

Tom McLaughlin - Citizen Concern

Review Agenda



City Council Meeting Minutes April 7, 2025

CALL TO ORDER

Mayor Walsh called the meeting to order at 7:00 p.m. on Monday April 7, 2025.

Council Members present: Joe Disalvo, Steve Gorman, Chris Peterson, Roger Sandau and Jill Shudak.

Staff present: Brandon Garrett, Jodi Quakenbush and Richard Wade.

CONSENT AGENDA

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

Resolution 25-90

Resolution authorizing transfer between funds under Iowa Code 545-2 for FY25

Resolution 25-91

Resolution accepting the work of Bluffs Paving & Utility Co. Inc. as complete and authorizing the release of retainage after 30 days if no claims are filed in connection with the Mid-America Center Parking Lots Rehab, Phase 4. Project # BM24-01

Resolution 25-92

Resolution setting a public hearing for 7:00 p.m. on April 21, 2025 in connection with the Kenmore Avenue Sanitary Sewer Reconstruction. Project # PW25-24

Resolution 25-97

Resolution setting a public hearing for April 21, 2025 at 7:00 p.m. on the proposal to enter into a Development Agreement with CB Power Drive Partners, LP for the construction of a multi-family housing development within the Power Drive Housing Urban Renewal Area.

Boards/Commissions

Board of Water Works and Planning Commission

January 2025 Financial Reports

Claims

Right of Redemption

Jill Shudak and Steve Gorman moved and seconded approval of Consent Agenda. Unanimous, 5-0 vote.

MAYORS PROCLAMATIONS

A. Child Abuse Prevention Month

PUBLIC HEARINGS

Ordinance 6642

Ordinance to amend the zoning map as adopted by reference in Section 15.27.020 and setting a public hearing for April 7, 2025 at 7:00 p.m. for rezoning properties legally described as Lot 1, Sapp Bros. Truck Center from a mixture of I-2/General Industrial District and P-C/Planned Commercial District to I-2/General Industrial District; and Lot 2, Sapp Bros. Truck Center from a mixture of P-C/Planned Commercial District and C-2/Commercial District to P-C/Planned Commercial District, as set forth and defined in Chapters 15.18 and 15.21. Location: 2608 South 24th Street. ZC-25-001

Heard from John with Olsson Associates, 2111 S. 67th Street, Omaha, NE
Roger Sandau and Joe Disalvo moved and seconded approval of Second Consideration of Ordinance 6642. Unanimous, 5-0 vote.

Roger Sandau and Joe Disalvo moved and seconded approval of Motion to waive Third Consideration. Ordinance 6642 passes to law.. Unanimous, 5-0 vote.

Resolutions 25-95 and 25-96

Resolution 25-95 approving request for proposals for approximately 2.22 acres of land at the southeast corner of Mohawk Street and Comanche Street.

Resolution 25-96 approving minimum development requirements, competitive criteria, and procedures for disposition of certain property located within the East Manawa Drive Housing Urban Renewal Area; and soliciting proposals in accordance with the request for proposals, and setting a public hearing for May 19, 2025 at 7:00 p.m. on the intent to accept the selected development proposal submitted.

Jill Shudak and Steve Gorman moved and seconded approval of Resolutions 25-95 and 25-96. Unanimous, 5-0 vote.

Resolution 25-98

Resolution to vacate and dispose of Lindberg Drive right-of-way adjacent to the easterly 80 feet of Lot 9, Block 1, and the westerly 30 feet of Lot 1 and all of Lot 2, Block 3, all in Oak Grove Addition. Location: Immediately south of 724 Hazel Street. SAV-25-001

Steve Gorman and Chris Peterson moved and seconded approval of Resolution 25-98. Unanimous, 5-0 vote.

Resolution 25-99

Resolution approving the City of Council Bluffs Budget for Fiscal Year Ending June 30, 2026.

Heard from Sam Irwin, 321 Perrin Place. Sandau motioned to receive and file, seconded by Disalvo, Unanimous 5-0 vote.

Steve Gorman and Roger Sandau moved and seconded approval of Resolution 25-99. Unanimous, 5-0 vote.

Resolution 25-100

Resolution approving voluntary annexation with owners in opposition of approximately 473 acres (more/less) of land, legally described as being part of Sections 29-74-43 and 32-74-43, Pottawattamie County, Iowa and part of Sections 5-73-43 and 6-73-43, Mills County, Iowa, and being more particularly described in the case staff report. Location: Annexation area generally extending south from current City limits along South 192nd Street/BNSF Railroad right-of-way and South 189th Street, lying north of Bungee Avenue.

Heard from Sam Irwin, 321 Perrin Place and Jack Sayers, Mills County Board of Supervisors.

Jill Shudak and Joe Disalvo moved and seconded approval of Resolution 25-100. Unanimous, 5-0 vote.

ORDINANCES ON 1ST READING

Ordinance 6644

Ordinance providing that general property taxes levied and collected each year on all property located within the Kaneshville Urban Renewal Area, in City of Council Bluffs, County of Pottawattamie State of Iowa, by and for the benefit of the State of Iowa, City of Council Bluffs, County of Pottawattamie, Council Bluffs Community School District, and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City in connection with the Kaneshville Urban Renewal Area (the Kaneshville Urban Renewal Plan.) URN-25-002

Steve Gorman and Joe Disalvo moved and seconded approval of First Consideration of Ordinance 6644. Second Consideration to be heard April 21, 2025. Unanimous, 5-0 vote.

ORDINANCES ON 2ND READING

Ordinance 6643

Ordinance providing that general property taxes levied and collected each year on all property located within the Power Drive Housing Urban Renewal Area, in City of Council Bluffs, County of Pottawattamie State of Iowa, by and for the benefit of the State of Iowa, City of Council Bluffs, County of Pottawattamie, Council Bluffs Community School District, and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City in connection with the Power Drive Housing Urban Renewal Area (the Power Drive Housing Urban Renewal Plan.) URN-25-001

Jill Shudak and Joe Disalvo moved and seconded approval of Second Consideration of Ordinance 6643. Unanimous, 5-0 vote.

Roger Sandau and Joe Disalvo moved and seconded approval of Motion to waive Third Consideration. Ordinance 6643 passes to law.. Unanimous, 5-0 vote.

RESOLUTIONS

Resolution 25-101

Resolution accepting the bid of Compass Utility, LLC for the West Graham Reconstruction. Project #PW25-10

Chris Peterson and Steve Gorman moved and seconded approval of Resolution 25-101. Unanimous, 5-0 vote.

Resolution 25-102

Resolution authorizing the Mayor and City Clerk to execute an agreement with D&D Construction Services for the former Reliance Battery Factory lead-contaminated soil removal project.

Jill Shudak and Joe Disalvo moved and seconded approval of Resolution 25-102. Unanimous, 5-0 vote.

Resolution 25-103

Resolution temporarily vacating portions of West Broadway in connection with the Bikes on the 100 Block Special Event Application.

Roger Sandau and Steve Gorman moved and seconded approval of Resolution 25-103. Unanimous, 5-0 vote.

Resolution 25-104

Resolution temporarily vacating a portion of West Broadway in connection with the Cheers for Council Bluffs Schools Special Event Application.

Jill Shudak and Joe Disalvo moved and seconded approval of Resolution 25-104. Unanimous, 5-0 vote.

Resolution 25-105

Resolution nunc pro tunc correcting and modifying the legal description of the Kaneshville Urban Renewal Area for the Kaneshville Urban Renewal Plan. URN-25-002

Roger Sandau and Steve Gorman moved and seconded approval of Resolution 25-105. Unanimous, 5-0 vote.

APPLICATIONS FOR PERMITS AND CANCELLATIONS

Liquor Licenses

1. 7 Days Mart, 501 South 21st Street
2. Barley's, 114 West Broadway (Special Event)
2. Lansky's, 1131 North Broadway
3. Maggie's Rodeo Saloon, 164 West Broadway
4. St. Alberts Catholic Schools, 400 Gleason Avenue (Special Event)
5. Sakura Sushi & Hibachi, 3502 Metro Drive

Noise Variance

The Dock - Live music on weekends May - October until 11:30pm.

Noise Variance

Bikes on The 100 Block - Live band until 10:30pm.

Joe Disalvo and Jill Shudak moved and seconded approval of Application for permits and cancellations Item 9A 1-5 & 9C. Unanimous, 5-0 vote.

Roger Sandau and Jill Shudak moved and seconded approval of Application for permits and cancellations Item 9B. Voice Vote, 4-0 vote. (Abstain: Disalvo)

OTHER BUSINESS

CITIZENS REQUEST TO BE HEARD

ADJOURNMENT

Mayor Walsh Adjourned the meeting at 7:59 p.m.

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

Matthew J. Walsh, Mayor

Attest: Jodi Quakenbush, City Clerk

Council Communication

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

Approval of Agenda and tape recordings of
these proceedings to be incorporated into the
official minutes.
ITEM 3.A.

Council Action: 4/7/2025

Description

Background/Discussion

Recommendation

Council Communication

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

Resolution 25-90
ITEM 3.B.

Council Action: 4/7/2025

Description
Resolution authorizing transfer between funds under Iowa Code 545-2 for FY25

Background/Discussion
Effective April 17, 2019 the Administrative Code for the State of Iowa was changed as it relates to interfund transfers. The Code now requires all interfund transfers must be approved by Council. A fund transfer log 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.
This resolution is brought forward for approval of the FY25 actual interfund transfer to date.

Recommendation
Approve the resolution

ATTACHMENTS:

Description	Type	Upload Date
Fund transfers FY25 YTD Actuals	Other	3/28/2025
Resolution 25-90	Resolution	4/2/2025

Fund Transfers
Council Meeting: 04/07/25

Transfer From		Transfer To				
Fund Category	Fund Name	Fund Category	Fund Name	Amount		Effective FY
Capital Projects	Capital Projects	General	Gaming	104,542	Return funding of Gaming from CIP IT 25-04 Software Licensing	2025
Special Revenue	ARPA	General	Expense Projects	347,581	Funding for C2490 Housing Development Program	2025
General	Gaming	Capital Projects	Capital Projects	21,898	Funding for BM 24-05 Library Flooring Replacement	2025
Special Revenue	ARPA	Capital Projects	Capital Projects	102,868	Funding for CIP CD24-06 C2406 East Manawa Development	2025
General Fund	Expense Projects	Special Revenue	CDBG Rehab	11,994	Reimburse administrative expenses from funding received in project C2491	2025
Capital Projects	Capital Projects	Debt Service	Debt Service	2,053,615	Transfer Flood mitigation revenue for 2024A bond payment relates to levee project funding	2025
General	Gaming	Capital Projects	Capital Projects	9,514	Funding for BM 24-01 MAC Parking Lot Rehab Ph IV	2025
General	Gaming	Capital Projects	Capital Projects	8,298	Funding for BM 24-03 MAC Building Sound System	2025
Capital Projects	Capital Projects	General	General	11,970	Transfer remaining funds from R2290 to Parks operating budget for expenses related to the project	2025
Enterprise	Sewer Operating	Capital Projects	Capital Projects	91,296	Funding for CD 23-06 Sanitary Sewer Study	2025
Enterprise	Sewer Operating	Capital Projects	Capital Projects	23,482	Funding for PW 23-08 28th 30th Ave Swer Rehab Ph I	2025
Enterprise	Sewer Operating	Capital Projects	Capital Projects	13,452	Funding for PW 23-09 E Manawa Sewer Rehabe Ph XIII	2025
Enterprise	Sewer Operating	Capital Projects	Capital Projects	1,934	Funding for PW 23-14 Sewer Rehab Insitu Lining	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	34,163	Funding for PW 23-20 Perry Rd Culvert Replacement	2025
Enterprise	Sewer Operating	Capital Projects	Capital Projects	6,510	Funding for PW 24-11 28th St Strom Rehab Ph IV	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	330,051	Funding for PW 24-11 28th St Strom Rehab Ph IV	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	1,848	Funding for PW 24-12 23rd St Sewer Rehab Ph I	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	7,725	Funding for PW 24-13 Hillcrest Reconstruction Ph I	2025

Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	29,754	Funding for PW 24-15 Street Rehab-Pavement Resurfacing	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	67,160	Funding for PW 24-17 Pump Station Rehab	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	2,262	Funding for PW 25-04 Valley View Traffic Study	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	1,651	Funding for PW 25-04 Harry Langdon Traffic Study	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	166,308	Funding for PW 25-09 E Manawa Sewer Rehab Ph XIII	2025
Enterprise	Sewer Operating	Capital Projects	Capital Projects	2,257	Funding for PW 25-09 E Manawa Sewer Rehab Ph XIII	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	85,390	Funding for PW 25-13 Avenue B Rehab	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	11,460	Funding for PW 25-15 Storm Pump Station Rehab	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	24,363	Funding for PW 25-16 WPCP Solids Bldg Concrete Repairs	2025
Enterprise	Sewer Operating	Capital Projects	Capital Projects	29,606	Funding for PW 25-17 Pump Station Rehab	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	14,128	Funding for PW 25-18 9th Ave Bridge over Indian Crk	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	250,000	Funding for PW 60001 Program Management	2025
Special Revenue	Employee Benefits Levy	General	General - Employee Benefits	5,854,008	Fund Employee Benefits	2025

Resolution 25-90

Resolution authorizing transfers between funds under Iowa Code 545-2 for FY25

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 7, 2025

Matthew J. Walsh, Mayor

Jodi Quakenbush, City Clerk

Council Communication

Department: Public Works Admin
Case/Project No.: BM24-01
Submitted by: Matthew Cox, Public Works
Director

Resolution 25-91
ITEM 3.C.

Council Action: 4/7/2025

Description

Resolution accepting the work of Bluffs Paving & Utility Co. Inc. as complete and authorizing the release of retainage after 30 days if no claims are filed in connection with the Mid-America Center Parking Lots Rehab, Phase 4. Project # BM24-01

Background/Discussion

The Entertainment District located between 23rd Avenue and I-80/29 and from 24th Street to 35th Street is a premier destination location within the City of Council Bluffs. The area includes the Mid-America Center, Horseshoe Casino, Bass Pro Shop store, and several hotels and restaurants. The recent construction of the Field House and another hotel are adding to the amenities offered in the area. The parking lots that surround the Mid-America Center are owned by the City. The paving has degraded to the point where maintenance is difficult and there are safety concerns because of the poor condition.

A study was performed in 2011 and updated in 2015, which recommended the replacement of the parking lots. The conceptual plan suggested that the work could be performed in multiple phases over a few years. Proceeding with replacement is now necessary and five phases have been programmed in the CIP.

The Phase 4 project reconstructed a portion of the north lot.

This project was included in the FY22 CIP with funding from General Fund - Gaming and General Obligation Bonds.

	Division I <u>General</u>	Division II <u>Pavement</u>	Division III <u>Storm Sewer</u>	<u>Total</u>
Original Contract Amount	\$61,541.22	\$398,584.04	\$5,099.55	\$465,224.81
Change Orders (-9.80%)	(\$12,006.68)	(\$33,581.13)	\$0.00	(\$45,587.81)
Final Contract Amount	\$49,534.54	\$365,002.91	\$5,099.55	\$419,637.00
Less Previous Payments	\$47,057.81	\$346,752.76	\$4,844.57	\$398,655.14
Retainage Due Contractor	\$2,476.73	\$18,250.15	\$254.98	\$20,981.86

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

Recommendation

Approval of this resolution to accept the work of Bluffs Paving & Utility Co. Inc.

ATTACHMENTS:

Description	Type	Upload Date
Map	Map	3/26/2025
Resolution 25-91	Resolution	4/2/2025

**BM 24-01
MID-AMERICA CENTER
PARKING LOTS REHAB PH4**

24TH AVE

S2

FUTURE
7250 SY

FUTURE
16,455 SY

PHASE 3

PHASE 4

PHASE 1

BASS PRO DR

ARENA WAY

HORSESHOE

BLUFFS RUN

HORSESHOE

HORSESHOE

MARC BLVD

PHASE 2

PHASE 1

PLAZA VIEW DR

**RESOLUTION
NO 25-91**

**RESOLUTION ACCEPTING THE WORK OF
BLUFFS PAVING & UTILITY CO. INC. IN CONNECTION WITH
MID-AMERICA CENTER PARKING LOTS REHAB, PHASE 4
AND AUTHORIZING THE FINANCE DIRECTOR TO ISSUE
A CITY CHECK IN THE AMOUNT OF \$20,981.86
PROJECT #BM24-01**

- WHEREAS, the City of Council Bluffs, Iowa, entered into an agreement with Bluffs Paving & Utility Co. Inc. Crescent, IA for the Mid-America Center Parking Lots Rehab, Phase 4; and
- WHEREAS, said contractor has fully completed the construction of said improvements in accordance with the terms and conditions of said contract and plans and specifications filed with the city clerk; and
- WHEREAS, a request for final payment in the amount of \$20,981.86 to Bluffs Paving & Utility Co. Inc. has been submitted to the city council for approval and payment; and
- WHEREAS, final payment is due 30 days after acceptance of the work; and
- WHEREAS, the city council of the City of Council Bluffs has been advised and does believe that said \$20,981.86 constitutes a valid obligation of the City and should in its best interest be paid.

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

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

AND BE IT FURTHER RESOLVED

That the finance director is hereby authorized and directed to issue a city check in the amount of \$20,981.86 payable to Bluffs Paving & Utility LLC from budget codes Division I, S36600-676000; Division II, S36600-676200; Division III, S36600-676500; Project #M2401.

ADOPTED
AND
APPROVED

April 7, 2025

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Public Works Admin
Case/Project No.: PW25-24
Submitted by: Matthew Cox, Public Works
Director

Resolution 25-92
ITEM 3.D.

Council Action: 4/7/2025

Description

Resolution setting a public hearing for 7:00 p.m. on April 21, 2025 in connection with the Kenmore Avenue Sanitary Sewer Reconstruction.
Project # PW25-24

Background/Discussion

The sanitary sewer in Kenmore Avenue from 105 Kenmore to 134 Kenmore is failing and in need of replacement. It has been discovered that there are several sanitary sewer pipes in this street segment that are undersized and in poor condition. The existing pipes will be replaced with a single sewer main constructed with appropriate materials in the correct size, allowing all adjacent lots to be served.

This project was added to the FY25 CIP. The estimated cost of the project is \$300,000, which includes engineering. Local Option Sales Tax funds will be used.

The project schedule is as follows:	Set Public Hearing	April 7, 2025
	Hold Public Hearing	April 21, 2025
	Bid Letting	May 8, 2025
	Award	May 19, 2025
	Construction Start	June 1, 2025

Recommendation

Approval of this resolution to set the public hearing.

ATTACHMENTS:

Description	Type	Upload Date
Map	Map	3/26/2025
Notice of Public Hearing	Notice	3/26/2025
Resolution 25-92	Resolution	4/2/2025

PW 25-24
KENMORE AVE.
SANITARY SEWER RECONSTRUCTION



Legend

 PW25-24

Notice of Public Hearing
on the
Plans, Specifications, Form of Contract and Cost Estimate
for the
Kenmore Avenue Sanitary Sewer Reconstruction
Project #PW25-24

A public hearing will be held on April 21, 2025, at 7:00 p.m. in the council chambers of City Hall, 209 Pearl Street, Council Bluffs, Iowa, on the proposed plans, specifications, form of contract and cost estimate for the Kenmore Avenue Sanitary Sewer Reconstruction project. The project will include construction of 650 square yards of 7 inch concrete street pavement, 100 square yards of 4 inch concrete sidewalk, 269 lineal feet of 8 inch PVC trenched sanitary sewer pipe and 2 each sanitary sewer manholes. At said hearing, any interested person may appear and file objections to such plans and specifications.

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

RESOLUTION
NO 25-92

**RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE
AND SETTING A PUBLIC HEARING ON THE
PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND COST ESTIMATE FOR THE
KENMORE AVENUE SANITARY SEWER RECONSTRUCTION
PROJECT #PW25-24**

WHEREAS, the City wishes to make improvements known as
the Kenmore Avenue Sanitary Sewer Reconstruction
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 Kenmore Avenue Sanitary Sewer Reconstruction setting April 21, 2025, at 7:00 p.m. as the date and time of said hearing.

AND BE IT FURTHER RESOLVED

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

ADOPTED
AND
APPROVED

April 7, 2025

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Community Development
Case/Project No.:
Submitted by: Courtney Harter, Director,
Community Development Department

Resolution 25-97
ITEM 3.E.

Council Action: 4/7/2025

Description
Resolution setting a public hearing for April 21, 2025 at 7:00 p.m. on the proposal to enter into a Development Agreement with CB Power Drive Partners, LP for the construction of a multi-family housing development within the Power Drive Housing Urban Renewal Area.
Background/Discussion
See attached staff report.
Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/28/2025
Development Agreement	Agreement	3/29/2025
Notice of Public Hearing	Other	3/29/2025
Certificate of Publishers Affidavit	Other	3/29/2025
Resolution 25-97	Resolution	4/2/2025

Council Communication

Department: Community Development	Ordinance No.: Resolution No.: 25-	City Council: 4-7-2025 Public Hearing: 4-21-2025
Case/Project No.: N/A		
Subject/Title Resolution to set public hearing on the proposal to enter into a Development Agreement with CB Power Drive Partners, LP for the construction of a multi-family housing development within the Power Drive Housing Urban Renewal Area.		
Location Generally located along 35 th Avenue and Power Drive (south of Sam's Club)		
Background/Discussion <u>Background</u> In 2024, the City began working with Cornerstone Development to construct a 280 unit multi-family development at the intersection of 35 th Avenue and Power Drive. Currently the project is vacant. City Council adopted the Power Drive Housing Urban Renewal Plan on March 24, 2025 (Resolution 25-77). <u>Discussion</u> Cornerstone is now ready to proceed with the multi-family project. The propose project will be 100% affordable serving households at or below 60% of the median family income. The project has been awarded 4% tax credits by the Iowa Finance Authority. Because the project is serving 100% LMI households, the City is able to provide up to 20 years of TIF by State Code. The total project cost is approximately \$30 million. Staff believes that the project will not proceed without assistance provided by the City for development costs. Therefore, an agreement for private development has been prepared which commits a 15-year tax increment financing rebate for the development in the amount of 75% of the attributable property taxes with a maximum incentive of \$9 million. Additionally, the City will extend Power Drive from 35 th Avenue to Veteran's Memorial Highway to assist with additional traffic flow in the area.		
Staff Recommendation The Community Development Department recommends approval of resolution to set the public hearing at 7:00pm on April 21, 2025 to authorizing the Mayor to execute an agreement for private development with CB Power Drive Partners, LP providing tax increment financing assistance for the construction of a 280 unit multi-family development.		
Attachments <ol style="list-style-type: none">1. Notice of Public Hearing2. Development Agreement3. Resolution		

Submitted by: Courtney Harter, Director, Community Development Department

AGREEMENT FOR PRIVATE DEVELOPMENT

By and between

CITY OF COUNCIL BLUFFS, IOWA

AND

CORNERSTONE CB POWER DRIVE PARTNERS LP

_____, 2025

AGREEMENT
FOR
PRIVATE DEVELOPMENT

THIS AGREEMENT FOR PRIVATE DEVELOPMENT (“Agreement”), is made on or as of _____, 2025, by and between the CITY OF COUNCIL BLUFFS, IOWA, a municipality (“City”), established pursuant to the Code of Iowa of the State of Iowa and acting under the authorization of Chapters 15A and 403 of the Code of Iowa, 2025, as amended (“Urban Renewal Act”) and CORNERSTONE CB POWER DRIVE PARTNERS LP, an Iowa limited partnership, having offices for the transaction of business at 209 South 19th Street, Suite 100, Omaha, NE (“Developer”).

WITNESSETH:

WHEREAS, in furtherance of the objectives of the Urban Renewal Act, the City has undertaken a program for the development of an economic development area for the development of LMI housing units in the City and has established the Power Drive Housing Urban Renewal Area (the “Urban Renewal Area”), which is described in the Power Drive Housing Urban Renewal Plan (the “Urban Renewal Plan”); and

WHEREAS, a copy of the foregoing Urban Renewal Plan has been or will be recorded among the land records in the office of the Recorder of Pottawattamie County, Iowa; and

WHEREAS, Developer is, or will be, the owner of certain real property located in the foregoing Urban Renewal Area and as more particularly described in Exhibit A attached hereto and made a part hereof (which property as so described is hereinafter referred to as the “Development Property”); and

WHEREAS, Developer is willing to cause certain Minimum Improvements to be constructed on the Development Property and Developer will thereafter cause the same to be made available for rent to low and moderate income households in accordance with this Agreement; and

WHEREAS, Developer has been awarded Low-Income Housing Tax Credits for the Project and, accordingly, the City is willing to provide a local match incentive for the Project, pursuant to the terms and conditions set forth in this Agreement; and

WHEREAS, the City believes that the development of the Development Property pursuant to this Agreement and the fulfillment generally of this Agreement are in the vital and best interests of the City and in accord with the public purposes and provisions of the applicable State and local laws and requirements under which the foregoing project has been undertaken and is being assisted.

NOW, THEREFORE, in consideration of the promises and the mutual obligations of the parties hereto, each of them does hereby covenant and agree with the other as follows:

ARTICLE I. DEFINITIONS

Section 1.1. Definitions. In addition to other definitions set forth in this Agreement, all capitalized terms used and not otherwise defined herein shall have the following meanings unless a different meaning clearly appears from the context:

Agreement means this Agreement and all exhibits and appendices hereto, as the same may be from time to time modified, amended, or supplemented.

Assessor means the assessor for Pottawattamie County, Iowa.

Certificate of Completion means a certification in the form of the certificate attached hereto as Exhibit C and hereby made a part of this Agreement.

City means the City of Council Bluffs, Iowa, or any successor to its functions.

Code means the Code of Iowa, 2025, as amended.

Commencement Date means the date of this Agreement.

Construction Plans means the plans, specifications, drawings, and related documents reflecting the construction work to be performed by the Developer on the Development Property; the Construction Plans shall be as detailed as the plans, specifications, drawings and related documents which are submitted to the building inspector of the City as required by applicable City codes.

Cornerstone CB Power Drive Partners LP TIF Account means a separate account within the Power Drive Housing Urban Renewal Tax Increment Revenue Fund of the City, in which there shall be deposited Tax Increments received by the City with respect to the Minimum Improvements and the Development Property.

County means the County of Pottawattamie, Iowa.

Developer means Cornerstone CB Power Drive Partners LP, an Iowa limited partnership, and its permitted successors and assigns.

Development Property means that portion of the Urban Renewal Area described in Exhibit A.

Economic Development Grants means the payments to be made by the City to Developer under Article VIII of this Agreement.

Event of Default means any of the events described in Section 10.1 of this Agreement.

First Mortgage means any Mortgage granted to secure any loan made pursuant to either a mortgage commitment obtained by Developer from a commercial lender or other financial institution to fund any portion of the construction costs and initial operating capital requirements of the Minimum Improvements or Infrastructure Improvements or all such Mortgages as appropriate.

Infrastructure Improvements means the construction of an approximately 1700 linear foot sanitary sewer line extension and related infrastructure improvements planned to be constructed by the Developer on the Development Property to serve the Housing Units, and intended to be dedicated to the City pursuant to Section 3.5 of this Agreement.

LMI Housing Unit means a multifamily housing unit that is affordable to families, including single person households, who earn no more than eighty percent (80%) of the higher of the median

family income of Pottawattamie County or the state-wide non-metropolitan area as determined by the latest United States Department of Housing and Urban Development, Section 8 income guidelines.

