate or rates of interest in conformity to the limitations set forth under the “BIDDING PARAMETERS” section herein. Bids must be submitted on or in substantial compliance with the OFFICIAL BID FORMS provided by the City. The Bonds will be awarded to the bidder(s) offering the lowest interest rate to be determined on a true interest cost (the “TIC”) basis assuming compliance with the “ESTABLISHMENT OF ISSUE PRICE” and “GOOD FAITH DEPOSITS” sections herein. The TIC shall be determined by the present value method, i.e., by ascertaining the semiannual rate, compounded semiannually, necessary to discount to present value as of the dated date of each respective series of the Bonds, the amount payable on each interest payment date and on each stated maturity date or earlier mandatory redemption, so that the aggregate of such amounts will equal the aggregate purchase price offered therefore. The TIC shall be stated in terms of an annual percentage rate and shall be that rate of interest, which is twice the semiannual rate so ascertained (also known as the Canadian Method). The TIC shall be as determined by the Municipal Advisor based on the TERMS OF OFFERING and all amendments, and on the bids as submitted. The Municipal Advisor’s computation of the TIC of each bid shall be controlling. In the event of tie bids for the lowest TIC, the Bonds will be awarded by lot.

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

## BIDDING PARAMETERS

For each respective series of the Bonds, each bidder’s proposal must conform to the following limitations:

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



## RECEIPT OF BIDS

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

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

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

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

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

## BOOK-ENTRY-ONLY ISSUANCE

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

## MUNICIPAL BOND INSURANCE AT PURCHASER’S OPTION

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



## DELIVERY

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

## ELECTRONIC TRANSCRIPTS

Purchaser(s) consent to the receipt of electronic transcripts and acknowledges the City's intended use of electronically executed documents. Iowa Code chapter 554D establishes electronic signatures have the full weight and legal authority as manual signatures.

## ESTABLISHMENT OF ISSUE PRICE – SERIES 2024A BONDS

The Purchaser shall assist the City in establishing the issue price of the Series 2024A Bonds and shall execute and deliver to the City at closing an "issue price" or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the Series 2024A Bonds, together with the supporting pricing wires or equivalent communications, substantially in the form attached hereto in "EXHIBIT 1 - FORMS OF ISSUE PRICE CERTIFICATES – SERIES 2024A BONDS" to the TERMS OF OFFERING, with such modifications as may be appropriate or necessary in the reasonable judgment of the Purchaser, the City and Bond Counsel, will need to be signed by the Purchaser. All actions to be taken by the City under the TERMS OF OFFERING to establish the issue price of the Series 2024A Bonds may be taken on behalf of the City by the Municipal Advisor identified herein and any notice or report to be provided to the City may be provided to the Municipal Advisor.

The City intends the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the Series 2024A Bonds) will apply to the initial sale of the Series 2024A Bonds (the "competitive sale requirements") because (i) the City shall disseminate this TERMS OF OFFERING to potential underwriters in a manner that is reasonably designed to reach potential underwriters, (ii) all bidders shall have an equal opportunity to bid, (iii) the City may receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds, and (iv) the City anticipates awarding the sale of the Series 2024A Bonds to the bidder who submits a firm offer to purchase the Series 2024A Bonds at the highest price (or lowest interest cost), as set forth in the TERMS OF OFFERING.

Any bid submitted pursuant to the TERMS OF OFFERING shall be considered a firm offer for the purchase of the Series 2024A Bonds, as specified in the bid.

In the event the competitive sale requirements are not satisfied for the Series 2024A Bonds, the City shall so advise the Purchaser. The City may determine to treat (i) the first price at which 10% of a maturity of the Series 2024A Bonds (the "10% test") is sold to the public as the issue price of that maturity, and/or (ii) the initial offering price to the public as of the sale date of any maturity of the Series 2024A Bonds as the issue price of that maturity (the "hold-the-offering-price rule"), in each case applied on a maturity-by-maturity basis (and if different interest rates apply within a maturity, to each separate CUSIP number within that maturity). The Purchaser shall advise the City if any maturity of the Series 2024A Bonds satisfies the 10% test as of the date and time of the award of the Series 2024A Bonds. The City shall promptly advise the Purchaser, at or before the time of award of the Series 2024A Bonds, which maturities of the Series 2024A Bonds, if any, shall be subject to the 10% test or shall be subject to the hold-the-offering-price rule. Bids will not be subject to cancellation in the event the City determines to apply the hold-the-offering-price rule to any maturity of the Series 2024A Bonds. **Prospective bidders should prepare their bids on the assumption that some or all of the maturities of the Series 2024A Bonds will be subject to the hold-the-offering-price rule in order to establish the issue price of the Series 2024A Bonds.**

By submitting a bid, the Purchaser shall (i) confirm the underwriters have offered or will offer the Series 2024A Bonds to the public on or before the date of award at the offering price or prices (the "initial offering price"), or at the



corresponding yield or yields, set forth in the bid submitted by the Purchaser, and (ii) agree, on behalf of the underwriters participating in the purchase of the Series 2024A Bonds, that the underwriters will neither offer nor sell unsold Series 2024A Bonds of any maturity to which the hold-the-offering-price rule shall apply to any person at a price that is higher than the initial offering price to the public during the period starting on the sale date and ending on the earlier of the following (a) the close of the fifth (5th) business day after the sale date, or (b) the date on which the underwriters have sold at least 10% of that maturity of the Series 2024A Bonds to the public at a price that is no higher than the initial offering price to the public.

The Purchaser shall promptly advise the City when the underwriters have sold 10% of that maturity of the Series 2024A Bonds to the public at a price that is no higher than the initial offering price to the public, if that occurs prior to the close of the fifth (5th) business day after the sale date.

The City acknowledges that in making the representation set forth above, the Purchaser will rely on (i) the agreement of each underwriter to comply with the hold-the-offering-price rule, as set forth in an agreement among underwriters and the related pricing wires, (ii) in the event a selling group has been created in connection with the initial sale of the Series 2024A Bonds to the public, the agreement of each dealer who is a member of the selling group to comply with the hold-the-offering-price rule, as set forth in a selling group agreement and the related pricing wires, and (iii) in the event, an underwriter is a party to a retail distribution agreement that was employed in connection with the initial sale of the Series 2024A Bonds to the public, the agreement of each broker-dealer that is a party to such agreement to comply with the hold-the-offering-price rule, as set forth in the retail distribution agreement and the related pricing wires. The City further acknowledges that each underwriter shall be solely liable for its failure to comply with its agreement regarding the hold-the-offering-price rule and that no underwriter shall be liable for the failure of any other underwriter, or of any dealer who is a member of a selling group, or of any broker-dealer that is a party to a retail distribution agreement to comply with its corresponding agreement regarding the hold-the-offering-price rule as applicable to the Series 2024A Bonds.

By submitting a bid, each bidder confirms that (i) any agreement among underwriters, any selling group agreement and each retail distribution agreement (to which the bidder is a party) relating to the initial sale of the Series 2024A Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such retail distribution agreement, as applicable, to (a) report the prices at which it sells to the public the unsold Series 2024A Bonds of each maturity allotted to it until it is notified by the Purchaser that either the 10% test has been satisfied as to the Series 2024A Bonds of that maturity or all Series 2024A Bonds of that maturity have been sold to the public, and (b) comply with the hold-the-offering-price rule, if applicable, in each case if and for so long as directed by the Purchaser and as set forth in the related pricing wires; and (ii) any agreement among underwriters relating to the initial sale of the Series 2024A Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter that is a party to a retail distribution agreement to be employed in connection with the initial sale of the Series 2024A Bonds to the public to require each broker-dealer that is a party to such retail distribution agreement to (a) report the prices at which it sells to the public the unsold Series 2024A Bonds of each maturity allotted to it until it is notified by the Purchaser or such underwriter that either the 10% test has been satisfied as to the Series 2024A Bonds of that maturity or all Series 2024A Bonds of that maturity have been sold to the public, and (b) comply with the hold-the-offering-price rule, if applicable, in each case if and for so long as directed by the Purchaser or such underwriter and as set forth in the related pricing wires.

Sales of any Series 2024A Bonds to any person that is a related party to an underwriter shall not constitute sales to the public for purposes of this TERMS OF OFFERING. Further, for purposes of this TERMS OF OFFERING, (i) “public” means any person other than an underwriter or a related party, (ii) “underwriter” means (a) any person that agrees pursuant to a written contract with the City (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Series 2024A Bonds to the public, and (b) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (a) to participate in the initial sale of the Series 2024A Bonds to the public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Series 2024A Bonds to the public); (iii) a Purchaser of any of the Series 2024A Bonds is a “related party” to an underwriter if the underwriter and the Purchaser are subject, directly or indirectly, to (a) at least 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (b) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (c) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable,



if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other); and (iv) “sale date” means the date that the Series 2024A Bonds are awarded by the City to the Purchaser.

## OFFICIAL STATEMENT

The City has authorized the preparation of this Preliminary Official Statement containing pertinent information relative to the Bonds. The Preliminary Official Statement will be further supplemented by offering prices, interest rates, selling compensations, aggregate principal amounts, principal amounts per maturity, anticipated delivery date, and underwriters, together with any other information required by law or deemed appropriate by the City, shall constitute a final Official Statement of the City with respect to the Bonds, as that term is defined in Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended (the “Rule”). By awarding the Bonds to any underwriter or underwriting syndicate submitting an OFFICIAL BID FORM therefore, the City agrees that, no more than seven (7) business days after the date of such award, it shall provide without cost to the senior managing underwriter of the syndicate to which each respective series of the Bonds are awarded up to 10 copies of the final Official Statement to permit each “Participating Underwriter” (as that term is defined in Rule) to comply with the provisions of such Rule. The City shall treat the senior managing underwriter of the syndicate to which each respective series of the Bonds are awarded as its designated agent for purposes of distributing copies of the final Official Statement to the Participating Underwriter. Any underwriter executing and delivering an OFFICIAL BID FORM with respect to the Bonds agrees thereby that if its bid is accepted by the City, (i) it shall accept such designation and (ii) it shall enter into a contractual relationship with all Participating Underwriters of the Bonds for purposes of assuring the receipt by each such Participating Underwriter of the final Official Statement.

## CONTINUING DISCLOSURE

The City will covenant in a Continuing Disclosure Certificate for the benefit of the owners and beneficial owners of the Bonds to provide annually certain financial information and operating data relating to the City (the “Annual Report”), and to provide notices of the occurrence of certain enumerated events. The Annual Report is to be filed by the City not later than two hundred seventy (270) days after the close of each fiscal year, commencing with the Fiscal Year ending June 30, 2024, with the Municipal Securities Rulemaking Board, at its internet repository named “Electronic Municipal Market Access” (“EMMA”). The notices of events, if any, are also to be filed with EMMA. See FORM OF CONTINUING DISCLOSURE CERTIFICATE included in APPENDIX D to this Preliminary Official Statement. The specific nature of the information to be contained in the Annual Report or the notices of events, and the manner in which such materials are to be filed, are summarized in the FORM OF CONTINUING DISCLOSURE CERTIFICATE. These covenants have been made in order to assist the the Purchaser(s) in complying with SEC Rule 15c2-12(b)(5) (the “Rule”).

Pursuant to the Rule, the City notes the following in the last five years related to its prior disclosure covenants:

The City’s timely filed Annual Comprehensive Financial Report (“ACFR”) and Financial and Operating Report for Fiscal Year ended June 30, 2021 (filed on January 18, 2022 and January 25, 2022, respectively, were not linked to the City’s Series 2021A and Series 2021B Bonds. The base CUSIP changed for the 2021A and 2021B issues, which was not captured on the original filings. The ACFR and Financial and Operating Report for Fiscal Year ending June 30, 2021 were linked to the updated CUSIPS for Series 2021A and 2021B Bonds on April 4, 2022 (less than 10 days after the filing deadline). A failure to file notice was also posted at that time. Though otherwise timely available on EMMA under the City’s CUSIP, the City failed to timely file or otherwise link its ACFR for the Fiscal Year ended June 30, 2022 to the Iowa Finance Authority Economic Development Revenue Bonds (the Marketplace Project – City of Council Bluffs, Iowa Annual Appropriation Tax Increment Revenues) Series 2015 (CUSIP: 46246M) (the “2015 IFA Bonds”). The report was posted on July 12, 2023. Semi-Annual Reports required under the 2015 IFA Bonds filed for the periods ending December 31, 2019, December 31, 2020, and December 31, 2021 through December 31, 2022 excluded the Summary of Leases: Occupants information. Supplemental Lease information for each period was filed to EMMA on August 3, 2023 and August 14, 2023. The City plans to fully redeem the 2015 IFA Bonds **on or before June 30, 2024**, at which time further continuing disclosure filings for the 2015 IFA Bonds will cease. The foregoing description should not be construed as an acknowledgment any such instance was material.



Other than as identified herein, in the previous five years, the City is not aware of other instances in which it has failed to comply, in all material respects, with previous undertakings in a written contract or agreement specified in paragraph (b)(5)(i) of the Rule.

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

#### CUSIP NUMBERS

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

BY ORDER OF THE CITY COUNCIL  
City of Council Bluffs, Iowa  
/s/ Danielle Bemis, Director of Finance



## SCHEDULE OF BOND YEARS

**\$23,960,000\***

**CITY OF COUNCIL BLUFFS, IOWA**  
**General Obligation Bonds, Series 2024A**

2024A Bonds Dated: June 3, 2024  
Interest Due: December 1, 2024 and each June 1 and December 1 to maturity  
Principal Due: June 1, 2025-2034

<u>Year</u>	<u>Principal*</u>	<u>Bond Years</u>	<u>Cumulative Bond Years</u>
2025	\$1,070,000	1,064.06	1,064.06
2026	1,590,000	3,171.17	4,235.22
2027	1,670,000	5,000.72	9,235.94
2028	1,935,000	7,729.25	16,965.19
2029	2,600,000	12,985.56	29,950.75
2030	2,730,000	16,364.83	46,315.58
2031	2,870,000	20,074.06	66,389.64
2032	3,010,000	24,063.28	90,452.92
2033	3,165,000	28,467.42	118,920.33
2034	3,320,000	33,181.56	152,101.89

Average Maturity (dated date): 6.348 Years

\* Preliminary; subject to change.



## SCHEDULE OF BOND YEARS

**\$2,800,000\***

**CITY OF COUNCIL BLUFFS, IOWA**

**Taxable General Obligation Bonds, Series 2024B**

2024B Bonds Dated: June 3, 2024  
Interest Due: December 1, 2024 and each June 1 and December 1 to maturity  
Principal Due: June 1, 2025-2028

<u>Year</u>	<u>Principal*</u>	<u>Bond Years</u>	<u>Cumulative Bond Years</u>
2025	\$1,630,000	1,620.94	1,620.94
2026	410,000	817.72	2,438.67
2027	430,000	1,287.61	3,726.28
2028	330,000	1,318.17	5,044.44

Average Maturity (dated date): 1.802 Years

\* Preliminary; subject to change.



## **EXHIBIT 1**

### **FORMS OF ISSUE PRICE CERTIFICATES - SERIES 2024A BONDS**



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

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**ISSUE PRICE CERTIFICATE**

\$\_\_\_\_\_ **General Obligation Bonds, Series 2024A**  
**City of Council Bluffs, Iowa**

The undersigned, on behalf of [NAME OF UNDERWRITER] ("Purchaser"), hereby certifies as set forth below with respect to the sale of the above-captioned obligations (the "Series 2024A Bonds").

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

a) As of the Sale Date, the reasonably expected initial offering prices of the Series 2024A Bonds to the Public by Purchaser are the prices listed in Schedule A (the "Expected Offering Prices"). The Expected Offering Prices are the prices for the Maturities of the Series 2024A Bonds used by Purchaser in formulating its bid to purchase the Series 2024A Bonds. Attached as Schedule B is a true and correct copy of the bid provided by Purchaser to purchase the Series 2024A Bonds.

b) Purchaser was not given the opportunity to review other bids prior to submitting its bid.

c) The bid submitted by Purchaser constituted a firm offer to purchase the Series 2024A Bonds.

**2. Defined Terms.**

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

b) *Maturity* means bonds with the same credit and payment terms. The Series 2024A Bonds with different maturity dates, or Series 2024A Bonds with the same maturity date but different stated interest rates, are treated as separate Maturities.

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

d) *Sale Date* means the first day on which there is a binding contract in writing for the sale of a Maturity of the Series 2024A Bonds. The Sale Date of the Series 2024A Bonds is April 22, 2024.

e) *Underwriter* means (i) the Purchaser or any person that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Series 2024A Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Series 2024A Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Series 2024A Bonds to the Public).



The representations set forth in this certificate are limited to factual matters only. Nothing in this certificate represents Purchaser's interpretation of any laws, including specifically Sections 103 and 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations thereunder. The undersigned understands that the foregoing information will be relied upon by the Issuer and its advisors with respect to certain of the representations set forth in the Tax Exemption Certificate and with respect to compliance with the federal income tax rules affecting the Series 2024A Bonds, and by Bond Counsel in connection with rendering its opinion that the interest on the Series 2024A Bonds is excluded from gross income for federal income tax purposes, the preparation of the Internal Revenue Service Form 8038-G, and other federal income tax advice that it may give to the Issuer from time to time relating to the Series 2024A Bonds.