Minimum Improvements means the LMI Housing Units, the Infrastructure Improvements, and all related site improvements to be constructed by the Developer on the Development Property, as further described in Exhibit B and depicted in Exhibit B-1. For the point of clarification, the Power Drive Extension as defined herein and depicted in Exhibit B-1 is not part of the Minimum Improvements to be constructed by Developer.

Mortgage means any mortgage or security agreement in which Developer has granted a mortgage or other security interest in the Development Property or Infrastructure Improvements, or any portion or parcel thereof, or any improvements constructed thereon.

Net Proceeds means any proceeds paid by an insurer to Developer under a policy or policies of insurance required to be provided and maintained by Developer, as the case may be, pursuant to Article V of this Agreement and remaining after deducting all expenses (including fees and disbursements of counsel) incurred in the collection of such proceeds.

Ordinance means the Ordinance of the City under which the taxes levied on the taxable property in the Urban Renewal Area shall be divided and a portion paid into the Power Drive Housing Urban Renewal Tax Increment Revenue Fund under the provisions of Section 403.19 of the Code.

Power Drive Extension means the construction of 2,200 lineal feet of new concrete roadway, with curb and gutter and storm sewer as depicted in Exhibit B-1.

Power Drive Housing Urban Renewal Tax Increment Revenue Fund means the special fund of the City created under the authority of Section 403.19(2) of the Code and the Ordinance, which fund was created in order to pay the principal of and interest on loans, monies advanced to, or indebtedness, whether funded, refunded, assumed, or otherwise, including bonds or other obligations issued under the authority of Chapters 15A, 403, or 384 of the Code, incurred by the City to finance or refinance in whole or in part projects undertaken pursuant to the Urban Renewal Plan for the Urban Renewal Area.

Project means the construction and operation of the Minimum Improvements on the Development Property, as described in this Agreement.

State means the State of Iowa.

Tax Increments means the property tax revenues on the Minimum Improvements divided and made available to the City for deposit in the Cornerstone CB Power Drive Partners LP TIF Account of the Power Drive Housing Urban Renewal Tax Increment Revenue Fund under the provisions of Section 403.19 of the Code, as amended, and the Ordinance.

Termination Date means the date of termination of this Agreement, as established in Section 11.8 of this Agreement.

Unavoidable Delays means delays resulting from acts or occurrences outside the reasonable control of the party claiming the delay including but not limited to storms, floods, fires, explosions or other casualty losses, unusual weather conditions, strikes, boycotts, lockouts or other labor disputes,

delays in transportation or delivery of material or equipment, litigation commenced by third parties, or the acts of any federal, State or local governmental unit (other than the City).

Urban Renewal Area means the area known as the Power Drive Housing Urban Renewal Area.

Urban Renewal Plan means the Power Drive Housing Urban Renewal Plan, as amended, approved with respect to the Urban Renewal Area, described in the preambles hereof.

ARTICLE II. REPRESENTATIONS AND WARRANTIES

Section 2.1. Representations and Warranties of the City. The City makes the following representations and warranties:

a. The City is a municipal corporation and municipality organized under the provisions of the Constitution and the laws of the State and has the power to enter into this Agreement and carry out its obligations hereunder.

b. The execution and delivery of this Agreement, the consummation of the transactions contemplated hereby, and the fulfillment of or compliance with the terms and conditions of this Agreement are not prevented by, limited by, in conflict with, or result in a breach of, the terms, conditions, or provisions of any contractual restriction, evidence of indebtedness, agreement, or instrument of whatever nature to which the City is now a party or by which it is bound, nor do they constitute a default under any of the foregoing.

c. All covenants, stipulations, promises, agreements, and obligations of the City contained herein shall be deemed to be the covenants, stipulations, promises, agreements, and obligations of the City only, and not of any governing body member, officer, agent, servant, or employee of the City in the individual capacity thereof.

Section 2.2. Representations and Warranties of Developer. Developer makes the following representations and warranties:

a. Cornerstone CB Power Drive Partners LP is an Iowa limited partnership duly organized and validly existing under the laws of the State of Iowa, and has all requisite power and authority to own and operate its properties, to carry on its business as now conducted and as presently proposed to be conducted, and to enter into and perform its obligations under this Agreement.

b. This Agreement has been duly and validly authorized, executed, and delivered by Developer and, assuming due authorization, execution, and delivery by the City, is in full force and effect and is a valid and legally binding instrument of Developer enforceable in accordance with its terms, except as the same may be limited by bankruptcy, insolvency, reorganization, or other laws relating to or affecting creditors' rights generally.

c. The execution and delivery of this Agreement, the consummation of the transactions contemplated hereby, and the fulfillment of or compliance with the terms and conditions of this Agreement are not prevented by, limited by, in conflict with, or result in a violation or breach of, the terms, conditions, or provisions of the governing documents of Developer or of any contractual restriction, evidence of indebtedness, agreement, or instrument of whatever nature to which Developer is

now a party or by which it or its property is bound, nor do they constitute a default under any of the foregoing.

d. There are no actions, suits, or proceedings pending or threatened against or affecting the Developer in any court or before any arbitrator or before or by any governmental body in which there is a reasonable possibility of an adverse decision which could materially adversely affect the business (present or prospective), financial position, or results of operations of the Developer or which in any manner raises any questions affecting the validity of the Agreement or the Developer's ability to perform its obligations under this Agreement.

e. Developer shall cause the Minimum Improvements to be constructed on the Development Property in accordance with the terms of this Agreement, the Urban Renewal Plan, and all local, State, and federal laws and regulations.

f. Developer will use its best efforts to obtain, or cause to be obtained, in a timely manner, all required permits, licenses, and approvals, and will meet, in a timely manner, all requirements of all applicable local, State, and federal laws and regulations which must be obtained or met before the Minimum Improvements may be lawfully constructed.

g. The construction of the Minimum Improvements will require a total investment of approximately \$30,000,000.

h. Developer expects that, barring Unavoidable Delays, the Minimum Improvements will be completed by December 31, 2028.

i. Developer has not received any notice from any local, State, or federal official that the activities of the Developer with respect to the Development Property may or will be in violation of any environmental law or regulation (other than those notices, if any, of which the City has previously been notified in writing). The Developer is not currently aware of any State or federal claim filed or planned to be filed by any party relating to any violation of any local, State, or federal environmental law, regulation, or review procedure applicable to the Development Property, and the Developer is not currently aware of any violation of any local, State, or federal environmental law, regulation, or review procedure which would give any person a valid claim under any State or federal environmental statute with respect thereto.

j. Developer shall obtain and expects to obtain firm commitments for construction or acquisition and permanent financing in an amount sufficient, together with equity commitments, to successfully complete the Minimum Improvements in accordance with the Construction Plans contemplated in this Agreement and to provide the performance and maintenance bonds required under Section 3.6 hereof. Furthermore, Developer shall provide written proof of such commitments to the City by no later than July 31, 2025.

k. Developer will cooperate fully with the City in resolution of any traffic, parking, trash removal, or public safety problems which may arise in connection with the construction and operation of the Minimum Improvements and Infrastructure Improvements.

l. Developer would not undertake its obligations under this Agreement without the payment by the City of the Economic Development Grants being made to Developer pursuant to this Agreement.

ARTICLE III. CONSTRUCTION OF MINIMUM IMPROVEMENTS

Section 3.1. Construction of Minimum Improvements. Developer agrees that it will cause the Minimum Improvements to be constructed on the Development Property in conformance with the Construction Plans submitted to the City. Developer agrees that the scope and scale of the Minimum Improvements to be constructed shall not be significantly less than the scope and scale of the Minimum Improvements as detailed and outlined in the Construction Plans, and shall require a total investment of approximately \$30,000,000.

Section 3.2. Construction Plans. Developer shall cause Construction Plans to be provided for the Minimum Improvements, which shall be subject to approval by the City as provided in this Section 3.2, which approval shall not be unreasonably withheld, delayed or conditioned. The Construction Plans shall be in conformity with the Urban Renewal Plan, this Agreement, and all applicable federal, State, and local laws and regulations. The City shall approve the Construction Plans in writing if: (i) the Construction Plans conform to the terms and conditions of this Agreement; (ii) the Construction Plans conform to the terms and conditions of the Urban Renewal Plan; (iii) the Construction Plans conform to all applicable federal, State, and local laws, ordinances, rules, and regulations, and City permit requirements; (iv) the Construction Plans are adequate to provide for the construction of the Minimum Improvements and; and (v) no Event of Default under the terms of this Agreement has occurred and is continuing beyond any applicable cure period; provided, however, that any such approval of the Construction Plans pursuant to this Section 3.2 shall constitute approval for the purposes of this Agreement only and shall not be deemed to constitute approval or waiver by the City with respect to any building, fire, zoning or other ordinances or regulations of the City, and shall not be deemed to be sufficient plans to serve as the basis for the issuance of a building permit if the Construction Plans are not as detailed or complete as the plans otherwise required for the issuance of a building permit. The site plans submitted to the building official of the City for the Development Property and Minimum Improvements shall be adequate to serve as the Construction Plans, if such site plans are approved by the building official.

Approval of the Construction Plans by the City shall not relieve Developer of any obligation to comply with the terms and provisions of this Agreement, or the provision of applicable federal, State, and local laws, ordinances, and regulations, nor shall approval of the Construction Plans by the City be deemed to constitute a waiver of any Event of Default.

Approval of Construction Plans hereunder is solely for purposes of this Agreement, and shall not constitute approval for any other City purpose nor subject the City to any liability for the Minimum Improvements or Infrastructure Improvements as constructed.

Section 3.3. Commencement and Completion of Construction. Subject to Unavoidable Delays, Developer shall cause construction of the Minimum Improvements to be undertaken and completed: (i) by no later than December 31, 2028; or (ii) by such other date as the parties shall mutually agree upon in writing. Time lost as a result of Unavoidable Delays shall be added to extend this date by a number of days equal to the number of days lost as a result of Unavoidable Delays. All work with respect to the Minimum Improvements shall be in conformity with the Construction Plans approved by the building official or any amendments thereto as may be approved by the building official.

Developer agrees that it shall permit designated representatives of the City, upon reasonable notice (which does not have to be written), to enter upon the Development Property during the construction of the Minimum Improvements to inspect such construction and the progress thereof.

Section 3.4. Certificate of Completion. Upon written request of the Developer after completion of the Minimum Improvements (as evidenced by the issuance of an occupancy permit for the LMI Housing Units, and the dedication of the Infrastructure Improvements to the City and the City's acceptance thereof), the City will furnish the Developer with a Certificate of Completion for the Minimum Improvements in recordable form, in substantially the form set forth in Exhibit C attached hereto. Such Certificate of Completion shall be a conclusive determination of satisfactory termination of the covenants and conditions of this Agreement solely with respect to the obligations of the Developer to construct the Minimum Improvements.

The Certificate of Completion may be recorded in the proper office for the recordation of deeds and other instruments pertaining to the Development Property at the Developer's sole expense. If the City shall refuse or fail to provide a Certificate of Completion in accordance with the provisions of Section 3.4, the City shall, within twenty (20) calendar days after written request by the Developer, provide the Developer with a written statement indicating in adequate detail in what respects the Developer has failed to complete the Minimum Improvements in accordance with the provisions of this Agreement, or is otherwise in default under the terms of this Agreement, and what measures or acts will be necessary, in the reasonable opinion of the City, for the Developer to take or perform in order to obtain such Certificate of Completion.

Issuance by the City of the Certificate of Completion pursuant to this Section 3.4 is solely for the purposes of this Agreement, and shall not constitute approval for any other City purpose nor shall it subject the City to any liability for the Development Property, Minimum Improvements, or Infrastructure Improvements as constructed.

Section 3.5. Dedication of Infrastructure Improvements. Upon completion of the Infrastructure Improvements and upon acceptance of such Infrastructure Improvements by the City, the Developer shall, to the extent not already done, cause the same to be dedicated to the City. Developer shall provide all reasonable documentation requested by the City to evidence such transfer of ownership to the City.

Section 3.6. Bonding Requirements. Developer shall obtain, or require each of its general contractors to obtain, one or more bonds that guarantee the faithful performance of this Agreement for, in the aggregate, the anticipated full value of the completed Infrastructure Improvements and that further guarantee the prompt payment of all materials and labor. The performance bond shall remain in effect until dedication of the Infrastructure Improvements are completed, at which time a two-year maintenance bond shall be substituted for the performance bond. The bonds shall clearly specify the Developer and City as joint obligees. The Developer shall also comply with all City requirements for the construction of the Infrastructure Improvements.

ARTICLE IV. REAL PROPERTY TAXES

Section 4.1. Real Property Taxes. Developer, or its successors shall pay or cause to be paid, when due, all real property taxes and assessments payable with respect to all and any parts of the Development Property acquired and owned or leased by them and pursuant to the provisions of this Agreement. Until Developer's obligations have been assumed by any other person or legal title to the

property is vested in another person, all pursuant to the provisions of this Agreement, Developer and shall be solely responsible for all assessments and taxes.

Developer and its permitted successors and assigns agree that prior to the Termination Date:

a. They will not seek administrative review or judicial review of the applicability or constitutionality of any tax statute relating to the taxation of real property contained on the Development Property determined by any tax official to be applicable to the Development Property or Minimum Improvements, or raise the inapplicability or constitutionality of any such tax statute as a defense in any proceedings, including delinquent tax proceedings; and

b. They will not seek any tax exemption, deferral, or abatement either presently or prospectively authorized under any State, federal, or local law with respect to taxation of real property contained on the Development Property between the Commencement Date and the Termination Date.

ARTICLE V. INSURANCE

Section 5.1. Insurance Requirements.

a. Developer will provide and maintain or cause to be maintained at all times during the process of constructing the Minimum Improvements (and, from time to time at the request of the City, furnish the City with proof of payment of premiums on):

i. Builder's risk insurance, written on the so-called "Builder's Risk– Completed Value Basis," in an amount equal to one hundred percent (90%) of the insurable value of the Minimum Improvements at the date of completion, and with coverage available in non-reporting form on the so-called "all risk" form of policy.

ii. Comprehensive general liability insurance (including operations, contingent liability, operations of subcontractors, completed operations, and contractual liability insurance) with limits against bodily injury and property damage of at least \$1,000,000 for each occurrence. The City shall be named as an additional insured for the City's liability or loss arising out of or in any way associated with the Project and arising out of any act, error, or omission of Developer, its directors, officers, shareholders, members, contractors, and subcontractors or anyone else for whose acts the City may be held responsible (with coverage to the City at least as broad as that which is provided to Developer and not lessened or avoided by endorsement). The policy shall contain a "severability of interests" clause and provide primary insurance over any other insurance maintained by the City.

iii. Workers' compensation insurance with at least statutory coverage.

b. Upon completion of construction of the Minimum Improvements and at all times prior to the Termination Date, Developer shall maintain or cause to be maintained, at its cost and expense (and from time to time at the request of the City shall furnish proof of the payment of premiums on), insurance as follows:

i. Insurance against loss and/or damage to the Minimum Improvements under a policy or policies covering such risks as are ordinarily insured against by similar businesses, including (without limiting the generality of the foregoing) fire, extended coverage, vandalism and malicious

mischievous, explosion, water damage, demolition cost, debris removal, and collapse in an amount not less than the full insurable replacement value of the Minimum Improvements, but any such policy may have a deductible amount of not more than \$50,000 or self-insurance up to not more than \$1,000,000. No policy of insurance shall be so written that the proceeds thereof will produce less than the minimum coverage required by the preceding sentence, by reason of co-insurance provisions or otherwise, without the prior consent thereto in writing by the City, which consent shall not be unreasonably withheld, delayed or conditioned. The term "full insurable replacement value" shall mean the actual replacement cost of the Minimum Improvements (excluding foundation and excavation costs and costs of underground flues, pipes, drains, and other uninsurable items) and equipment, and shall be determined from time to time at the request of the City, but not more frequently than once every three years, by an insurance consultant or insurer selected and paid for by Developer and approved by the City.

ii. Comprehensive general public liability insurance, including personal injury liability for injuries to persons and/or property, including any injuries resulting from the operation of automobiles or other motorized vehicles on or about the Development Property, in the minimum amount for each occurrence and for each year of \$1,000,000.

iii. Such other insurance, including workers' compensation insurance respecting all employees of Developer, in such amount as is customarily carried by like organizations engaged in like activities of comparable size and liability exposure; provided that Developer may be self-insured with respect to all or any part of its liability for workers' compensation.

c. All insurance required by this Article V to be provided prior to the Termination Date shall be taken out and maintained in responsible insurance companies selected by Developer, which are authorized under the laws of the State to assume the risks covered thereby. Developer will deposit annually with the City copies of policies evidencing all such insurance, or a certificate or certificates or binders of the respective insurers stating that such insurance is in force and effect. Unless otherwise provided in this Article V, each policy shall contain a provision that the insurer shall not cancel or modify it without giving written notice to Developer and the City at least thirty (30) days before the cancellation or modification becomes effective. Not less than fifteen (15) days prior to the expiration of any policy, Developer shall furnish the City evidence satisfactory to the City that the policy has been renewed or replaced by another policy conforming to the provisions of this Article V, or that there is no necessity therefor under the terms hereof. In lieu of separate policies, Developer may maintain a single policy, or blanket or umbrella policies, or a combination thereof, which provide the total coverage required herein, in which event Developer shall deposit with the City a certificate or certificates of the respective insurers as to the amount of coverage in force upon the Minimum Improvements.

d. Developer agrees to notify the City immediately in the case of damage exceeding \$100,000 in amount to, or destruction of, the Minimum Improvements or any portion thereof resulting from fire or other casualty. Net Proceeds of any such insurance shall be paid directly to Developer, and Developer will forthwith repair, reconstruct, and restore the Minimum Improvements to substantially the same or an improved condition or value as they existed prior to the event causing such damage and, to the extent necessary to accomplish such repair, reconstruction, and restoration, Developer will apply the Net Proceeds of any insurance relating to such damage received by Developer to the payment or reimbursement of the costs thereof.

e. Developer shall complete the repair, reconstruction, and restoration of the Minimum Improvements, whether or not the Net Proceeds of insurance received by Developer for such purposes are sufficient.

f. Notwithstanding anything to the contrary in the foregoing, the parties agree that the Developer shall have no obligations under this Article V with respect to: (i) any Infrastructure Improvements which have been dedicated to and accepted by the City and for which the Developer has provided the required maintenance bonds, consistent with Sections 3.5 and 3.6 of this Agreement, or (ii) any housing units/lots on the Development Property that are sold to homebuyers.

ARTICLE VI. FURTHER COVENANTS OF DEVELOPER

Section 6.1. Maintenance of Properties. Developer will maintain, preserve, and keep its properties within the City (whether owned in fee or a leasehold interest), including but not limited to the Minimum Improvements, in good repair and working order, ordinary wear and tear excepted, and from time to time will make all necessary repairs, replacements, renewals, and additions, based upon Developer's reasonable judgment.

Section 6.2. Maintenance of Records. Developer will keep at all times proper books of record and account in which full, true, and correct entries will be made of all dealings and transactions of or in relation to the business and affairs of Developer relating to this Project in accordance with generally accepted accounting principles, consistently applied throughout the period involved, and Developer will provide reasonable protection against loss or damage to such books of record and account.

Section 6.3. Compliance with Laws. Developer will comply with all State, federal and local laws, rules and regulations relating to the Development Property, Minimum Improvements, and this Project.

Section 6.4. Non-Discrimination. In the construction and operation of the Minimum Improvements, the Developer shall not discriminate against any applicant, employee, homebuyer, or tenant because of age, color, creed, national origin, race, religion, marital status, sex, physical disability, or familial status. Developer shall ensure that applicants, employees, homebuyers, and tenants are considered and are treated without regard to their age, color, creed, national origin, race, religion, marital status, sex, physical disability, or familial status.

Section 6.5. Available Information. Upon request, Developer shall promptly provide the City with copies of information reasonably requested by City that are related to this Agreement so that City can determine compliance with this Agreement.

Section 6.6. Annual Certification. To assist the City in monitoring this Agreement and the performance of Developer hereunder, a duly authorized officer of Developer shall annually provide to the City: (i) proof that all ad valorem taxes on the Development Property and Minimum Improvements owned by the Developer have been paid for the prior fiscal year and any taxes due and payable for the current fiscal year as of the date of certification; (ii) certification of the number of housing units on the Development Property that have been rented as LMI Housing Units and copies of any written reports provided to the Iowa Finance Authority or other governmental body under the LIHTC Program; and (iii) certification that such officer has re-examined the terms and provisions of this Agreement and that at the date of such certificate, and during the preceding twelve (12) months, Developer is not, or was not, in

default in the fulfillment of any of the terms and conditions of this Agreement and that no Event of Default (or event which, with the lapse of time or the giving of notice, or both, would become an Event of Default) is occurring or has occurred as of the date of such certificate or during such period, or if the signer is aware of any such default, event or Event of Default, said officer shall disclose in such statement the nature thereof, its period of existence and what action, if any, has been taken or is proposed to be taken with respect thereto. Such statement, proof and certificate shall be provided not later than October 15 of each year, commencing October 15, 2029 (or the October 15th in the calendar immediately following completed construction of the Minimum Improvements, if the Minimum Improvements are completed sooner than 2028) and continuing through the Termination Date. Developer shall provide supporting information for its Annual Certifications upon request of the City. See Exhibit E for form required for Developer's Annual Certification.

Section 6.7. LMI Housing Units. The Minimum Improvements are being constructed with the expectation that 100% of the included Housing Units will qualify as LMI Housing Units. To qualify as an LMI Housing Unit, Developer shall verify, at the time of move in, that the proposed tenant's household income qualifies as a Low or Moderate Income Family. Developer shall verify the tenant family's income according to U.S. Department of Housing and Urban Development (HUD)'s Technical Guide for Determining Income in effect at the time the income is verified. Notwithstanding anything to the contrary in the foregoing, the Developer shall rent the Housing Units constructed as part of the Project consistently with all requirements of the Low-Income Housing Tax Credits Program.

Section 6.8. Developer Completion Guarantee. By signing this Agreement, Developer hereby guarantees to the City performance by Developer of all the terms and provisions of this Agreement pertaining to Developer's obligations with respect to the construction of the Minimum Improvements. Without limiting the generality of the foregoing, Developer guarantees that: (a) construction of the Minimum Improvements shall commence and be completed within the time limits set forth herein; (b) the Minimum Improvements shall be constructed and completed in accordance with the Construction Plans; (c) the Minimum Improvements shall be constructed and completed free and clear of any mechanic's liens, materialman's liens and equitable liens; and (d) all costs of constructing the Minimum Improvements shall be paid when due.

ARTICLE VII. PROHIBITION AGAINST ASSIGNMENT AND TRANSFER

Section 7.1. Status of Developer; Transfer of Substantially All Assets; Assignment. As security for the obligations of Developer under this Agreement, Developer represents and agrees that, prior to the Termination Date, Developer will maintain existence as a company and will not wind up or otherwise dispose of all or substantially all of its assets or transfer, convey, or assign its interest in the Development Property, Minimum Improvements, or this Agreement to any other party (except with respect to dedication of Infrastructure Improvements to the City or the sale of individual parcels or LMI Housing Units to homebuyers) unless: (i) the transferee partnership, corporation, limited liability company or individual assumes in writing all of the obligations of Developer under this Agreement; and (ii) the City consents thereto in writing in advance thereof, which consent shall be given or withheld in the reasonable discretion of the City.

In the event that Developer wishes to assign this Agreement, including its rights and duties hereunder, Developer and transferee individual or entity shall request that the City and Developer consent to an amendment of this Agreement to accommodate the transfer and to provide for the assumption of all Developer obligations under this Agreement. Such transfer shall not be effective

unless and until the City and Developer consent in writing to an amendment of this Agreement authorizing the transfer, which consent shall be given or withheld in the reasonable discretion of the City.

Notwithstanding the foregoing paragraphs, nothing in this Section 7.1 shall prohibit the Developer from providing collateral assignments of its rights to receive Economic Development Grants hereunder in connection with the financing of the Project provided that: (a) the City consents thereto in writing in advance thereof, which consent shall not be unreasonably withheld, conditioned or delayed; (b) Developer is in compliance with the terms of the Agreement at the time of such collateral assignment; and (c) Developer remains responsible for performing all obligations hereunder after such collateral assignment.

Section 7.2. Prohibition Against Use as Non-Taxable or Centrally Assessed Property. During the term of this Agreement, the Developer, or its successors, or assigns agree that the Development Property cannot be transferred or sold to a non-profit entity or used for a purpose that would exempt the Development Property or Minimum Improvements from property tax liability; provided, however, that the Developer may dedicate portions of the Development Property and Minimum Improvements to the City to be owned by the City as public infrastructure. Nor can the Development Property or Minimum Improvements be used as centrally assessed property (including but not limited to, Iowa Code § 428.24 to 428.29 (Public Utility Plants and Related Personal Property); Chapter 433 (Telegraph and Telephone Company Property); Chapter 434 (Railway Property); Chapter 437 (Electric Transmission Lines); Chapter 437A (Property Used in the Production, Generation, Transmission or Delivery of Electricity or Natural Gas); and Chapter 438 (Pipeline Property)).

ARTICLE VIII. ECONOMIC DEVELOPMENT GRANTS

Section 8.1. Economic Development Grants. For and in consideration of the obligations being assumed by Developer hereunder, and in furtherance of the goals and objectives of the Urban Renewal Plan for the Urban Renewal Area and the Urban Renewal Act, the City agrees, subject to Developer being and remaining in compliance with the terms of this Agreement, to make up to fifteen (15) years of consecutive annual payments of Economic Development Grants to Developer up to a total amount not to exceed Nine Million Dollars (\$9,000,000) under the following formula:

Assuming the completion of the Minimum Improvements by December 31, 2028 and full assessment of the Minimum Improvements on January 1, 2029, and debt certification by the City to the Auditor prior to December 1, 2029, the Economic Development Grants shall commence on June 1, 2031 and end on June 1, 2045 pursuant to Section 403.19 of the Urban Renewal Act in the following amounts:

<u>Date</u>	<u>Amount of Economic Development Grants</u>
June 1, 2031	75% of Tax Increments for Fiscal Year 30-31
June 1, 2032	75% of Tax Increments for Fiscal Year 31-32
June 1, 2033	75% of Tax Increments for Fiscal Year 32-33
June 1, 2034	75% of Tax Increments for Fiscal Year 33-34
June 1, 2035	75% of Tax Increments for Fiscal Year 34-35
June 1, 2036	75% of Tax Increments for Fiscal Year 35-36
June 1, 2037	75% of Tax Increments for Fiscal Year 36-37
June 1, 2038	75% of Tax Increments for Fiscal Year 37-38

June 1, 2039	75% of Tax Increments for Fiscal Year 38-39
June 1, 2040	75% of Tax Increments for Fiscal Year 39-40
June 1, 2041	75% of Tax Increments for Fiscal Year 40-41
June 1, 2042	75% of Tax Increments for Fiscal Year 41-42
June 1, 2043	75% of Tax Increments for Fiscal Year 42-43
June 1, 2044	75% of Tax Increments for Fiscal Year 43-44
June 1, 2045	75% of Tax Increments for Fiscal Year 44-45

If the completion of the Minimum Improvement occurs by December 31, 2027, such that the first full assessment of the Minimum Improvements occurs on January 1, 2028, then the above scheduled shall be advanced by one year, such that the first Economic Development Grant would be paid on June 1, 2030.