[UNDERWRITER]

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

Dated: June 3, 2024



**SCHEDULE A**

**EXPECTED OFFERING PRICES**

**\$\_\_\_\_\_ General Obligation Bonds, Series 2024A  
City of Council Bluffs, Iowa**

*(Attached)*



**SCHEDULE B**

**COPY OF UNDERWRITER'S BID**

**\$\_\_\_\_\_ General Obligation Bonds, Series 2024A  
City of Council Bluffs, Iowa**

*(Attached)*



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

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**ISSUE PRICE CERTIFICATE**

\$ \_\_\_\_\_ **General Obligation Bonds, Series 2024A**  
**City of Council Bluffs, Iowa**

The undersigned, on behalf of [NAME OF UNDERWRITER/REPRESENTATIVE] ("Purchaser") [the "Representative"] [the "Underwriting Group"], on behalf of itself and [NAMES OF OTHER UNDERWRITERS] (together, the "Underwriting Group"), hereby certifies as set forth below with respect to the sale and issuance of the above-captioned obligations (the "Series 2024A Bonds").

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

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

a) [Purchaser][The Underwriting Group] offered the Hold-the-Offering-Price Maturities to the Public for purchase at the respective initial offering prices listed in Schedule A (the "Initial Offering Prices") on or before the Sale Date. A copy of the pricing wire or equivalent communication for the Series 2024A Bonds is attached to this certificate as Schedule B.

b) As set forth in the Official Terms of Offering and bid award, [Purchaser][the members of the Underwriting Group] [has][have] agreed in writing that, (i) for each Maturity of the Hold-the-Offering-Price Maturities, [it][they] would neither offer nor sell any of the Series 2024A Bonds of such Maturity to any person at a price that is higher than the Initial Offering Price for such Maturity during the Holding Period for such Maturity (the "hold-the-offering-price rule"), and (ii) any selling group agreement shall contain the agreement of each dealer who is a member of the selling group, and any retail distribution agreement shall contain the agreement of each broker-dealer who is a party to the retail distribution agreement, to comply with the hold-the-offering-price rule. Pursuant to such agreement, no Underwriter (as defined below) has offered or sold any Maturity of the Hold-the-Offering-Price Maturities at a price that is higher than the respective Initial Offering Price for that Maturity of the Series 2024A Bonds during the Holding Period.

**3. Defined Terms.**

a) *General Rule Maturities* means those Maturities of the Series 2024A Bonds listed in Schedule A hereto as the "General Rule Maturities."

b) *Hold-the-Offering-Price Maturities* means those Maturities of the Series 2024A Bonds listed in Schedule A hereto as the "Hold-the-Offering-Price Maturities."

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

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



e) *Maturity* means Series 2024A Bonds with the same credit and payment terms. The Series 2024A Bonds with different maturity dates, or the Series 2024A Bonds with the same maturity date but different stated interest rates, are treated as separate maturities.

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

g) *Sale Date* means the first day on which there is a binding contract in writing for the sale of a Maturity of the Series 2024A Bonds. The Sale Date of the Series 2024A Bonds is April 22, 2024.

h) *Underwriter* means (i) the Purchaser or any person that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Series 2024A Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Series 2024A Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Series 2024A Bonds to the Public).

The representations set forth in this certificate are limited to factual matters only. Nothing in this certificate represents [the Purchaser][the Representative's] interpretation of any laws, including specifically Sections 103 and 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations thereunder. The undersigned understands that the foregoing information will be relied upon by the Issuer and its advisors with respect to certain of the representations set forth in the Tax Exemption Certificate and with respect to compliance with the federal income tax rules affecting the Series 2024A Bonds, and by Bond Counsel in connection with rendering its opinion that the interest on the Series 2024A Bonds is excluded from gross income for federal income tax purposes, the preparation of the Internal Revenue Service Form 8038-G, and other federal income tax advice that it may give to the Issuer from time to time relating to the Series 2024A Bonds.

[UNDERWRITER][REPRESENTATIVE]

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

Dated: June 3, 2024



**SCHEDULE A**

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

**\$ \_\_\_\_\_ General Obligation Bonds, Series 2024A  
City of Council Bluffs, Iowa**

*(Attached)*



**SCHEDULE B**

**PRICING WIRE OR EQUIVALENT COMMUNICATION**

**\$ \_\_\_\_\_ General Obligation Bonds, Series 2024A  
City of Council Bluffs, Iowa**

*(Attached)*



## **PRELIMINARY OFFICIAL STATEMENT**

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

#### **\$23,960,000\* General Obligation Bonds, Series 2024A \$2,800,000\* Taxable General Obligation Bonds, Series 2024B**

### **INTRODUCTION**

This Preliminary Official Statement contains information relating to the City of Council Bluffs, Iowa (the “City”) and its issuance of \$23,960,000\* General Obligation Bonds, Series 2024A (the “Series 2024A Bonds”) and \$2,800,000\* Taxable General Obligation Bonds, Series 2024B (the “Series 2024B Bonds”) (collectively, the “Bonds”). This Preliminary Official Statement has been executed on behalf of the City and its Director of Finance and may be distributed in connection with the sale of the Bonds authorized therein. Inquiries may be made to the City’s Municipal Advisor, PFM Financial Advisors LLC (the “Municipal Advisor”), 801 Grand Avenue, Suite 3300, Des Moines, Iowa 50309, telephone 515-724-5724. Information may also be obtained from Ms. Danielle Bemis, Director of Finance, City of Council Bluffs, 209 Pearl Street, Council Bluffs, Iowa 51503, telephone 712-890-5305.

### **AUTHORITY AND PURPOSE**

The Bonds are being issued pursuant to Subchapter III of Chapter 384 of the Code of Iowa and resolutions (the “Resolutions”) to be adopted by the City Council of the City.

The Series 2024A Bonds are being issued to provide funds to pay the costs of the acquisition, construction, reconstruction, and improvement of real and personal property, useful for the reclamation of property situated within the corporate limits of cities from floods or high waters, including the construction of levees, embankments, structures, impounding reservoirs, or conduits, and the development and beautification of the banks and other areas adjacent to flood control improvements; the acquisition, construction, reconstruction, extension, and improvement for collection and disposal of surface waters and streams; the acquisition, construction, reconstruction, improvement, repair, and equipping of waterworks, water mains, and extensions, and real and personal property, useful for providing potable water to residents of the City; equipping of the police and fire department; rehabilitation and improvement of parks already owned, and facilities, equipment, and improvements commonly found in City parks; the acquisition, construction, reconstruction, enlargement, improvement, and equipping of city facilities, including the City library; IT improvements at city facilities; the acquisition, construction, reconstruction, extension, improvement and equipping of city utilities, city enterprises, and public improvements; the acquisition, construction, reconstruction, enlargement, improvement, equipping of city halls, police stations, fire stations, libraries, including buildings to be used for any combination of the foregoing purposes and equipping City parks and recreation department, including vehicles and heavy equipment.

The Series 2024B Bonds are being issued to provide funds to pay the acquisition, restoration, or demolition of abandoned, dilapidated, or dangerous buildings, structures or properties or the abatement of a nuisance; acquisition, construction, reconstruction, extension, improvement, and equipping of city enterprises, including the Union Pacific Museum; acquisition, construction, reconstruction, extension, improvement, and equipping of city enterprises, including HVAC/cooling towers at Mid America Center; acquisition, construction, reconstruction, extension, improvement, and equipping of city enterprises, including parking lot improvements at the Mid America Center and the acquisition, construction, reconstruction, enlargement, improvement, and equipping of city enterprises, including site and parking lot improvements at the Council Bluffs Recreational Complex.

\*Preliminary; subject to change.



The estimated sources and uses of the Bonds are as follows:

<u>Sources of Funds*</u>	<u>Series 2024A Bonds</u>	<u>Series 2024B Bonds</u>
Par Amount of Bonds	\$23,960,000.00	\$2,800,000.00
<u>Uses of Funds*</u>		
Deposit into Project Fund	\$23,604,240.00	\$2,755,000.00
Underwriter's Discount	239,600.00	16,800.00
Cost of Issuance & Contingency	<u>116,160.00</u>	<u>28,200.00</u>
Total Uses	\$23,960,000.00	\$2,800,000.00

\* Preliminary; subject to change.

**INTEREST ON THE BONDS**

Interest on the Bonds will be payable on December 1, 2024 and semiannually on the 1<sup>st</sup> day of June and December thereafter. Interest and principal shall be paid to the registered holder of a bond as shown on the records of ownership maintained by the Registrar as of the 15<sup>th</sup> day of the month (whether or not a business day) preceding such interest payment date (the “Record Date”). Interest will be computed on the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to rules of the Municipal Securities Rulemaking Board.

**OPTIONAL REDEMPTION OF THE SERIES 2024A BONDS**

The Series 2024A Bonds, due after June 1, 2032, will be subject to call prior to maturity in whole, or from time to time in part, in any order of maturity and within a maturity by lot on said date or on any date thereafter at the option of the City, upon terms of par plus accrued interest to date of call. Written notice of such call shall be given at least thirty (30) days prior to the date fixed for redemption to the registered owners of the Series 2024A Bonds to be redeemed at the address shown on the registration books.

**NO OPTIONAL REDEMPTION OF THE SERIES 2024B BONDS**

The Series 2024BA Bonds will NOT be subject to early redemption.

**PAYMENT OF AND SECURITY FOR THE BONDS**

The Bonds are general obligations of the City and the unlimited taxing powers of the City are irrevocably pledged for their payment. Upon issuance of the Bonds, the City will levy taxes for the years and in amounts sufficient to provide 100% of annual principal and interest due on the Bonds. If, however, the amount credited to the debt service fund for payment of the Bonds is insufficient to pay principal and interest, whether from transfers or from original levies, the City must use funds in its treasury and is required to levy ad valorem taxes upon all taxable property in the City without limit as to rate or amount sufficient to pay the debt service deficiency.

Iowa Code section 76.2 provides that when an Iowa political subdivision issues general obligation bonds, “the governing authority of these political subdivisions before issuing bonds shall, by resolution, provide for the assessment of an annual levy upon all the taxable property in the political subdivision sufficient to pay the interest and principal of the bonds within a period named not exceeding twenty years. A certified copy of this resolution shall be filed with the county auditor or the auditors of the counties in which the political subdivision is located; and the filing shall make it a duty of the auditors to enter annually this levy for collection from the taxable property within the boundaries of the political subdivision until funds are realized to pay the bonds in full.”

Nothing in the Resolutions prohibits or limits the ability of the City to use legally available moneys other than the proceeds of the general ad valorem property taxes levied, as described in the preceding paragraph, to pay all or any portion of the principal of or interest on the Bonds. If, and to the extent such other legally available moneys are used to pay the principal of or interest on the Bonds, the City may, but shall not be required to (a) reduce the amount of taxes levied for such purpose, as described in the preceding paragraph; or (b) use proceeds of taxes levied, as described in the preceding



paragraph, to reimburse the fund or account from which such other legally available moneys are withdrawn for the amount withdrawn from such fund or account to pay the principal of or interest on the Bonds.

The Resolutions don't restrict the City's ability to issue or incur additional general obligation debt, although issuance of additional general obligation debt is subject to the same constitutional and statutory limitations that apply to the issuance of the Bonds. For a further description of the City's outstanding general obligation debt upon issuance of the Bonds and the annual debt service on the Bonds and a description of certain constitutional and statutory limits on the issuance of general obligation debt, see "DEBT LIMIT" under "CITY INDEBTEDNESS" included in APPENDIX A to this Preliminary Official Statement.

## **BOOK-ENTRY-ONLY ISSUANCE**

*The information contained in the following paragraphs of this subsection "Book-Entry-Only Issuance" has been extracted from a schedule prepared by Depository Trust Company ("DTC") entitled "SAMPLE OFFERING DOCUMENT LANGUAGE DESCRIBING DTC AND BOOK-ENTRY-ONLY ISSUANCE." The information in this section concerning DTC and DTC's book-entry-only system has been obtained from sources that the City believes to be reliable, but the City takes no responsibility for the accuracy thereof.*

The Depository Trust Company ("DTC"), New York, NY, will act as securities depository for the securities (the "Securities"). The Securities will be issued as fully-registered securities registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered Security certificate will be issued for each issue of the Securities, each in the aggregate principal amount of such issue, and will be deposited with DTC. If, however, the aggregate principal amount of any issue exceeds \$500 million, one certificate will be issued with respect to each \$500 million of principal amount, and an additional certificate will be issued with respect to any remaining principal amount of such issue.

DTC, the world's largest securities depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments from over 100 countries that DTC's participants (the "Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly (the "Indirect Participants"). DTC has Standard & Poor's rating: AA+. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at [www.dtcc.com](http://www.dtcc.com).

Purchases of Securities under the DTC system must be made by or through Direct Participants, which will receive a credit for the Securities on DTC's records. The ownership interest of each actual purchaser of each Security (the "Beneficial Owner") is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Securities are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in Securities, except in the event that use of the book-entry system for the Securities is discontinued.



To facilitate subsequent transfers, all Securities deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Securities with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not affect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Securities; DTC's records reflect only the identity of the Direct Participants to whose accounts such Securities are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of Securities may wish to take certain steps to augment the transmission to them of notices of significant events with respect to the Securities, such as redemptions, tenders, defaults, and proposed amendments to the Security documents. For example, Beneficial Owners of Securities may wish to ascertain that the nominee holding the Securities for their benefit has agreed to obtain and transmit notices to Beneficial Owners. In the alternative, Beneficial Owners may wish to provide their names and addresses to the Registrar and request that copies of notices be provided directly to them.

Redemption notices shall be sent to DTC. If less than all of the Securities within an issue are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed. Neither DTC nor Cede & Co., nor any other DTC nominee, will consent or vote with respect to Securities unless authorized by a Direct Participant in accordance with DTC's MMI Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the City as soon as possible after the Record Date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts Securities are credited on the Record Date identified in a listing attached to the Omnibus Proxy.

Redemption proceeds, distributions, and dividend payments on the Securities will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the City or Agent, on payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC, Agent, or the City, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, distributions, and dividend payments to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC, is the responsibility of the City or Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

A Beneficial Owner shall give notice to elect to have its Securities purchased or tendered, through its Participant, to Tender/Remarketing Agent, and shall effect delivery of such Securities by causing the Direct Participant to transfer the Participant's interest in the Securities, on DTC's records, to Tender/Remarketing Agent. The requirement for physical delivery of Securities in connection with an optional tender or a mandatory purchase will be deemed satisfied when the ownership rights in the Securities are transferred by Direct Participants on DTC's records and followed by a book-entry credit of tendered Securities to Tender/Remarketing Agent's DTC account.

DTC may discontinue providing its services as depository with respect to the Securities at any time by giving reasonable notice to the City or Agent. Under such circumstances, in the event that a successor depository is not obtained, Security certificates are required to be printed and delivered.

The City may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository). In that event, Security certificates will be printed and delivered to DTC.

The information in this section concerning DTC and DTC's book-entry system has been obtained from sources that the City believes to be reliable, but the City takes no responsibility for the accuracy thereof.



## **FUTURE FINANCING**

The City does not anticipate any additional general obligation borrowing needs within the next 90 days of issuing the Bonds.

## **LITIGATION**

To the knowledge of the City, there is no legal action, suit, proceeding, inquiry or investigation at law or in equity before or by any court, public board or body for which the City has been served with process or official notice or threatened against or affecting the City or any reasonable basis therefore, wherein an unfavorable decision, ruling or finding would adversely affect the transaction contemplated by this Preliminary Official Statement or the validity of the Bonds, the Resolutions, or any agreement or instrument to which the City is a party and which is used or contemplated for use in the transactions contemplated by this Preliminary Official Statement, and no member, employee or agent of the City has been served with any legal process regarding such litigation or other proceeding.

To the knowledge of the City, no litigation is pending or threatened which, in the opinion of the City's counsel, if decided adversely to the City would be likely to result, either individually or in the aggregate, in final judgments against the City which would materially adversely affect its ability to meet debt service payments on the Bonds when due, or its obligations under the Resolutions, or materially adversely affect its financial condition.

## **DEBT PAYMENT HISTORY**

The City knows of no instance in which it has defaulted in the payment of principal or interest on its debt.

## **LEGALITY**

The Bonds are subject to approval as to certain matters by Ahlers & Cooney, P.C. of Des Moines, Iowa as Bond Counsel. Bond Counsel has reviewed or prepared information describing the terms of the Bonds and Iowa and Federal law pertinent to the validity of and the tax status of interest on the Bonds, which can be found generally under the sections "AUTHORITY AND PURPOSE", "OPTIONAL REDEMPTION OF THE SERIES 2024A BONDS", "NO OPTIONAL REDEMPTION OF THE SERIES 2024B BONDS", "PAYMENT AND SECURITY FOR THE BONDS" and "TAX MATTERS", herein. Additionally, Bond Counsel has provided its Form of Legal Opinion and Form of Continuing Disclosure Certificate, included in APPENDIX B and APPENDIX D, respectively, within this Preliminary Official Statement. The FORMS OF LEGAL OPINIONS as set out in APPENDIX B to this Preliminary Official Statement, will be delivered at closing.

The legal opinions to be delivered concurrently with the delivery of each series of the Bonds, expresses the professional judgment of the attorneys rendering the opinion as to legal issues expressly addressed therein. By rendering a legal opinion, the opinion giver does not become an insurer or guarantor of the result indicated by that expression of professional judgment, or of the transaction on which the opinion is rendered, or of the future performance of parties to the transaction. Nor does the rendering of an opinion guarantee the outcome of any legal dispute that may arise out of the transaction.

There is no bond trustee or similar person to monitor or enforce the provisions of the Resolutions. The owners of the Bonds should, therefore, be prepared to enforce such provisions themselves if the need to do so arises. In the event of a default in the payment of principal of or interest on the Bonds, there is no provision for acceleration of maturity of the principal of the Bonds. Consequently, the remedies of the owners of the Bonds (consisting primarily of an action in the nature of mandamus requiring the City and certain other public officials to perform the terms of the Resolutions) may have to be enforced from year to year. The obligation to pay general ad valorem property taxes is secured by a statutory lien upon the taxed property but is not an obligation for which a property owner may be held personally liable in the event of a deficiency. The owners of the Bonds cannot foreclose on property within the boundaries of the City or sell such property in order to pay the debt service on the Bonds.



In addition, the enforceability of the rights and remedies of owners of the Bonds may be subject to limitation as set forth in Bond Counsel's opinions. The opinion will state, in part, that the obligation of the City with respect to the Bonds may be subject to bankruptcy, insolvency, reorganization, moratorium and other similar laws affecting creditors' rights, heretofore or hereafter, enacted to the extent constitutionally applicable, to the exercise of judicial discretion in appropriate cases.

## **TAX MATTERS**

### **With Respect to the Series 2024A Bonds**

Tax Exemptions and Related Considerations: Federal tax law contains a number of requirements and restrictions that apply to the Series 2024A Bonds. These include investment restrictions, periodic payments of arbitrage profits to the United States, requirements regarding the proper use of bond proceeds and facilities financed with bond proceeds, and certain other matters. The City has covenanted to comply with all requirements that must be satisfied in order for the interest on the Series 2024A Bonds to be excludable from gross income for federal income tax purposes. Failure to comply with certain of such covenants could cause interest on the Series 2024A Bonds to become includable in gross income for federal income tax purposes retroactively to the date of issuance of the Series 2024A Bonds.

Subject to the City's compliance with the above referenced covenants, under present law, in the opinion of Bond Counsel, interest on the Series 2024A Bonds is excludable from gross income for federal income tax purposes. Interest on the Series 2024A Bonds is not an item of tax preference for purposes of the federal alternative minimum tax on individuals; however, such interest is taken into account in determining the annual adjusted financial statement income of applicable corporations (as defined in Section 59(k) of the Code) for the purpose of computing the alternative minimum tax imposed on corporations for tax years beginning after December 31, 2022.

The prospective purchaser of the Series 2024A Bonds should be aware that ownership of the Series 2024A Bonds may result in collateral federal income tax consequences to certain taxpayers, including, without limitation, corporations subject to the branch profits tax, financial institutions, certain insurance companies, certain S corporations, individual recipients of Social Security or Railroad Retirement benefits and taxpayers who may be deemed to have incurred (or continued) indebtedness to purchase or carry tax-exempt obligations.

The interest on the Series 2024A Bonds is NOT exempt from present Iowa income taxes.

Ownership of the Series 2024A Bonds may result in other state and local tax consequences to certain taxpayers. Bond Counsel expresses no opinion regarding any such collateral consequences arising with respect to the Series 2024A Bonds. The prospective purchaser of the Series 2024A Bonds should consult their tax advisors regarding the applicability of any such state and local taxes.

NOT-Qualified Tax-Exempt Obligations: The City will NOT designate the Series 2024A Bonds as "qualified tax-exempt obligations" under the exception provided in Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code").

Other Tax Advice: In addition to the income tax consequences described above, potential investors should consider the additional tax consequences of the acquisition, ownership, and disposition of the Series 2024A Bonds. For instance, state income tax law may differ substantially from state to state, and the foregoing is not intended to describe any aspect of the income tax laws of any state. Therefore, potential investors should consult their own tax advisors with respect to federal tax issues and with respect to the various state tax consequences of an investment in the Series 2024A Bonds.

Audits: The Internal Revenue Service (the "Service") has an ongoing program of auditing tax-exempt obligations to determine whether, in the view of the Service, interest on such tax-exempt obligations is includable in the gross income of the owners thereof for federal income tax purposes. It cannot be predicted whether or not the Service will commence an audit of the Series 2024A Bonds. If an audit is commenced, under current procedures the Service may treat the City as a taxpayer and the Series 2024A Bondholders may have no right to participate in such procedure. The commencement of an audit could adversely affect the market value and liquidity of the Series 2024A Bonds until the audit is concluded, regardless of the ultimate outcome.



**Withholdings:** Payments of interest on, and proceeds of the sale, redemption or maturity of, tax-exempt obligations, including the Series 2024A Bonds, are in certain cases required to be reported to the Service. Additionally, backup withholding may apply to any such payments to any bond owner who fails to provide an accurate Form W-9 Request for Taxpayer Identification Number and Certification, or a substantially identical form, or to any Bondholder who is notified by the Service of a failure to report any interest or dividends required to be shown on federal income tax returns. The reporting and backup withholding requirements do not affect the excludability of such interest from gross income for federal tax purposes.

**Legislation:** Legislation affecting tax-exempt obligations is regularly considered by the United States Congress and may be considered by the Iowa legislature. Judicial interpretation of state or federal laws, rules or regulations may also affect the tax treatment. There can be no assurance that legislation enacted or proposed, or actions by a court, after the date of issuance of the Series 2024A Bonds will not have an adverse effect on the tax status of interest or other income on the Series 2024A Bonds or the market value or marketability of the Series 2024A Bonds. These adverse effects could result, for example, from changes to federal or state income tax rates, changes in the structure of federal or state income taxes (including replacement with another type of tax), or repeal (or reduction in the benefit) of the exclusion of interest on the Series 2024A Bonds from gross income for federal or state income tax purposes for all or certain taxpayers.

Current and future legislative proposals, including some that carry retroactive effective dates, if enacted into law, or clarification of the Code may cause interest on the Series 2024A Bonds to be subject, directly or indirectly, to federal income taxation, or otherwise prevent owners of the Series 2024A Bonds from realizing the full current benefit of the tax status of such interest. From time to time proposals are made that could significantly reduce the benefit of, or otherwise affect, the exclusion from gross income of interest on obligations like the Series 2024A Bonds. The introduction or enactment of any such legislative proposals or clarification of the Code may also affect, perhaps significantly, the market price for, or marketability of the Series 2024A Bonds. The prospective purchaser of the Series 2024A Bonds should consult their own tax advisors regarding any pending or proposed tax legislation, as to which Bond Counsel expresses no opinion except as set forth in APPENDIX B to this Preliminary Official Statement.

### **With Respect to the Series 2024B Bonds**

**Taxability and Related Considerations:** In the opinion of Bond Counsel, under existing law, interest on the Series 2024B Bonds will be included in gross income of the owners thereof for federal income tax purposes.

The interest on the Series 2024B Bonds is NOT exempt from present Iowa income taxes.

Ownership of the Series 2024B Bonds may result in other federal, state and local tax consequences to certain taxpayers. Bond Counsel expresses no opinion regarding any such collateral consequences arising with respect to the Series 2024B Bonds. Prospective purchasers of the Series 2024B Bonds should consult their tax advisors regarding the applicability of any such federal, state and local taxes.

### **With Respect to the Bonds (Applicable to both Series)**

**Discount and Premium on Certain Bonds:** The initial public offering price of certain Bonds (the “Discount Bonds”) may be less than the amount payable on such Bonds at maturity. An amount equal to the difference between the initial public offering price of Discount Bonds (assuming that a substantial amount of the Discount Bonds of that maturity are sold to the public at such price) and the amount payable at maturity constitutes original issue discount to the initial purchaser of such Discount Bonds. Purchasers of Discount Bonds should consult with their own tax advisors with respect to the determination of accrued original issue discount on Discount Bonds for federal income tax purposes and with respect to the state and local tax consequences of owning and disposing of Discount Bonds. It is possible that, under applicable provisions governing determination of state and local income taxes, accrued interest on Discount Bonds may be deemed to be received in the year of accrual even though there will not be a corresponding cash payment.

The initial public offering price of certain Bonds (the “Premium Bonds”) may be greater than the amount payable on such Premium Bonds at maturity. An amount equal to the difference between the initial public offering price of Premium Bonds (assuming that a substantial amount of the Premium Bonds of that maturity are sold to the public at such price) and the amount payable at maturity constitutes a premium to the initial purchaser of such Premium Bonds. Purchasers of the Premium Bonds should consult with their own tax advisors with respect to the determination of amortizable bond premium



on Premium Bonds for federal income tax purposes and with respect to the state and local tax consequences of owning and disposing of Premium Bonds.

**Enforcement:** Holders of the Bonds shall have and possess all the rights of action and remedies afforded by the common law, the Constitution and statutes of the State of Iowa and of the United States of America for the enforcement of payment of the Bonds, including, but not limited to, the right to a proceeding in law or in equity by suit, action or mandamus to enforce and compel performance of the duties required by Iowa law and the Resolutions. There is no bond trustee or similar person to monitor or enforce the terms of the Resolutions. In the event of a default in the payment of principal of or interest on the Bonds, there is no provision for acceleration of maturity of the principal of the Bonds. Consequently, the remedies of the owners of the Bonds (consisting primarily of an action in the nature of mandamus requiring the City and certain other public officials to perform the terms of the Resolutions) may have to be enforced from year to year. The enforceability of the rights and remedies of owners of the Bonds may be subject to limitation as set forth in Bond Counsel's opinions.

The obligation to pay general ad valorem property taxes is secured by a statutory lien upon the taxed property, but is not an obligation for which a property owner may be held personally liable in the event of a deficiency. The owners of the Bonds cannot foreclose on property within the boundaries of the City or sell such property in order to pay the debt service on the Bonds. In addition, the enforceability of the rights and remedies of owners of the Bonds may be subject to limitation as set forth in Bond Counsel's opinions. The opinions to be delivered concurrently with the delivery of the Bonds will be qualified as to the enforceability of the various legal instruments by limitations imposed by general principles of equity and public policy and by bankruptcy, reorganization, insolvency or other similar laws affecting the rights of creditors generally, and to the exercise of judicial discretion in appropriate cases.

No representation is made, and no assurance is given, that the enforcement of any remedies with respect to such assets will result in sufficient funds to pay all amounts due under the Resolutions, including principal of and interest on the Bonds.

**Opinions:** The opinions expressed by Bond Counsel are based upon existing legislation and regulations as interpreted by relevant judicial and regulatory authorities as of the date of issuance and delivery of the Bonds, and Bond Counsel has expressed no opinion as of any date subsequent thereto or with respect to any proposed or pending legislation, regulatory initiatives or litigation.

Bond Counsel's opinions are not a guarantee of a result, or of the transaction on which the opinion is rendered, or of the future performance of parties to the transaction, but represents its legal judgment based upon its review of existing statutes, regulations, published rulings and court decisions and the representations and covenants of the City described in this section. No ruling has been sought from the Service with respect to the matters addressed in the opinions of Bond Counsel and Bond Counsel's opinions are not binding on the Service. Bond Counsel assumes no obligation to update its opinions after the issue date to reflect any further action, fact or circumstance, or change in law or interpretation, or otherwise.

*ALL POTENTIAL PURCHASERS OF THE BONDS SHOULD CONSULT WITH THEIR TAX ADVISORS WITH RESPECT TO FEDERAL, STATE AND LOCAL TAX CONSEQUENCES OF OWNERSHIP OF THE BONDS (INCLUDING BUT NOT LIMITED TO THOSE LISTED ABOVE).*

## **BONDHOLDER'S RISKS**

An investment in the Bonds is subject to certain risks. No person should purchase the Bonds unless such person understands the risks described below and is willing to bear those risks. There may be other risks not listed below which may adversely affect the value of the Bonds. An investment in the Bonds involves an element of risk. In order to identify risk factors and make an informed investment decision, potential investors should be thoroughly familiar with this entire Preliminary Official Statement (including the Appendices hereto) in order to make a judgment as to whether the Bonds are an appropriate investment.

**Secondary Market Not Established:** There is no established secondary market for the Bonds, and there is no assurance a secondary market will develop for the purchase and sale of the Bonds. Prices of municipal bonds traded in the secondary market, if any, are subject to adjustment upward and downward in response to changes in the credit markets and changes in the operating performance of the entities operating the facilities subject to bonded indebtedness. From time to time it



may be necessary to suspend indefinitely secondary market trading in selected issues of municipal bonds as a result of the financial condition or market position, prevailing market conditions, lack of adequate current financial information about the entity, operating the subject facilities, or a material adverse change in the operations of that entity, whether or not the subject Bonds are in default as to principal and interest payments, and other factors which, may give rise to uncertainty concerning prudent secondary market practices.

Municipal bonds are generally viewed as long-term investments, subject to material unforeseen changes in the investor's circumstances, and may require commitment of the investor's funds for an indefinite period of time, perhaps until maturity.

*EACH PROSPECTIVE PURCHASER IS RESPONSIBLE FOR ASSESSING THE MERITS AND RISKS OF AN INVESTMENT AND MUST BE ABLE TO BEAR THE ECONOMIC RISK OF SUCH INVESTMENT. THE SECONDARY MARKET FOR THE BONDS, IF ANY, COULD BE LIMITED.*

Rating Loss: Moody's Investors Service, Inc. ("Moody's") has assigned a rating of '\_\_\_' to the Bonds. Generally, a rating agency bases its rating on the information and materials furnished to it and on investigations, studies and assumptions of its own. There is no assurance that the rating will continue for any given period of time, or that such rating will not be revised, suspended or withdrawn, if, in the judgment of Moody's, circumstances so warrant. A revision, suspension or withdrawal of a rating may have an adverse effect on the market price of the Bonds.

Rating agencies are currently not regulated by any regulatory body. Future regulation of rating agencies could materially alter the methodology, rating levels, and types of ratings available, for example, and these changes, if ever, could materially affect the market value of the Bonds.

Matters Relating to Enforceability: Holders of the Bonds shall have and possess all the rights of action and remedies afforded by the common law, the Constitution and statutes of the State of Iowa and of the United States of America for the enforcement of payment of the Bonds, including but not limited to, the right to a proceeding in the law or in equity by suit, action or mandamus to enforce and compel performance of the duties required by Iowa law and the Resolutions.

The practical realization of any rights upon any default will depend upon the exercise of various remedies specified in the Resolutions. The opinion, to be delivered concurrently with the delivery of the Bonds, will be qualified as to the enforceability of the various legal instruments by limitations imposed by general principals of equity and public policy and by bankruptcy, reorganization, insolvency or other similar laws affecting the rights of creditors generally.

No representation is made, and no assurance is given that the enforcement of any remedies with respect to such assets will result in sufficient funds to pay all amounts due under the Resolutions, including principal of and interest on the Bonds.

Forward-Looking Statements: This Preliminary Official Statement contains statements relating to future results that are "forward-looking statements" as defined in the Private Securities Litigation Reform Act of 1995. When used in this Preliminary Official Statement, the words "estimate," "forecast," "intend," "expect" and similar expressions identify forward-looking statements. Any forward-looking statement is subject to uncertainty. Accordingly, such statements are subject to risks that could cause actual results to differ, possibly materially, from those contemplated in such forward-looking statements. Inevitably, some assumptions used to develop forward-looking statements will not be realized or unanticipated events and circumstances may occur. Therefore, investors should be aware there are likely to be differences between forward-looking statements and the actual results. These differences could be material and could impact the availability of funds of the City to pay debt service when due on the Bonds.

Financial Condition of the City from time to time: No representation is made as to the future financial condition of the City. Certain risks discussed herein could adversely affect the financial condition and or operations of the City in future. The Bonds are secured by an unlimited ad valorem property tax as described more fully in the "PAYMENT OF AND SECURITY FOR THE BONDS" herein.

Loss of Tax Base/Climate Impacts: Economic and other factors beyond the City's control, such as economic recession, deflation of property values, or financial difficulty or bankruptcy by one or more major property taxpayers, or the complete or partial destruction of taxable property caused by, among other eventualities, earthquake, flood, fire or other natural disaster, could cause a reduction in the assessed value within the corporate boundaries of the City. In addition, the State



of Iowa has been susceptible to tornados, flooding and other extreme weather wherein winds and flooding have from time to time caused significant damage, which if such events were to occur, may have an adverse impact on the City's financial position. The Missouri River breached its banks in 2011 and 2018, flooding portions of the City. Levy improvements after the 2011 flood lessened the impact of the 2018 flood. Furthermore, the City is participating in the State of Iowa Flood Mitigation Program, anticipating upwards of \$50 million for additional improvements to protect the City from future flooding.

Potential Impacts Resulting from Epidemics or Pandemics: The City's finances may be materially adversely affected by unforeseen impacts of future epidemics and pandemics. The City cannot predict future impacts of epidemics or pandemics, any similar outbreaks, or their impact on travel, on assemblies or gatherings, on the State, national or global economy, or on securities markets, or whether any such disruptions may have a material adverse impact on the financial condition or operations of the City, included but not limited to the payment of debt service on any of its outstanding debt obligations.

Changes in Property Taxation: The Bonds are general obligations of the City secured by an unlimited ad valorem property tax as described more fully in the "PAYMENT OF AND SECURITY FOR THE BONDS" herein. Prior State Public Health Emergency Declarations, relative to the COVID-19 pandemic, temporarily suspended the provisions that required the imposition of penalty and interest for delay in property tax payments and directed that no such penalty or interest could be imposed for the duration of the declarations and any future extension of the suspension. No current property tax payment suspensions are imposed, and collections stayed consistent during the pandemic. It is impossible to predict whether the declarations or any amendments to or extensions thereof would have a material effect on the City's ability to collect property taxes necessary for the payment of principal and interest on the Bonds. See "LEVIES AND TAX COLLECTIONS" under "THE CITY" included in Appendix A of this Preliminary Official Statement for more information of the City's tax collection history, despite prior suspensions.

From time to time the Iowa General Assembly has altered the method of property taxation and could do so again. Such alterations could adversely affect the City's financial condition. Historically, changes to property tax calculations and impositions are imposed on a prospective basis. However, there is no assurance future changes to property taxation by the Iowa General Assembly will not be applied retroactively. See "PROPERTY TAX LEGISLATION" herein for additional discussion on recent legislation impacting property taxes. It is impossible to predict the outcome of future property taxation changes by the Iowa General Assembly or resulting impacts on the City's financial condition. The Bonds are secured by an unlimited ad valorem property tax as described more fully in the "PAYMENT OF AND SECURITY FOR THE BONDS" herein.