Each annual payment shall be equal in amount to the above percentages of the Tax Increments collected by the City with respect to the Minimum Improvements on the Development Property under the terms of the Ordinance and deposited into the Cornerstone CB Power Drive Partners LP TIF Account (without regard to any averaging that may otherwise be utilized under Section 403.19 and excluding any interest that may accrue thereon prior to payment to Developer) during the preceding twelve-month period in respect of the Minimum Improvements, but subject to limitation and adjustment as provided in this Article (such payments being referred to collectively as the “Economic Development Grants”).

Section 8.2. Payment Schedule. After the Minimum Improvements are first fully assessed and if in compliance with this Agreement, if Developer’s Annual Certification is timely filed and contains the information required under Section 6.6 and the Council approves of the same, then the City shall certify to the County prior to December 1 of that year its request for the available Tax Increments resulting from the assessments imposed by the County as of January 1 of that year, to be collected by the County and paid to the City as taxes are paid during the following fiscal year and which shall thereafter be disbursed to Developer on the following June 1. (Example: assuming first full assessment of the Minimum Improvements on January 1, 2029, if Developer submits its Annual Certification in October 2029 and the City certifies to the County by December 1, 2029, the first Economic Development Grants would be paid to Developer on June 1, 2031 (for 75% of the Tax Increment for fiscal year 2030-2031).) The schedule of the payments for Economic Development Grants set forth in Section 8.1 is based on the first full assessment of the Minimum Improvements being January 1, 2029. If the completion of the Minimum Improvements is delayed so that the Minimum Improvements are not fully assessed as of January 1, 2029, then the first Economic Development Grant will not begin as scheduled, but will be delayed one year. However, in no event shall the schedule of Economic Development Grants be delayed more than one year, meaning that the latest potential date for Developer’s first Economic Development Grant, if eligible, is June 1, 2032.

Section 8.3. Maximum Amount of Grants. The aggregate amount of the Economic Development Grants that may be paid to Developer under this Agreement shall be equal to the sum of the total amount of the applicable percentage of Tax Increments collected in respect of the assessments imposed on the Minimum Improvements over the specified time period, but in no event shall exceed Nine Million Dollars (\$9,000,000) over fifteen (15) years.

Section 8.4. Limitations. The Economic Development Grants are only for the Minimum Improvements described in this Agreement (building/improvement increase value only) and not any future expansions which, to be eligible for Economic Development Grants, would be the subject of an amendment or new agreement, at the sole discretion of the City Council.

Section 8.5. Conditions Precedent. Notwithstanding the provisions of Section 8.1 above, the obligation of the City to make an Economic Development Grant in any year shall be subject to and conditioned upon the following:

- a. Developer shall have completed construction of the Minimum Improvements in accordance with all terms of this Agreement;
- b. The housing units constructed as part of the Minimum Improvements continue to be leased as LMI Housing Units;
- c. Developer's compliance with the terms of this Agreement at the time of payment; and
- d. No Event of Default has occurred and is continuing.

In the event that an Event of Default occurs or any certification filed by Developer under Section 6.6 (or other information) discloses the existence or prior occurrence of an Event of Default that was not cured or cannot reasonably be cured, the City shall have no obligation thereafter to make any payments to Developer in respect of the Economic Development Grants and the provisions of this Article shall terminate and be of no further force or effect.

Each Annual Certification filed by Developer under Section 6.6 hereof shall be considered separately in determining whether the City shall make any of the Economic Development Grant payments available to Developer under this Section. Under no circumstances shall the failure by Developer to qualify Developer for an Economic Development Grant in any year serve to extend the term of this Agreement beyond the Termination Date or the years during which Economic Development Grants may be awarded to Developer or the total amount thereof, it being the intent of parties hereto to provide Developer with an opportunity to receive Economic Development Grants only if Developer fully complies with the provisions hereof and becomes entitled thereto, up to the maximum aggregate amount set forth in Sections 8.1 and 8.3.

Section 8.6. Source of Grant Funds Limited.

- a. The Economic Development Grants shall be payable from and secured solely and only by amounts deposited and held in the Cornerstone CB Power Drive Partners LP TIF Account of the Power Drive Housing Urban Renewal Tax Increment Revenue Fund of the City. The City hereby covenants and agrees to maintain the Ordinance in force during the term hereof and to apply the appropriate percentage of Tax Increments collected in respect of the Development Property and Minimum Improvements and allocated to the Cornerstone CB Power Drive Partners LP TIF Account to pay the Economic Development Grants, as and to the extent set forth in this Article. The Economic Development Grants shall not be payable in any manner by other tax increment revenues or by general taxation or from any other City funds. Any tax replacement or "backfill" monies that may be received by the City under Iowa Code Chapter 441.21A, Iowa Code Chapter 426C, or similar provisions of the Code

shall not be included in the calculation to determine the amount of Tax Increments for Economic Development Grants for which Developer is eligible.

b. Each Economic Development Grant is subject to annual appropriation by the City Council each fiscal year. The City has no obligation to make any payments to Developer as contemplated under this Agreement until the City Council annually appropriates the funds necessary to make such payments. The right of non-appropriation reserved to the City in this Section is intended by the parties, and shall be construed at all times, so as to ensure that the City's obligation to make future Economic Development Grants shall not constitute a legal indebtedness of the City within the meaning of any applicable constitutional or statutory debt limitation prior to the adoption of a budget which appropriates funds for the payment of that installment or amount. In the event that any of the provisions of this Agreement are determined by a court of competent jurisdiction or by the City's bond counsel to create, or result in the creation of, such a legal indebtedness of the City, the enforcement of the said provision shall be suspended, and the Agreement shall at all times be construed and applied in such a manner as will preserve the foregoing intent of the parties, and no Event of Default by the City shall be deemed to have occurred as a result thereof. If any provision of this Agreement or the application thereof to any circumstance is so suspended, the suspension shall not affect other provisions of this Agreement which can be given effect without the suspended provision. To this end the provisions of this Agreement are severable.

c. Notwithstanding the provisions of Section 8.1 hereof, the City shall have no obligation to make an Economic Development Grant to Developer if at any time during the term hereof (i) the City fails to appropriate funds for payment; (ii) the City receives an opinion from its legal counsel to the effect that the use of Tax Increments resulting from the Development Property and Minimum Improvements to fund an Economic Development Grant to Developer, as contemplated under said Section 8.1, is not, based on a change in applicable law or its interpretation since the date of this Agreement, authorized or otherwise an appropriate urban renewal activity permitted to be undertaken by the City under the Urban Renewal Act or other applicable provisions of the Code, as then constituted or under controlling decision of any Iowa Court having jurisdiction over the subject matter hereof; or (iii) the City's ability to collect Tax Increment from the Minimum Improvements and Development Property is precluded or terminated by legislative changes to Iowa Code Chapter 403 or by application of a decision of any Iowa Court having jurisdiction over the subject matter hereof. Upon occurrence of any of the foregoing circumstances, the City shall promptly forward notice of the same to Developer. If the circumstances continue for a period during which two (2) annual Economic Development Grants would otherwise have been paid to Developer under the terms of Section 8.1, the City may terminate this Agreement, without penalty or other liability to the City, by written notice to Developer.

Section 8.7. Use of Other Tax Increments. The City shall be free to use any and all Tax Increments above and beyond the percentages to be given to Developer in this Agreement, or any available Tax Increments resulting from the suspension or termination of the Economic Development Grants, for any purpose for which the Tax Increments may lawfully be used pursuant to the provisions of the Urban Renewal Act (including an allocation of all or any portion thereof to the reduction of any eligible City costs), and the City shall have no obligations to Developer with respect to the use thereof.

Section 8.8. Reduction of Initial Grant for City Costs. Developer shall pay to the City an amount equal to the actual costs incurred by the City, but not to exceed \$5,000, in connection with the drafting and adoption of the Urban Renewal Plan and the negotiation, drafting and adoption of this Agreement, including, but not limited to, publication fees for legal notices, actual costs associated with

City Council meetings, and reasonable legal fees of the City. Payment of such costs will be made by the Developer to the City within 30 days of the Agreement's Commencement Date. If the Developer fails to timely make this payment to the City, then the amount of the City's costs shall be deducted from the amount of the first Economic Development Grant.

Section 8.9. Local Match. The Economic Development Grants described in Article VIII of this Agreement are intended to serve as the local match for the LIHTC Program incentives for the Project. The Economic Development Grants described in this Agreement will be the only local match provided to the Developer, absent an amendment to this Agreement or a subsequent agreement executed by the parties.

Section 8.10. Hold City Harmless. Developer shall hold harmless the City from any loss arising out of or related to Developer's failure to fulfill the requirements of the LIHTC Program or failure of the Project to receive the LIHTC Program incentives.

ARTICLE IX. INDEMNIFICATION

Section 9.1. Release and Indemnification Covenants.

a. Developer releases the City and the governing body members, officers, agents, servants and employees thereof (hereinafter, for purposes of this Article IX, the "Indemnified Parties") from, covenants and agrees that the Indemnified Parties shall not be liable for, and agrees to indemnify, defend, and hold harmless the Indemnified Parties against, any loss or damage to property or any injury to or death of any person occurring at or about or resulting from any defect in the Minimum Improvements or Development Property.

b. Except for any willful misrepresentation or any willful or wanton misconduct or any unlawful act of the Indemnified Parties, Developer agrees to protect and defend the Indemnified Parties, now or forever, and further agrees to hold the Indemnified Parties harmless, from any claim, demand, suit, action or other proceedings whatsoever by any person or entity whatsoever arising or purportedly arising from: (i) any violation of any agreement or condition of this Agreement (except with respect to any suit, action, demand or other proceeding brought by Developer against the City to enforce its rights under this Agreement); (ii) the acquisition and condition of the Development Property and the construction, installation, ownership, and operation of the Minimum Improvements (with respect to the Infrastructure Improvements, arising prior to the time such Infrastructure Improvements are dedicated to the City); or (iii) any hazardous substance or environmental contamination located in or on the Development Property.

c. The Indemnified Parties shall not be liable for any damage or injury to the persons or property of Developer or their officers, agents, servants, or employees or any other person who may be about the Minimum Improvements or Development Property due to any act of negligence of any person, other than any act of negligence on the part of any such Indemnified Party or its officers, agents, servants or employees.

d. All covenants, stipulations, promises, agreements, and obligations of the City contained herein shall be deemed to be the covenants, stipulations, promises, agreements, and obligations of the City, and not of any governing body member, officer, agent, servant, or employee of the City in the individual capacity thereof.

- e. The provisions of this Article IX shall survive the termination of this Agreement.

ARTICLE X. DEFAULT AND REMEDIES

Section 10.1. Events of Default Defined. The following shall be “Events of Default” under this Agreement and the term “Event of Default” shall mean, whenever it is used in this Agreement, any one or more of the following events during the term of this Agreement:

- a. Failure by Developer to cause the construction of the Minimum Improvements to be completed and the operations to continue pursuant to the terms and conditions of this Agreement;
- b. Transfer of Developer’s interest in the Development Property, Minimum Improvements, or this Agreement or the assets of Developer in violation of the provisions of this Agreement;
- c. Failure by Developer to timely pay ad valorem taxes on the Development Property and Minimum Improvements owned by Developer;
- d. Failure by Developer to substantially observe or perform any covenant, condition, obligation, or agreement on its part to be observed or performed under this Agreement;
- e. The holder of any Mortgage on the Development Property, or any improvements thereon, or any portion thereof, commences foreclosure proceedings as a result of any default under the applicable Mortgage documents;
- f. Developer:
 - i. files any petition in bankruptcy or for any reorganization, arrangement, composition, readjustment, liquidation, dissolution, or similar relief under the United States Bankruptcy Act of 1978, as amended, or under any similar federal or state law; or
 - ii. makes an assignment for the benefit of its creditors; or
 - iii. admits in writing its inability to pay its debts generally as they become due; or
 - iv. is adjudicated as bankrupt or insolvent; or if a petition or answer proposing the adjudication of Developer as a bankrupt or its reorganization under any present or future federal bankruptcy act or any similar federal or state law shall be filed in any court and such petition or answer shall not be discharged or denied within ninety (90) days after the filing thereof; or a receiver, trustee or liquidator of Developer or the Minimum Improvements, or part thereof, shall be appointed in any proceedings brought against Developer, and shall not be discharged within ninety (90) days after such appointment, or if Developer shall consent to or acquiesce in such appointment; or
- g. Any representation or warranty made by Developer in this Agreement or in any written statement or certificate furnished by Developer pursuant to this Agreement, shall prove to have been incorrect, incomplete or misleading in any material respect on or as of the date of the issuance or making thereof.

Section 10.2. Remedies on Default. Whenever any Event of Default referred to in Section 10.1 of this Agreement occurs and is continuing, the City may take any one or more of the following actions after giving thirty (30) days' written notice to Developer and the holder of the First Mortgage (but only to the extent the City has been informed in writing of the existence of a First Mortgage and been provided with the address of the holder thereof) of the Event of Default, but only if the Event of Default has not been cured to the satisfaction of the City within said thirty (30) days, or if the Event of Default cannot reasonably be cured within thirty (30) days and Developer does not provide assurances reasonably satisfactory to the City that the Event of Default will be cured as soon as reasonably possible:

- a. The City may suspend its performance under this Agreement until it receives assurances from Developer, deemed adequate by the City, that Developer will cure the default and continue its performance under this Agreement;
- b. The City may terminate this Agreement;
- c. The City may withhold the Certificate of Completion;
- d. The City may enforce the performance or maintenance bonds;
- e. The City may take any action, including legal, equitable or administrative action, which may appear necessary or desirable to enforce performance and observance of any obligation, agreement, or covenant of Developer, as the case may be, under this Agreement; or
- f. The City shall have no obligation to make payment of Economic Development Grants to Developer subsequent to an Event of Default and shall be entitled to recover from the Developer, and the Developer shall repay to the City, an amount equal to the full amount of the Economic Development Grants previously made to Developer under Article VIII hereof, with interest thereon at the highest rate permitted by State law. The City may take any action, including any legal action it deems necessary, to recover such amount from Developer. The City may demand such payment at any time following its determination that Developer is in default under this Agreement.

Section 10.3. No Remedy Exclusive. No remedy herein conferred upon or reserved to the City is intended to be exclusive of any other available remedy or remedies, but each and every remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement or now or hereafter existing at law or in equity or by statute. No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver thereof, but any such right and power may be exercised from time to time and as often as may be deemed expedient.

Section 10.4. No Implied Waiver. In the event any agreement contained in this Agreement should be breached by any party and thereafter waived by any other party, such waiver shall be limited to the particular breach so waived and shall not be deemed to waive any other concurrent, previous or subsequent breach hereunder.

Section 10.5. Agreement to Pay Attorneys' Fees and Expenses. Whenever any Event of Default occurs and the City employs attorneys or incurs other expenses for the collection of payments due or to become due or for the enforcement or performance or observance of any obligation or agreement on the part of Developer herein contained, Developer agrees that it shall, on demand therefor, pay to the City

the reasonable fees of such attorneys and such other expenses as may be reasonably and appropriately incurred by the City in connection therewith.

ARTICLE XI. MISCELLANEOUS

Section 11.1. Conflict of Interest. Developer represents and warrants that, to its best knowledge and belief after due inquiry, no officer or employee of the City, or their designees or agents, nor any consultant or member of the governing body of the City, and no other public official of the City who exercises or has exercised any functions or responsibilities with respect to the Project during his or her tenure, or who is in a position to participate in a decision-making process or gain insider information with regard to the Project, has had or shall have any interest, direct or indirect, in any contract or subcontract, or the proceeds thereof, for work or services to be performed in connection with the Project, or in any activity, or benefit therefrom, which is part of the Project at any time during or after such person's tenure.

Section 11.2. Notices and Demands. A notice, demand or other communication under this Agreement by any party to the other shall be sufficiently given or delivered if it is dispatched by registered or certified mail, postage prepaid, return receipt requested, or delivered personally, and

- a. In the case of Developer, is addressed or delivered personally to Cornerstone CB Power Drive Partners LP at 209 South 19th Street, Suite 100, Omaha, NE 68102, Attn: Bobbi Jo Lucas Eisold, President;
- b. In the case of the City, is addressed to or delivered personally to the City of Council Bluffs at the City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503; Attn: City Clerk;

or to such other designated individual or officer or to such other address as any party shall have furnished to the other in writing in accordance herewith.

Section 11.3. Titles of Articles and Sections. Any titles of the several parts, Articles, and Sections of this Agreement are inserted for convenience of reference only and shall be disregarded in construing or interpreting any of its provisions.

Section 11.4. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall constitute one and the same instrument.

Section 11.5. Governing Law. This Agreement shall be governed and construed in accordance with the laws of the State of Iowa.

Section 11.6. Entire Agreement. This Agreement and the exhibits hereto reflect the entire agreement among the parties regarding the subject matter hereof, and supersedes and replaces all prior agreements, negotiations or discussions, whether oral or written. This Agreement may not be amended except by a subsequent writing signed by all parties hereto.

Section 11.7. Successors and Assigns. This Agreement is intended to and shall inure to the benefit of and be binding upon the parties hereto and their respective permitted successors and assigns.

Section 11.8. Termination Date. This Agreement shall terminate and be of no further force or effect on and after the earlier of: (i) December 31, 2046, or (ii) the December 31st immediately following the payment of the 15th Grant under the terms of Section 8.1, unless terminated earlier under the provisions of this Agreement.

Section 11.9. Memorandum of Agreement. The parties agree to execute and record a Memorandum of Agreement for Private Development, in substantially the form attached as Exhibit D, to serve as notice to the public of the existence and provisions of this Agreement, and the rights and interests held by the City by virtue hereof. The City shall pay for all costs of recording.

Section 11.10. No Third-Party Beneficiaries. No rights or privileges of either party hereto shall inure to the benefit of any landowner, contractor, subcontractor, material supplier, or any other person or entity, and no such contractor, landowner, subcontractor, material supplier, or any other person or entity shall be deemed to be a third-party beneficiary of any of the provisions contained in this Agreement.

IN WITNESS WHEREOF, the City has caused this Agreement to be duly executed in its name and behalf by its Mayor and its seal to be hereunto duly affixed and attested by its City Clerk, and Developer has caused this Agreement to be duly executed in its name and behalf by its authorized representatives, all on or as of the day first above written.

[Signature pages follow]

(SEAL)

CITY OF COUNCIL BLUFFS, IOWA

By: _____
Matt Walsh, Mayor

ATTEST:

By: _____
Jodi Quakenbush, City Clerk

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

On this _____ day of _____, 2025, before me a Notary Public in and for said State, personally appeared Matt Walsh and Jodi Quakenbush, 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 Agreement for Private Development – City of Council Bluffs]

CORNERSTONE CB POWER DRIVE
PARTNERS LP, an Iowa limited partnership

By: _____
Bobbi Jo Lucas Eisold, President

STATE OF _____)
) SS
COUNTY OF _____)

This record acknowledged before me on _____, 2025 by Bobbi Jo Lucas Eisold as
the President of Cornerstone CB Power Drive Partners LP.

Notary Public in and for said state

My commission expires: _____

[Signature page to Agreement for Private Development – Cornerstone CB Power Drive Partners LP]

EXHIBIT A
DEVELOPMENT PROPERTY

The Development Property is legally described as follows:

LOT 10, LAKE MANAWA CENTRE SUBDIVISION, A SUBDIVISION LOCATED IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

EXCEPT

PARCEL "A", RECORDED IN THE RECORDER'S OFFICE OF POTTAWATTAMIE COUNTY IN BOOK 95, PAGE 5798, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWESTERLY CORNER OF SAID LOT 10, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF 35TH AVENUE; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 217.00 FEET, AN ARC LENGTH OF 85.91 FEET AND A LONG CHORD BEARING OF SOUTH 77°19'31" EAST FOR 85.35 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 525.00 FEET, AN ARC DISTANCE OF 248.15 FEET AND A LONG CHORD BEARING OF SOUTH 19°34'49" WEST FOR 245.85 FEET; THENCE NORTH 83°57'39" WEST FOR 2.11 FEET TO A POINT ON THE WEST LINE OF SAID LOT 10; THENCE NORTH 00°16'49" EAST FOR 250.14 FEET ALONG THE WEST LINE OF SAID LOT 10 TO THE POINT OF BEGINNING.

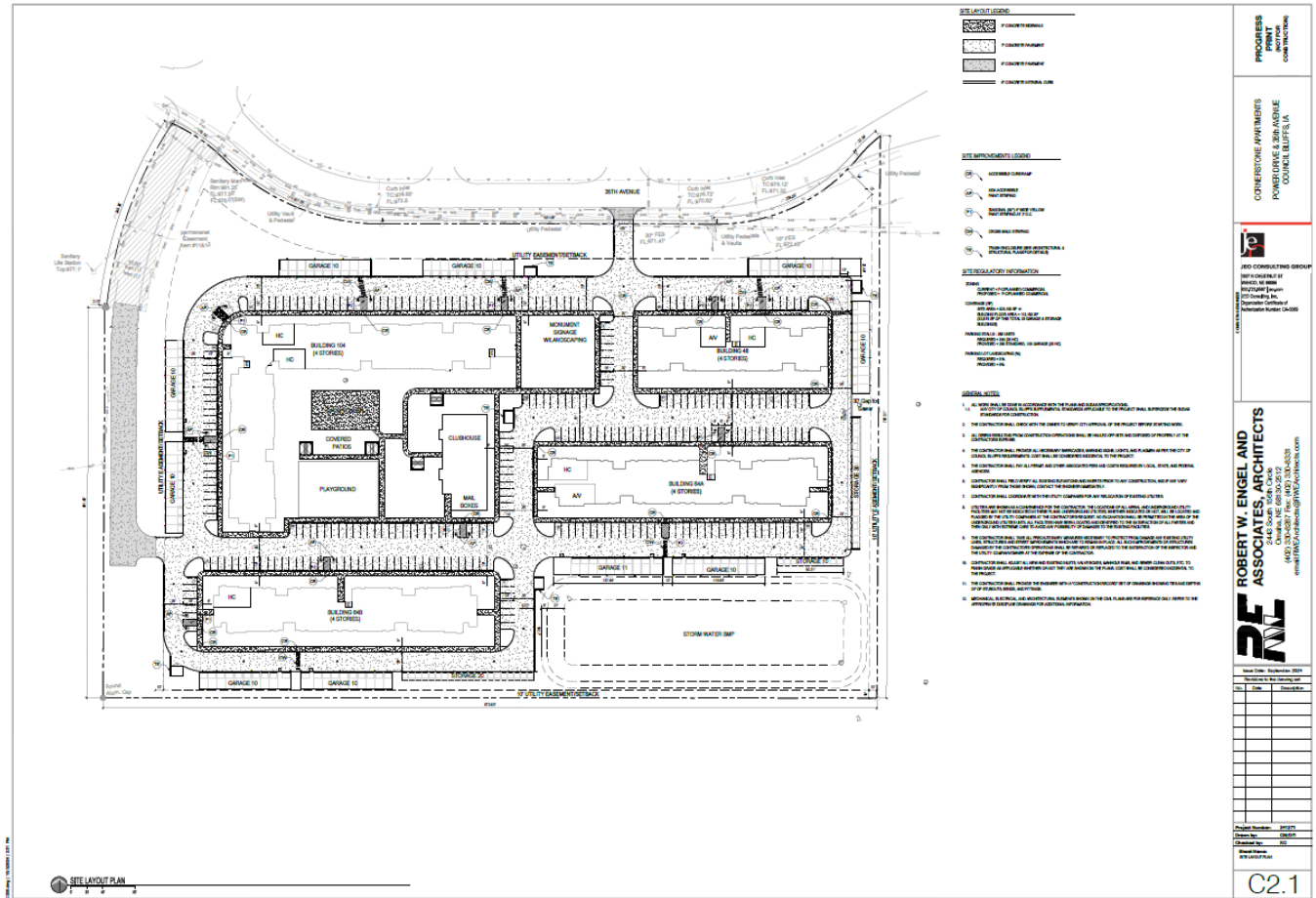
EXHIBIT B
MINIMUM IMPROVEMENTS

The Minimum Improvements will include four (4) four-story residential buildings, creating a total of 280 multifamily residential units. All of the constructed residential units are expected to be LMI Housing Units. In addition to construction of the residential units, the Minimum Improvements include an office/clubhouse building, detached garages, on-site storage units, and outdoor recreational space on the Development Property and the construction/installation of the Infrastructure Improvements and all general site improvements on the Development Property. See Exhibit B-1 for renderings of the planned improvements.

The Infrastructure Improvements will include the extension of water main, sanitary sewer, and related public infrastructure that will serve the Housing Units on the Development Property.

The construction of the Minimum Improvements will be completed by no later than December 31, 2028.

Execution Version



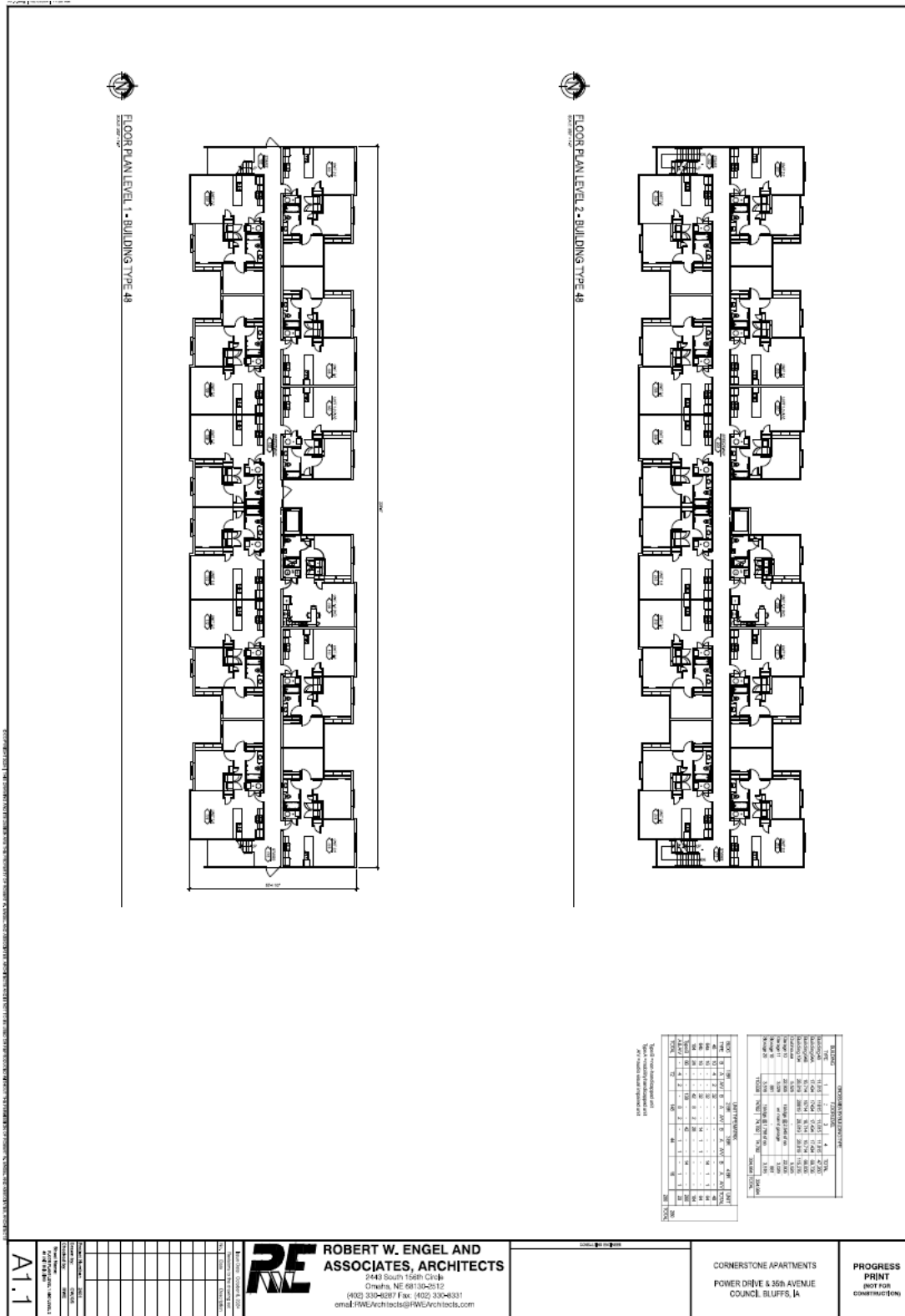


EXHIBIT B-1 PROPOSED FLOOR PLANS (cont.)