Cybersecurity: The City, like many other public and private entities, relies on a large and complex technology environment to conduct its operations. As such, it may face multiple cybersecurity threats including but not limited to, hacking, viruses, malware and other attacks on computer or other sensitive digital systems and networks. There can be no assurances that any security and operational control measures implemented by the City will be completely successful to guard against and prevent cyber threats and attacks. Failure to properly maintain functionality, control, security, and integrity of the City's information systems could impact business operations and/or digital networks and systems and the costs of remedying any such damage could be significant. Along with significant liability claims or regulatory penalties, any security breach could have a material adverse impact on the City's operations and financial condition. The City cannot predict whether any insurance policies that may be maintained by the City would be sufficient in the event of a cyber breach. See "INSURANCE" under "THE CITY" included in Appendix A of this Preliminary Official Statement for more details regarding insurance coverages maintained by the City. The Bonds are secured by an unlimited ad valorem property tax as described more fully in the "PAYMENT OF AND SECURITY FOR THE BONDS" herein.

Pensions: Pursuant to Governmental Accounting Standards Board ("GASB") Statement No. 68, the City reported a liability of \$8,320,501 within its Annual Comprehensive Financial Report ("ACFR") as of June 30, 2023 for its proportionate share of the net pension liability related to IPERS, as defined herein. The net pension liability was measured as of June 30, 2022, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The City's proportion of the net pension liability was based on the City's share of contributions to the pension plan relative to the contributions of all IPERS participating employers. At June 30, 2022, the City's collective proportion was 0.209632% which was a decrease of 0.001734% from its proportion measured as of June 30, 2021.



Additionally, the City reported a liability of \$32,201,833 within its ACFR as of June 30, 2023 for its proportionate share of the net pension liability related to MFPRSI, as defined herein. The net pension liability was measured as of June 30, 2022, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The City's proportion of the net pension liability was based on the City's share of contributions to the pension plan relative to the contributions of all MFPRSI participating employers. At June 30, 2022, the City's proportion was 5.734246% which was an increase of 0.075885% from its proportion measured as of June 30, 2021.

See "EMPLOYEES AND PENSIONS" under "THE CITY" included in APPENDIX A to this Preliminary Official Statement for more summary information related to the City's contributions and APPENDIX C – ANNUAL COMPREHENSIVE FINANCIAL REPORT for the Fiscal Year ended June 30, 2023 for additional information related to the City's qualifications, benefits, deferred outflows and inflows of resources related to pensions, actuarial assumptions, discount rate and discount rate sensitivity. Changes to the City's pension contributions, or available sources to fund said contributions, may adversely affect the City's financial condition. The Bonds are secured by an unlimited ad valorem property tax as described more fully in the "PAYMENT OF AND SECURITY FOR THE BONDS" herein.

Continuing Disclosure: A failure by the City to comply with continuing disclosure obligations (see "CONTINUING DISCLOSURE" herein) will not constitute an event of default on the Bonds. Any such failure must be disclosed in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended (the "Rule"), and may adversely affect the transferability and liquidity of the Bonds and their market price.

Bankruptcy: The rights and remedies available to holders of the Bonds may be limited by and are subject to the provisions of federal bankruptcy laws, to other laws or equitable principles that may affect the enforcement of creditor's rights, to the exercise of judicial discretion in appropriate cases and to limitations in legal remedies against exercise of judicial discretion in appropriate cases and to limitations on legal remedies against municipal corporations in the State of Iowa. The various opinions of counsel to be delivered with respect to the Bonds and the Resolutions, including the opinions of Bond Counsel, will be similarly qualified. If the City were to file a petition under Chapter 9 of the Bankruptcy Code, the owners of the Bonds could be prohibited from taking any steps to enforce their rights under the Resolutions. In the event the City fails to comply with its covenants under the Resolutions or fails to make payments on the Bonds, there can be no assurance of the availability of remedies adequate to protect the interests of the holders of the Bonds.

Under Iowa Code Chapter 76, specifically sections 76.16 and 76.16A, as amended, a city, county, or other political subdivision may become a debtor under Chapter 9 of the Federal bankruptcy code, if it is rendered insolvent, as defined in 11 U.S.C. §101(32)(c), as a result of a debt involuntarily incurred. As used therein, "debt" means an obligation to pay money, other than pursuant to a valid and binding collective bargaining agreement or previously authorized bond issue, as to which the governing body of the city, county, or other political subdivision has made a specific finding set forth in a duly adopted resolution of each of the following: (1) all or a portion of such obligation will not be paid from available insurance proceeds and must be paid from an increase in general tax levy; (2) such increase in the general tax levy will result in a severe, adverse impact on the ability of the city, county, or political subdivision to exercise the powers granted to it under applicable law, including without limitation providing necessary services and promoting economic development; (3) as a result of such obligation, the city, county, or other political subdivision is unable to pay its debts as they become due; and (4) the debt is not an obligation to pay money to a city, county, entity organized pursuant to chapter 28E of the Code of Iowa, or other political subdivision.

Suitability of Investment: The interest rate borne by the Bonds is intended to compensate the investor for assuming the risk of investing in the Bonds. Each prospective investor should carefully examine this Preliminary Official Statement and its own financial condition to make a judgment as to its ability to bear the economic risk of such an investment, and whether or not the Bonds are an appropriate investment for such investor.

Tax Levy Procedures: The Bonds are general obligations of the City, payable from and secured by a continuing ad valorem tax levied against all of the property valuation within the City. As part of the budgetary process each fiscal year, the City will have an obligation to request a debt service levy to be applied against all of the taxable property within the City. A failure on the part of the City to make a timely levy request or a levy request by the City that is inaccurate or is insufficient to make full payments of the debt service of the Bonds for a particular fiscal year may cause bondholders to experience a delay in the receipt of distributions of principal of and/or interest on the Bonds. In the event of a default in the payment of principal of or interest on the Bonds, there is no provision for acceleration of maturity of the principal of the Bonds.



Consequently, the remedies of the owners of the Bonds (consisting primarily of an action in the nature of mandamus requiring the City and certain other public officials to perform the terms of the Resolutions) may have to be enforced from year to year. See “PAYMENT OF AND SECURITY FOR THE BONDS” herein.

**DTC-Beneficial Owners:** Beneficial Owners of the Bonds may experience some delay in the receipt of distributions of principal of and interest on the Bonds since such distributions will be forwarded by the Registrar to DTC and DTC will credit such distributions to the accounts of the Participants which will, thereafter, credit them to the accounts of the Beneficial Owner either directly or indirectly through indirect Participants. Neither the City nor the Registrar will have any responsibility or obligation to assure any such notice or payment is forwarded by DTC to any Participants or by any Participant to any Beneficial Owner.

In addition, since transactions in the Bonds can be effected only through DTC Participants, indirect participants and certain banks, the ability of a Beneficial Owner to pledge the Bonds to persons or entities that do not participate in the DTC system, or otherwise to take actions in respect of such Bonds, may be limited due to lack of a physical certificate. Beneficial Owners will be permitted to exercise the rights of registered Owners only indirectly through DTC and the Participants. See “BOOK-ENTRY-ONLY ISSUANCE” herein.

### **With Respect to the Series 2024A Bonds**

**Tax Matters, and Loss of Tax Exemption:** As discussed under the heading “TAX MATTERS” herein, the interest on the Series 2024A Bonds could become includable in gross income for purposes of federal income taxation retroactive to the date of delivery of the Series 2024A Bonds, as a result of acts or omissions of the City in violation of its covenants in the resolution for the Series 2024A Bonds. Should such an event of taxability occur, the Series 2024A Bonds would not be subject to a special prepayment and would remain outstanding until maturity or until prepaid under the prepayment provisions contained in the Series 2024A Bonds, and there is no provision for an adjustment of the interest rates on the Series 2024A Bonds.

It is possible that legislation will be proposed or introduced that could result in changes in the way that tax exemption is calculated, or whether interest on certain securities are exempt from taxation at all. Prospective purchasers should consult with their own tax advisors regarding any pending or proposed federal income tax legislation. The likelihood of legislation being enacted cannot be reliably predicted.

A determination of taxability on the Series 2024A Bonds, after closing of the Series 2024A Bonds, could materially adversely affect the value and marketability of the Series 2024A Bonds.

**Federal Tax Legislation:** From time to time, there are Presidential proposals, proposals of various federal committees, and legislative proposals pending in Congress that could, if enacted, alter or amend one or more of the federal (or state) tax matters described herein in certain respects or would adversely affect the market value of the Series 2024A Bonds or otherwise prevent holders of the Series 2024A Bonds from realizing the full benefit of the tax exemption of interest on the Series 2024A Bonds. Further, such proposals may impact the marketability or market value of the Series 2024A Bonds simply by being proposed. It cannot be predicted whether or in what forms any of such proposals, either pending or that may be introduced, may be enacted and there can be no assurance that such proposals will not apply to the Series 2024A Bonds. In addition, regulatory actions are from time to time announced or proposed and litigation threatened or commenced, which if implemented or concluded in a particular manner, could adversely affect the market value, marketability, or tax status of the Series 2024A Bonds. It cannot be predicted whether any such regulatory action will be implemented, how any particular litigation or judicial action will be resolved, or whether the Series 2024A Bonds would be impacted thereby.

**Summary:** The foregoing is intended only as a summary of certain risk factors attendant to an investment in the Bonds. In order for potential investors to identify risk factors and make an informed investment decision, potential investors should become thoroughly familiar with this entire Preliminary Official Statement and the Appendices hereto to make a judgment as to whether the Bonds are an appropriate investment.



## **RATING**

The Bonds are rated ‘\_\_\_’ by Moody’s. In addition, Moody’s maintains a rating of ‘Aa2’ on the City’s long-term general obligation debt. Such rating on long-term debt reflects only the view of the rating agency and any explanation of the significance of such rating may only be obtained from Moody’s. There is no assurance that such rating will continue for any period of time or that it will not be revised or withdrawn. Any revision or withdrawal of the rating may have an effect on the market price of the Bonds.

## **MUNICIPAL ADVISOR**

The City has retained PFM Financial Advisors LLC, Des Moines, Iowa as Municipal Advisor in connection with the preparation of the issuance of the Bonds. In preparing the Preliminary Official Statement, the Municipal Advisor has relied on government officials, and other sources to provide accurate information for disclosure purposes. The Municipal Advisor is not obligated to undertake, and has not undertaken, an independent verification of the accuracy, completeness, or fairness of the information contained in the Preliminary Official Statement. PFM Financial Advisors LLC is an independent advisory firm and is not engaged in the business of underwriting, trading or distributing municipal securities or other public securities.

## **CONTINUING DISCLOSURE**

The City will covenant in a Continuing Disclosure Certificate for the benefit of the owners and beneficial owners of the Bonds to provide annually certain financial information and operating data relating to the City (the “Annual Report”), and to provide notices of the occurrence of certain enumerated events. The Annual Report is to be filed by the City not later than two hundred seventy (270) days after the close of each fiscal year, commencing with the Fiscal Year ending June 30, 2024, with the Municipal Securities Rulemaking Board, at its internet repository named “Electronic Municipal Market Access” (“EMMA”). The notices of events, if any, are also to be filed with EMMA. See FORM OF CONTINUING DISCLOSURE CERTIFICATE included in APPENDIX D to this Preliminary Official Statement. The specific nature of the information to be contained in the Annual Report or the notices of events, and the manner in which such materials are to be filed, are summarized in the FORM OF CONTINUING DISCLOSURE CERTIFICATE. These covenants have been made in order to assist the the Purchaser(s) in complying with SEC Rule 15c2-12(b)(5) (the “Rule”).

Pursuant to the Rule, the City noes the following in the last five years related to its prior disclosure covenants:

The City’s timely filed Annual Comprehensive Financial Report (“ACFR”) and Financial and Operating Report for Fiscal Year ended June 30, 2021 (filed on January 18, 2022 and January 25, 2022, respectively, were not linked to the City’s Series 2021A and Series 2021B Bonds. The base CUSIP changed for the 2021A and 2021B issues, which was not captured on the original filings. The ACFR and Financial and Operating Report for Fiscal Year ending June 30, 2021 were linked to the updated CUSIPS for Series 2021A and 2021B Bonds on April 4, 2022 (less than 10 days after the filing deadline). A failure to file notice was also posted at that time. Though otherwise timely available on EMMA under the City’s CUSIP, the City failed to timely file or otherwise link its ACFR for the Fiscal Year ended June 30, 2022 to the Iowa Finance Authority Economic Development Revenue Bonds (the Marketplace Project – City of Council Bluffs, Iowa Annual Appropriation Tax Increment Revenues) Series 2015 (CUSIP: 46246M) (the “2015 IFA Bonds”). The report was posted on July 12, 2023. Semi-Annual Reports required under the 2015 IFA Bonds filed for the periods ending December 31, 2019, December 31, 2020, and December 31, 2021 through December 31, 2022 excluded the Summary of Leases: Occupants information. Supplemental Lease information for each period was filed to EMMA on August 3, 2023 and August 14, 2023. The City plans to fully redeem the 2015 IFA Bonds on or before June 30, 2024, at which time further continuing disclosure filings for the 2015 IFA Bonds will cease. The foregoing description should not be construed as an acknowledgment any such instance was material.

Other than as identified herein, in the previous five years, the City is not aware of other instances in which it has failed to comply, in all material respects, with previous undertakings in a written contract or agreement specified in paragraph (b)(5)(i) of the Rule.



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

## **FINANCIAL STATEMENTS**

The City’s Annual Comprehensive Financial Report for the Fiscal Year ended June 30, 2023 as prepared by a certified public accountant is reproduced as APPENDIX C. The City’s certified public accountant has not consented to distribution of the Annual Comprehensive Financial Report and has not undertaken added review of their presentation. Further information regarding financial performance and copies of the City’s prior Annual Comprehensive Financial Reports may be obtained from the City’s Municipal Advisor, PFM Financial Advisors LLC.

## **CERTIFICATION**

The City has authorized the distribution of this Preliminary Official Statement for use in connection with the initial sale of the Bonds. I have reviewed the information contained within the Preliminary Official Statement prepared on behalf of the City by PFM Financial Advisors LLC, Des Moines, Iowa, and to the best of my knowledge, information and belief, said Preliminary Official Statement does not contain any untrue statement of a material fact or omit to state a material fact required to be stated therein or necessary in order to make the statements made therein, in light of the circumstances under which they were made, not misleading regarding the issuance of \$23,960,000\* General Obligation Bonds Series 2024A and \$2,800,000 Taxable General Obligation Bonds, Series 2024B.

CITY OF COUNCIL BLUFFS, IOWA  
/s/ Danielle Bemis, Finance Director

\* Preliminary; subject to change.

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## **APPENDIX A**

### **GENERAL INFORMATION ABOUT THE CITY OF COUNCIL BLUFFS, IOWA**

*The \$23,960,000\* General Obligation Bonds, Series 2024 (the “Series 2024A Bonds”) and the \$2,800,000 Taxable General Obligation Bonds (the “Series 2024B Bonds”), collectively (the “Bonds”) are general obligations of the City of Council Bluffs, Iowa (the “City”) for which the City will pledge its power to levy direct ad valorem taxes against all taxable property within the City without limitation as to rate or amount to the repayment of the Bonds.*

\* Preliminary; subject to change.



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## CITY PROPERTY VALUES

### IOWA PROPERTY VALUATIONS

In compliance with Section 441.21 of the Code of Iowa, the State Director of Revenue annually directs the county auditors to apply prescribed statutory percentages to the assessments of certain categories of real property. The Pottawattamie County Auditor adjusted the final Actual Values for 2022 (applicable to fiscal year 2023-24). The reduced values, determined after the application of rollback percentages, are the Taxable Values subject to tax levy. For assessment year 2022, the taxable value rollback rate was 54.6501% of actual value for residential property; 91.6430% of actual value for agricultural property and 100.0000% of the actual value of utility property. The residential taxable rollback rate of 54.6501% would apply to the value of each property unit of commercial, industrial and railroad property that exceeds zero dollars (\$0) but does not exceed one hundred fifty thousand dollars (\$150,000) with a taxable value rollback rate of 90.0000% to the value that exceeds one hundred fifty thousand dollars (\$150,000). No adjustment was ordered for utility property because its assessed value did not increase enough to qualify for reduction. Utility property is limited to an 8% annual growth.

The final Actual Values for 2023 (applicable to fiscal year 2024-25) were adjusted by the Pottawattamie County Auditor. The reduced values, determined after the application of rollback percentages, are the taxable values subject to tax levy. For assessment year 2023, the taxable value rollback rate is 46.3428% of actual value for residential property; 71.8370% of actual value for agricultural property and 100.0000% of the actual value of utility property. The residential taxable rollback rate of 46.3428% would apply to the value of each property unit of commercial, industrial and railroad property that exceeds zero dollars (\$0), but does not exceed one hundred fifty thousand dollars (\$150,000) with a taxable value rollback rate of 90.0000% to the value that exceeds one hundred fifty thousand dollars (\$150,000). No adjustment was ordered for utility property because its assessed value did not increase enough to qualify for reduction. Utility property is limited to an 8% annual growth.

The Legislature's intent has been to limit the growth of statewide taxable valuations for the specific classes of property to 3% annually. Political subdivisions whose taxable values are thus reduced or are unusually low in growth are allowed to appeal the valuations to the State Appeal Board, in order to continue to fund present services. See "PROPERTY TAX LEGISLATION" herein for a discussion on recent legislative revisions to the administration of certain property taxes in Iowa beginning in Fiscal Year 2024-25.