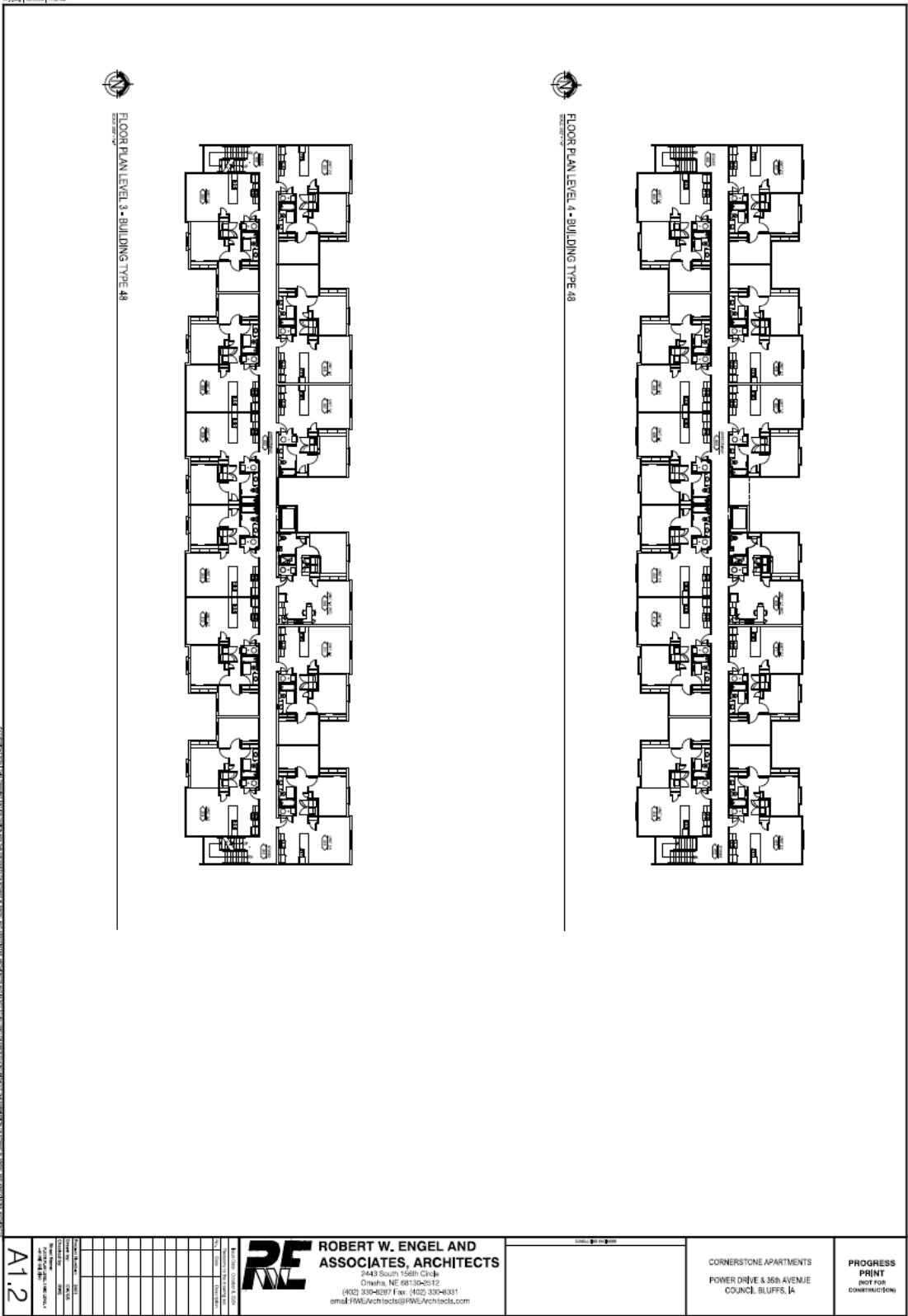


EXHIBIT B-1 PROPOSED FLOOR PLANS (cont.)

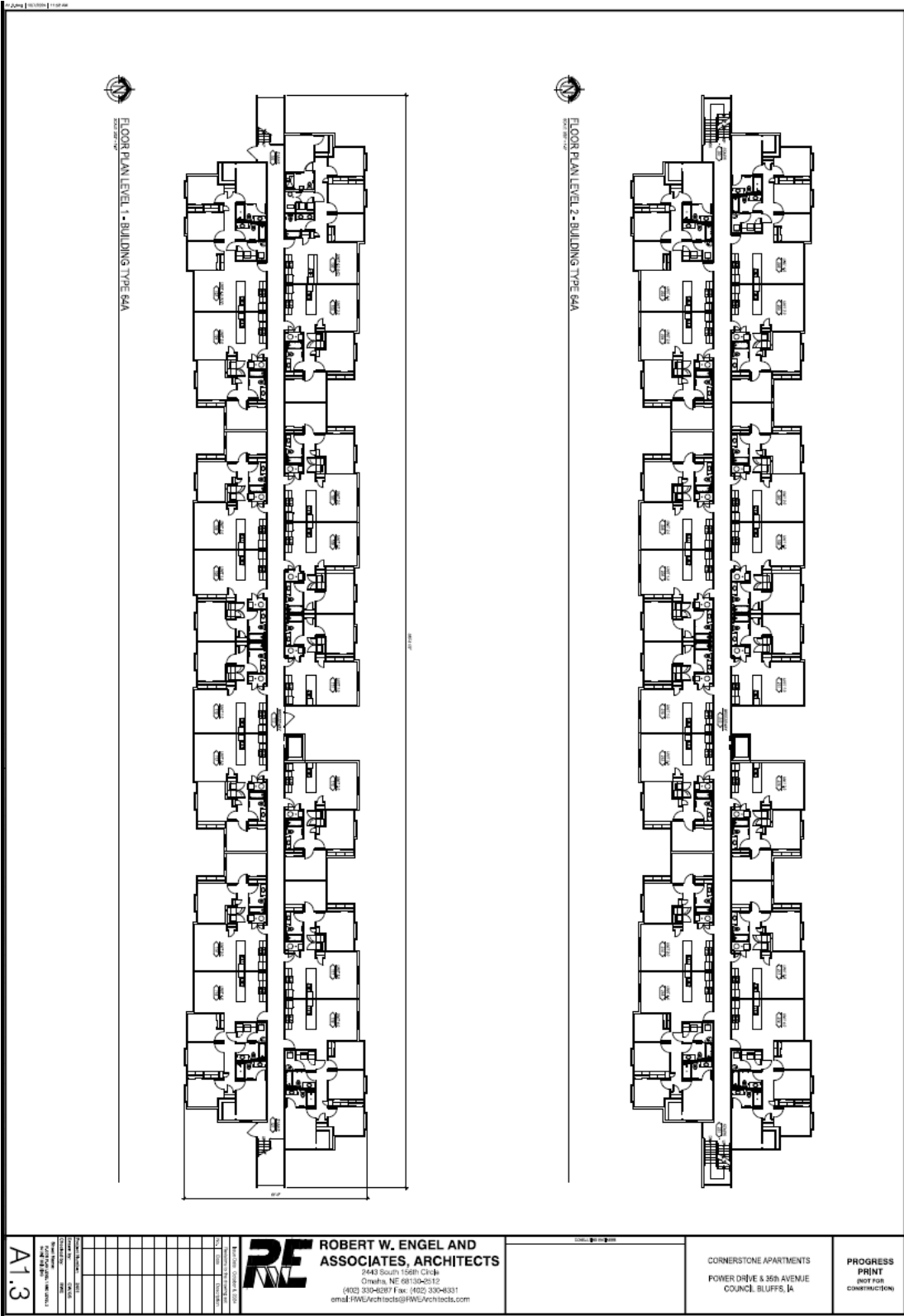


Exhibit B-5

EXHIBIT B-1 PROPOSED FLOOR PLANS (cont.)

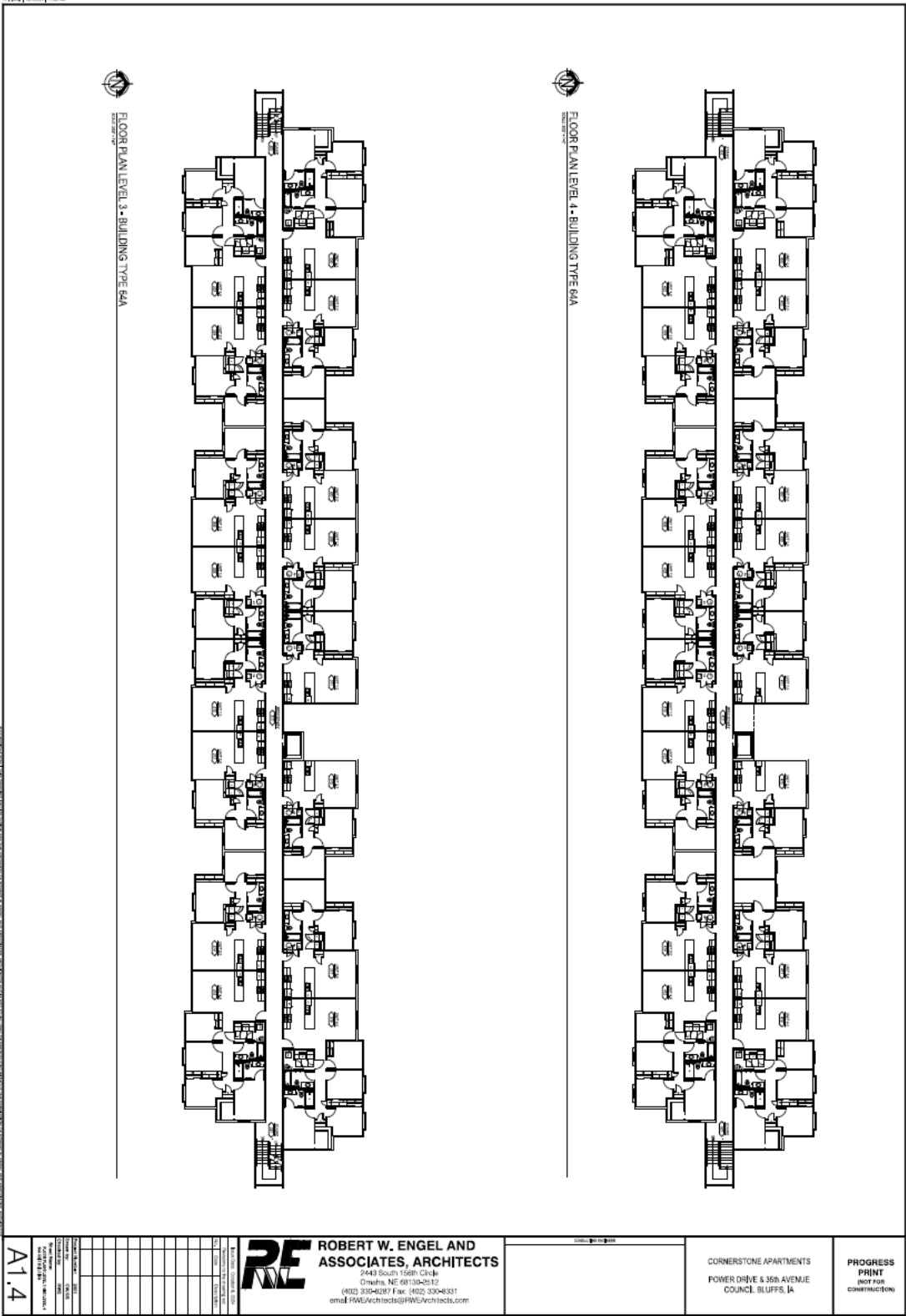


EXHIBIT B-1 PROPOSED FLOOR PLANS (cont.)

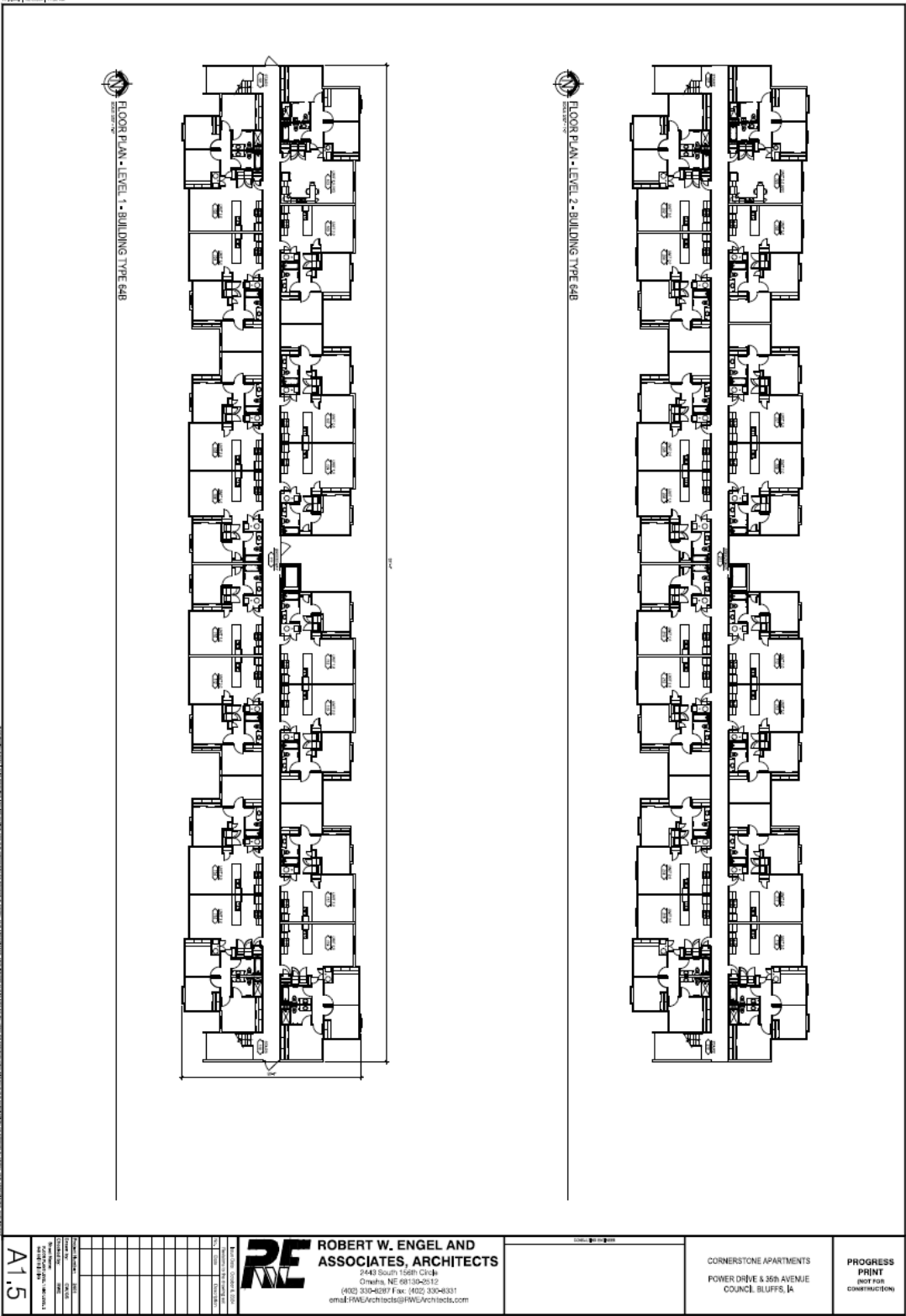
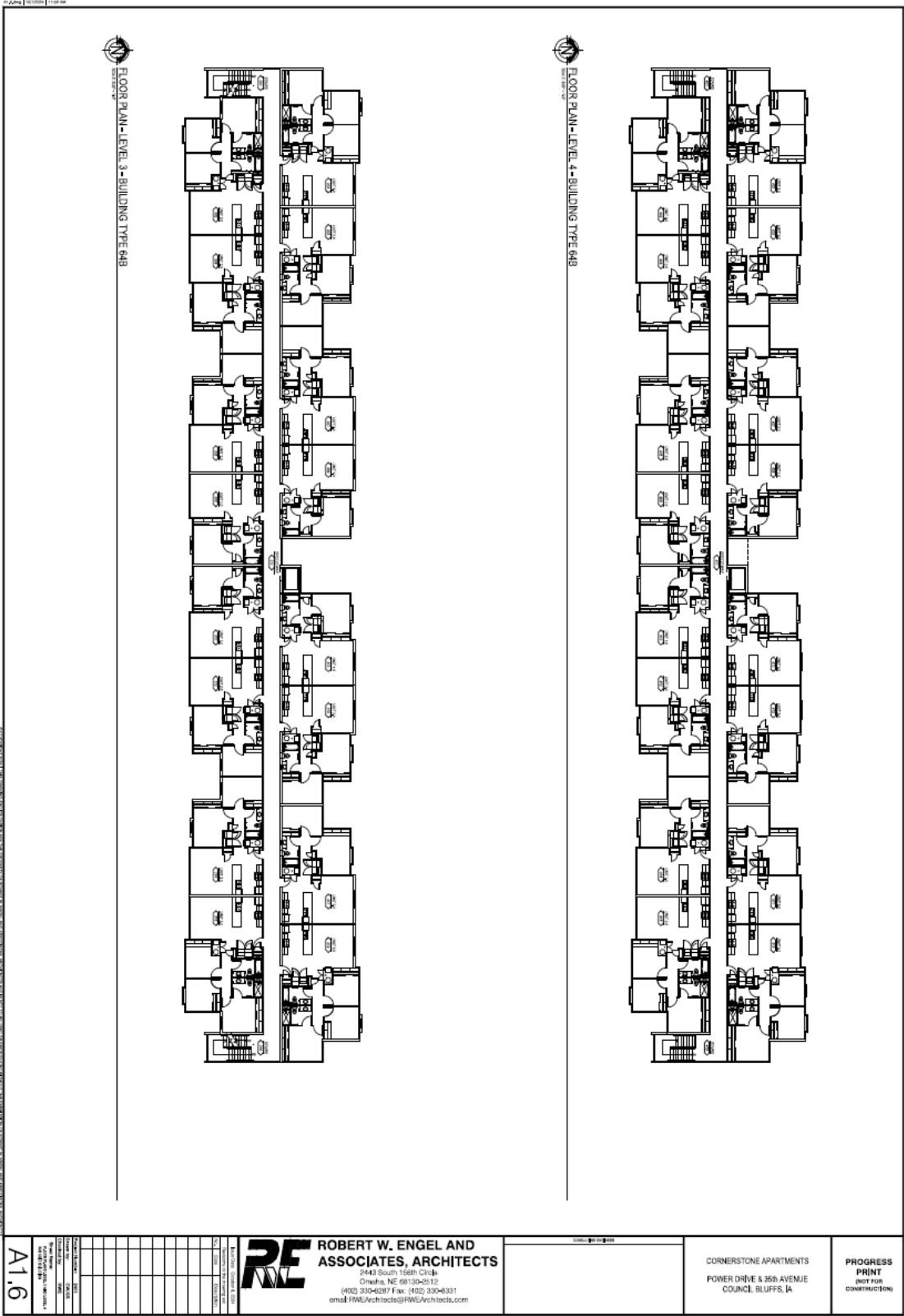


Exhibit B-7

EXHIBIT B-1 PROPOSED FLOOR PLANS (cont.)



[illegible]

EXHIBIT B-1 PROPOSED FLOOR PLANS (cont.)

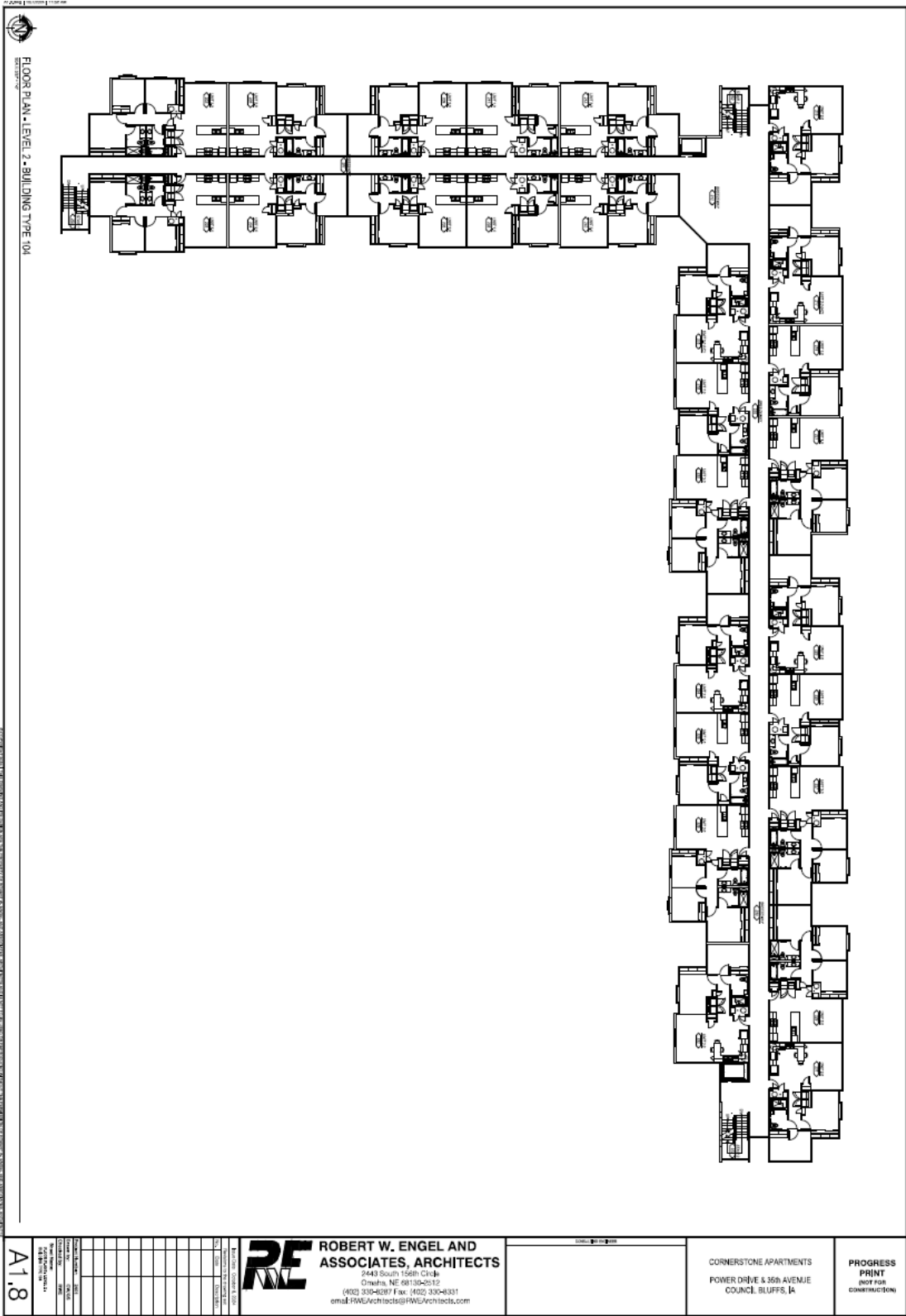


Exhibit B-10

EXHIBIT B-1 PROPOSED FLOOR PLANS (cont.)

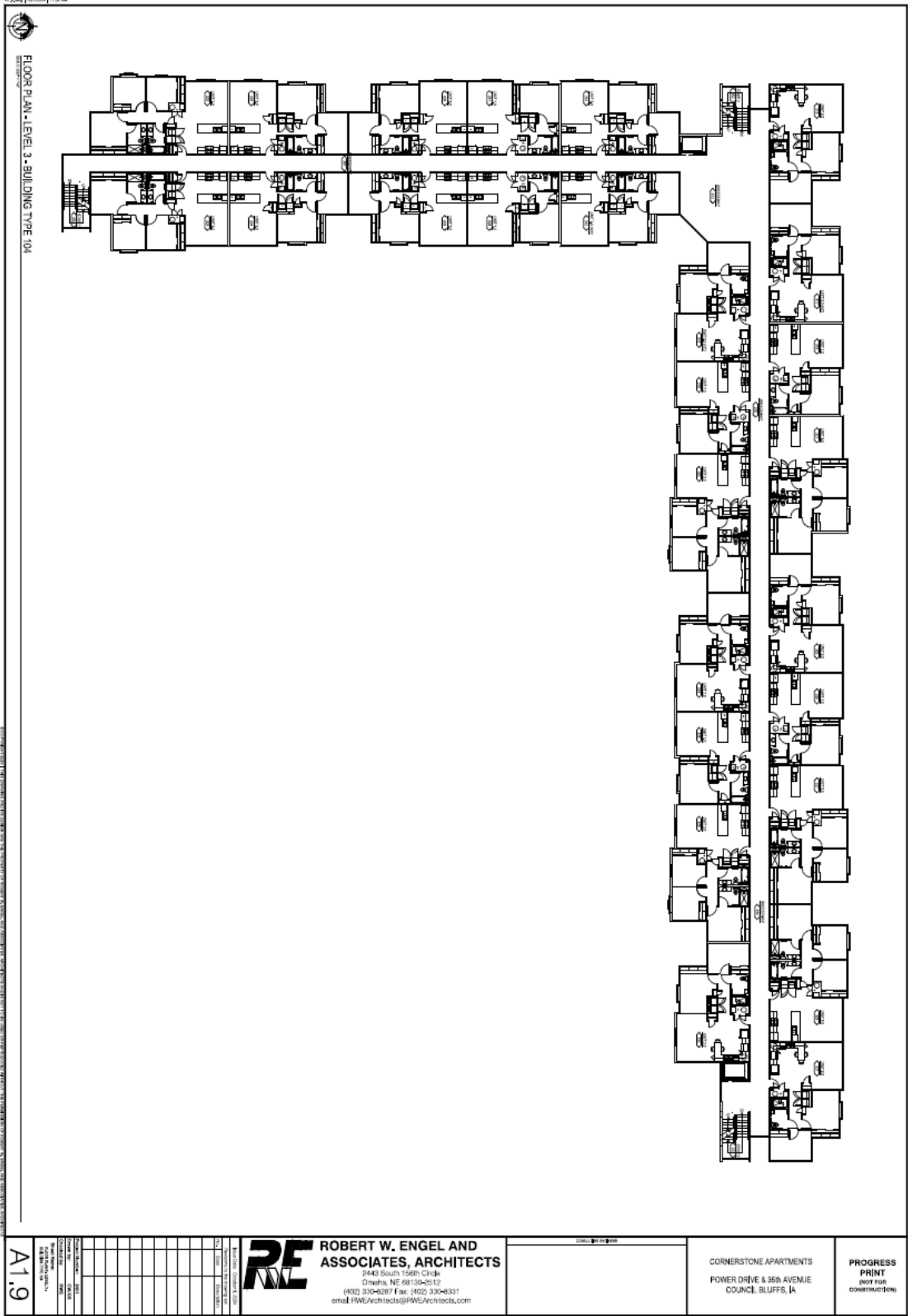


Exhibit B-11

EXHIBIT B-1 PROPOSED FLOOR PLANS (cont.)