### PROPERTY VALUATIONS (1/1/2022 Valuation Taxes payable July 1, 2023 through June 30, 2024)

	<u>100% Actual Value</u>	<u>Taxable Value (With Rollback)</u>
Residential	\$3,252,285,195	\$1,762,627,848
Commercial	1,308,125,096	1,116,620,738
Industrial	108,908,914	95,874,842
Railroad	21,212,267	19,016,046
Utilities w/o Gas & Electric	<u>7,914,638</u>	<u>7,914,638</u>
Gross valuation	\$4,698,446,110	\$3,002,054,112
Less military exemption	<u>(4,011,432)</u>	<u>(4,011,432)</u>
Net valuation	\$4,694,434,678	\$2,998,042,680
TIF Increment (used to compute debt service levies and constitutional debt limit)	\$101,992,301	\$101,992,301
Taxed separately		
Ag. Land & Building	\$10,543,348 <sup>1)</sup>	\$9,662,093 <sup>1)</sup>
Gas & Electric Utilities	\$2,508,635,447	\$182,593,826

1) Includes \$1,852 of Military Tax -Exemption.

Source: Iowa Department of Management.



## 2022 GROSS TAXABLE VALUATION BY CLASS OF PROPERTY <sup>1)</sup>

	<u>Taxable Valuation</u>	<u>Percent Total</u>
Residential	\$1,762,627,848	55.35%
Commercial, Industrial and Utility	1,220,410,218	38.32%
Gas & Electric Utilities	182,593,826	5.73%
Railroad	<u>19,016,046</u>	<u>0.60%</u>
Total Gross Taxable Valuation	\$3,184,647,938	100.00%

1) Excludes Taxable TIF Increment, Ag. Land and Ag. Buildings.

## FUTURE PROPERTY VALUATIONS (1/1/2023 Valuation Taxes payable July 1, 2024 through June 30, 2025)

	<u>100% Actual Value</u>	<u>Taxable Value (With Rollback)</u>
Residential	\$3,929,672,270	\$1,818,954,906
Commercial	1,310,106,242	1,109,683,275
Industrial	453,111,933	404,722,958
Railroad	22,208,306	19,894,856
Utilities w/o Gas & Electric	<u>7,794,368</u>	<u>7,794,368</u>
Gross valuation	\$5,722,893,119	\$3,361,050,363
Less exemptions	<u>(17,994,927) <sup>1)</sup></u>	<u>(17,994,927) <sup>1)</sup></u>
Net valuation	\$5,704,898,192	\$3,343,055,436
TIF Increment (used to compute debt service levies and constitutional debt limit)	\$129,595,985	\$91,030,248
Taxed separately		
Ag. Land & Building	\$13,161,400 <sup>2)</sup>	\$9,452,504 <sup>2)</sup>
Gas & Electric Utilities	\$2,703,538,268	\$188,265,222

1) Excludes \$8,000 Ag. Military Tax Exemption

2) Includes \$1,852 of Military Tax -Exemption.

Source: Iowa Department of Management.

## TREND OF VALUATIONS

<u>Assessment Year</u>	<u>Payable Fiscal Year</u>	<u>100% Actual Valuation</u>	<u>Taxable Valuation (With Rollback)</u>	<u>Taxable TIF Increment</u>
2019	2020-21	\$5,497,406,766	\$2,844,858,007	\$138,010,702
2020	2021-22	6,199,186,288	3,048,023,514	141,361,414
2021	2022-23	6,436,718,171	3,220,798,982	104,382,274
2022	2023-24	7,315,605,774	3,180,636,506	101,992,301
2023 <sup>1)</sup>	2024-25	8,551,193,845	3,531,320,658	91,030,248

The 100% Actual Valuation, before rollback and after reduction of the exemptions, include Ag. Land, Ag. Buildings, TIF Increment, and Gas & Electric Utilities. The Taxable Valuation, with the rollback and after the reduction of the exemptions, include Gas & Electric Utilities and exclude the Taxable TIF Increment, Ag. Land and Ag. Buildings. Iowa cities certify operating levies against Taxable Valuation excluding the Taxable TIF Increment and debt service levies are certified against Taxable Valuation including the Taxable TIF Increment.

1) 1/1/2023 valuations are available on the Iowa Department of Management website and become effective July 1, 2024.

Source: Iowa Department of Management



## LARGER TAXPAYERS

Set forth in the following table are the persons or entities which represent larger taxpayers within the boundaries of the City, as provided by the Pottawattamie County Auditor's office. No independent investigation has been made of and no representation is made herein as to the financial condition of any of the taxpayers listed below or that such taxpayers will continue to maintain their status as major taxpayers in the City. With the exception of the electric and natural gas providers (which is subject to an excise tax in accordance with Iowa Code chapter 437A), the City's mill levy is applicable to all of the properties included in the table, and thus taxes expected to be received by the City from such taxpayers will be in proportion to the assessed valuations of the properties. The total tax bill for each of the properties is dependent upon the mill levies of the other taxing entities which overlap the properties.

<u>Taxpayer – Legal Name</u>	<u>Taxpayer – Business Name</u>	<u>Valuation Category</u>	<u>1/1/2022 Taxable Valuation</u>
Mid-American Electric Gable Corp.	Mid-American Energy	Utility	\$130,634,791
Horseshoe Council Bluffs LLC	Google	Commercial	96,624,870
Questa LLC	Horseshoe Casino	Commercial	69,196,651
Pinnacle Entertainment Inc.	Google	Commercial	61,332,201
Harrah's Council Bluffs LLC	Ameristar Casino	Commercial	51,803,715
B33 Metro Crossing II LLC	Harrah's Casino	Commercial	46,247,282
Black Hills Energy Corp.	Metro Crossings Retail Center	Commercial	37,852,415
Tetra LLC	Black Hills Energy Corp	Utility	25,367,664
Wal-Mart Real Estate Business Trust	Google	Commercial	23,925,675
	Wal-Mart	Commercial	22,016,850

Source: Pottawattamie County Auditor's Office

## PROPERTY TAX LEGISLATION

Over time, the Iowa Legislature has modified the process and calculation of taxable valuations for various classifications of property. For example, in 2013 maximum annual taxable value growth due to revaluation of residential and agricultural property was reduced from 4% to 3%, rollback calculations were modified, a new multi-residential classification was created, and an appropriation made to replace some lost tax revenue due to rollbacks. In 2019, the process for hearings on total maximum property tax dollars under certain levies in the City's budget was modified and a super-majority vote required to raise taxes above a prescribed formula. In 2021, the multi-residential classification was removed, and a phase out of the appropriation for rollback initiated. In 2023, SF 181 was signed into law by the Governor on February 20, 2023, effective upon enactment. SF 181 reduced the residential rollback for the 2022 assessment year (affecting Fiscal Year 2023-24) from 56.4919% to 54.6501%. This resulted in a reduction in taxable valuation in the residential, commercial, industrial and railroad property classes upon which the City levies property taxes for Fiscal Year 2023-24.

On May 4, 2023, the Governor signed House File 718 ("HF 718"), a property tax reform law aimed at reducing property tax growth in Iowa. Among other things, HF 718 permanently consolidates several existing city property tax levies and creates a new adjusted city general fund levy ("ACGFL"). To control the growth of property taxes, the new ACGFL is subject to potential limitation or reduction by constraining growth by 2% or 3% each year depending on if certain growth triggers are met or exceeded during the prior year. The levy limitation is only applicable Fiscal Year 2024-25 through Fiscal Year 2027-28 and will be specific to each city. For Fiscal Year 2023-24, the City will calculate the new ACGFL as the baseline rate and the first annual ACGFL adjustment will begin Fiscal Year 2024-25. The ACGFL rates for Fiscal Years 2024-25 through 2027-28 are based on growth in city taxed value and the previous year's city tax rate. Beginning in Fiscal Year 2028-29, all cities go to a \$8.10 ACGFL maximum and the levy limitation calculation ceases. Certain levies like debt service, pensions, employee benefits and capital improvement reserve fund are not included in the new ACGFL limitation. The City's recent property valuation growth has, on occasion, exceeded the new legislative caps. Assuming the City exceeds the legislative caps in the future, the City's general fund levies will lag its relative valuation growth. For Fiscal Year 2024-25, the City's non TIF tax valuation growth was 11% causing the City's property tax growth to be mitigated by 3%. The City's Budget for Fiscal Year 2024-25 will accommodate this reduced tax revenue relative to its non TIF tax valuation growth.



From time to time, legislative proposals are pending in Congress and the Iowa General Assembly that would, if enacted, alter or amend one or more of the property tax matters described herein. It cannot be predicted whether or in what forms any of such proposals, either pending or that may be introduced, may be enacted, and there can be no assurance that such proposals will not apply to valuation, assessment or levy procedures for taxes levied by the City or have an adverse impact on standing appropriations or the future tax collections of the City. Purchasers of the Bonds should consult their tax advisors regarding any pending or proposed federal or state tax legislation. The opinion expressed by Bond Counsel are based upon existing legislation as of the date of issuance and delivery of the Bonds and Bond Counsel has expressed no opinion as of any date subsequent thereto or with respect to any pending federal or state tax legislation.

Notwithstanding any modifications to property tax revenues that may result from prior, or any pending or future legislation, the Bonds are secured by an unlimited ad valorem property tax. See "PAYMENT OF AND SECURITY FOR THE BONDS" herein.



## CITY INDEBTEDNESS

### DEBT LIMIT

Article XI, Section 3 of the State of Iowa Constitution limits the amount of debt outstanding at any time of any county, municipality or other political subdivision to no more than 5% of the actual value of all taxable property within the corporate limits, as taken from the last state and county tax list. The debt limit for the City, based on its 2022 actual valuation currently applicable to the Fiscal Year 2023-24, is as follows:

2022 Actual Valuation of Property	\$7,315,605,774 <sup>1)</sup>
Legal Debt Limit of 5%	<u>0.05</u>
Legal Debt Limit	\$365,780,289
Less: G.O. Debt Subject to Debt Limit	(73,600,000)*
Less: Development Agreements (Payable Fiscal Year 2023-24)	(1,564,651) <sup>2)</sup>
Less: Development Agreements (Payable Fiscal Year 2024-25)	(1,694,644) <sup>2)</sup>
Less: IFA Marketplace TIF Revenue Debt (annual appropriation)	(1,316,200) <sup>3)</sup>
Less: Installment Purchase (Defibrillators)	(89,815)
Less: Installment Purchase (Iowa DOT)	(1,440,000)
Less: Golf Cart Lease	(12,539)
Less: Rivers Edge Parking Garage LPA (annual. appropriation)	<u>(1,550,738)</u>
Net Debt Limit	\$284,511,702*

- 1) Actual Valuation as reported by the Iowa Department of Management for Fiscal Year 2023-24.
- 2) As estimated by the City pursuant to development agreements for urban renewal projects under the authority of Iowa Code Chapter 403 or other intergovernmental agreements (under chapter 28E, etc.). The Iowa Supreme Court has not formally ruled on the question of whether contracts to rebate the tax increment generated by a particular development constitutes indebtedness of a city for constitutional debt limit purposes. The amount reported above includes rebate agreements that may not be debt. Some development agreements are subject to the right of annual appropriation by the City, thereby limiting the extent of possible debt to only amounts currently due and appropriated in the current fiscal year. Amounts payable under a particular development agreement may not constitute legal indebtedness but are memorialized in the table below to conservatively state the City's possible financial exposure. Payment of future installments may be dependent upon undertakings by the developers, which may have not yet occurred. The City actively pursues opportunities consistent with the development goals of its various urban renewal plans, which may be amended from time to time, and the City may enter into additional development agreements committing to additional rebate incentives in calendar year 2024 or thereafter. See "TIF REBATE AGREEMENTS" table herein for more information regarding Development Agreement obligations.
- 3) The City plans to fully redeem this issue **on or before June 1, 2024**.

\* Preliminary; subject to change.



## DIRECT DEBT

### General Obligation Debt Paid by Property Taxes and Tax Increment (Includes the Bonds)

<u>Date of Issue</u>	<u>Original Amount</u>	<u>Purpose</u>	<u>Final Maturity</u>	<u>Principal Outstanding As of 06/03/24</u>
4/14A	\$7,630,000	Corporate Purpose	6/26	\$1,350,000
3/15A	8,145,000	Refunding & Corporate Purpose	6/30	2,550,000
12/16A	6,095,000	Corporate Purpose	6/26	2,100,000
8/17A	9,540,000	Corporate Purpose	6/37	5,870,000
6/18A	22,605,000	Corporate Purpose & Refunding	6/38	11,990,000
12/19	7,630,000	Corporate Purpose	6/31	3,835,000
5/20A	6,085,000	Corporate Purpose & Refunding	6/27	2,850,000
12/20B	4,515,000	Corporate Purpose	6/32	2,630,000
10/21B	5,970,000	Corporate Purpose	6/33	4,260,000
6/22B	5,430,000	Corporate Purpose	6/34	4,335,000
10/23A	625,000	Taxable Corporate Purpose	6/25	290,000
10/23B	5,670,000	Corporate Purpose	6/33	4,780,000
6/24A	23,960,000*	Corporate Purpose	6/34	23,960,000*
6/24B	2,800,000*	Corporate Purpose	6/28	<u>2,800,000*</u>
Total G.O. Debt Subject to Debt Limit				\$73,600,000*

\* Preliminary; subject to change.



**Annual Fiscal Year Debt Service Payments on the General Obligation Debt Paid by Property Taxes and Tax Increment (Includes the Bonds)**

Fiscal Year	<u>Current Outstanding</u>		<u>Series 2024A</u>		<u>Series 2024B</u>		<u>Total Outstanding</u>	
	<u>Principal</u>	Principal & <u>Interest</u>	<u>Principal*</u>	Principal & <u>Interest*</u>	<u>Principal*</u>	Principal & <u>Interest*</u>	<u>Principal*</u>	Principal & <u>Interest*</u>
2024-25	\$7,090,000	\$8,731,634	\$1,070,000	\$2,261,344	\$1,630,000	\$1,783,900	\$9,790,000	\$12,776,878
2025-26	6,725,000	8,091,079	1,590,000	2,734,500	410,000	475,110	8,725,000	11,300,689
2026-27	5,170,000	6,279,541	1,670,000	2,735,000	430,000	472,560	7,270,000	9,487,101
2027-28	4,065,000	4,964,541	1,935,000	2,916,500	<u>330,000</u>	348,480	6,330,000	8,229,521
2028-29	4,225,000	4,966,241	2,600,000	3,484,750			6,825,000	8,450,991
2029-30	4,355,000	4,947,691	2,730,000	3,484,750			7,085,000	8,432,441
2030-31	3,515,000	3,979,291	2,870,000	3,488,250			6,385,000	7,467,541
2031-32	3,035,000	3,396,198	3,010,000	3,484,750			6,045,000	6,880,948
2032-33	2,745,000	3,019,990	3,165,000	3,489,250			5,910,000	6,509,240
2033-34	1,600,000	1,791,984	<u>3,320,000</u>	3,486,000			4,920,000	5,277,984
2034-35	1,145,000	1,286,306					1,145,000	1,286,306
2035-36	1,180,000	1,284,650					1,180,000	1,284,650
2036-37	1,220,000	1,285,975					1,220,000	1,285,975
2037-38	<u>770,000</u>	795,988					<u>770,000</u>	795,988
Total	\$46,840,000		\$23,960,000*		\$2,800,000*		\$73,600,000*	

\* Preliminary; subject to change.



## REVENUE DEBT

### Council Bluffs Water Works Issued Revenue Debt Supported by Net Revenues of the Water Works

The Council Bluffs Water Works (the “Water Works”) is a related organization to the City. The Mayor, with City Council concurrence, appoints individuals to the Water Works’ Board of Trustees. The Water Works’ Board of Trustees maintains oversight responsibility and, therefore, is responsible for selection of management personnel and all financial matters. The authority to adopt the annual budget, incur debt and fix rates and charges is vested in the Board of Trustees. The Council Bluffs Water Works has revenue debt payable solely from the net revenues of the utility as follows:

<u>Date of Issue</u>	<u>Original Amount</u>	<u>Purpose</u>	<u>Final Maturity</u>	<u>Principal Outstanding As of 06/03/24</u>
9/08	\$10,344,944	Water Improvements (SRF)	12/30	\$4,373,000
4/10	4,713,290	Water Improvements (SRF)	12/40	3,185,000
4/10	20,000,000	Water Improvements (SRF)	12/31	9,554,000
1/15	1,200,000	Water Improvements (SRF)	6/34	607,000
9/18	5,021,000	Water Improvements (SRF)	6/39	<u>3,946,000</u>
Total				\$21,665,000

### City Issued Sewer Revenue Debt Supported by Net Revenues of the Sewer Utility

<u>Date of Issue</u>	<u>Original Amount</u>	<u>Purpose</u>	<u>Final Maturity</u>	<u>Principal Outstanding As of 06/03/24</u>
5/12	\$5,160,000	Sewer Improvements (SRF)	6/32	\$2,465,000



**Iowa Finance Authority Issued Revenue Debt Supported by Marketplace Urban Renewal Area Tax Increment  
(Subject to Annual Appropriation by the City Council)**

On May 5, 2015, the Iowa Finance Authority (“IFA”) issued \$5,950,000 in Economic Development Revenue Bonds and loaned the proceeds thereof to the City, which the City used to make an economic development grant in accordance with the Marketplace Urban Renewal plan, fund a debt service reserve for the bonds and pay the costs of issuing the bonds. The loan is payable solely from the bond proceeds, tax increment financing (“TIF”) receipts generated by increased property values in the designated portions of the Marketplace Urban Renewal area, credited to the Special Revenue, Tax Increment Financing Fund and paid to the trustee pursuant to the financing agreement and moneys in the debt reserve trust account. TIF receipts are generally projected to produce 100% of the debt service requirements over the life of the bonds. The TIF revenues are subject to annual appropriation by the City Council. The payment of such TIF revenues do not constitute a continuing obligation of the City in any fiscal year beyond the fiscal year for which TIF revenues have been appropriated. Pursuant to the financing agreement, the City established a Trust Account through the BOKF, NA as trustee. Funds in the trust account are to be used to retire the IFA bonds.