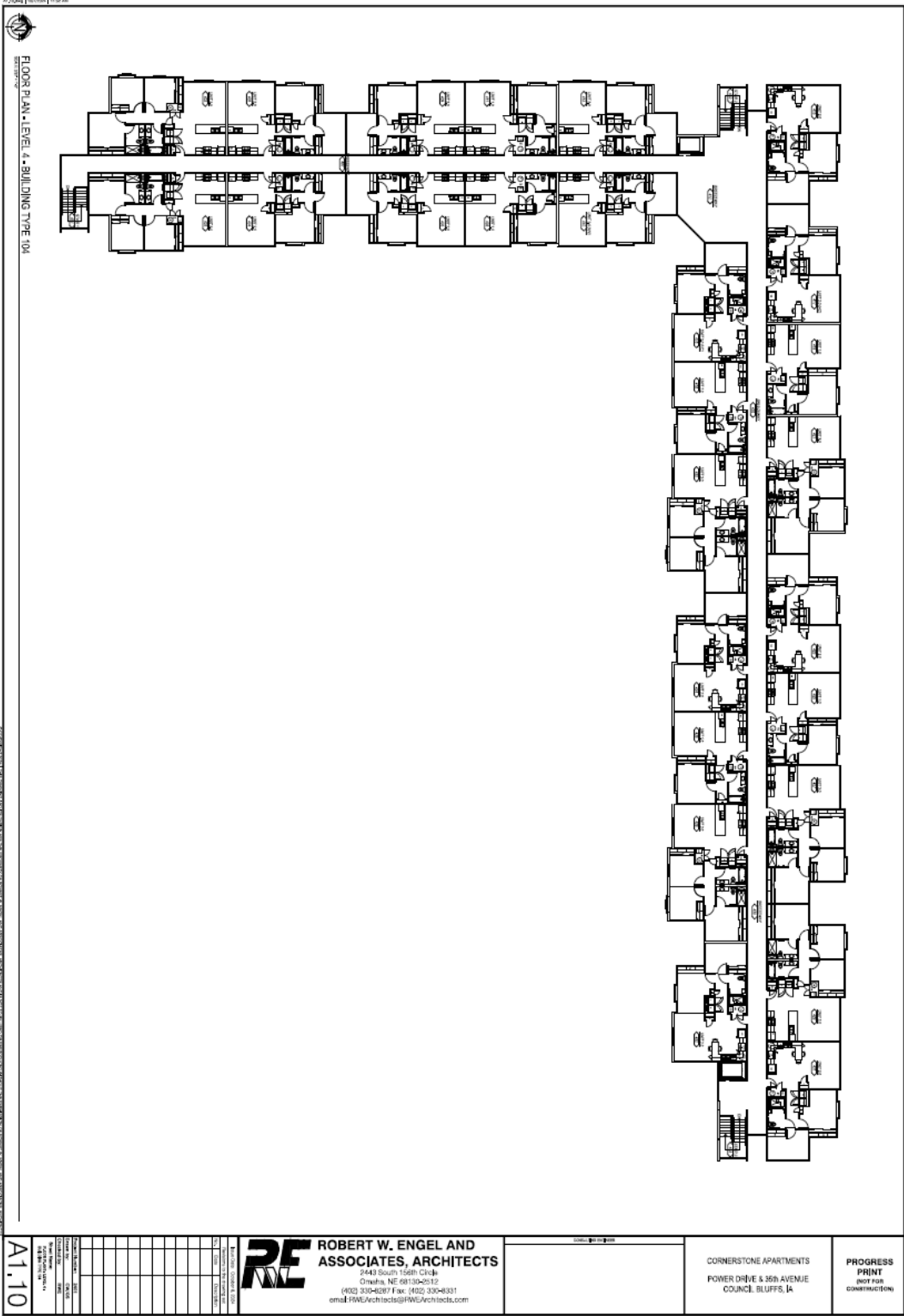


Exhibit B-12

EXHIBIT C
CERTIFICATE OF COMPLETION FOR MINIMUM IMPROVEMENTS

WHEREAS, the City of Council Bluffs, Iowa, (the “City”) and Cornerstone CB Power Drive Partners LP, an Iowa limited partnership, (“Developer”), did on or about _____, 2025, make, execute and deliver, each to the other, an Agreement for Private Development (the “Agreement”), wherein and whereby Developer agreed, in accordance with the terms of the Agreement, to develop and maintain certain real property located within the City and as more particularly described as follows:

LOT 10, LAKE MANAWA CENTRE SUBDIVISION, A SUBDIVISION
LOCATED IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE
COUNTY, IOWA.

EXCEPT

PARCEL "A", RECORDED IN THE RECORDER'S OFFICE OF
POTTAWATTAMIE COUNTY IN BOOK 95, PAGE 5798, MORE
PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE
NORTHWESTERLY CORNER OF SAID LOT 10, SAID POINT BEING ON
THE SOUTH RIGHT-OF-WAY LINE OF 35TH AVENUE; THENCE ALONG
SAID SOUTH RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT
HAVING A RADIUS OF 217.00 FEET, AN ARC LENGTH OF 85.91 FEET
AND A LONG CHORD BEARING OF SOUTH 77°19'31" EAST FOR 85.35
FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT
HAVING A RADIUS OF 525.00 FEET, AN ARC DISTANCE OF 248.15 FEET
AND A LONG CHORD BEARING OF SOUTH 19°34'49" WEST FOR 245.85
FEET; THENCE NORTH 83°57'39" WEST FOR 2.11 FEET TO A POINT ON
THE WEST LINE OF SAID LOT 10; THENCE NORTH 00°16'49" EAST FOR
250.14 FEET ALONG THE WEST LINE OF SAID LOT 10 TO THE POINT OF
BEGINNING.

(the “Development Property”); and

WHEREAS, the Agreement incorporated and contained certain covenants and restrictions with respect to the development of the Development Property, and obligated the Developer to construct certain Minimum Improvements in accordance with the Agreement (as defined therein); and

WHEREAS, Developer has to the present date performed said covenants and conditions insofar as they relate to the construction of said Minimum Improvements in a manner deemed by the City to be in conformance with the Agreement to permit the execution and recording of this certification.

NOW, THEREFORE, this is to certify that all covenants and conditions of the Agreement with respect to the obligations of Developer and its successors and assigns, to construct the Minimum Improvements on the Development Property have been completed and performed by Developer and are hereby released absolutely and forever terminated insofar as

EXHIBIT D
MEMORANDUM OF AGREEMENT FOR PRIVATE DEVELOPMENT

WHEREAS, the City of Council Bluffs, Iowa (the “City”) and Cornerstone CB Power Drive Partners LP, an Iowa limited partnership (the “Developer”), did on or about _____, 2025, make, execute, and deliver an Agreement for Private Development (the “Agreement”), wherein and whereby the Developer agreed, in accordance with the terms of the Agreement, to develop and maintain certain real property located within the City and as more particularly described as follows:

LOT 10, LAKE MANAWA CENTRE SUBDIVISION, A SUBDIVISION
LOCATED IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE
COUNTY, IOWA.

EXCEPT

PARCEL "A", RECORDED IN THE RECORDER'S OFFICE OF
POTTAWATTAMIE COUNTY IN BOOK 95, PAGE 5798, MORE
PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE
NORTHWESTERLY CORNER OF SAID LOT 10, SAID POINT BEING ON
THE SOUTH RIGHT-OF-WAY LINE OF 35TH AVENUE; THENCE ALONG
SAID SOUTH RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT
HAVING A RADIUS OF 217.00 FEET, AN ARC LENGTH OF 85.91 FEET
AND A LONG CHORD BEARING OF SOUTH 77°19'31" EAST FOR 85.35
FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT
HAVING A RADIUS OF 525.00 FEET, AN ARC DISTANCE OF 248.15 FEET
AND A LONG CHORD BEARING OF SOUTH 19°34'49" WEST FOR 245.85
FEET; THENCE NORTH 83°57'39" WEST FOR 2.11 FEET TO A POINT ON
THE WEST LINE OF SAID LOT 10; THENCE NORTH 00°16'49" EAST FOR
250.14 FEET ALONG THE WEST LINE OF SAID LOT 10 TO THE POINT OF
BEGINNING.

(the “Development Property”); and

WHEREAS, the term of this Agreement commences on the date first set forth above and terminates on or before December 31, 2046, as set forth in the Agreement; and

WHEREAS, the City and Developer desire to record a Memorandum of the Agreement referring to the Development Property and their respective interests therein.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. That the recording of this Memorandum of Agreement for Private Development shall serve as notice to the public that the Agreement contains provisions restricting development and use of the Development Property and the improvements located and operated on such Development Property.

2. That all of the provisions of the Agreement and any subsequent amendments thereto, if any, even though not set forth herein, are by the filing of this Memorandum of Agreement for Private Development made a part hereof by reference, and that anyone making any claim against any of said Development Property in any manner whatsoever shall be fully advised as to all of the terms and conditions of the Agreement, and any amendments thereto, as if the same were fully set forth herein.

3. That a copy of the Agreement and any subsequent amendments thereto, if any, shall be maintained on file for public inspection during ordinary business hours in the office of the City Clerk, City Hall, Council Bluffs, Iowa.

IN WITNESS WHEREOF, the City and Developer have executed this Memorandum of Agreement for Private Development as of the dates set forth below.

[Rest of page intentionally left blank; Signature pages to follow]

CITY OF COUNCIL BLUFFS, IOWA

ATTEST:

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

Notary Public in and for the State of Iowa

[Signature page to Memorandum of Agreement for Private Development – City of Council Bluffs]

CORNERSTONE CB POWER DRIVE
PARTNERS LP, an Iowa limited
partnership

By: _____
Bobbi Jo Lucas Eisold, President

STATE OF _____)
) SS
COUNTY OF _____)

This record acknowledged before me on _____, 2025 by Bobbi Jo Lucas
Eisold as the President of Cornerstone CB Power Drive Partners LP.

Notary Public in and for said state

My commission expires: _____

*[Signature page to Memorandum of Agreement for Private Development – Cornerstone CB
Power Drive Partners LP]*

EXHIBIT E
DEVELOPER ANNUAL CERTIFICATION
(due before October 15th as required under terms of Development Agreement)

During the time period covered by this Certification, the Developer certifies that it is and was in compliance with the Agreement as follows:

(i) All ad valorem taxes on the Development Property then owned by the Developer in the Urban Renewal Area have been timely paid for the prior fiscal year (and for the current year, if due) and attached to this Annual Certification are proof of payment of said taxes;

(ii) 100% of the Housing Units on the Development Property qualify as LMI Housing Units in conformance with the Agreement and the LIHTC Program. Attached are copies of any reports supplied to State or federal officials under the LIHTC Program since the last certification.

(iii) The undersigned officer of Developer has re-examined the terms and provisions of the Agreement and certifies that at the date of such certificate, and during the preceding twelve (12) months, the Developer is not, or was not, in default in the fulfillment of any of the terms and conditions of the Agreement and that no Event of Default (or event which, with the lapse of time or the giving of notice, or both, would become an Event of Default) is occurring or has occurred as of the date of such certificate or during such period, or if the signer is aware of any such default, event or Event of Default, said officer shall disclose in such statement the nature thereof, its period of existence and what action, if any, has been taken or is proposed to be taken with respect thereto.

I certify under penalty of perjury and pursuant to the laws of the State of Iowa that the preceding is true and correct to the best of my knowledge and belief.

Signed this _____ day of _____, 20____.

CORNERSTONE CB POWER DRIVE PARTNERS LP,
an Iowa limited partnership

By: _____

Name: _____

Title: _____

Attachments: Proof of payment of taxes

[Signature page to Developer Annual Certification – Cornerstone CB Power Drive Partners LP]

4918-3725-2655-1\10342-204

(One publication required)

**NOTICE OF PUBLIC HEARING OF THE CITY COUNCIL OF
THE CITY OF COUNCIL BLUFFS IN THE STATE OF IOWA,
ON THE MATTER OF THE PROPOSAL TO ENTER INTO A
DEVELOPMENT AGREEMENT WITH CORNERSTONE CB
POWER DRIVE PARTNERS LP, AND THE HEARING
THEREON**

PUBLIC NOTICE is hereby given that the Council of the City of Council Bluffs in the State of Iowa, will hold a public hearing on April 21, 2025, at 7:00 P.M. in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at which meeting the Council proposes to take action on the proposal to enter into a Development Agreement (the "Agreement") with Cornerstone CB Power Drive Partners LP (the "Developer").

The Agreement would obligate the Developer to construct certain Minimum Improvements (as defined in the Agreement) including 280 multifamily LMI Housing Units and certain Infrastructure Improvements to serve the LMI Housing Units, on certain real property located within the Power Drive Housing Urban Renewal Area, as defined and legally described in the Agreement (the "Development Property"). The Infrastructure Improvements include an approximately 1700 linear foot sanitary sewer line extension and related infrastructure improvements to be completed by Developer and dedicated to the City.

The Developer has been awarded Low-Income Housing Tax Credits for the Project and, accordingly, the City is willing to provide a local match incentive for the Project, pursuant to the terms and conditions set forth in this Agreement.

The Agreement would obligate the City to make up to fifteen (15) consecutive annual payments of Economic Development Grants to Developer consisting of 75% of the Tax Increments collected pursuant to Section 403.19, Code of Iowa, and generated by the construction of the Minimum Improvements under the terms and following satisfaction of the conditions set forth in the Agreement. The cumulative total for all such payments would not to exceed the lesser of \$9,000,000, or the amount accrued under the formula outlined in the proposed Agreement.

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

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

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

Dated this _____ day of _____, 2025.

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

(End of Notice)

4922-1950-2895-1\10342-204

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

NOTICE OF PUBLIC HEARING

_____, 2025.

WITNESS my official signature at Council Bluffs, Iowa, this _____ day of _____, 2025.

City Clerk, City of Council Bluffs, State of Iowa

(SEAL)

Resolution 25-97

ITEM TO INCLUDE ON AGENDA

CITY OF COUNCIL BLUFFS, IOWA

April 7, 2025

7:00 P.M.

Power Drive Housing Urban Renewal Plan

- Resolution fixing date for a public hearing on the proposal to enter into a Development Agreement with Cornerstone CB Power Drive Partners LP.

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 7, 2025

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:

Disalvo, Peterson, Sandau and Shudak

Absent: Gorman

Vacant: _____

* * * * *

Council Member _____ then introduced the following proposed Resolution entitled "RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON THE PROPOSAL TO ENTER INTO A DEVELOPMENT AGREEMENT WITH CORNERSTONE CB POWER DRIVE PARTNERS LP, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called, and the vote was:

AYES: _____

NAYS: _____

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

RESOLUTION NO. 25-97

RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON
THE PROPOSAL TO ENTER INTO A DEVELOPMENT
AGREEMENT WITH CORNERSTONE CB POWER DRIVE
PARTNERS LP, AND PROVIDING FOR PUBLICATION OF
NOTICE THEREOF

WHEREAS, by Resolution No. 25-77, adopted March 24, 2025, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Power Drive Housing Urban Renewal Plan (the "Urban Renewal Plan" or "Plan") for the Power Drive Housing Urban Renewal Area (the "Urban Renewal Area" or "Area") described therein, which Plan is, or will be, on file in the office of the Recorder of Pottawattamie County; and

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

WHEREAS, the City has received a proposal from Cornerstone CB Power Drive Partners LP (the "Developer"), in the form of a proposed Development Agreement (the "Agreement") by and between the City and the Developer, pursuant to which, among other things, the Developer would agree to construct certain Minimum Improvements (as defined in the Agreement) including LMI Housing Units and certain Infrastructure Improvements to serve the Housing Units, including an approximately 1700 linear foot sanitary sewer line extension and related infrastructure improvements, and all related site improvements, on certain real property located within the Urban Renewal Area as defined and legally described in the Agreement (the "Development Property"), all as outlined in the proposed Agreement; and

WHEREAS, the Developer has been awarded Low-Income Housing Tax Credits for the Project and, accordingly, the City is willing to provide a local match incentive for the Project, pursuant to the terms and conditions set forth in this Agreement; and

WHEREAS, the Agreement further proposes that the City will make up to fifteen (15) consecutive annual payments of Economic Development Grants to Developer consisting of 75% of the Tax Increments generated by the construction of the Minimum Improvements and collected pursuant to Section 403.19, Code of Iowa; the cumulative total for all such payments not to exceed the lesser of \$9,000,000, or the amount accrued under the formula outlined in the proposed Agreement, under the terms and following satisfaction of the conditions set forth in the Agreement; and

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

WHEREAS, the Council has determined that the Agreement is in the best interests of the City and the residents thereof and that the performance by the City of its obligations thereunder is

a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law and, further, that the Agreement and the City's performance thereunder is in furtherance of appropriate economic development activities and objectives of the City within the meaning of Chapters 15A and 403, Code of Iowa, taking into account the factors set forth therein; and

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

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

Section 1. That this Council meet in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 7:00 P.M. on April 21, 2025, for the purpose of taking action on the matter of the proposal to enter into a Development Agreement with Cornerstone CB Power Drive Partners LP.

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

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

(One publication required)

**NOTICE OF PUBLIC HEARING OF THE CITY COUNCIL OF
THE CITY OF COUNCIL BLUFFS IN THE STATE OF IOWA,
ON THE MATTER OF THE PROPOSAL TO ENTER INTO A
DEVELOPMENT AGREEMENT WITH CORNERSTONE CB
POWER DRIVE PARTNERS LP, AND THE HEARING
THEREON**

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

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

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

Dated this _____ day of _____, 2025.

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

(End of Notice)

PASSED AND APPROVED this 7th day of April, 2025.

Mayor

ATTEST:

City Clerk

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

WITNESS my hand and the seal of the Council hereto affixed this 8th day of April, 2025.

City Clerk, City of Council Bluffs, State of Iowa

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Council Communication

Department: Mayor
Case/Project No.: Boards/Commissions
Submitted by: Matt Walsh

Boards/Commissions
ITEM 3.F.

Council Action: 4/7/2025

Description

Board of Water Works and Planning Commission

Background/Discussion

With City Council concurrence, I would like to make the following reappointments:

Recommendation

Reappoint the following to the Water Works Board with term expiring 06/30/2031:

Marty Brooks
1502 Oran Cir

Reappoint the following to the City Planning Commission with term expiring 04/01/2030:

Dan Van Houten
1730 Madison Ave

Doug Rew
1045 E Washington Ave

Council Communication

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

January 2025 Financial Reports
ITEM 3.G.

Council Action: 4/7/2025

Description

Background/Discussion

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
January 2025 Expenditures by Vendor	Other	3/26/2025
January 2025 Expenditures by Amount	Other	3/26/2025
January 2025 Receipts & Expenditures by Fund	Other	3/26/2025

CITY OF COUNCIL BLUFFS
AP POST BY VENDOR
JANUARY 2025
(\$'S)

VENDOR	AMOUNT	DESCRIPTION
2ND WIND EXERCISE EQUIPMENT INC	\$629.18	EQUIPMENT/PARTS
ABBEY EDWARDS	\$50.00	PROFESSIONAL SVCS
ABLE LOCKSMITHS	\$915.00	PROFESSIONAL SVCS
ACUSHENT COMPANY	\$286.90	DODGE OPERATING EXPENSE
ADVANCE SOUTHWEST IOWA	\$40,625.00	PROFESSIONAL SVCS
AGRILAND F S INC	\$13,378.94	SUPPLIES
AGRIVISION EQUIPMENT GROUP	\$1,290.55	EQUIPMENT/PARTS
AHLERS & COONEY P.C	\$81.00	LEGAL SERVICES
AIR CLEANING TECHNOLOGIES INC	\$400.00	EQUIPMENT/PARTS
ALL COPY PRODUCTS INC	\$1,796.35	LEASE
ALLIED OIL & TIRE COMPANY	\$3,695.70	SUPPLIES
ALLISON STOREY	\$4.42	REIMB EMPLOYEE EXPENSE
AMBASSADOR TITLE SERVICES	\$60.00	REFUND
AMBULANCE REFUNDS	\$651.73	REFUND
AMERICAN EQUIPMENT HOLDINGS LLC	\$3,595.00	PROFESSIONAL SVCS
AMERICAN MESSAGING SERVICES LLC	\$16.26	PHONE/INTERNET SVC
AMERICAN NATIONAL BANK	\$65.00	BANK SERVICES
AMERICAN TRAFFIC SOLUTIONS, INC.	\$68,462.00	PROFESSIONAL SVCS
AMERITAS LIFE INS CORP	\$46.06	DODGE OPERATING EXPENSE
AMEX	\$52.23	MAC OPERATING EXPENSE
ANNE NEWMAN	\$500.00	PUBLIC EVENTS
APPLIED INDUSTRIAL TECHNOLOGIES INC	\$248.63	EQUIPMENT/PARTS
ARNOLD MOTOR SUPPLY, LLP	\$5,732.27	EQUIPMENT/PARTS
ARROW TOWING	\$8,919.50	TOWING/STORAGE/AUCTION
ASHLEY KRUSE	\$343.04	REIMB EMPLOYEE EXPENSE
ATHLETICO EXCEL NEBRASKA LLC	\$155.00	PROFESSIONAL SVCS
B G PETERSON COMPANY	\$2,596.86	SUPPLIES
BAKER & TAYLOR INC	\$7,265.42	BOOKS/PERIODICALS/SUB
BARTON SOLVENTS INC	\$462.68	SUPPLIES
BENNETT REFRIGERATION INC	\$528.71	REPAIRS & MAINTENANCE
BERT GURNEY & ASSOCIATES INC	\$11,445.28	EQUIPMENT/PARTS
BERTELSMANN PUBLISHING GROUP, INC.	\$4,187.86	DVD/AUDIO/CD
BEST QUALITY COUNTERTOPS INC	\$750.00	REPAIRS & MAINTENANCE
BGNE INC.	\$383.57	SUPPLIES
BH MEDIA GROUP INC.	\$831.46	ADVERTISEMENT
BIG V RENTALS LLC	\$14.00	REFUND
BILL'S WATER CONDITIONING INC	\$99.00	SUPPLIES
BLACK HILLS UTILITY HOLDINGS, INC.	\$8,899.39	NATURAL GAS
BLUFFS ELECTRIC INC	\$4,953.80	ELECTRICAL REPAIR
BLUFFS TAXI & COURIER	\$1,051.50	TRANSIT SERVICES
BLUFFS TOOL & MACHINE	\$250.00	REPAIRS & MAINTENANCE
BOFA	\$20.94	MAC OPERATING EXPENSE
BOO, INC.	\$5,107.72	EQUIPMENT/PARTS
BOUND TO STAY BOUND BOOKS INC	\$1,116.35	BOOKS/PERIODICALS/SUB
C & J INDUSTRIAL SUPPLY	\$884.25	JANITORIAL SERVICE
CAESARS ENTERTAINMENT	\$90,940.92	MAC OPERATING EXPENSE
CANON SOLUTIONS AMERICA INC	\$10,544.95	COPY/PRINTER MAINTANCE
CAROLINA SOFTWARE INC	\$750.00	HARDWARE/SOFTWARE
CATHOLIC CHARITIES	\$11,000.00	GRANT REIMBURSEMENT
CATHY LYNN FOOSHEE	\$207.97	LEGAL CLAIM
CENGAGE LEARNING INC	\$584.80	BOOKS/PERIODICALS/SUB
CENTER POINT LARGE PRINT	\$292.44	BOOKS/PERIODICALS/SUB

CENTRAL STATES WIRE PRODUCTS INC	\$125.00	SUPPLIES
CENTURYLINK	\$1,614.02	PHONE/INTERNET SVC
CERRIS SYSTEMS NORTH CENTRAL INC	\$16,285.30	SERVICE LABOR
CERTIFIED POWER INC	\$1,216.69	EQUIPMENT/PARTS
CFI TIRE SERVICE	\$200.50	TIRE REPLACEMENT/REPAIR
CHAMPLIN TIRE RECYCLING INC	\$5,040.00	TIRE DISPOSAL
CHARLES R STRONG	\$12.83	REIMBURSEMENT
CHRISTINE D ANDERSON	\$30.15	REIMB EMPLOYEE EXPENSE
CHRONICLES PROPERTIES	\$60.00	REFUND
CITY EMPLOYEE PAYROLL	\$2,282,173.80	EMPLOYEE PAYROLL
CITY OF COUNCIL BLUFFS-DEPENDENT	\$3,623.66	PAYROLL RELATED
CITY OF COUNCIL BLUFFS-FLEX	\$10,384.48	PAYROLL RELATED
CIVICPLUS	\$5,469.78	HARDWARE/SOFTWARE
CLEAN EARTH SYSTEMS	\$4,099.00	SUPPLIES
CLEAR TITLE & ABSTRACT LLC	\$235,973.85	PROFESSIONAL SVCS
COLLECTION SERVICES CENTER	\$7,220.54	PAYROLL RELATED
COMBINED SYSTEMS INC	\$2,685.00	TRAINING
COMPASS UTILITY LLC	\$166,727.36	CONSTRUCTION
CONFLUENCE INC	\$342.50	CONSULTANT
CONTINENTAL FIRE/ALARM	\$7,331.00	PROFESSIONAL SVCS
CONTINENTAL WESTERN GROUP	\$4,343.99	DODGE OPERATING EXPENSE
CONVERGEONE INC	\$134,938.95	HARDWARE/SOFTWARE
CORNHUSKER INTERNATIONAL TRUCKS	\$114,578.74	EQUIPMENT/PARTS
COUNCIL BLUFFS AIRPORT AUTHORITY	\$21,340.34	AIRPORT AUTH TAX
COUNCIL BLUFFS CONVENTION & VISITORS BUREAU	\$218,790.00	CONTRIBUTIONS
COUNCIL BLUFFS TITLE AND ESCROW	\$20.00	REFUND
COUNCIL BLUFFS WATER WORKS	\$7,041.04	WATER
COUNCIL BLUFFS WINSUPPLY	\$275.00	SUPPLIES
COX BUSINESS	\$724.72	DODGE OPERATING EXPENSE
COX BUSINESS SERVICES	\$332.43	RIVERS EDGE GARAGE EXPENSE
COX COMMUNICATION INC	\$28,576.32	PHONE/INTERNET SVC
CUMMINS INC	\$339.88	EQUIPMENT/PARTS
CUMMINS INC	\$576.87	RIVERS EDGE GARAGE EXPENSE
DALES TRASH SERVICE INC	\$785.00	RENTAL EXPS
DAN BECKMANN	\$1,416.00	JANITORIAL SERVICE
DAN L VOKT	\$200.00	REFUND
DATASHIELD CORPORATION	\$149.00	SERVICE LABOR
DAVID C ANDERSEN	\$164.00	CONSTRUCTION
DAVIS EQUIPMENT CORPORATION	\$59.11	EQUIPMENT/PARTS
DD WEST BROADWAY LLC	\$46,481.00	TIF REBATE
DELL MARKETING L P	\$10,310.43	HARDWARE/SOFTWARE
DIGITECH COMPUTER LLC	\$25,968.01	AMBULANCE BILLING FEE
DINGES PARTNERS GROUP LLC	\$94,118.08	SAFETY EQUIP & MAINTENANCE
DMG INC	\$7,689.54	ELECTRICAL REPAIR
DODGE BANK & CR CARD FEES	\$365.58	DODGE OPERATING EXPENSE
DODGE RIVERSIDE PAYROLL	\$31,097.19	DODGE OPERATING EXPENSE
DODGE RIVERSIDE SALES TX	\$2,669.89	DODGE OPERATING EXPENSE
DOLL DISTRIBUTION	\$532.95	MAC OPERATING EXPENSE
DOSTALS CONSTRUCTION CO INC	\$1,845.00	CONSTRUCTION
DP MANAGEMENT LLC	\$18,480.00	MOWING/GROUNDS MAINT
DPS LLC	\$36,285.00	CONTRACT AGREEMENT
DRIVER PLUMBING LTD.	\$938.00	REPAIRS & MAINTENANCE
DULTMEIER SALES LLC	\$303.43	SUPPLIES
DXP ENTERPRISES INC	\$155.32	EQUIPMENT/PARTS
ECOSOLUTIONS INC	\$1,309.85	SUPPLIES
ECO-STORAGE INVESTMENTS INC	\$34,458.97	SOLID WASTE DISPOSAL
ED STIVERS FORD INC.	\$44,844.00	VEHICLES
EDUARDO GARDEA	\$1,000.00	PUBLIC EVENTS

EDWARDS CDJRF CB	\$835.50	EQUIPMENT/PARTS
EDWARDS CHEVROLET-CADILLAC INC	\$2,754.94	EQUIPMENT/PARTS
EFTPS	\$601,341.50	PAYROLL RELATED
EHRHART GRIFFIN & ASSOCIATES INC	\$8,459.06	CONSULTANT
ELAVON INC	\$3,798.87	FEES
ELECTRIC PUMP	\$23,432.97	EQUIPMENT/PARTS
EMPLOYERS MUTUAL CASUALTY COMPANY	\$166,960.40	INSURANCE
ENDRESS & HAUSER	\$1,668.78	SUPPLIES
ENGINEERED CONTROLS INC	\$755.00	RIVERS EDGE GARAGE EXPENSE
EOCENE ENVIRONMENTAL GROUP INC	\$8,368.92	PROFESSIONAL SVCS
EQUIPMENTSHARE.COM INC.	\$6,585.98	RENTAL EXPS
ERIC HODGES	\$60.00	REFUND
ERIN M MCCARTNEY	\$394.00	PAYROLL RELATED
ERRIN K GUNDERSON	\$2,273.00	MOWING/GROUNDS MAINT
FACTORY MOTOR PARTS	\$2,544.31	EQUIPMENT/PARTS
FAMILY HOUSING ADVISORY SERVICES, INC.	\$35,000.00	GRANT REIMBURSEMENT
FELSBURG HOLT & ULLEVIG INC	\$10,950.45	PROFESSIONAL SVCS
FINTECH	\$20.00	DODGE OPERATING EXPENSE
FIRST NATIONAL BANK P CARDS	\$2,996.50	DODGE OPERATING EXPENSE
FIRSTAR FIBER INC	\$12,682.46	SUPPLIES
FISHER BUILDING SERVICES INC	\$10,273.50	REPAIRS & MAINTENANCE
FORTE PAYMENT SYSTEMS INC	\$3,424.86	EQUIPMENT/PARTS
FORVIS MAZARS LLP	\$26,775.00	PROFESSIONAL SVCS
G & T LLC	\$63.00	REFUND
GALLS PARENT HOLDING, LLC	\$129.12	EQUIPMENT/PARTS
GARAGE DOOR SERVICES	\$150.00	REPAIRS & MAINTENANCE
GEARGRID LLC	\$2,797.00	EQUIPMENT/PARTS
GENIE SERVICES LLC	\$180.00	PEST CONTROL
GERMANIA SEED COMPANY	\$2,272.81	SUPPLIES
GLOBAL PAYMENTS DIRECT, INC	\$28,985.96	CREDIT CARD CHGS
GM DODGE CHARITABLE TRUST	\$798.37	DODGE TRUST REIMBURSEMENT
GOVCONNECTION INC	\$2,523.18	HARDWARE/SOFTWARE
GREAT AMERICA FINANCIAL SERVICE	\$19.43	DODGE OPERATING EXPENSE
GREAT AMERICAN KITES & EVENTS LLC	\$7,750.00	PUBLIC EVENTS
GREAT PLAINS COMMUNICATIONS HOLDINGS LLC	\$9,516.00	PHONE/INTERNET SVC
GREAT PLAINS UNIFORMS	\$1,905.50	UNIFORMS
GREENFIELD PUBLIC LIBRARY	\$17.00	BOOKS/PERIODICALS/SUB
HARMS OIL COMPANY	\$10,733.05	FUEL
HARVEYS BR MANAGEMENT CO INC	\$750.00	FEES
HDR ENGINEERING INC	\$62,019.77	PROFESSIONAL SVCS
HEARTLAND CO-OP	\$365.05	FUEL
HEARTLAND FAMILY SERVICES	\$13,000.00	CONSULTANT
HEARTLAND TIRES & TREADS INC	\$12,552.25	TIRE REPLACEMENT/REPAIR
HENNINGSEN CONSTRUCTION INC	\$16,443.30	CONSTRUCTION
HGM ASSOCIATES INC	\$76,999.24	CONSULTANT
HILDRETH LANDSCAPE INC	\$17,367.22	REPAIRS & MAINTENANCE
HOSE & HANDLING INC.	\$432.60	EQUIPMENT/PARTS
HUBWISE TECHNOLOGY INC	\$318.86	RIVERS EDGE GARAGE EXPENSE
HUFFMAN ENGINEERING INC	\$38,410.00	CONSTRUCTION
HY VEE, INC.	\$23,236.00	PROPERTY ACQUISITION
I-80 LIQUOR	\$311.93	DODGE OPERATING EXPENSE
ICMA RETIREMENT TRUST - 457	\$11,828.00	PAYROLL RELATED
IMAGE TREND LLC	\$36,941.75	HARDWARE/SOFTWARE
INLAND TRUCK PARTS COMPANY INC	\$60.36	EQUIPMENT/PARTS
INTEGRATED DESIGN AND SUPPLY INC	\$164.18	EQUIPMENT/PARTS
INTERNATIONAL ASSOC OF FIRE CHIEFS	\$71.67	DUES/MEMBERSHIP
INTERVIEW NOW INC	\$9,650.00	HARDWARE/SOFTWARE
IOWA ALCOHOLIC BEVERAGES DIV	\$1,625.00	DODGE OPERATING EXPENSE

IOWA COMMUNICATIONS NETWORK	\$300.00	PHONE/INTERNET SVC
IOWA DEPARTMENT OF REVENUE	\$21,731.81	MAC OPERATING EXPENSE
IOWA DEPT OF INSPECTIONS & APPEALS	\$120.00	TRAINING
IOWA DEPT OF REVENUE	\$115,073.00	PAYROLL RELATED
IOWA DEPT OF TRANSPORTATION	\$481,496.00	CONSULTANT
IOWA GOLF ASSOCIATION	\$750.00	DODGE OPERATING EXPENSE
IOWA LIBRARY ASSOCIATION	\$70.00	TRAINING
IOWA PEACE OFFICERS ASSOCIATION	\$625.00	TRAINING
IOWA PRISON INDUSTRIES	\$387.86	SUPPLIES
IOWA TOTAL CARE	\$2,917.91	REFUND
IOWA WASTE SERVICES HOLDINGS INC	\$37,368.81	SOLID WASTE DISPOSAL
IOWA WORKFORCE DEVELOPMENT	\$6,485.39	UNEMPLOYEMENT
IP PATHWAYS LLC	\$34,564.00	HARDWARE/SOFTWARE
IPERS	\$249,891.56	PAYROLL RELATED
IPFS CORPORATION	\$567.86	DODGE OPERATING EXPENSE
J & R LIQUOR	\$845.02	MAC OPERATING EXPENSE
JASMINE DELGADO	\$4,725.00	LEGAL CLAIM
JEFFREY HILL	\$205.00	LEGAL CLAIM
JEFF'S WASH & GLO LTD	\$748.80	REPAIRS & MAINTENANCE
JEO CONSULTING GROUP INC	\$110,008.37	CONSULTANT
JIM HAWK TRUCK TRAILERS INC.	\$90.57	EQUIPMENT/PARTS
JOHN J MORGAN COMPANY	\$462.68	EQUIPMENT/PARTS
JONES AUTOMOTIVE	\$26,211.31	EQUIPMENT/PARTS
JULIANNE M JOHNSON	\$10.28	REIMB EMPLOYEE EXPENSE
K9 BED BUG DETECTION OF NEBRASKA LLC	\$800.00	PROFESSIONAL SVCS
KARL CHEVROLET, INC.	\$133,471.64	VEHICLES
KEVIN MICHAEL JONES	\$350.00	CONSULTANT
KLASS LAW FIRM LLP	\$12.00	CONTRACT AGREEMENT
KRIHA FLUID POWER COMPANY INC.	\$314.92	EQUIPMENT/PARTS
LANDSCAPE STRUCTURES INC	\$177,265.23	EQUIPMENT/PARTS
LANDSCAPES GOLF MANAGEMENT	\$13,562.39	DODGE OPERATING EXPENSE
LAWSON PRODUCTS INC	\$2,910.40	SUPPLIES
LEWIS CENTRAL	\$10,212.55	MAC OPERATING EXPENSE
LG PLAYGROUND LLC	\$5,227.00	SUPPLIES
LIGHTSPEED	\$638.79	DODGE OPERATING EXPENSE
LINDSAY MCGINNIS-HURT	\$32.20	REIMB EMPLOYEE EXPENSE
LORETTA GOESCHEL	\$16.08	REIMB EMPLOYEE EXPENSE
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$5,300.00	PAYROLL RELATED
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$340.00	PAYROLL RELATED
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$4,550.00	PAYROLL RELATED
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$1,400.00	PAYROLL RELATED
LYMAN RICHEY SAND & GRAVEL COMPANY	\$1,890.00	STREET MAINTENANCE SUPPLS
LYNCH DALLAS, P.C.	\$3,681.50	ATTORNEY FEES
M & R WELDING	\$4,325.00	WELDING SUPPLIES/SERVICE
MACQUEEN EQUIPMENT, LLC	\$962.91	EQUIPMENT/PARTS
MARCO HOLDINGS, LLC	\$15,562.43	COPY/PRINTER MAINTANCE
MARTHA THOMAS	\$63.00	REFUND
MATERIAL MATTERS INC	\$1,045.00	HARDWARE/SOFTWARE
MAX I WALKER UNIFORM & APPAREL	\$1,659.36	UNIFORMS
MCCLURE ENGINEERING CO	\$28,865.45	ENGINEERING
MCMULLEN FORD INC	\$3,309.49	EQUIPMENT/PARTS
METAL LOGOS & MORE	\$4,227.50	SUPPLIES
METOLIUS LLC	\$919.00	DODGE OPERATING EXPENSE
METRO COALITION	\$5,651.91	FEES
METRO PLUMBING	\$6,425.00	REPAIRS & MAINTENANCE
METRO WASTE AUTHORITY	\$21,552.30	SERVICE LABOR
MFPRSI	\$528,778.58	PAYROLL RELATED
MICAH HOUSE CORP	\$45,224.64	CONTRACT AGREEMENT

MICHAEL O'BRADOVICH	\$1,800.00	LEGAL SERVICES
MICHAEL TODD AND COMPANY INC	\$356.04	EQUIPMENT/PARTS
MID AMERICA CLEANING SYSTEMS	\$4,917.50	DODGE OPERATING EXPENSE
MID-AMERICA CLEANING SYSTEMS INC	\$47.40	EQUIPMENT/PARTS
MIDAMERICAN ENERGY COMPANY	\$177.25	ELECTRICITY
MIDLANDS HUMANE SOCIETY	\$10,328.17	CONTRACT AGREEMENT
MIDWEST DCM INC	\$81,726.50	REPAIRS & MAINTENANCE
MIDWEST RESEARCH & SETTLEMENT SERVICES, INC.	\$200.00	PROFESSIONAL SVCS
MIDWEST TAPE, LLC	\$5,961.87	DVD/AUDIO/CD
MIDWEST TURF & IRRIGATION	\$1,891.19	EQUIPMENT/PARTS
MIDWEST WHEEL COMPANIES	\$739.36	EQUIPMENT/PARTS
MIRACLE RECREATION EQUIPMENT CO INC	\$1,885.38	EQUIPMENT/PARTS
MOLINA HEALTHCARE OF IOWA	\$125.00	REFUND
MOORE'S SERVICE INCORPORATED	\$450.00	SERVICE LABOR
MOTION INDUSTRIES INCORPORATED	\$969.00	SUPPLIES
MULTIPLE OPTIONS INC	\$1,348.50	HARDWARE/SOFTWARE
MUNICIPAL EMERGENCY SERVICES INC	\$394.00	EQUIPMENT/PARTS
MURPHY TRACTOR & EQUIPMENT CO CORP	\$29,250.00	EQUIPMENT/PARTS
NAPA AUTO PARTS	\$4,463.01	EQUIPMENT/PARTS
NATIONAL CONCRETE CUTTING INC	\$123.50	REPAIRS & MAINTENANCE
NATIONWIDE RETIREMENT SOLUTIONS INC	\$78,649.32	PAYROLL RELATED
NEBRASKA CHILD SUPPORT PAYMENT CTR	\$1,118.79	PAYROLL RELATED
NEBRASKA IOWA SUPPLY CO INC	\$7,475.00	FUEL
NEBRASKA TESTILE AND SUPPLY	\$176.50	DODGE OPERATING EXPENSE
NMC INC.	\$250.75	EQUIPMENT/PARTS
NODDLE DEVELOPMENT CO	\$2,875.00	RIVERS EDGE GARAGE EXPENSE
NODDLE DEVELOPMENT CO	\$1,000.00	RIVERS EDGE GARAGE EXPENSE
NODDLE SERVICES LLC	\$3,276.19	RIVERS EDGE GARAGE EXPENSE
NODDLE SERVICES LLC	\$893.77	RIVERS EDGE GARAGE EXPENSE
NUCO PUMP SALES AND SERVICE	\$80.25	DODGE OPERATING EXPENSE
OCLC INC	\$703.55	SUBSCRIPTION
OLSSON INC.	\$10,240.00	CONSULTANT
OMAHA DOOR & WINDOW CO INC	\$2,762.72	REPAIRS & MAINTENANCE
OMAHA TRUCK CENTER COMPANY INC.	\$1,010.34	EQUIPMENT/PARTS
OMNI ENGINEERING	\$4,671.01	STREET MAINTENANCE SUPLS
ONE SOURCE THE BACKGROUND CHECK COMPANY	\$121.30	CONSULTANT
O'REILLY AUTOMOTIVE INC	\$389.80	EQUIPMENT/PARTS
OVERDRIVE INC	\$810.19	BOOKS/PERIODICALS/SUB
PASSPORT LABS INC	\$631.50	PARKING FEES
PATRICK G BARTOS	\$1,500.00	CONSTRUCTION
PAYROLL	\$89,122.63	MAC OPERATING EXPENSE
PENGUIN RANDOM HOUSE LLC	\$3,196.53	PROFESSIONAL SVCS
PER MAR SECURITY & RESEARCH CORP	\$863.84	ALARM SECURITY
PETERSON CONTRACTORS INC	\$33,632.68	CONSTRUCTION
PETROLEUM TRADERS CORPORATION	\$12,975.66	FUEL
PITNEY BOWES GLOBAL FINANCIAL LLC	\$718.83	POSTAGE & PRINTING
PITNEY BOWES INC.	\$3,006.25	POSTAGE & PRINTING
PLAYCORE GROUP INC & SUBSIDIARIES	\$2,874.00	EQUIPMENT/PARTS
POLK COUNTY SHERIFF	\$503.65	PAYROLL RELATED
POM INCORPORATED	\$6,493.18	EQUIPMENT/PARTS
POTTAWATTAMIE COUNTY SHERIFF	\$5,610.00	INMATE COST
POTTAWATTAMIE COUNTY TREASURER	\$64.30	FEES
POWERTECH	\$219.50	ELECTRICAL REPAIR
PREMIER GLAZERS	\$258.54	MAC OPERATING EXPENSE
PRESTO X	\$76.13	RIVERS EDGE GARAGE EXPENSE
PRINCIPAL	\$785.07	DODGE OPERATING EXPENSE
PROQUEST LP	\$3,297.89	SUBSCRIPTION
R J NELSON COMPANY	\$1,950.00	REPAIRS & MAINTENANCE

RAPIDSCALE INC	\$1,754.95	SUBSCRIPTION
RASMUSSEN MECHANICAL SERVICES INC	\$3,935.89	EQUIPMENT/PARTS
RED LIGHT REFUNDS	\$247.00	REFUND
RELIANCE STANDARD LIFE INSURANCE CO	\$23,381.35	PAYROLL RELATED
RELIANT FIRE APPARATUS INC	\$6,081.56	EQUIPMENT/PARTS
RIVER'S EDGE BANK FEES	\$50.75	RIVERS EDGE GARAGE EXPENSE
RIVER'S EDGE ONE LLC	\$1,421.23	RIVERS EDGE GARAGE EXPENSE
ROBERT PRACHT	\$1,368.00	PROFESSIONAL SVCS
RODNEY JOHNSON	\$9,508.71	SERVICE LABOR
ROSE HOLDING, INC.	\$1,909.27	EQUIPMENT/PARTS
RTG BUILDING SERVICES INC	\$9,411.60	JANITORIAL SERVICE
RYAN LOEWENSTEIN	\$900.00	TRAINING
SAFETY KLEEN SYSTEMS, INC	\$326.12	SERVICE LABOR
SALS XTREME WHEELS	\$300.00	PUBLIC EVENTS
SAPP BROTHERS INC	\$429.15	FUEL
SAVANT CORPORATION	\$405.00	EQUIPMENT/PARTS
SCHINDLER ELEVATOR CORPORATION	\$399.88	REPAIRS & MAINTENANCE
SECURITY EQUIPMENT INCORPORATED	\$22,040.32	ALARM SECURITY
SHERWIN WILLIAMS	\$806.40	SUPPLIES
SIEMENS INDUSTRY INC	\$6,367.36	EQUIPMENT/PARTS
SJ ELECTRO SYSTEMS INC	\$28,296.00	EQUIPMENT/PARTS
SMA ENTERPRISES INC.	\$6,704.49	EQUIPMENT/PARTS
SMARTWAVE TECHNOLOGIES LLC	\$18,025.00	HARDWARE/SOFTWARE
SNYDER & ASSOCIATES INC	\$22,125.00	CONSULTANT
SOUTHWEST IOWA LAWYER LEAGUE	\$250.00	DUES/MEMBERSHIP
SOUTHWEST IOWA NARCOTICS	\$32,368.93	FEES
SOUTHWEST IOWA NATURE TRAILS PROJECTS INC	\$200.00	PUBLIC EVENTS
SOUTHWEST IOWA PLANNING COUNCIL	\$49,580.33	TRANSIT SERVICES
ST LUKE'S HEALTH RESOURCES	\$653.00	CONSULTANT
STANARD & ASSOCIATES INC	\$790.00	SUPPLIES
STATE OF IOWA	\$50.00	TRAINING
STEARNS CONRAD AND SCHMIDT	\$7,450.00	CONSULTANT
STEPP MANUFACTURING CO INC	\$279.21	EQUIPMENT/PARTS
STUDIO 15 COMMERCIAL INTERIORS INC	\$55,988.67	PROFESSIONAL SVCS
SYSCO LINCOLN	\$335.19	DODGE OPERATING EXPENSE
TECH INC	\$164.19	SUPPLIES
TED'S MOWER SALES & SERVICE INC	\$154.13	EQUIPMENT/PARTS
THE 712 INITIATIVE	\$60.00	REFUND
THE CHARLES MACHINE WORKS INC	\$1,445.05	EQUIPMENT/PARTS
THE DAVEY TREE EXPERT COMPANY	\$22,350.00	TREE WORK
THE DOLLYWOOD FOUNDATION	\$4,222.17	BOOKS/PERIODICALS/SUB
THE RETROFIT COMPANIES INC	\$4,038.17	SERVICE LABOR
THE WALMAN OPTICAL COMPANY	\$385.00	SAFETY EQUIP & MAINTENANCE
THERESA DEWITT	\$39.88	REIMB EMPLOYEE EXPENSE
THERMAL SERVICES	\$4,154.91	REPAIRS & MAINTENANCE
THERMO KING CHRISTENSEN	\$910.08	SUPPLIES
THOMPSON, DREESSEN & DORNER, INC.	\$786.05	ENGINEERING
THRYV, INC.	\$53.45	ADVERTISEMENT
TIREHUB, LLC	\$420.00	EQUIPMENT/PARTS
TITLECORE NATIONAL LLC	\$47,000.00	CONTRACT AGREEMENT
TITLECORE NATIONAL LLC	\$30.00	REFUND
TK ELEVATOR CORPORATION	\$199.30	PROFESSIONAL SVCS
TOMASEK MACHINE SHOP INC	\$135.00	REPAIRS & MAINTENANCE
TOYNE INC	\$1,078.00	EQUIPMENT/PARTS
TRANSIT AUTHORITY OF THE CITY OF OMAHA	\$124,623.00	BUS SERVICE
TREASURER STATE OF IOWA	\$3,546.17	PROFESSIONAL SVCS
TREASURER STATE OF IOWA/SALES TAX	\$37,046.14	SALES TAX
TREEHOUSE PHASE I LLC	\$87,396.52	GRANT REIMBURSEMENT

TREVOR ASMANN	\$300.00	REFUND
TRU PRO CONSTRUCTION INC	\$4,110.00	CONSTRUCTION
TURNER MORGAN	\$5,092.00	PROFESSIONAL SVCS
TWO RIVERS INSURANCE COMPANY, INC.	\$1,173,860.18	EMPLOYEE INSURANCE
TYLER TECHNOLOGIES INC	\$259,728.71	HARDWARE/SOFTWARE
U.S. VENTURE, INC.	\$241.36	EQUIPMENT/PARTS
UKG KRONOS SYSTEMS	\$17,397.26	HARDWARE/SOFTWARE
UMB BANK N.A.	\$1,900.00	BOND PAYMENT
UMR	\$1,584.18	DODGE OPERATING EXPENSE
UNBOUND EVENTS INC.	\$1,480.60	LIBRARY PREFORMANCES
UNION BANK/OMNIFY BENEFITS	\$19.50	DODGE OPERATING EXPENSE
UNITED PARCEL SERVICE	\$57.34	FREIGHT/POSTAGE
US BANK	\$131,575.27	CREDIT CARD PURCHASES
VALUE LINE PUBLISHING INC	\$6,020.00	SUBSCRIPTION
VEENSTRA & KIMM INC	\$1,910.00	PROFESSIONAL SVCS
VERIZON WIRELESS SERVICES LLC	\$9,101.97	CELL PHONE
VIKING AUTOMATIC SPRINKLER	\$541.20	RIVERS EDGE GARAGE EXPENSE
VIRGINIA ANDERSON	\$60.00	REFUND
VISION INDUSTRIAL SALES INC	\$3,082.30	SUPPLIES
VOYA RETIREMENT INSURANCE & ANNUITY COMPANY	\$12,224.00	PAYROLL RELATED
VULCAN INDUSTRIES INCORPORATED	\$216.00	SUPPLIES
W.W. GRAINGER, INC.	\$4,700.12	EQUIPMENT/PARTS
WASTE CONNECTIONS OF IOWA	\$275,370.68	HOUSEHOLD TRASH
WASTE CONNECTIONS OF IOWA	\$241.28	DODGE OPERATING EXPENSE
WASTE CONNECTIONS OF NEBRASKA INC	\$2,884.82	SOLID WASTE DISPOSAL
WATER ENGINEERING INC	\$300.03	MOWING/GROUNDS MAINT
WELLS FARGO FINANCIAL LEASING INC	\$364.00	LEASE
WEST BROADWAY CLINIC P C	\$703.00	MEDICAL SERVICES
WEST PUBLISHING CORPORATION	\$1,275.00	SUBSCRIPTION
WHCC OF OMAHA, INC.	\$129.45	EQUIPMENT/PARTS
WILLIAM E CARPENTER JR	\$42.88	REIMB EMPLOYEE EXPENSE
WOODHOUSE FORD CHRYLSEER INC	\$185.29	EQUIPMENT/PARTS
YMCA OF GREATER OMAHA	\$420.00	DUES/MEMBERSHIP
ZKG ENTERPRISES LLC	\$2,840.50	PROFESSIONAL SVCS
TOTAL	\$10,416,009.64	

CITY OF COUNCIL BLUFFS
AP POST BY AMOUNT
JANUARY 2025
(\$'S)

VENDOR	AMOUNT	DESCRIPTION
CITY EMPLOYEE PAYROLL	\$2,282,173.80	EMPLOYEE PAYROLL
TWO RIVERS INSURANCE COMPANY, INC.	\$1,173,860.18	EMPLOYEE INSURANCE
EFTPS	\$601,341.50	PAYROLL RELATED
MFPRSI	\$528,778.58	PAYROLL RELATED
IOWA DEPT OF TRANSPORTATION	\$481,496.00	CONSULTANT
WASTE CONNECTIONS OF IOWA	\$275,370.68	HOUSEHOLD TRASH
TYLER TECHNOLOGIES INC	\$259,728.71	HARDWARE/SOFTWARE
IPERS	\$249,891.56	PAYROLL RELATED
CLEAR TITLE & ABSTRACT LLC	\$235,973.85	PROFESSIONAL SVCS
COUNCIL BLUFFS CONVENTION & VISITORS BUREAU	\$218,790.00	CONTRIBUTIONS
LANDSCAPE STRUCTURES INC	\$177,265.23	EQUIPMENT/PARTS
EMPLOYERS MUTUAL CASUALTY COMPANY	\$166,960.40	INSURANCE
COMPASS UTILITY LLC	\$166,727.36	CONSTRUCTION
CONVERGEONE INC	\$134,938.95	HARDWARE/SOFTWARE
KARL CHEVROLET, INC.	\$133,471.64	VEHICLES
US BANK	\$131,575.27	CREDIT CARD PURCHASES
TRANSIT AUTHORITY OF THE CITY OF OMAHA	\$124,623.00	BUS SERVICE
IOWA DEPT OF REVENUE	\$115,073.00	PAYROLL RELATED
CORNHUSKER INTERNATIONAL TRUCKS	\$114,578.74	EQUIPMENT/PARTS
JEO CONSULTING GROUP INC	\$110,008.37	CONSULTANT
DINGES PARTNERS GROUP LLC	\$94,118.08	SAFETY EQUIP & MAINTENANCE
CAESARS ENTERTAINMENT	\$90,940.92	MAC OPERATING EXPENSE
PAYROLL	\$89,122.63	MAC OPERATING EXPENSE
TREEHOUSE PHASE I LLC	\$87,396.52	GRANT REIMBURSEMENT
MIDWEST DCM INC	\$81,726.50	REPAIRS & MAINTENANCE
NATIONWIDE RETIREMENT SOLUTIONS INC	\$78,649.32	PAYROLL RELATED
HGM ASSOCIATES INC	\$76,999.24	CONSULTANT
AMERICAN TRAFFIC SOLUTIONS, INC.	\$68,462.00	PROFESSIONAL SVCS
HDR ENGINEERING INC	\$62,019.77	PROFESSIONAL SVCS
STUDIO 15 COMMERCIAL INTERIORS INC	\$55,988.67	PROFESSIONAL SVCS
SOUTHWEST IOWA PLANNING COUNCIL	\$49,580.33	TRANSIT SERVICES
TITLECORE NATIONAL LLC	\$47,000.00	CONTRACT AGREEMENT
DD WEST BROADWAY LLC	\$46,481.00	TIF REBATE
MICAH HOUSE CORP	\$45,224.64	CONTRACT AGREEMENT
ED STIVERS FORD INC.	\$44,844.00	VEHICLES
ADVANCE SOUTHWEST IOWA	\$40,625.00	PROFESSIONAL SVCS
HUFFMAN ENGINEERING INC	\$38,410.00	CONSTRUCTION
IOWA WASTE SERVICES HOLDINGS INC	\$37,368.81	SOLID WASTE DISPOSAL
TREASURER STATE OF IOWA/SALES TAX	\$37,046.14	SALES TAX
IMAGE TREND LLC	\$36,941.75	HARDWARE/SOFTWARE
DPS LLC	\$36,285.00	CONTRACT AGREEMENT
FAMILY HOUSING ADVISORY SERVICES, INC.	\$35,000.00	GRANT REIMBURSEMENT
IP PATHWAYS LLC	\$34,564.00	HARDWARE/SOFTWARE
ECO-STORAGE INVESTMENTS INC	\$34,458.97	SOLID WASTE DISPOSAL
PETERSON CONTRACTORS INC	\$33,632.68	CONSTRUCTION
SOUTHWEST IOWA NARCOTICS	\$32,368.93	FEES
DODGE RIVERSIDE PAYROLL	\$31,097.19	DODGE OPERATING EXPENSE
MURPHY TRACTOR & EQUIPMENT CO CORP	\$29,250.00	EQUIPMENT/PARTS
GLOBAL PAYMENTS DIRECT, INC	\$28,985.96	CREDIT CARD CHGS
MCCLURE ENGINEERING CO	\$28,865.45	ENGINEERING
COX COMMUNICATION INC	\$28,576.32	PHONE/INTERNET SVC
SJ ELECTRO SYSTEMS INC	\$28,296.00	EQUIPMENT/PARTS