The City has revenue debt payable solely from the TIF revenues of the Marketplace Urban Renewal Area as follows:

<u>Date of Issue</u>	<u>Original Amount</u>	<u>Purpose</u>	<u>Final Maturity</u>	<u>Principal Outstanding As of 06/03/24</u>	<u>Annual Appropriation Subject to Debt Limit</u>
5/15	\$5,950,000	Economic Development	8/29	\$0 <sup>1)</sup>	\$1,316,200 <sup>2)</sup>

- 1) The City anticipates paying the outstanding \$1,240,000, prior to June 1, 2024, with cash on hand and an interfund loan.
- 2) The City appropriated \$479,045 in FY 2023-24 and \$837,155 in FY 2024-25 for the debt payments.

**City Issued Lease Purchase Agreement Supported by Iowa West as Guarantor and Playland Park Urban Renewal Area Tax Increment (Subject to Annual Appropriation by the City Council)**

This lease purchase agreement shall not constitute a general obligation of the City, and the full faith and credit of the City is not pledged for the payment of the lease payments. The lease payments are payable from and secured solely and only by the Available Tax Increment Revenues from the Playland Park Urban Renewal area as defined in the Rivers Edge Parking Garage Lease Purchase Agreement. Each lease payment is subject to annual appropriation by the City Council. In the event that available tax increment revenues are insufficient or the City Council doesn’t appropriate the annual lease payment, Iowa West Foundation (the “Guarantor”) shall pay the shortfall amount directly to the developer. Subject to the right of annual appropriation, the Guarantor may receive reimbursement of any shortfall amount only in the event that excess available tax increment revenues are available.

The City has the Rivers Edge Parking Garage Lease Purchase Agreement payable solely from the TIF revenues of the Playland Park Urban Renewal Area as follows:

<u>Date of Issue</u>	<u>Total Lease Payments</u>	<u>Purpose</u>	<u>Final Maturity</u>	<u>Lease Payments Outstanding <sup>1)</sup> As of 06/03/24</u>	<u>Annual Appropriation Subject to Debt Limit</u>
7/19	\$15,393,930	Parking Garage	6/39	\$11,904,769	\$1,550,738 <sup>2)</sup>

- 1) The principal outstanding on this lease purchase agreement is \$7,954,824.
- 2) The City appropriated \$775,369 for Fiscal Year 2023-24 for the debt payments, which includes \$346,073 in principal and \$429,296 in interest. The City appropriated \$775,369 for Fiscal Year 2024-25 for the debt payments, which includes \$364,749 of principal and \$410,620 of interest.



## City Issued Installment Purchase Agreement with the Iowa Department of Transportation Supported by Local Option Sales Tax Revenues

In July 2014, the City entered into an agreement with the Iowa Department of Transportation (IDOT) to fund the construction to widen the Union Pacific Railroad bridge over I-29 0.5 miles North of Nebraska Avenue in Council Bluffs in order for the City to widen the street lanes that run beneath the bridge. The City agreed to reimburse the project costs at the agreed amount of \$2,400,000. The reimbursements will be made in five equal yearly installments of \$480,000. The first installment will be due upon completion of the construction and proper billing by the IDOT, and annually thereafter.

The City has the IDOT Installment Purchase Agreement is payable from the LOST revenues of the City as follows:

<u>Date of Issue</u>	<u>Total Lease Payments</u>	<u>Purpose</u>	<u>Final Maturity</u>	<u>Principal Outstanding As of 06/03/24</u>
7/14	\$2,400,000	Railroad Bridge	6/27	\$1,440,000

## TIF DEVELOPMENT AGREEMENTS

### City Tax Increment Financing Developer Agreements (Subject to Annual Appropriation by the City Council)

<u>TIF District</u>	<u>Fund</u>	<u>Payable in Fiscal Year 2023-24</u>	<u>Payable in Fiscal Year 2024-25</u>	<u>Estimated Total TIF Obligation Subject to Change</u>	<u>Final Estimated Payment Date</u>	<u>Developer</u>
New Horizon	126	\$0	\$32,316	\$288,189	6/34	McCarthy
West Broadway	131	47,485	55,000	148,587	6/26	22 W Broadway
Bluff Center I	132	2,199	0	2,199	6/24	Hughes Iron
Bluff Center I	132	81,810	78,116	537,856	6/32	Sawyer Bldg
Bluff Center I	132	60,956	55,537	498,611	6/34	The Rise
Playland Park	136	252,676	257,940	4,379,280	6/40	Noddle
Playland Park	136	414,990	418,428	5,661,893	6/41	Rivers Edge
Marketplace	138	0	0	0	6/23	Legacy CB
Bluffs Northway	141	374,334	391,736	1,545,414	6/27	Walmart
Franklin Ave	142	75,201	150,571	605,038	6/27	McCarthy
Bluffs Vision	143	<u>255,000</u>	<u>255,000</u>	<u>2,781,394</u>	6/34	MAC Ventures
Total		\$1,564,651	\$1,694,644	\$16,448,461		



## OVERLAPPING DEBT

	1/1/2023 Taxable Valuation <sup>1)</sup>	Taxable Valuation Within the City	Percent In City	G.O. Debt <sup>2)</sup>	City's Proportionate Share
Pottawattamie County	\$6,445,406,781	\$3,631,803,410	56.35%	\$19,910,000	\$11,219,285
Lewis Central CSD	1,857,735,571	1,328,366,183	71.50%	0	0
Council Bluffs CSD	2,766,279,827	2,303,437,227	83.27%	30,695,000	25,559,727
Iowa Western CC	13,170,889,473	3,631,803,410	27.57%	52,565,000	<u>14,492,171</u>
City's Share of Overlapping Debt					\$51,271,183

- 1) Taxable Valuation excludes military exemption and includes Ag. Land & Buildings, Taxable TIF Increment and all Utilities.  
2) Includes general obligation bonds, PPEL Bonds, certificates of participation and new jobs training certificates. Estimated as of February 21, 2024 based on publicly available information. The City undertakes no responsibility for and makes no representations as to the accuracy or completeness of the information related to the indebtedness of overlapping entities.

## DEBT RATIOS

	G.O. Debt	Debt/Actual Market Value ( <u>\$8,551,193,845</u> ) <sup>1)</sup>	Debt/62,799 Population <sup>2)</sup>
Total General Obligation Debt	\$73,600,000*	0.86%*	\$1,177.99*
Other City Debt <sup>3)</sup>	\$4,409,292	0.05%	\$70.21
City's Share of Overlapping Debt	\$51,271,183	0.60%	\$816.43

- 1) Based on the City's January 1, 2023 100% Actual Valuation; includes Ag Land, Ag Buildings, all Utilities and TIF Increment.  
2) Based on the City's 2020 U.S. Census population.  
3) Includes the appropriated \$1,316,200 IFA Market Place TIF revenue debt, \$1,550,738 appropriated for the Rivers Edge Parking Garage Lease Purchase Agreement, \$1,529,815 Installment Purchases and \$12,539 for the Golf Cart Lease Purchase.

\* Preliminary; subject to change.



## THE CITY

### CITY GOVERNMENT

The City was incorporated in 1853. The City operated under a Council-Manager at large form of government, per 372.6 Iowa Code from April 1, 1950 to December 31, 1987. Since January 1, 1988 the City has been under Mayor-Council form of government, per 372.4 Iowa Code. The Mayor is responsible for the day-to-day operation of the City and it is the responsibility of the City Council to establish City policy and to certify the budget. In November 2021, Mayor Matt Walsh was elected to another four-year term.

### LEVIES AND TAX COLLECTIONS

<u>Fiscal Year</u>	<u>Levy</u> <sup>1)</sup>	<u>Total Collections</u> <sup>2)</sup>	<u>Percent Collected</u>
2019-20	\$51,754,147	\$51,098,775	98.73%
2020-21	52,496,007	53,627,305	102.15%
2021-22	53,991,433	54,558,671	101.05%
2022-23	57,866,212	57,753,962	99.81%
2023-24	58,523,995	-----In process of collection-----	

Collections include delinquent taxes from all prior years. Taxes in Iowa are delinquent each October 1 and April 1 and a late payment penalty of 1.5% per month of delinquency is enforced as of those dates. If delinquent taxes are not paid, the property may be offered at the regular tax sale on the third Monday of June following the delinquency date. Purchasers at the tax sale must pay an amount equal to the taxes, special assessments, interest and penalties due on the property and funds so received are applied to taxes. A property owner may redeem from the regular tax sale but, failing redemption within three years, the tax sale purchaser is entitled to a deed which in general conveys the title free and clear of all liens except future tax installments.

1) As listed on the Adoption of Budget and Certification of City Taxes.

2) Based on the City's Annual Comprehensive Financial Reports and includes "Property Tax" and "Utility Excise Tax".

### TAX RATES

	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>	<u>FY 2023-24</u>
	<u>\$/ \$1,000</u>	<u>\$/ \$1,000</u>	<u>\$/ \$1,000</u>	<u>\$/ \$1,000</u>	<u>\$/ \$1,000</u>
Pottawattamie County	8.09573	8.09573	7.84965	7.45997	7.56484
City of Council Bluffs	18.26000	18.26000	17.53000	17.82559	18.26000
Council Bluffs CSD	17.05801	16.99765	16.99462	16.25381	16.15808
Lewis Central CSD	12.26138	12.04018	10.42846	10.23502	10.28834
Agricultural Extension (West)	0.08904	0.09021	0.08644	0.08412	0.08600
Assessor	0.35653	0.35575	0.34367	0.34348	0.32183
Iowa Western Comm. College	1.30529	1.29710	1.45808	1.37785	1.38967
State of Iowa	<u>0.00280</u>	<u>0.00270</u>	<u>0.00260</u>	<u>0.00240</u>	<u>0.00180</u>
Total Tax Rate City Resident (Council Bluffs CSD)	45.16740	45.09914	44.26506	43.34722	43.78222
Total Tax Rate City Resident (Lewis Central CSD)	40.37077	40.14167	37.69890	37.32843	37.91248

Source: Pottawattamie County Auditor's website



LEVY LIMITS

A city’s general fund tax levy is limited to \$8.10 per \$1,000 of taxable value, with provision for an additional \$0.27 per \$1,000 levy for an emergency fund which can be used for general fund purposes (Code of Iowa, Chapter 384, Division I). Cities may exceed the \$8.10 limitation upon authorization by a special levy election. Further, there are limited special purpose levies, which may be certified outside of the above-described levy limits (Code of Iowa, Section 384.12). The amount of the City’s general fund levy subject to the \$8.10 limitation is \$8.10 for Fiscal Year 2023-24. The City levies a portion of its costs for operation and maintenance of publicly owned transit, operation and maintenance of City owned Civic Center, aviation authority, liability, property and self-insurance expenses and employee benefits in addition to the \$8.10 general fund limit as authorized by law. Debt service levies are not limited, rather the City is only subject to the aggregate constitutional debt limits. See “DEBT LIMIT” herein. See “PROPERTY TAX LEGISLATION” herein for a discussion of revisions to the administration of the general fund levy beginning in Fiscal Year 2024-25.

FUNDS ON HAND (CASH AND INVESTMENTS AS OF JANUARY 31, 2024)

General Fund	\$46,358,780
Special Districts and Funds	17,569,220
Road Use Tax	4,211,413
Debt Service	6,916,224
Tax Increment Funds	2,738,345
Sewer Enterprise Funds	25,343,455
Refuse & Recycling Enterprise	4,493,984
City Sales Tax	37,453,233
Community Development	898,152
Capital Projects & Permanent Fund	<u>7,484,678</u>
Total Cash and Investments	\$153,467,484

Source: City of Council Bluffs

EMPLOYEES AND PENSIONS

The City currently has 512 full-time employee equivalents (excluding seasonal employees). Of the City’s budgeted full time equivalents, 136 are sworn police officers and 114 are sworn firefighters, officers and employees of the fire department (including ambulance operations) in all ranks. The City participates in two statewide employee retirement systems, the Iowa Public Employees Retirement System (“IPERS”) and the Municipal Fire and Police Retirement System of Iowa (“MFPRSI”). The State of Iowa administers IPERS and a nine-member board of trustees governs the MFPRSI. Though separate and apart from state government, the MFPRSI board is authorized by state legislature, which also establishes by statute the pension and disability benefits and the system’s funding mechanism. All full-time employees must participate in either IPERS or MFPRSI.

Iowa Public Employees Retirement System: The City contributes to IPERS, which is a cost-sharing multiple-employer, contributory defined benefit public employee retirement system. IPERS provides retirement and death benefits, which are established by state statute, to plan members and beneficiaries. IPERS is authorized to adjust the total contribution rate up or down each year, by no more than 1 percentage point, based upon the actuarially required contribution rate. The City’s contributions to IPERS for the last three fiscal years ended June 30, as shown below, equal the required contributions for each year.

	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>
City IPERS Contribution	\$1,619,521	\$1,674,261	\$1,772,067

Pursuant to Governmental Accounting Standards Board (“GASB”) Statement No. 68, the City reported a liability of \$8,320,501 within its Annual Comprehensive Financial Report for the Fiscal Year ended June 30, 2023 (“ACFR”) for its proportionate share of the net pension liability related to IPERS. The net pension liability was measured as of June 30, 2022, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The City’s proportion of the net pension liability was based on the City’s share of contributions to the pension



plan relative to the contributions of all IPERS participating employers. At June 30, 2022, the City’s collective proportion was 0.209632% which was a decrease of 0.001734% from its proportion measured as of June 30, 2021.

The City cannot predict the levels of funding that will be required in the future as any IPERS unfunded pension benefit obligation could be reflected in future years in higher contribution rates. The investment of moneys, assumptions underlying the same and the administration of IPERS is not subject to the direction of the City. Thus, it is not possible to predict, control or prepare for future unfunded accrued liabilities of IPERS (“UALs”). The UAL is the difference between total actuarially accrued liabilities and actuarially calculated assets available for the payment of such benefits. The UAL is based on assumptions as to retirement age, mortality, projected salary increases attributed to inflation, across-the-board raises and merit raises, adjustments, cost-of-living adjustments, valuation of current assets, investment return and other matters. Such UAL could be substantial in the future, requiring significantly increased contributions from the City which could affect other budgetary matters.

The IPERS Annual Comprehensive Financial Report is available on the IPERS website, or by contacting IPERS at 7401 Register Drive P.O. Box 9117, Des Moines, IA 50321. The information presented in such financial reports or on such website is not incorporated into this Preliminary Official Statement by any references.

*Bond Counsel, Disclosure Counsel, the City and the Municipal Advisor undertake no responsibility for and make no representations as to the accuracy or completeness of the information available from the IPERS discussed above or included on the IPERS website, including, but not limited to, updates of such information on the State Auditor’s website or links to other Internet sites accessed through the IPERS website.*

For additional information on the City’s Pension Plans, including information related to qualifications, benefits, deferred outflows and inflows of resources related to pensions, expenses, actuarial assumption, discount rate and discount rate sensitivities refer to Note 8 – Pension Plans – Iowa Public Employees Retirement System, beginning on page 49 of the City’s June 30, 2023 ACFR contained in APPENDIX C to this Preliminary Official Statement.

Municipal Fire and Police Retirement System of Iowa: The City contributes to MFPRSI, which is a cost-sharing multiple-employer defined benefit pension plan. MFPRSI provides retirement, disability, and death benefits to plan members and beneficiaries. Benefit provisions are established by state statute, and vest after four years of credited service. The City’s police officers and fire fighters are enrolled in the MFPRSI.

MFPRSI plan members are required to contribute a percentage of their annual covered salary, and the City is required to contribute at an actuarially determined rate of annual covered payroll. The contribution requirements of plan members and the City are established, and may be amended by state statute. The City’s contributions to MFPRSI for the last three fiscal years ended June 30, as shown below, equal the required contributions for each year.

	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>
MFPRSI City Contribution	\$4,704,357	\$5,070,708	\$4,964,495

Pursuant to GASB Statement No. 68, the City reported a liability of \$32,201,833 within its ACFR for its proportionate share of the net pension liability related to MFPRSI. The net pension liability was measured as of June 30, 2022, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The City’s proportion of the net pension liability was based on the City’s share of contributions to the pension plan relative to the contributions of all MFPRSI participating employers. At June 30, 2022, the City’s proportion was 5.734246% which was an increase of 0.075885% from its proportion measured as of June 30, 2021.

The MFPRSI Independent Auditors Report is available on the MFPRSI website, or by contacting MFPRSI at 7155 Lake Drive, Suite 201, West Des Moines, IA 50266. The information presented in such financial reports or on such website is not incorporated into this Preliminary Official Statement by any references.

*Bond Counsel, Disclosure Counsel, the City and the Municipal Advisor undertake no responsibility for and make no representations as to the accuracy or completeness of the information available from MFPRSI discussed above or included on the MFPRSI website, including, but not limited to, updates of such information on the State Auditor’s website or links to other Internet sites accessed through the MFPRSI website.*



For additional information on the City’s Pension Plans, including information related to qualifications, benefits, deferred outflows and inflows of resources related to pensions, expenses, actuarial assumption, discount rate and discount rate sensitivities refer to Note 8 – Pension Plans – Municipal Fire and Police Retirement System of Iowa (MFPRSI), beginning on page 53 of the City’s June 30, 2023 ACFR contained in APPENDIX C to this Preliminary Official Statement.

**OTHER POST EMPLOYMENT BENEFITS (OPEB)**

Plan Description: The City operates a single-employer health benefit plan which provides medical, prescription drug, and dental benefits for employees, retirees and their dependents. Group insurance benefits are established under Iowa Code Chapter 509A.13. No assets are accumulated in a trust that meets the criteria in paragraph 4 of GASB Statement No. 75.

Individuals who are employed by the City and are eligible to participate in the group health plan are eligible to continue healthcare benefits upon retirement if they are age 55 and at least four years of service. A covered individual who retires from service with the City must be vested in the MFPRSI or in IPERS. Retires pay the same premium for the medical, prescription drug and dental benefits as active employees, which results in an implicit rate of subsidy and an OPEB liability. At July 1, 2022, plan membership consisted of 20 retired members and 470 active employees.

Funding Policy: The contribution requirements of plan members are established and may be amended by the City. The City currently finances the retiree benefit plan on a pay-as-you-go basis. The General, Special Revenue, Road Use Tax and Enterprise, Sewer and Refuse and Disposal Funds primarily fund OPEB costs.

Total OPEB Liability: The City’s total OPEB liability at June 30, 2023 was \$6,547,292 and was determined by an actuarial valuation as of July 1, 2022, calculated based on the discount rate and actuarial assumptions and projected to the measurement date of June 30, 2023. The following table shows the components of the City’s annual OPEB for the Fiscal Year ended June 30, 2023:

	Total OPEB Liability
Total OPEB liability beginning of year	\$6,733,008
Changes for the year:	
Service Cost	398,305
Interest	226,873
Difference between expected and actual experience	46,317
Changes in assumptions	(680,370)
Benefit payments	<u>(176,841)</u>
Net changes	<u>\$(185,716)</u>
Total OPEB liability end of year	<u>\$6,547,292</u>

For additional information regarding the City’s OPEB, including information related to deferred outflows and inflows of resources related to pensions, expenses, actuarial assumptions, discount rate and discount rate sensitivities, refer to Note 9 - Other Postemployment Benefits (OPEB), beginning on page 57 of the City’s June 30, 2023 ACFR contained in APPENDIX C to this Preliminary Official Statement.



**UNION CONTRACTS**

The City is currently under contract with the following unions:

<u>Union Name</u>	<u>Number of Employees</u>	<u>Current Contract Expiration Date</u>
Police Union	88	June 30, 2026
Fire Union	106	June 30, 2025
AFSCME Blue Collar Union	99	June 30, 2028
CWA	70	June 30, 2026

*(The remainder of the page was left blank intentionally)*



## INSURANCE

<u>Type of Insurance</u>	<u>Coverage Limit</u>
<u>Property/Equipment:</u>	
Property	\$250,000,000
Shared Occurrence Aggregate Limit	\$1,000,000,000
Equipment Breakdown	\$100,000,000
<u>Inland Marine:</u>	
Contractors Equipment	\$8,659,507
Leased/Rented Equipment	Included in Property Coverage
Municipal Vehicles Open Lot Coverage	\$23,438,782
<u>Liability:</u>	
General Liability	\$10,000,000
Automobile Liability	\$10,000,000
Public Officials & Employment Practices	\$10,000,000
Sexual Abuse	Included
Employed Professionals Liability – EMTs	\$10,000,000
Pollution Liability	\$2,000,000 per occurrence/\$2,000,000
	Aggregate/\$25,000,000 Policy Program Aggregate
<u>Flood:</u>	
Flood – 18452 Applewood Rd, Council Bluffs, IA	\$100,000
Premises within Flood Zone A or V	\$5,000,000
All other insured premises	\$20,000,000
<u>Terrorism:</u>	
General Liability Terrorism	Included in General Liability Limit
Property Terrorism	\$100,000,000/\$200,000,000 Aggregate
Excess Property Terrorism	\$600,000,000/\$1,100,000,000 Aggregate
<u>Crime:</u>	
Employee Theft	\$1,000,000
Forgery or Alteration	\$1,000,000
Computer Fraud	\$1,000,000
Funds Transfer Fraud	\$1,000,000
Social Engineering	\$100,000
<u>Cyber:</u>	
Network Security, Privacy & Media	\$3,000,000
Privacy Breach Costs	\$3,000,000
Business Income Loss	\$3,000,000
Contingent Business Income Loss	\$1,000,000
Digital Asset Loss	\$3,000,000
Cyber Extortion Threat	\$3,000,000
<u>Worker's Compensation:</u>	
Excess Worker's Compensation	Statutory
Excess Employer's Liability	\$1,000,000



## GENERAL INFORMATION

### LOCATION AND TRANSPORTATION

The City, with a 2020 Census population of 62,799, is located directly east of Omaha, Nebraska. The City is the county seat of Pottawattamie County and covers an area of 39.7 square miles. The City owns a municipal airport, including land and buildings. The City contracts for the operation and management of the airport.

The City is at the crossroads of two national roadways, Interstates 80 and 29. Public Transportation in the Council Bluffs-Omaha area is provided by Metropolitan Area Transit (the “MAT”). MAT operates a fleet of approximately 108 buses with regular line service throughout the area. In addition, passenger rail service is provided to City residents through Amtrak. Air freight and passenger service is provided to the City through Eppley Airfield located in Omaha, Nebraska.

### LARGER EMPLOYERS <sup>1)</sup>

<u>Employer</u>	<u>Type of Business</u>	<u>Approximate Number of Employees</u>
Tyson Fresh Meats	Food Processing	1,600
BK Entertainment Company	Bingo Supplies	1,300
Council Bluffs Community Schools	Public Education	1,290
Ameristar Casino and Hotels	Hotel/Casino	1,250
Future Foam	Polyurethane Foam Products	1,200
Methodist Jennie Edmundson Hospital	Health Services	800 <sup>2)</sup>
Iowa Western Community College	Public Community College	515 <sup>3)</sup>
City of Council Bluffs	Municipal Government	485
JBS USA Food Co. <sup>4)</sup>	Food and Meat Processing	375
American Games	Manufacturer of Lottery/Gaming Products	360
Walmart	Retail	250
Harrah’s Casino	Hotel/Casino	170
ConAgra Frozen Foods	Food Processing	160
Horseshoe Council Bluffs Casino	Gaming/Real Estate	135

1) This does not purport to be a comprehensive list and is based on data from company websites and best efforts telephone survey of individual employers. Some employers do not respond to inquiries.

2) Includes full-time, part-time and active medical staff.

3) Includes all full-time and part-time positions at all campus locations.

4) Formerly Plumrose USA Inc.

*(The remainder of the page was left blank intentionally)*



A representative list of larger employers in the greater Omaha, Nebraska metro area is as follows:

<u>Employer</u>	<u>Type of Business</u>	<u>Approximate Number of Employees</u>
Offutt Air Force Base	U.S. Military Base	10,000
Nebraska Medicine	Health Care	9,000
Omaha Public Schools	Education	7,100
CHI Health Center	Health Care	6,500
University of Nebraska Medical Center	Medical School	6,300
Methodist Health System	Health Care	6,000
Mutual of Omaha Insurance	Insurance	5,900
Union Pacific Railroad	Transportation	4,400
First National Bank Omaha	Financial	4,320
Fiserv	Information	4,000
Boys Town	Healthcare and Social Assistance	3,400
Union Pacific Railroad	Transportation	2,950
Children's Hospital & Medical Center	Health Services	2,600
TD Ameritrade/Charles Schwab	Finance and Insurance	2,400
Creighton University	Educational Services	2,200
Nebraska Furniture Mart	Furniture	2,000

Source: The Greater Omaha Chamber. The list is updated frequently as changes are identified and is not to be construed as a complete profile.

## BUILDING PERMITS

City officials report the following construction activity for each calendar year, as well as year-to-date information as of December 31, 2023. Permits for the City are reported on a calendar year basis.

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
<u>Single Family Homes:</u>					
No. of new homes:	99	74	56	87	79
Valuation:	\$25,495,854	\$18,927,557	\$14,997,134	\$22,841,662	\$25,389,603
<u>Single Family Homes Additions &amp; Alterations:</u>					
No. of permits issued:	821	814	784	1,080	711
Valuation:	\$6,417,960	\$7,433,033	\$8,702,756	\$16,507,544	\$5,923,734
<u>Multiple Family Dwellings:</u>					
No. of new buildings:	0	2	1	2	6
Valuation:	\$0	\$4,983,291	\$4,923,129	\$3,465,526	\$10,340,418
<u>Commercial/Industrial/Other:</u>					
No. of new buildings:	17	17	16	13	26
Valuation:	\$84,132,697	\$33,549,321	\$37,485,994	\$97,747,323	\$239,836,996
<u>Commercial/Industrial/Other Additions &amp; Alterations:</u>					
No. of permits issued:	126	117	147	118	98
Valuation:	<u>\$157,008,955</u>	<u>\$66,698,056</u>	<u>\$46,020,311</u>	<u>\$23,030,272</u>	<u>\$99,229,882</u>
Total Permits:	1,063	1,024	1,004	1,300	920
Total Valuations:	\$273,055,466	\$131,591,258	\$112,129,324	\$163,592,327	\$380,720,633

Source: The City of Council Bluffs



## U.S. CENSUS DATA

### Population Trend

1980 U.S. Census	56,449
1990 U.S. Census	54,315
2000 U.S. Census	58,268
2010 U.S. Census	62,230
2020 U.S. Census	62,799

Source: U.S. Census Bureau

## UNEMPLOYMENT RATES

		Pottawattamie <u>County</u>	State of <u>Iowa</u>
Annual Averages:	2019	2.4%	2.7%
	2020	5.2%	5.2%
	2021	3.8%	3.8%
	2022	2.8%	2.7%
	2023	2.9%	2.9%

Source: U.S. Bureau of Statistics

## EDUCATION

Public education is provided by the Council Bluffs Community School District and by the Lewis Central Community School District. The Council Bluffs Community School District, with a certified enrollment for the 2024-25 school year of 8,632.4, owns and operates 11 elementary schools, 2 middle schools, 2 senior high schools, and 2 learning support centers. The Lewis Central Community School District, with a certified enrollment for the 2024-25 school year of 2,672.4, owns and operates 2 elementary schools, 1 middle school and 1 senior high school. Education service is also provided by Saint Alberts Catholic Schools with certified enrollment for the 2024-25 school year of 585.

## FINANCIAL SERVICES

Financial services for the residents of the City are provided by Midstates Bank, N. A. and by branch offices of American National Bank, Availa Bank, First National Bank of Omaha, Glenwood State Bank, Great Western Bank, Security National Bank of Omaha, Treynor State Bank and U.S. Bank N. A. as well as several credit unions. Glenwood State Bank and Midstates Bank, N.A. report the following deposits as of June 30 of each year.

<u>Year</u>	<u>Midstates Bank, N.A.</u>	<u>Glenwood State Bank</u> <sup>1)</sup>
2019	\$427,216,000	\$32,772,000
2020	623,289,000	42,847,000
2021	547,374,000	54,520,000
2022	586,983,000	60,120,000
2023	559,565,000	53,658,000

1) Frontier Savings Bank merged with Glenwood State Bank effective January 2019.

Source: Federal Deposit Insurance Corporation's (FDIC) website.



## **APPENDIX B**

### **FORMS OF LEGAL OPINIONS**



## **APPENDIX C**

**JUNE 30, 2023**

**ANNUAL COMPREHENSIVE FINANCIAL REPORT**



## **APPENDIX D**

### **FORM OF CONTINUING DISCLOSURE CERTIFICATE**



## OFFICIAL BID FORM

To: The City Council of  
Council Bluffs, Iowa

Sale Date: April 22, 2024  
10:00 A.M., CT

RE: \$23,960,000\* General Obligation Bonds, Series 2024A (the "Series 2024A Bonds")

This bid is a firm offer for the purchase of the Series 2024A Bonds identified in the TERMS OF OFFERING and on the terms set forth in this bid form and is not subject to any conditions, except as permitted by the TERMS OF OFFERING.

For all or none of the above Series 2024A Bonds, in accordance with the TERMS OF OFFERING, we will pay you \$\_\_\_\_\_ (not less than \$23,720,400) plus accrued interest to date of delivery for fully registered Series 2024A Bonds bearing interest rates and maturing in the stated years as follows:

<u>Coupon</u>	<u>Maturity</u>	<u>Yield</u>	<u>Coupon</u>	<u>Maturity</u>	<u>Yield</u>
_____	2025	_____	_____	2030	_____
_____	2026	_____	_____	2031	_____
_____	2027	_____	_____	2032	_____
_____	2028	_____	_____	2033	_____
_____	2029	_____	_____	2034	_____

\* Preliminary; subject to change. The City reserves the right to increase or decrease the aggregate principal amount of the Series 2024A Bonds and to increase or reduce each scheduled maturity thereof after the determination of the successful bidder. The City may increase or decrease each maturity in increments of \$5,000 but the total amount to be issued will not exceed \$24,200,000. Interest rates specified by the successful bidder for each maturity will not change. Final adjustments shall be in the sole discretion of the City.

The dollar amount of the purchase price proposed by the successful bidder will be changed if the aggregate principal amount of the Series 2024A Bonds is adjusted as described above. Any change in the principal amount of any maturity of the Series 2024A Bonds will be made while maintaining, as closely as possible, the successful bidder's net compensation, calculated as a percentage of bond principal. The successful bidder may not withdraw or modify its bid as a result of any post-bid adjustment. Any adjustment shall be conclusive, and shall be binding upon the successful bidder.

We hereby designate the following Bonds to be aggregated into term bonds maturing on June 1 of the following years and in the following amounts (leave blank if no term bonds are specified):

<u>Years Aggregated</u>	<u>Maturity Year</u>	<u>Aggregate Amount</u>
_____ through _____	_____	_____
_____ through _____	_____	_____
_____ through _____	_____	_____

In making this offer we accept all of the terms and conditions of the TERMS OF OFFERING published in the Preliminary Official Statement dated April 1, 2024 and represent we are a bidder with established industry reputation for underwriting new issuances of municipal bonds. In the event of failure to deliver these Bonds in accordance with the TERMS OF OFFERING as printed in the Preliminary Official Statement and made a part hereof, we reserve the right to withdraw our offer. All blank spaces of this offer are intentional and are not to be construed as an omission.

Not as a part of our offer, the above quoted prices being controlling, but only as an aid for the verification of the offer, we have made the following computations:

NET INTEREST COST: \$ \_\_\_\_\_

TRUE INTEREST COST: \_\_\_\_\_% (Calculated to dated date of June 3, 2024)

Account Manager: \_\_\_\_\_ By: \_\_\_\_\_

Account Members: \_\_\_\_\_

The foregoing offer is hereby accepted by and on behalf of the City Council of the City of Council Bluffs, Iowa this 22nd day of April 2024.

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

Title: \_\_\_\_\_ Title: \_\_\_\_\_



## OFFICIAL BID FORM

To: The City Council of  
Council Bluffs, Iowa

Sale Date: April 22, 2024  
10:00 A.M., CT

RE: \$2,800,000\* Taxable General Obligation Bonds, Series 2024B (the "Series 2024B Bonds")

This bid is a firm offer for the purchase of the Series 2024B Bonds identified in the TERMS OF OFFERING and on the terms set forth in this bid form and is not subject to any conditions, except as permitted by the TERMS OF OFFERING.

For all or none of the above Series 2024B Bonds, in accordance with the TERMS OF OFFERING, we will pay you \$ \_\_\_\_\_ (not less than \$2,783,200) plus accrued interest to date of delivery for fully registered Series 2024B Bonds bearing interest rates and maturing in the stated years as follows:

<u>Coupon</u>	<u>Maturity</u>	<u>Yield</u>
_____	2025	_____
_____	2026	_____
_____	2027	_____
_____	2028	_____

\* Preliminary; subject to change. The City reserves the right to increase or decrease the aggregate principal amount of the Series 2024B Bonds and to increase or reduce each scheduled maturity thereof after the determination of the successful bidder. The City may increase or decrease each maturity in increments of \$5,000 but the total amount to be issued will not exceed \$2,900,000. Interest rates specified by the successful bidder for each maturity will not change. Final adjustments shall be in the sole discretion of the City.

The dollar amount of the purchase price proposed by the successful bidder will be changed if the aggregate principal amount of the Series 2024B Bonds is adjusted as described above. Any change in the principal amount of any maturity of the Series 2024B Bonds will be made while maintaining, as closely as possible, the successful bidder's net compensation, calculated as a percentage of bond principal. The successful bidder may not withdraw or modify its bid as a result of any post-bid adjustment. Any adjustment shall be conclusive, and shall be binding upon the successful bidder.

We hereby designate the following Bonds to be aggregated into term bonds maturing on June 1 of the following years and in the following amounts (leave blank if no term bonds are specified):

<u>Years Aggregated</u>	<u>Maturity Year</u>	<u>Aggregate Amount</u>
_____ through _____	_____	_____
_____ through _____	_____	_____
_____ through _____	_____	_____

In making this offer we accept all of the terms and conditions of the TERMS OF OFFERING published in the Preliminary Official Statement dated April 1, 2024 and represent we are a bidder with established industry reputation for underwriting new issuances of municipal bonds. In the event of failure to deliver these Series 2024B Bonds in accordance with the TERMS OF OFFERING as printed in the Preliminary Official Statement and made a part hereof, we reserve the right to withdraw our offer. All blank spaces of this offer are intentional and are not to be construed as an omission.