FORVIS MAZARS LLP	\$26,775.00	PROFESSIONAL SVCS
JONES AUTOMOTIVE	\$26,211.31	EQUIPMENT/PARTS
DIGITECH COMPUTER LLC	\$25,968.01	AMBULANCE BILLING FEE
ELECTRIC PUMP	\$23,432.97	EQUIPMENT/PARTS
RELIANCE STANDARD LIFE INSURANCE CO	\$23,381.35	PAYROLL RELATED
HY VEE, INC.	\$23,236.00	PROPERTY ACQUISITION
THE DAVEY TREE EXPERT COMPANY	\$22,350.00	TREE WORK
SNYDER & ASSOCIATES INC	\$22,125.00	CONSULTANT
SECURITY EQUIPMENT INCORPORATED	\$22,040.32	ALARM SECURITY
IOWA DEPARTMENT OF REVENUE	\$21,731.81	MAC OPERATING EXPENSE
METRO WASTE AUTHORITY	\$21,552.30	SERVICE LABOR
COUNCIL BLUFFS AIRPORT AUTHORITY	\$21,340.34	AIRPORT AUTH TAX
DP MANAGEMENT LLC	\$18,480.00	MOWING/GROUNDS MAINT
SMARTWAVE TECHNOLOGIES LLC	\$18,025.00	HARDWARE/SOFTWARE
UKG KRONOS SYSTEMS	\$17,397.26	HARDWARE/SOFTWARE
HILDRETH LANDSCAPE INC	\$17,367.22	REPAIRS & MAINTENANCE
HENNINGSEN CONSTRUCTION INC	\$16,443.30	CONSTRUCTION
CERRIS SYSTEMS NORTH CENTRAL INC	\$16,285.30	SERVICE LABOR
MARCO HOLDINGS, LLC	\$15,562.43	COPY/PRINTER MAINTANCE
LANDSCAPES GOLF MANAGEMENT	\$13,562.39	DODGE OPERATING EXPENSE
AGRILAND F S INC	\$13,378.94	SUPPLIES
HEARTLAND FAMILY SERVICES	\$13,000.00	CONSULTANT
PETROLEUM TRADERS CORPORATION	\$12,975.66	FUEL
FIRSTAR FIBER INC	\$12,682.46	SUPPLIES
HEARTLAND TIRES & TREADS INC	\$12,552.25	TIRE REPLACEMENT/REPAIR
VOYA RETIREMENT INSURANCE & ANNUITY COMPANY	\$12,224.00	PAYROLL RELATED
ICMA RETIREMENT TRUST - 457	\$11,828.00	PAYROLL RELATED
BERT GURNEY & ASSOCIATES INC	\$11,445.28	EQUIPMENT/PARTS
CATHOLIC CHARITIES	\$11,000.00	GRANT REIMBURSEMENT
FELSBURG HOLT & ULLEVIG INC	\$10,950.45	PROFESSIONAL SVCS
HARMS OIL COMPANY	\$10,733.05	FUEL
CANON SOLUTIONS AMERICA INC	\$10,544.95	COPY/PRINTER MAINTANCE
CITY OF COUNCIL BLUFFS-FLEX	\$10,384.48	PAYROLL RELATED
MIDLANDS HUMANE SOCIETY	\$10,328.17	CONTRACT AGREEMENT
DELL MARKETING L P	\$10,310.43	HARDWARE/SOFTWARE
FISHER BUILDING SERVICES INC	\$10,273.50	REPAIRS & MAINTENANCE
OLSSON INC.	\$10,240.00	CONSULTANT
LEWIS CENTRAL	\$10,212.55	MAC OPERATING EXPENSE
INTERVIEW NOW INC	\$9,650.00	HARDWARE/SOFTWARE
GREAT PLAINS COMMUNICATIONS HOLDINGS LLC	\$9,516.00	PHONE/INTERNET SVC
RODNEY JOHNSON	\$9,508.71	SERVICE LABOR
RTG BUILDING SERVICES INC	\$9,411.60	JANITORIAL SERVICE
VERIZON WIRELESS SERVICES LLC	\$9,101.97	CELL PHONE
ARROW TOWING	\$8,919.50	TOWING/STORAGE/AUCTION
BLACK HILLS UTILITY HOLDINGS, INC.	\$8,899.39	NATURAL GAS
EHRHART GRIFFIN & ASSOCIATES INC	\$8,459.06	CONSULTANT
EOCENE ENVIRONMENTAL GROUP INC	\$8,368.92	PROFESSIONAL SVCS
GREAT AMERICAN KITES & EVENTS LLC	\$7,750.00	PUBLIC EVENTS
DMG INC	\$7,689.54	ELECTRICAL REPAIR
NEBRASKA IOWA SUPPLY CO INC	\$7,475.00	FUEL
STEARNS CONRAD AND SCHMIDT	\$7,450.00	CONSULTANT
CONTINENTAL FIRE/ALARM	\$7,331.00	PROFESSIONAL SVCS
BAKER & TAYLOR INC	\$7,265.42	BOOKS/PERIODICALS/SUB
COLLECTION SERVICES CENTER	\$7,220.54	PAYROLL RELATED
COUNCIL BLUFFS WATER WORKS	\$7,041.04	WATER
SMA ENTERPRISES INC.	\$6,704.49	EQUIPMENT/PARTS
EQUIPMENTSHARE.COM INC.	\$6,585.98	RENTAL EXPS
POM INCORPORATED	\$6,493.18	EQUIPMENT/PARTS

IOWA WORKFORCE DEVELOPMENT	\$6,485.39	UNEMPLOYMENT
METRO PLUMBING	\$6,425.00	REPAIRS & MAINTENANCE
SIEMENS INDUSTRY INC	\$6,367.36	EQUIPMENT/PARTS
RELIANT FIRE APPARATUS INC	\$6,081.56	EQUIPMENT/PARTS
VALUE LINE PUBLISHING INC	\$6,020.00	SUBSCRIPTION
MIDWEST TAPE, LLC	\$5,961.87	DVD/AUDIO/CD
ARNOLD MOTOR SUPPLY, LLP	\$5,732.27	EQUIPMENT/PARTS
METRO COALITION	\$5,651.91	FEES
POTTAWATTAMIE COUNTY SHERIFF	\$5,610.00	INMATE COST
CIVICPLUS	\$5,469.78	HARDWARE/SOFTWARE
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$5,300.00	PAYROLL RELATED
LG PLAYGROUND LLC	\$5,227.00	SUPPLIES
BOO, INC.	\$5,107.72	EQUIPMENT/PARTS
TURNER MORGAN	\$5,092.00	PROFESSIONAL SVCS
CHAMPLIN TIRE RECYCLING INC	\$5,040.00	TIRE DISPOSAL
BLUFFS ELECTRIC INC	\$4,953.80	ELECTRICAL REPAIR
MID AMERICA CLEANING SYSTEMS	\$4,917.50	DODGE OPERATING EXPENSE
JASMINE DELGADO	\$4,725.00	LEGAL CLAIM
W.W. GRAINGER, INC.	\$4,700.12	EQUIPMENT/PARTS
OMNI ENGINEERING	\$4,671.01	STREET MAINTENANCE SUPPLS
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$4,550.00	PAYROLL RELATED
NAPA AUTO PARTS	\$4,463.01	EQUIPMENT/PARTS
CONTINENTAL WESTERN GROUP	\$4,343.99	DODGE OPERATING EXPENSE
M & R WELDING	\$4,325.00	WELDING SUPPLIES/SERVICE
METAL LOGOS & MORE	\$4,227.50	SUPPLIES
THE DOLLYWOOD FOUNDATION	\$4,222.17	BOOKS/PERIODICALS/SUB
BERTELSMANN PUBLISHING GROUP, INC.	\$4,187.86	DVD/AUDIO/CD
THERMAL SERVICES	\$4,154.91	REPAIRS & MAINTENANCE
TRU PRO CONSTRUCTION INC	\$4,110.00	CONSTRUCTION
CLEAN EARTH SYSTEMS	\$4,099.00	SUPPLIES
THE RETROFIT COMPANIES INC	\$4,038.17	SERVICE LABOR
RASMUSSEN MECHANICAL SERVICES INC	\$3,935.89	EQUIPMENT/PARTS
ELAVON INC	\$3,798.87	FEES
ALLIED OIL & TIRE COMPANY	\$3,695.70	SUPPLIES
LYNCH DALLAS, P.C.	\$3,681.50	ATTORNEY FEES
CITY OF COUNCIL BLUFFS-DEPENDENT	\$3,623.66	PAYROLL RELATED
AMERICAN EQUIPMENT HOLDINGS LLC	\$3,595.00	PROFESSIONAL SVCS
TREASURER STATE OF IOWA	\$3,546.17	PROFESSIONAL SVCS
FORTE PAYMENT SYSTEMS INC	\$3,424.86	EQUIPMENT/PARTS
MCMULLEN FORD INC	\$3,309.49	EQUIPMENT/PARTS
PROQUEST LP	\$3,297.89	SUBSCRIPTION
NODDLE SERVICES LLC	\$3,276.19	RIVERS EDGE GARAGE EXPENSE
PENGUIN RANDOM HOUSE LLC	\$3,196.53	PROFESSIONAL SVCS
VISION INDUSTRIAL SALES INC	\$3,082.30	SUPPLIES
PITNEY BOWES INC.	\$3,006.25	POSTAGE & PRINTING
FIRST NATIONAL BANK P CARDS	\$2,996.50	DODGE OPERATING EXPENSE
IOWA TOTAL CARE	\$2,917.91	REFUND
LAWSON PRODUCTS INC	\$2,910.40	SUPPLIES
WASTE CONNECTIONS OF NEBRASKA INC	\$2,884.82	SOLID WASTE DISPOSAL
NODDLE DEVELOPMENT CO	\$2,875.00	RIVERS EDGE GARAGE EXPENSE
PLAYCORE GROUP INC & SUBSIDIARIES	\$2,874.00	EQUIPMENT/PARTS
ZKG ENTERPRISES LLC	\$2,840.50	PROFESSIONAL SVCS
GEARGRID LLC	\$2,797.00	EQUIPMENT/PARTS
OMAHA DOOR & WINDOW CO INC	\$2,762.72	REPAIRS & MAINTENANCE
EDWARDS CHEVROLET-CADILLAC INC	\$2,754.94	EQUIPMENT/PARTS
COMBINED SYSTEMS INC	\$2,685.00	TRAINING
DODGE RIVERSIDE SALES TX	\$2,669.89	DODGE OPERATING EXPENSE
B G PETERSON COMPANY	\$2,596.86	SUPPLIES

FACTORY MOTOR PARTS	\$2,544.31	EQUIPMENT/PARTS
GOVCONNECTION INC	\$2,523.18	HARDWARE/SOFTWARE
ERRIN K GUNDERSON	\$2,273.00	MOWING/GROUNDS MAINT
GERMANIA SEED COMPANY	\$2,272.81	SUPPLIES
R J NELSON COMPANY	\$1,950.00	REPAIRS & MAINTENANCE
VEENSTRA & KIMM INC	\$1,910.00	PROFESSIONAL SVCS
ROSE HOLDING, INC.	\$1,909.27	EQUIPMENT/PARTS
GREAT PLAINS UNIFORMS	\$1,905.50	UNIFORMS
UMB BANK N.A.	\$1,900.00	BOND PAYMENT
MIDWEST TURF & IRRIGATION	\$1,891.19	EQUIPMENT/PARTS
LYMAN RICHEY SAND & GRAVEL COMPANY	\$1,890.00	STREET MAINTENANCE SUPLS
MIRACLE RECREATION EQUIPMENT CO INC	\$1,885.38	EQUIPMENT/PARTS
DOSTALS CONSTRUCTION CO INC	\$1,845.00	CONSTRUCTION
MICHAEL O'BRADOVICH	\$1,800.00	LEGAL SERVICES
ALL COPY PRODUCTS INC	\$1,796.35	LEASE
RAPIDSCALE INC	\$1,754.95	SUBSCRIPTION
ENDRESS & HAUSER	\$1,668.78	SUPPLIES
MAX I WALKER UNIFORM & APPAREL	\$1,659.36	UNIFORMS
IOWA ALCOHOLIC BEVERAGES DIV	\$1,625.00	DODGE OPERATING EXPENSE
CENTURYLINK	\$1,614.02	PHONE/INTERNET SVC
UMR	\$1,584.18	DODGE OPERATING EXPENSE
PATRICK G BARTOS	\$1,500.00	CONSTRUCTION
UNBOUND EVENTS INC.	\$1,480.60	LIBRARY PREFORMANCES
THE CHARLES MACHINE WORKS INC	\$1,445.05	EQUIPMENT/PARTS
RIVER'S EDGE ONE LLC	\$1,421.23	RIVERS EDGE GARAGE EXPENSE
DAN BECKMANN	\$1,416.00	JANITORIAL SERVICE
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$1,400.00	PAYROLL RELATED
ROBERT PRACHT	\$1,368.00	PROFESSIONAL SVCS
MULTIPLE OPTIONS INC	\$1,348.50	HARDWARE/SOFTWARE
ECOSOLUTIONS INC	\$1,309.85	SUPPLIES
AGRIVISION EQUIPMENT GROUP	\$1,290.55	EQUIPMENT/PARTS
WEST PUBLISHING CORPORATION	\$1,275.00	SUBSCRIPTION
CERTIFIED POWER INC	\$1,216.69	EQUIPMENT/PARTS
NEBRASKA CHILD SUPPORT PAYMENT CTR	\$1,118.79	PAYROLL RELATED
BOUND TO STAY BOUND BOOKS INC	\$1,116.35	BOOKS/PERIODICALS/SUB
TOYNE INC	\$1,078.00	EQUIPMENT/PARTS
BLUFFS TAXI & COURIER	\$1,051.50	TRANSIT SERVICES
MATERIAL MATTERS INC	\$1,045.00	HARDWARE/SOFTWARE
OMAHA TRUCK CENTER COMPANY INC.	\$1,010.34	EQUIPMENT/PARTS
EDUARDO GARDEA	\$1,000.00	PUBLIC EVENTS
NODDLE DEVELOPMENT CO	\$1,000.00	RIVERS EDGE GARAGE EXPENSE
MOTION INDUSTRIES INCORPORATED	\$969.00	SUPPLIES
MACQUEEN EQUIPMENT, LLC	\$962.91	EQUIPMENT/PARTS
DRIVER PLUMBING LTD.	\$938.00	REPAIRS & MAINTENANCE
METOLIUS LLC	\$919.00	DODGE OPERATING EXPENSE
ABLE LOCKSMITHS	\$915.00	PROFESSIONAL SVCS
THERMO KING CHRISTENSEN	\$910.08	SUPPLIES
RYAN LOEWENSTEIN	\$900.00	TRAINING
NODDLE SERVICES LLC	\$893.77	RIVERS EDGE GARAGE EXPENSE
C & J INDUSTRIAL SUPPLY	\$884.25	JANITORIAL SERVICE
PER MAR SECURITY & RESEARCH CORP	\$863.84	ALARM SECURITY
J & R LIQUOR	\$845.02	MAC OPERATING EXPENSE
EDWARDS CDJRF CB	\$835.50	EQUIPMENT/PARTS
BH MEDIA GROUP INC.	\$831.46	ADVERTISEMENT
OVERDRIVE INC	\$810.19	BOOKS/PERIODICALS/SUB
SHERWIN WILLIAMS	\$806.40	SUPPLIES
K9 BED BUG DETECTION OF NEBRASKA LLC	\$800.00	PROFESSIONAL SVCS
GM DODGE CHARITABLE TRUST	\$798.37	DODGE TRUST REIMBURSEMENT

STANARD & ASSOCIATES INC	\$790.00	SUPPLIES
THOMPSON, DREESSEN & DORNER, INC.	\$786.05	ENGINEERING
PRINCIPAL	\$785.07	DODGE OPERATING EXPENSE
DALES TRASH SERVICE INC	\$785.00	RENTAL EXPS
ENGINEERED CONTROLS INC	\$755.00	RIVERS EDGE GARAGE EXPENSE
BEST QUALITY COUNTERTOPS INC	\$750.00	REPAIRS & MAINTENANCE
CAROLINA SOFTWARE INC	\$750.00	HARDWARE/SOFTWARE
HARVEYS BR MANAGEMENT CO INC	\$750.00	FEES
IOWA GOLF ASSOCIATION	\$750.00	DODGE OPERATING EXPENSE
JEFF'S WASH & GLO LTD	\$748.80	REPAIRS & MAINTENANCE
MIDWEST WHEEL COMPANIES	\$739.36	EQUIPMENT/PARTS
COX BUSINESS	\$724.72	DODGE OPERATING EXPENSE
PITNEY BOWES GLOBAL FINANCIAL LLC	\$718.83	POSTAGE & PRINTING
OCLC INC	\$703.55	SUBSCRIPTION
WEST BROADWAY CLINIC P C	\$703.00	MEDICAL SERVICES
ST LUKE'S HEALTH RESOURCES	\$653.00	CONSULTANT
AMBULANCE REFUNDS	\$651.73	REFUND
LIGHTSPEED	\$638.79	DODGE OPERATING EXPENSE
PASSPORT LABS INC	\$631.50	PARKING FEES
2ND WIND EXERCISE EQUIPMENT INC	\$629.18	EQUIPMENT/PARTS
IOWA PEACE OFFICERS ASSOCIATION	\$625.00	TRAINING
CENGAGE LEARNING INC	\$584.80	BOOKS/PERIODICALS/SUB
CUMMINS INC	\$576.87	RIVERS EDGE GARAGE EXPENSE
IPFS CORPORATION	\$567.86	DODGE OPERATING EXPENSE
VIKING AUTOMATIC SPRINKLER	\$541.20	RIVERS EDGE GARAGE EXPENSE
DOLL DISTRIBUTION	\$532.95	MAC OPERATING EXPENSE
BENNETT REFRIGERATION INC	\$528.71	REPAIRS & MAINTENANCE
POLK COUNTY SHERIFF	\$503.65	PAYROLL RELATED
ANNE NEWMAN	\$500.00	PUBLIC EVENTS
BARTON SOLVENTS INC	\$462.68	SUPPLIES
JOHN J MORGAN COMPANY	\$462.68	EQUIPMENT/PARTS
MOORE'S SERVICE INCORPORATED	\$450.00	SERVICE LABOR
HOSE & HANDLING INC.	\$432.60	EQUIPMENT/PARTS
SAPP BROTHERS INC	\$429.15	FUEL
TIREHUB, LLC	\$420.00	EQUIPMENT/PARTS
YMCA OF GREATER OMAHA	\$420.00	DUES/MEMBERSHIP
SAVANT CORPORATION	\$405.00	EQUIPMENT/PARTS
AIR CLEANING TECHNOLOGIES INC	\$400.00	EQUIPMENT/PARTS
SCHINDLER ELEVATOR CORPORATION	\$399.88	REPAIRS & MAINTENANCE
ERIN M MCCARTNEY	\$394.00	PAYROLL RELATED
MUNICIPAL EMERGENCY SERVICES INC	\$394.00	EQUIPMENT/PARTS
O'REILLY AUTOMOTIVE INC	\$389.80	EQUIPMENT/PARTS
IOWA PRISON INDUSTRIES	\$387.86	SUPPLIES
THE WALMAN OPTICAL COMPANY	\$385.00	SAFETY EQUIP & MAINTENANCE
BGNE INC.	\$383.57	SUPPLIES
DODGE BANK & CR CARD FEES	\$365.58	DODGE OPERATING EXPENSE
HEARTLAND CO-OP	\$365.05	FUEL
WELLS FARGO FINANCIAL LEASING INC	\$364.00	LEASE
MICHAEL TODD AND COMPANY INC	\$356.04	EQUIPMENT/PARTS
KEVIN MICHAEL JONES	\$350.00	CONSULTANT
ASHLEY KRUSE	\$343.04	REIMB EMPLOYEE EXPENSE
CONFLUENCE INC	\$342.50	CONSULTANT
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$340.00	PAYROLL RELATED
CUMMINS INC	\$339.88	EQUIPMENT/PARTS
SYSCO LINCOLN	\$335.19	DODGE OPERATING EXPENSE
COX BUSINESS SERVICES	\$332.43	RIVERS EDGE GARAGE EXPENSE
SAFETY KLEEN SYSTEMS, INC	\$326.12	SERVICE LABOR
HUBWISE TECHNOLOGY INC	\$318.86	RIVERS EDGE GARAGE EXPENSE

KRIHA FLUID POWER COMPANY INC.	\$314.92	EQUIPMENT/PARTS
I-80 LIQUOR	\$311.93	DODGE OPERATING EXPENSE
DULTMEIER SALES LLC	\$303.43	SUPPLIES
WATER ENGINEERING INC	\$300.03	MOWING/GROUNDS MAINT
IOWA COMMUNICATIONS NETWORK	\$300.00	PHONE/INTERNET SVC
SALS XTREME WHEELS	\$300.00	PUBLIC EVENTS
TREVOR ASMANN	\$300.00	REFUND
CENTER POINT LARGE PRINT	\$292.44	BOOKS/PERIODICALS/SUB
ACUSHENT COMPANY	\$286.90	DODGE OPERATING EXPENSE
STEPP MANUFACTURING CO INC	\$279.21	EQUIPMENT/PARTS
COUNCIL BLUFFS WINSUPPLY	\$275.00	SUPPLIES
PREMIER GLAZERS	\$258.54	MAC OPERATING EXPENSE
NMC INC.	\$250.75	EQUIPMENT/PARTS
BLUFFS TOOL & MACHINE	\$250.00	REPAIRS & MAINTENANCE
SOUTHWEST IOWA LAWYER LEAGUE	\$250.00	DUES/MEMBERSHIP
APPLIED INDUSTRIAL TECHNOLOGIES INC	\$248.63	EQUIPMENT/PARTS
RED LIGHT REFUNDS	\$247.00	REFUND
U.S. VENTURE, INC.	\$241.36	EQUIPMENT/PARTS
WASTE CONNECTIONS OF IOWA	\$241.28	DODGE OPERATING EXPENSE
POWERTECH	\$219.50	ELECTRICAL REPAIR
VULCAN INDUSTRIES INCORPORATED	\$216.00	SUPPLIES
CATHY LYNN FOOSHEE	\$207.97	LEGAL CLAIM
JEFFREY HILL	\$205.00	LEGAL CLAIM
CFI TIRE SERVICE	\$200.50	TIRE REPLACEMENT/REPAIR
DAN L VOKT	\$200.00	REFUND
MIDWEST RESEARCH & SETTLEMENT SERVICES, INC.	\$200.00	PROFESSIONAL SVCS
SOUTHWEST IOWA NATURE TRAILS PROJECTS INC	\$200.00	PUBLIC EVENTS
TK ELEVATOR CORPORATION	\$199.30	PROFESSIONAL SVCS
WOODHOUSE FORD CHRYLSEY INC	\$185.29	EQUIPMENT/PARTS
GENIE SERVICES LLC	\$180.00	PEST CONTROL
MIDAMERICAN ENERGY COMPANY	\$177.25	ELECTRICITY
NEBRASKA TESTILE AND SUPPLY	\$176.50	DODGE OPERATING EXPENSE
TECH INC	\$164.19	SUPPLIES
INTEGRATED DESIGN AND SUPPLY INC	\$164.18	EQUIPMENT/PARTS
DAVID C ANDERSEN	\$164.00	CONSTRUCTION
DXP ENTERPRISES INC	\$155.32	EQUIPMENT/PARTS
ATHLETICO EXCEL NEBRASKA LLC	\$155.00	PROFESSIONAL SVCS
TED'S MOWER SALES & SERVICE INC	\$154.13	EQUIPMENT/PARTS
GARAGE DOOR SERVICES	\$150.00	REPAIRS & MAINTENANCE
DATASHIELD CORPORATION	\$149.00	SERVICE LABOR
TOMASEK MACHINE SHOP INC	\$135.00	REPAIRS & MAINTENANCE
WHCC OF OMAHA, INC.	\$129.45	EQUIPMENT/PARTS
GALLS PARENT HOLDING, LLC	\$129.12	EQUIPMENT/PARTS
CENTRAL STATES WIRE PRODUCTS INC	\$125.00	SUPPLIES
MOLINA HEALTHCARE OF IOWA	\$125.00	REFUND
NATIONAL CONCRETE CUTTING INC	\$123.50	REPAIRS & MAINTENANCE
ONE SOURCE THE BACKGROUND CHECK COMPANY	\$121.30	CONSULTANT
IOWA DEPT OF INSPECTIONS & APPEALS	\$120.00	TRAINING
BILL'S WATER CONDITIONING INC	\$99.00	SUPPLIES
JIM HAWK TRUCK TRAILERS INC.	\$90.57	EQUIPMENT/PARTS
AHLERS & COONEY P.C	\$81.00	LEGAL SERVICES
NUCO PUMP SALES AND SERVICE	\$80.25	DODGE OPERATING EXPENSE
PRESTO X	\$76.13	RIVERS EDGE GARAGE EXPENSE
INTERNATIONAL ASSOC OF FIRE CHIEFS	\$71.67	DUES/MEMBERSHIP
IOWA LIBRARY ASSOCIATION	\$70.00	TRAINING
AMERICAN NATIONAL BANK	\$65.00	BANK SERVICES
POTTAWATTAMIE COUNTY TREASURER	\$64.30	FEES
G & T LLC	\$63.00	REFUND

MARTHA THOMAS	\$63.00	REFUND
INLAND TRUCK PARTS COMPANY INC	\$60.36	EQUIPMENT/PARTS
AMBASSADOR TITLE SERVICES	\$60.00	REFUND
CHRONICLES PROPERTIES	\$60.00	REFUND
ERIC HODGES	\$60.00	REFUND
THE 712 INITIATIVE	\$60.00	REFUND
VIRGINIA ANDERSON	\$60.00	REFUND
DAVIS EQUIPMENT CORPORATION	\$59.11	EQUIPMENT/PARTS
UNITED PARCEL SERVICE	\$57.34	FREIGHT/POSTAGE
THRYV, INC.	\$53.45	ADVERTISEMENT
AMEX	\$52.23	MAC OPERATING EXPENSE
RIVER'S EDGE BANK FEES	\$50.75	RIVERS EDGE GARAGE EXPENSE
ABBEY EDWARDS	\$50.00	PROFESSIONAL SVCS
STATE OF IOWA	\$50.00	TRAINING
MID-AMERICA CLEANING SYSTEMS INC	\$47.40	EQUIPMENT/PARTS
AMERITAS LIFE INS CORP	\$46.06	DODGE OPERATING EXPENSE
WILLIAM E CARPENTER JR	\$42.88	REIMB EMPLOYEE EXPENSE
THERESA DEWITT	\$39.88	REIMB EMPLOYEE EXPENSE
LINDSAY MCGINNIS-HURT	\$32.20	REIMB EMPLOYEE EXPENSE
CHRISTINE D ANDERSON	\$30.15	REIMB EMPLOYEE EXPENSE
TITLECORE NATIONAL LLC	\$30.00	REFUND
BOFA	\$20.94	MAC OPERATING EXPENSE
COUNCIL BLUFFS TITLE AND ESCROW	\$20.00	REFUND
FINTECH	\$20.00	DODGE OPERATING EXPENSE
UNION BANK/OMNIFY BENEFITS	\$19.50	DODGE OPERATING EXPENSE
GREAT AMERICA FINANCIAL SERVICE	\$19.43	DODGE OPERATING EXPENSE
GREENFIELD PUBLIC LIBRARY	\$17.00	BOOKS/PERIODICALS/SUB
AMERICAN MESSAGING SERVICES LLC	\$16.26	PHONE/INTERNET SVC
LORETTA GOESCHEL	\$16.08	REIMB EMPLOYEE EXPENSE
BIG V RENTALS LLC	\$14.00	REFUND
CHARLES R STRONG	\$12.83	REIMBURSEMENT
KLASS LAW FIRM LLP	\$12.00	CONTRACT AGREEMENT
JULIANNE M JOHNSON	\$10.28	REIMB EMPLOYEE EXPENSE
ALLISON STOREY	\$4.42	REIMB EMPLOYEE EXPENSE
TOTAL	\$10,416,009.64	

City of Council Bluffs

**Receipts by Fund
For the Month of January FY25**

General Fund	2,909,690.96
Special Revenue	2,768,476.58
Debt Service	60,350.66
Capital Project	2,968,706.29
Enterprise	1,732,731.92
Total Receipts	10,439,956.41

**Expenditures by Fund
For the Month of January FY25**

General Fund	7,113,562.96
Special Revenue	1,101,321.37
Debt Service	1,900.00
Capital Project	1,074,233.11
Enterprise	1,124,992.20
Total Expenditures	10,416,009.64

**Transfer from City Operating Accounts
For the Month of January FY25**

to Mid America Center	0.00
to Dodge Riverside	0.00
to RE Parking Garage	14,000.00
Total Transfers	14,000.00

Council Communication

Department: City Clerk

Case/Project No.:

Submitted by:

Claims
ITEM 3.H.