Not as a part of our offer, the above quoted prices being controlling, but only as an aid for the verification of the offer, we have made the following computations:

NET INTEREST COST: \$ \_\_\_\_\_

TRUE INTEREST COST: \_\_\_\_\_ % (Calculated to dated date of June 3, 2024)

Account Manager: \_\_\_\_\_ By: \_\_\_\_\_

Account Members: \_\_\_\_\_

The foregoing offer is hereby accepted by and on behalf of the City Council of the City of Council Bluffs, Iowa this 22nd day of April 2024.

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

Title: \_\_\_\_\_ Title: \_\_\_\_\_



**Resolution 24-107A**

**ITEMS TO INCLUDE ON AGENDA**

**CITY OF COUNCIL BLUFFS, IOWA**

\$23,960,000 General Obligation Bonds, Series 2024A

- Resolution directing the advertisement for sale and approving electronic bidding procedures and Official Statement.

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



April 1, 2024

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

\_\_\_\_\_

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

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

\* \* \* \* \*



Council Member \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF \$23,960,000 GENERAL OBLIGATION BONDS, SERIES 2024A, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND OFFICIAL STATEMENT" and moved its adoption. Council Member \_\_\_\_\_ seconded the Resolution to adopt. The roll was called and the vote was,

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

\_\_\_\_\_

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

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

Resolution 24-107A  
RESOLUTION DIRECTING THE ADVERTISEMENT FOR  
SALE OF \$23,960,000 GENERAL OBLIGATION BONDS,  
SERIES 2024A, AND APPROVING ELECTRONIC BIDDING  
PROCEDURES AND OFFICIAL STATEMENT

WHEREAS, the Issuer is in need of funds to pay costs of:

- a) the acquisition, construction, reconstruction, and improvement of real and personal property, useful for the reclamation of property situated within the corporate limits of cities from floods or high waters, including the construction of levees, embankments, structures, impounding reservoirs, or conduits, and the development and beautification of the banks and other areas adjacent to flood control improvements; the acquisition, construction, reconstruction, extension, and improvement for collection and disposal of surface waters and streams;
- b) the acquisition, construction, reconstruction, improvement, repair, and equipping of waterworks, water mains, and extensions, and real and personal property, useful for providing potable water to residents of the city;
- c) the equipping of the police and fire department;
- d) the rehabilitation and improvement of parks already owned, and facilities, equipment, and improvements commonly found in city parks,

essential corporate purpose(s), and it is deemed necessary and advisable that General Obligation Bonds, to the amount of not to exceed \$22,900,000 be authorized for said purpose(s); and



WHEREAS, pursuant to notice published as required by Section 384.25 of the Code of Iowa, this Council has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of the Bonds, and the Council is therefore now authorized to proceed with the issuance of said Bonds for such purpose(s); and

WHEREAS, the City is in need of funds to pay costs of acquisition, construction, reconstruction, enlargement, improvement, and equipping of city facilities, including the City library, general corporate purpose(s), and it is deemed necessary and advisable that General Obligation Bonds, to the amount of not to exceed \$400,000 be authorized for said purpose(s); and

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

WHEREAS, pursuant to notice published as required by Section 384.26 of the Code of Iowa, the Council of the City has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Bonds for general corporate purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Council is therefore now authorized to proceed with the issuance of said Bonds for such purpose(s); and

WHEREAS, the City is in need of funds to pay costs of:

- a) IT improvements at city facilities;
- b) the acquisition, construction, reconstruction, extension, improvement and equipping of city utilities, city enterprises, and public improvements;
- c) the acquisition, construction, reconstruction, enlargement, improvement, and equipping of city halls, police stations, fire stations, libraries, including buildings to be used for any combination of the foregoing purposes,

general corporate purpose(s), and it is deemed necessary and advisable that General Obligation Bonds, to the amount of not to exceed \$550,000 be authorized for said purpose(s); and

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

WHEREAS, pursuant to notice published as required by Section 384.26 of the Code of Iowa, the Council of the City has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Bonds for general corporate purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Council is therefore now authorized to proceed with the issuance of said Bonds for such purpose(s); and

WHEREAS, the City is in need of funds to pay costs of equipping City Parks and Recreation department, including vehicles and heavy equipment, general corporate purpose(s), and it is deemed necessary and advisable that General Obligation Bonds, to the amount of not to exceed \$350,000 be authorized for said purpose(s); and



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

WHEREAS, pursuant to notice published as required by Section 384.26 of the Code of Iowa, the Council of the City has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Bonds for general corporate purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Council is therefore now authorized to proceed with the issuance of said Bonds for such purpose(s); and

WHEREAS, pursuant to Section 384.28 of the Code of Iowa, it is hereby found and determined that the various general obligation bonds authorized as hereinabove described shall be combined for the purpose of issuance in a single issue of \$23,960,000 General Obligation Bonds as hereinafter set forth; and

WHEREAS, in conjunction with its Municipal Advisor, PFM Financial Advisors LLC, the City has caused an Official Statement to be prepared outlining the details of the proposed sale of the Bonds; and

WHEREAS, the Council has received information from its Municipal Advisor evaluating and recommending the procedure hereinafter described for electronic, and internet bidding to maintain the integrity and security of the competitive bidding process and to facilitate the delivery of bids by interested parties; and

WHEREAS, the Council deems it in the best interests of the City and the residents thereof to receive bids to purchase such Bonds by means of both sealed and electronic internet communication.

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

Section 1. That the receipt of electronic bids through the Parity Competitive Bidding System described in the Notice of Sale and Official Statement are hereby found and determined to provide reasonable security and to maintain the integrity of the competitive bidding process, and to facilitate the delivery of bids by interested parties in connection with the offering at public sale.

Section 2. That General Obligation Bonds, Series 2024A, of City of Council Bluffs, State of Iowa, in the amount of \$23,960,000, to be issued as referred to in the preamble of this Resolution, to be dated June 3, 2024, be offered for sale pursuant to the published advertisement.

Section 3. That the preliminary Official Statement in the form presented to this meeting be and the same hereby is approved as to form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission, subject to such revisions, corrections or modifications as the Mayor and City Clerk, upon the advice of bond counsel, disclosure counsel, and the City's Municipal Advisor, shall determine to be appropriate, and is authorized to be distributed in connection with the offering of the Bonds for sale.



Section 4. That the Clerk is hereby directed to publish notice of sale of the Bonds at least once, the last one of which shall be not less than four clear days nor more than twenty days before the date of the sale. Publication shall be made in the "Daily Nonpareil", a legal newspaper, printed wholly in the English language, published within the county in which the Bonds are to be offered for sale or an adjacent county. The notice is given pursuant to Chapter 75 of the Code of Iowa, and shall state that this Council, on the 22<sup>nd</sup> day of April, 2024, at 7:00 P.M., will hold a meeting to receive and act upon bids for said Bonds, which bids were previously received and opened by City Officials at 10:00 A.M. on said date. The notice shall be in substantially the following form:



(To be published on or before April 16, 2024)

## NOTICE OF BOND SALE

Time and Place of Sealed Bids: Bids for the sale of Bonds of the City of Council Bluffs, State of Iowa, hereafter described, must be received at the office of the Director of Finance, City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503; Telephone: 712-890-5303 (the "Issuer") before 10:00 A.M., on the 22<sup>nd</sup> day of April, 2024. The bids will then be publicly opened and referred for action to the meeting of the City Council in conformity with the TERMS OF OFFERING.

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

GENERAL OBLIGATION BONDS, SERIES 2024A, in the amount of \$23,960,000\*, to be dated June 3, 2024

TAXABLE GENERAL OBLIGATION BONDS, SERIES 2024B, in the amount of \$2,800,000\*, to be dated June 3, 2024

(collectively the "Bonds")

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

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

- Sealed Bidding: Sealed bids may be submitted and will be received at the office of the Director of Finance at City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503.
- Electronic Internet Bidding: Electronic internet bids will be received at the office of the Director of Finance at City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503 and at the office of the City's Municipal Advisor, PFM Financial Advisors LLC, 801 Grand Avenue, Suite 3300, Des Moines, Iowa 50309. The bids must be submitted through the PARITY® competitive bidding system.

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

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

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



Form, which is incorporated by reference as a part of this notice. The Official Statement may be obtained by request addressed to the Director of Finance, City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503; Telephone: 712-890-5305 or the Issuer's Municipal Advisor, PFM Financial Advisors LLC, 801 Grand Avenue, Suite 3300, Des Moines, Iowa, 50309, telephone 515-243-2600.

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

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

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

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

---

City Clerk, City of Council Bluffs, State of  
Iowa

(End of Notice)



PASSED AND APPROVED this 1<sup>st</sup> day of April, 2024.

---

Mayor

ATTEST:

---

City Clerk



# CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF POTTAWATTAMIE )

I, the undersigned City Clerk of the City of Council Bluffs, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 2<sup>nd</sup> day of April, 2024.

City Clerk, City of Council Bluffs, State of  
Iowa

(SEAL)



STATE OF IOWA )  
 ) SS  
COUNTY OF POTTAWATTAMIE )

NOTICE OF BOND SALE  
(\$23,960,000 General Obligation Bonds, Series 2024A and  
\$2,800,000 Taxable General Obligation Bonds, Series 2024B)

April 13, 2024.

City Clerk, City of Council Bluffs, State of  
Iowa

02325861\10342-197



**Resolution 24-107B**

**ITEMS TO INCLUDE ON AGENDA**

**CITY OF COUNCIL BLUFFS, IOWA**

\$2,800,000 Taxable General Obligation Bonds, Series 2024B

- Resolution directing the advertisement for sale and approving electronic bidding procedures and Official Statement.

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



April 1, 2024

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

\_\_\_\_\_

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

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

\* \* \* \* \*



Council Member \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF \$2,800,000 TAXABLE GENERAL OBLIGATION BONDS, SERIES 2024B, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND OFFICIAL STATEMENT" and moved its adoption. Council Member \_\_\_\_\_ seconded the Resolution to adopt. The roll was called and the vote was,

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

\_\_\_\_\_

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

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

Resolution 24-107B  
RESOLUTION DIRECTING THE ADVERTISEMENT FOR  
SALE OF \$2,800,000 TAXABLE GENERAL OBLIGATION  
BONDS, SERIES 2024B, AND APPROVING ELECTRONIC  
BIDDING PROCEDURES AND OFFICIAL STATEMENT

WHEREAS, the Issuer is in need of funds to pay costs of acquisition, restoration, or demolition of abandoned, dilapidated, or dangerous buildings, structures or properties or the abatement of a nuisance, essential corporate purpose(s), and it is deemed necessary and advisable that Taxable General Obligation Bonds, to the amount of not to exceed \$600,000 be authorized for said purpose(s); and

WHEREAS, pursuant to notice published as required by Section 384.25 of the Code of Iowa, this Council has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of the Bonds, and the Council is therefore now authorized to proceed with the issuance of said Bonds for such purpose(s); and

WHEREAS, the City is in need of funds to pay costs of acquisition, construction, reconstruction, extension, improvement, and equipping of city enterprises, including the UP Museum, general corporate purpose(s), and it is deemed necessary and advisable that Taxable General Obligation Bonds, to the amount of not to exceed \$700,000 be authorized for said purpose(s); and

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

WHEREAS, pursuant to notice published as required by Section 384.26 of the Code of Iowa, the Council of the City has held public meeting and hearing upon the proposal to institute



proceedings for the issuance of Bonds for general corporate purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Council is therefore now authorized to proceed with the issuance of said Bonds for such purpose(s); and

WHEREAS, the City is in need of funds to pay costs of acquisition, construction, reconstruction, extension, improvement, and equipping of city enterprises, including HVAC/cooling towers at Mid America Center, general corporate purpose(s), and it is deemed necessary and advisable that Taxable General Obligation Bonds, to the amount of not to exceed \$700,000 be authorized for said purpose(s); and

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

WHEREAS, pursuant to notice published as required by Section 384.26 of the Code of Iowa, the Council of the City has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Bonds for general corporate purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Council is therefore now authorized to proceed with the issuance of said Bonds for such purpose(s); and

WHEREAS, the City is in need of funds to pay costs of acquisition, construction, reconstruction, extension, improvement, and equipping of city enterprises, including parking lot improvements at the Mid America Center, general corporate purpose(s), and it is deemed necessary and advisable that Taxable General Obligation Bonds, to the amount of not to exceed \$700,000 be authorized for said purpose(s); and

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

WHEREAS, pursuant to notice published as required by Section 384.26 of the Code of Iowa, the Council of the City has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Bonds for general corporate purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Council is therefore now authorized to proceed with the issuance of said Bonds for such purpose(s); and

WHEREAS, the City is in need of funds to pay costs of acquisition, construction, reconstruction, enlargement, improvement, and equipping of city enterprises, including site and parking lot improvements at the Council Bluffs Recreational Complex, general corporate purpose(s), and it is deemed necessary and advisable that Taxable General Obligation Bonds, to the amount of not to exceed \$200,000 be authorized for said purpose(s); and

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

WHEREAS, pursuant to notice published as required by Section 384.26 of the Code of Iowa, the Council of the City has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Bonds for general corporate purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Council is therefore now authorized to proceed with the issuance of said Bonds for such purpose(s); and



WHEREAS, pursuant to Section 384.28 of the Code of Iowa, it is hereby found and determined that the various general obligation bonds authorized as hereinabove described shall be combined for the purpose of issuance in a single issue of \$2,800,000 General Obligation Bonds as hereinafter set forth; and

WHEREAS, in conjunction with its Municipal Advisor, PFM Financial Advisors LLC, the City has caused an Official Statement to be prepared outlining the details of the proposed sale of the Bonds; and

WHEREAS, the Council has received information from its Municipal Advisor evaluating and recommending the procedure hereinafter described for electronic, and internet bidding to maintain the integrity and security of the competitive bidding process and to facilitate the delivery of bids by interested parties; and

WHEREAS, the Council deems it in the best interests of the City and the residents thereof to receive bids to purchase such Bonds by means of both sealed and electronic internet communication.

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

Section 1. That the receipt of electronic bids through the Parity Competitive Bidding System described in the Notice of Sale and Official Statement are hereby found and determined to provide reasonable security and to maintain the integrity of the competitive bidding process, and to facilitate the delivery of bids by interested parties in connection with the offering at public sale.

Section 2. That Taxable General Obligation Bonds, Series 2024B, of City of Council Bluffs, State of Iowa, in the amount of \$2,800,000, to be issued as referred to in the preamble of this Resolution, to be dated June 3, 2024, be offered for sale pursuant to the published advertisement.

Section 3. That the preliminary Official Statement in the form presented to this meeting be and the same hereby is approved as to form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission, subject to such revisions, corrections or modifications as the Mayor and City Clerk, upon the advice of bond counsel, disclosure counsel, and the City's Municipal Advisor, shall determine to be appropriate, and is authorized to be distributed in connection with the offering of the Bonds for sale.

Section 4. That the Clerk is hereby directed to publish notice of sale of the Bonds at least once, the last one of which shall be not less than four clear days nor more than twenty days before the date of the sale. Publication shall be made in the "Daily Nonpareil", a legal newspaper, printed wholly in the English language, published within the county in which the Bonds are to be offered for sale or an adjacent county. The notice is given pursuant to Chapter 75 of the Code of Iowa, and shall state that this Council, on the 22<sup>nd</sup> day of April, 2024, at 7:00 P.M., will hold a meeting to receive and act upon bids for said Bonds, which bids were



previously received and opened by City Officials at 10:00 A.M. on said date. The notice shall be in substantially the following form:



(To be published on or before April 16, 2024)

## NOTICE OF BOND SALE

Time and Place of Sealed Bids: Bids for the sale of Bonds of the City of Council Bluffs, State of Iowa, hereafter described, must be received at the office of the Director of Finance, City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503; Telephone: 712-890-5303 (the "Issuer") before 10:00 A.M., on the 22<sup>nd</sup> day of April, 2024. The bids will then be publicly opened and referred for action to the meeting of the City Council in conformity with the TERMS OF OFFERING.

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

GENERAL OBLIGATION BONDS, SERIES 2024A, in the amount of \$23,960,000\*, to be dated June 3, 2024

TAXABLE GENERAL OBLIGATION BONDS, SERIES 2024B, in the amount of \$2,800,000\*, to be dated June 3, 2024

(collectively the "Bonds")

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

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

- Sealed Bidding: Sealed bids may be submitted and will be received at the office of the Director of Finance at City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503.
- Electronic Internet Bidding: Electronic internet bids will be received at the office of the Director of Finance at City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503 and at the office of the City's Municipal Advisor, PFM Financial Advisors LLC, 801 Grand Avenue, Suite 3300, Des Moines, Iowa 50309. The bids must be submitted through the PARITY® competitive bidding system.

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

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

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



Form, which is incorporated by reference as a part of this notice. The Official Statement may be obtained by request addressed to the Director of Finance, City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503; Telephone: 712-890-5305 or the Issuer's Municipal Advisor, PFM Financial Advisors LLC, 801 Grand Avenue, Suite 3300, Des Moines, Iowa, 50309, telephone 515-243-2600.

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

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

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

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

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City Clerk, City of Council Bluffs, State of  
Iowa

(End of Notice)



PASSED AND APPROVED this 1<sup>st</sup> day of April, 2024.

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Mayor

ATTEST:

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City Clerk



# CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF POTTAWATTAMIE )

I, the undersigned City Clerk of the City of Council Bluffs, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 2<sup>nd</sup> day of April, 2024.

City Clerk, City of Council Bluffs, State of  
Iowa

(SEAL)



STATE OF IOWA )  
 ) SS  
COUNTY OF POTTAWATTAMIE )

NOTICE OF BOND SALE  
(\$23,650,000 General Obligation Bonds, Series 2024A and  
\$2,800,000 Taxable General Obligation Bonds, Series 2024B)

April 13, 2024.

City Clerk, City of Council Bluffs, State of  
Iowa

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