Council Action: 4/7/2025

Description

Background/Discussion

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Claims	Other	4/1/2025

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

CITY CLAIM NO. 25-FD-2289

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Central Iowa Juvenile Detention Center

DAY PHONE: [REDACTED]

ADDRESS: [REDACTED]

DOB: NA

DATE & TIME OF LOSS/ACCIDENT: 02-18-25 @ 6:05pm

LOCATION OF LOSS/ACCIDENT: 800 Mercy Drive, Council Bluffs

DESCRIPTION OF LOSS/ACCIDENT: While our agency vehicle was parked at Mercy Hospital an ambulance backed into our CIJDC Toyota Camry. The CIJDC Camry was unoccupied but the ambulance workers stated their backup camera was dirty and did not see our vehicle.

(USE BACK OF FORM, IF NECESSARY)

TOTAL DAMAGES CLAIMED: \$ see attached estimates

WITNESS(ES) (Name(s), Address(es), Phone No(s)) [REDACTED]

WAS POLICE REPORT FILED ☒ YES ☐ NO

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

HAVE YOU RESUMED NORMAL ACTIVITIES? ☒ YES ☐ NO

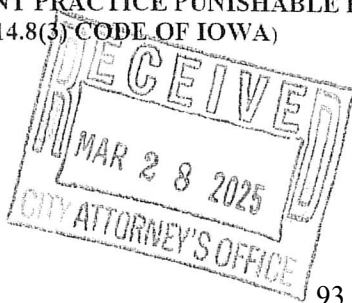
IF YOU INCURRED PROPERTY DAMAGE, PLEASE DESCRIBE AND PROVIDE COPIES OF ESTIMATES, INVOICES, PHOTOGRAPHS, AND ANY OTHER RELEVANT INFORMATION: see attached documents

LIST INSURANCE PROVIDER AND COVERAGE: [REDACTED]

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

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

03-06-2025
DATE



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CLAIMANT'S SIGNATURE

Action by Council:
Receive & File:
Date: 4-7-25

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

CITY CLAIM NO. 25-PW-2288

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: CSM, LLP a/b/o USAA Casualty Insurance Company a/s/o Cayce Williamson DAY PHONE: _____

ADDRESS: [REDACTED] DOB: _____

DATE & TIME OF LOSS/ACCIDENT: 12/13/2024

LOCATION OF LOSS/ACCIDENT: 308 Grace Street in Council Bluffs, Iowa

DESCRIPTION OF LOSS/ACCIDENT: On December 13, 2024, at approximately 7:58 PM, USAA Casualty Insurance Company's insured was parked near 308 Grace Street in Council Bluffs, IA when their vehicle was hit on the front end by a City of Council Bluffs vehicle (2009 Intl. Plow Truck, IA License Plate No. 73587), driven by Adam Vandevanter who failed to maintain a proper lookout, causing a collision with the USAA Casualty Insurance Company insured vehicle. (USE BACK OF FORM IF NECESSARY)

TOTAL DAMAGES CLAIMED: \$ 5,159.40

WITNESSES (Name(s), Address(es), Phone No(s)): N/A

WAS POLICE REPORT FILED ☒ YES ☐ NO

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

HAVE YOU RESUMED NORMAL ACTIVITIES? ☐ YES ☐ NO

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

LIST INSURANCE PROVIDER AND COVERAGE: [REDACTED]

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

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

DATE: _____ CLAIMANT'S SIGNATURE: [Signature] Obadiah Pasmore a/b/o CSM, LLP a/s/o USAA Casualty Insurance Company a/s/o Cayce Williamson

CLERK RCVD

28 MAR '25

AM 11:49



Action by Council:

Receive & File:

Date: 4/7/25

Council Communication

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

Right of Redemption
ITEM 3.I.

Council Action: 4/7/2025

Description

Background/Discussion

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Right of Redemption	Other	4/1/2025

NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION

IAT 32 LLC c/o Stearns Bank NA as Custodian

6/19/23
2:44:25
COUNCIL

TO: ANY AND ALL ENTITIES AND/OR PERSON(S) IN POSSESSION OF THE PARCEL
HEREIN DESCRIBED

Paulo E. Nolasco Hernandez 313 Williams St. Council Bluffs, IA 51503 - Owner
Person in Possession 313 Williams St. Council Bluffs, IA 51503 - Person in Possession
Paulo E. Nolasco Hernandez 5454 Fontanelle Blvd Omaha, NE 68111 - Owner
City of Council Bluffs c/o City Clerk 209 Pearl St. Council Bluffs, IA 51503 - City Clerk
Pottawattamie Cty DHS 417 E Kanessville Blvd Council Bluffs, IA 51503 - CDDMO11375
Pottawattamie Cty Treasurer 227 S 6th St. Council Bluffs, IA 51501 - County Treasurer
Pottawattamie Cty Auditor 227 S 6th St. Council Bluffs, IA 51501 - County Auditor
Pottawattamie Cty Attorney 227 S 6th St. Council Bluffs, IA 51501 - Judgments/Liens
Iowa Attorney General 1305 E. Walnut St. #102 Des Moines, IA 50319 - Judgments/Liens
ANY OTHER UNKNOWN PERSONS WITH INTEREST


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 6/19/2023, the following described parcel, situated in Pottawattamie County, Iowa, to-wit:

Lot 2, Auditor's Subdivision of Lots 4 and 5 in Block 2, Williams Subdivision of Mill Lot, EXCEPT a piece in the Southeasterly corner described as that part lying Southeast of the line commencing on the Southerly line of said Lot, 100 feet East of Little Williams Street; thence Northerly on the line parallel with Williams Street, 27 feet; thence on a line parallel with Southerly line of said Lot to Sixth Street; ALSO INCLUDING a piece beginning at a point on the South line of Lot 2, which is 100 feet East from the East line of Williams Street; and running thence East 1.9 feet; thence North 18 1/2 degrees West, 6 feet; thence South 5.6 feet to point of beginning; ALSO EXCEPT a place beginning at a point 100 feet East of the East line of Williams Street and 18.7 feet North of the South line of Lot 2, and running South 72 degrees West 4 feet or to the Westerly corner of the house; thence South 18 1/2 degrees East 12.6 feet; thence North parallel to Williams Street, and 100 feet therefrom 13.1 feet to place of beginning, subject to any and all driveway easements upon this property, all in Council Bluffs, Pottawattamie County, Iowa. a/k/a PARCEL # 754425378003 a/k/a 313 Williams St. Council Bluffs, IA 51503 a/k/a Cert No. 23-0028

Was sold at tax sale by the Treasurer of Pottawattamie County for the then delinquent and unpaid taxes and/or special assessments against the property, which a Certificate of Purchase was duly issued by the County Treasurer of Pottawattamie County to IAT 32 LLC c/o Stearns Bank NA as Custodian pursuant to said tax sale, which certificate is now lawfully held and owned by IAT 32 LLC c/o Stearns Bank NA as Custodian, and that the right of redemption will expire and a deed for the said property will be made unless redemption from said tax sale is made within ninety (90) days from the completed service of this Notice.

IAT 32 LLC c/o Stearns Bank NA as Custodian

By: 
Mike Klemme (Member)
PO Box 506
Le Mars, Iowa 51031

Action by Council:
Receive & File:

Date: 4/7/25

NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION

Silver City Capital LLC c/o Stearns Bank NA as Custodian

CLERK REC'D
20 APR 25
3:49 PM

TO: ANY AND ALL ENTITIES AND/OR PERSON(S) IN POSSESSION OF THE PARCEL
HEREIN DESCRIBED

Kathleen G. Watson 3613 Ronald Rd Council Bluffs, IA 51501 - Owner
Person in Possession 3613 Ronald Rd Council Bluffs, IA 51501 - Person in Possession
City of Council Bluffs c/o City Clerk 209 Pearl St. Council Bluffs, IA 51503 - City Clerk
ACC 646 LLC 3161 SE 22nd St. Des Moines, IA 50320 - 2024 Cert Holder
Pottawattamie Cty Treasurer 227 S 6th St. Council Bluffs, IA 51501 - County Treasurer
Pottawattamie Cty Auditor 227 S 6th St. Council Bluffs, IA 51501 - County Auditor
Pottawattamie Cty Attorney 227 S 6th St. Council Bluffs, IA 51501 - Judgments/Liens
Iowa Attorney General 1305 E. Walnut St. #102 Des Moines, IA 50319 - Judgments/Liens
ANY OTHER UNKNOWN PERSONS WITH INTEREST

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 6/19/2023, the following described parcel, situated in Pottawattamie County, Iowa, to-wit:

Lot Five (5) in Block Three (3) in Moore's Addition in the City of Council Bluffs, Pottawattamie County, Iowa a/k/a PARCEL # 744416254005 a/k/a 3613 Ronald Rd Council Bluffs, IA 51501 a/k/a Cert No. 23-0083

Was sold at tax sale by the Treasurer of Pottawattamie County for the then delinquent and unpaid taxes and/or special assessments against the property, which a Certificate of Purchase was duly issued by the County Treasurer of Pottawattamie County to Silver City Capital LLC c/o Stearns Bank NA as Custodian pursuant to said tax sale, which certificate is now lawfully held and owned by Silver City Capital LLC c/o Stearns Bank NA as Custodian, and that the right of redemption will expire and a deed for the said property will be made unless redemption from said tax sale is made within ninety (90) days from the completed service of this Notice.

Silver City Capital LLC c/o Stearns Bank NA as Custodian

By: _____



Mike Klemme (Member)

PO Box 506

Le Mars, Iowa 51031

Action by Council:

Receive & File:

Date: _____

4/7/25

NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION

IAT 64, LLC c/o Stearns Bank NA as Custodian

06/19/2023
2:44:32 PM
66736

**TO: ANY AND ALL ENTITIES AND/OR PERSON(S) IN POSSESSION OF THE PARCEL
HEREIN DESCRIBED**

Ximena A. Nunez-Campos 3517 William Ln Council Bluffs, IA 51501 - Owner
Person in Possession 3517 William Ln Council Bluffs, IA 51501 - Person in Possession
City of Council Bluffs c/o City Clerk 209 Pearl St. Council Bluffs, IA 51503 - City Clerk
Pottawattamie Cty Treasurer 227 S 6th St. Council Bluffs, IA 51501 - County Treasurer
Pottawattamie Cty Auditor 227 S 6th St. Council Bluffs, IA 51501 - County Auditor
Pottawattamie Cty Attorney 227 S 6th St. Council Bluffs, IA 51501 - Judgments/Liens
Iowa Attorney General 1305 E. Walnut St. #102 Des Moines, IA 50319 - Judgments/Liens
ANY OTHER UNKNOWN PERSONS WITH INTEREST

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 6/19/2023, the following described parcel, situated in Pottawattamie County, Iowa, to-wit:

Lot 5, Block 5, in Moore's Addition, Section 2, a Suburban Subdivision in Pottawattamie County, Iowa a/k/a PARCEL # 744416253016 a/k/a 3517 William Ln Council Bluffs, IA 51501 a/k/a Cert No. 23-0077

Was sold at tax sale by the Treasurer of Pottawattamie County for the then delinquent and unpaid taxes and/or special assessments against the property, which a Certificate of Purchase was duly issued by the County Treasurer of Pottawattamie County to IAT 64, LLC c/o Stearns Bank NA as Custodian pursuant to said tax sale, which certificate is now lawfully held and owned by IAT 64, LLC c/o Stearns Bank NA as Custodian, and that the right of redemption will expire and a deed for the said property will be made unless redemption from said tax sale is made within ninety (90) days from the completed service of this Notice.

IAT 64, LLC c/o Stearns Bank NA as Custodian

By: 

Mike Klemme (Member)

PO Box 506

Le Mars, Iowa 51031

Action by Council:

Receive & File:

Date: 4/7/25

NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION

Bennett Capital, LLC c/o Stearns Bank NA as Custodian

CLERK/RCUD
28 MAR 25
PM 4:39

TO: ANY AND ALL ENTITIES AND/OR PERSON(S) IN POSSESSION OF THE PARCEL
HEREIN DESCRIBED

Alecia Nichols 3507 William Ln Council Bluffs, IA 51501 - Owner
Timothy Hiers Jr. 3507 William Ln Council Bluffs, IA 51501 - Owner
Person in Possession 3507 William Ln Council Bluffs, IA 51501 - Person in Possession
City of Council Bluffs c/o City Clerk 209 Pearl St. Council Bluffs, IA 51503 - City Clerk/Judgments
ACC 333, LLC 3161 SE 22nd St. Des Moines, IA 50320 - 2024 Cert Holder
Damien Shull 6614 Underwood Ave Omaha, NE 68132 - SCSC120418
Pottawattamie Cty Treasurer 227 S 6th St. Council Bluffs, IA 51501 - County Treasurer
Pottawattamie Cty Auditor 227 S 6th St. Council Bluffs, IA 51501 - County Auditor
Pottawattamie Cty Attorney 227 S 6th St. Council Bluffs, IA 51501 - Judgments/Liens
Iowa Attorney General 1305 E. Walnut St. #102 Des Moines, IA 50319 - Judgments/Liens
ANY OTHER UNKNOWN PERSONS WITH INTEREST

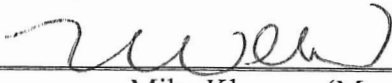
All of the heirs, spouses, assignees, grantees, legatees, devisees, and successors in interest both known and unknown and all unknown claimants claiming to have any recorded or unrecorded right, title, or interest in and to the parcel hereinafter described.

In accordance with Iowa Code Section 447.9 you are hereby notified that on 6/19/2023, the following described parcel, situated in Pottawattamie County, Iowa, to-wit:

Lot 10, Block 5, in Moore's Addition, Section 2, a Suburban Subdivision in Pottawattamie County, Iowa, now a part of the City of Council Bluffs, Iowa a/k/a PARCEL # 744416253021 a/k/a 3507 William Ln Council Bluffs, IA 51501 a/k/a Cert No. 23-0078

Was sold at tax sale by the Treasurer of Pottawattamie County for the then delinquent and unpaid taxes and/or special assessments against the property, which a Certificate of Purchase was duly issued by the County Treasurer of Pottawattamie County to Bennett Capital, LLC c/o Stearns Bank NA as Custodian pursuant to said tax sale, which certificate is now lawfully held and owned by Bennett Capital, LLC c/o Stearns Bank NA as Custodian, and that the right of redemption will expire and a deed for the said property will be made unless redemption from said tax sale is made within ninety (90) days from the completed service of this Notice.

Bennett Capital, LLC c/o Stearns Bank NA as Custodian

By: 
Mike Klemme (Member)
PO Box 506
Le Mars, Iowa 51031

Action by Council:

Receive & File:

Date: 4/7/25

Council Communication

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

Child Abuse Prevention Month
ITEM 4.A.

Council Action: 4/7/2025

Description

Background/Discussion

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Child Abuse Prevention Month	Proclamation	2/10/2025

City of Council Bluffs Iowa

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

WHEREAS, child abuse and neglect is a serious problem that can be prevented; and

WHEREAS, our children are our most valuable resources and will shape the future of Council Bluffs; and

WHEREAS, child abuse can have long-term psychological, emotional, and physical effects that have lasting consequences for victims of abuse; and

WHEREAS, protective factors are conditions that reduce or eliminate risk and promote the social, emotional, and developmental well-being of children; and

WHEREAS, effective child abuse prevention activities succeed because of the partnerships created between child welfare professionals, education, health, community- and faith-based organizations, businesses, law enforcement agencies, and families; and

WHEREAS, all members of a community benefit from creating conditions that support strong and healthy families; and

WHEREAS, communities must make every effort to promote programs and activities that create strong and thriving children and families; and

WHEREAS, we acknowledge that we must work together as a community to increase awareness about child abuse and continue to promote the social and emotional well-being of children and families in a safe, stable, and nurturing environment; and

WHEREAS, prevention remains the best defense for our children and families.

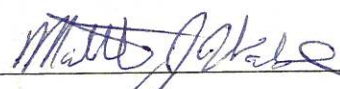
NOW, THEREFORE, I, Mayor Matthew J. Walsh, do hereby proclaim April 2025 as

CHILD ABUSE PREVENTION MONTH

in the City of Council Bluffs and urge all citizens to recognize this month by dedicating ourselves to the task of improving the quality of life for all children and families.



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 7th day of April in the year Two Thousand Twenty-Five.


Matthew J. Walsh, Mayor

Council Communication

Department: City Clerk
Case/Project No.: ZC-25-001
Submitted by: Christopher Gibbons, AICP,
Planning and Code Compliance Manager

Ordinance 6642
ITEM 5.A.

Council Action: 4/7/2025

Description
Ordinance to amend the zoning map as adopted by reference in Section 15.27.020 and setting a public hearing for April 7, 2025 at 7:00 p.m. for rezoning properties legally described as Lot 1, Sapp Bros. Truck Center from a mixture of I-2/General Industrial District and P-C/Planned Commercial District to I-2/General Industrial District; and Lot 2, Sapp Bros. Truck Center from a mixture of P-C/Planned Commercial District and C-2/Commercial District to P-C/Planned Commercial District, as set forth and defined in Chapters 15.18 and 15.21. Location: 2608 South 24th Street. ZC-25-001

Background/Discussion
See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/14/2025
Attachment A: Location/zoning map	Map	3/14/2025
Attachment B: Sapp Bros. Truck Center Final Plat	Other	3/14/2025
Attachments C & D: Conceptual development plans	Other	3/14/2025
Notice of Public Hearing	Notice	3/14/2025
Ordinance 6642	Ordinance	3/20/2025

City Council Communication

<p>Department: Community Development</p> <p>CASE #ZC-25-001</p> <p>Applicant: Sapp Bros. Inc. 9915 S. 148th Street Omaha, NE 68138</p> <p>Property Owner: Sapp Bros. Inc. P.O. Box 45305 Omaha, NE 68145</p> <p>Representative: Andrew Richard 9915 S. 148th Street Omaha, NE 68138</p>	<p>Ordinance No. _____</p>	<p>1st Consideration: 3/24/2025 2nd Consideration: 4/7/2025 3rd Consideration: 4/21/2025</p> <p>Planning Commission: 3/11/2025</p>
<p style="text-align: center;">Subject/Title</p> <p>Request: Public hearing on the request of Sapp Bros. Inc. to rezone properties legally described as Lot 1, Sapp Bros. Truck Center from a mixture of I-2/ General Industrial District and P-C/Planned Commercial District to I-2/General Industrial District; and Lot 2, Sapp Bros. Truck Center from a mixture of P-C/Planned Commercial District and C-2/Commercial District to PC District.</p> <p>Location: 2608 South 24th Street, Council Bluffs, Iowa</p>		
<p style="text-align: center;">Background</p> <p>The Community Development Department has received an application from Sapp Bros. Inc., represented by Andrew Richard, for the following requests:</p> <ol style="list-style-type: none"> 1. Rezone Lot 1, Sapp Bros. Truck Center from a mix of P-C/Planned Commercial District and I-2/General Industrial District to I-2/General Industrial District (see Attachment A). 2. Rezone Lot 2, Sapp Bros. Truck Center from a mix of P-C/Planned Commercial District and C-2/Commercial District to P-C/Planned Commercial District (see Attachment A). <p>On January 27, 2025, the City Council approved a final plat for a four-lot minor subdivision (Resolution No. 25-14), to be known as Sapp Bros. Truck Center, which includes the existing Sapp Bros. Travel Center (2608 South 24th Street) and their surrounding landholdings (see Attachment B). Currently, Lots 1 and 2, Sapp Bros Truck Center are split zoned. Lot 1 contains their existing travel center and is zoned I-2 and P-C Districts. Lot 2 is currently zoned a mixture of C-2 and P-C Districts and contains truck parking for Sapp Bros. The applicant intends to move the truck parking from Lot 2 to Lot 1 and then market Lot 2 for sale to commercial developers. The purpose of this request is to bring consistent zoning to the subject lots in accordance with the approved Sapp Bros. Truck Center final plat and intended future uses of the properties.</p>		

Direction	Existing Zoning Districts	Existing Land Uses
North	I-2/General Industrial District and A-2/Parks, Estate, and Agricultural District	Manufacturing (Tyson Foods) and Open Space (City Park)
South	C-2/Commercial District and P-C/Planned Commercial District	Interstate 29/80, Equipment sales and service (Peterbuilt), and Automobile service establishment/equipment sales and service (Sapp Bros. Travel Center)
East	I-2/General Industrial District and P-C/Planned Commercial District	Automobile service establishment (Speedee Mart) and a restaurant (The Porch)
West	P-C/Planned Commercial District	Horseshoe Casino

Public notices were mailed to all property owners within 200 feet of the subject property. No comments were received as of the date of this report.

Discussion

1. On January 27, 2025, the City Council granted final plat approval for a four-lot subdivision to be known as Sapp Bros Truck Center (see Resolution No. 25-14). The applicant's surveyor is in the process of addressing all comments and technical corrections that were identified on the plat, so that it can be signed by the owners and all applicable personnel with the City of Council Bluffs and Pottawattamie County within the 90-day timeframe outlined in Section 14.13.050, Recording of the final plat, of the Council Bluffs Subdivision Ordinance.
2. The legal descriptions used in the proposed rezoning case are specific to the lots that will be created once the Sapp Bros. Truck Center final plat is recorded with Pottawattamie County. As such, the proposed rezoning requests shall not become effective until the Sapp Bros. Truck Center final plat is signed by the City and recorded with the Pottawattamie County Recorder's office.
3. Lot 1, Sapp Bros. Truck Center contains 24.50 acres of land and is zoned a mixture of P-C/Planned Commercial District and I-2/General Industrial District. The property is home to Sapp Bros. Travel Center, Blue Beacon Truck Wash, and an existing 149 foot-tall wireless monopole telecommunication tower. The applicant has requested to rezone the property from a mixture of P-C/Planned District and I-2/General Industrial District to I-2/General Industrial District for zoning consistency purposes and to relocate truck parking from Lot 2, Sapp Bros. Truck Center to the westerly 10 acres of said Lot 1. If successfully rezoned, any future development on the property shall fully comply with the land uses and site development standards stated in Chapter 15.21, *I-2/General Industrial District*, of the Council Bluffs Municipal Code (Zoning Ordinance).
4. Lot 2, Sapp Bros. Truck Center contains 4.06 acres of land and is zoned a mixture of P-C/Planned Commercial District and C-2/Commercial District. The property is currently being used for truck parking, but Sapp Bros. plans to relocate said truck parking to the westerly 10 acres of Lot 1, Sapp Bros. Truck Center, once the final plat is approved and new pavement is installed. If the request to rezone the entire parcel to P-C District is approved by City Council, the applicant plans to market the site for commercial development. The applicant has submitted a conceptual plan that demonstrates the property can be developed with a commercial use(s) and off-street parking that integrates well with the existing Sapp Bros. Travel Center and surrounding area.
5. The minimum lot size for property zoned P-C District is 10 acres, as per Section 15.18.050, *Site Development Regulations*, of the Council Bluffs Zoning Ordinance. The Community Development Department finds the request to rezone Lot 2, Sapp Bros. Truck Center from a mixture of P-C District and C-2 District to P-C District to be acceptable, for the following reasons:
 - a. Rezoning the property to P-C District provides consistent zoning for the parcel; and
 - b. The subject property is highly visible from Interstates 29/80 and is located near the intersection of South 24th Street and Mid-America Drive; which serves as an entrance to M.A.C. Entertainment Area. Rezoning the property to P-C District ensures all development will be designed in a manner that is compatible with existing businesses in the M.A.C. Entertainment Area; and
 - c. Any future development on the parcel will require the adoption of a P-C/Planned Commercial Development Plan, which must be reviewed by the City's Planning Commission and approved by City Council. The development plan will establish standards for architecture, landscaping, off-street parking, signage, stormwater management, grading, utilities, etc. to ensure the development is high-quality and integrates harmoniously with other surrounding businesses.
6. The Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property and surrounding areas as 'Regional Commercial', as it is within close proximity to the M.A.C Entertainment Area. The

proposed rezoning is generally consistent with the 'Regional Commercial' designation. Furthermore, the proposed rezoning provides additional development opportunities that help strengthen the M.A.C. Entertainment Area, as well as, allows Sapp Bros. to relocate truck parking from a highly visible area on their travel center site and to an area that is less visible from S. 24th Street and Interstates 29/80.

7. The applicant has provided conceptual renderings that show how Lots 2, 3, and 4, Sapp Bros. Truck Center can be developed with a mixture of multi-family residential dwellings and/or commercial/retail uses (see Attachments C and D). The applicant plans to sell said lots to private developers and is aware a separate P-C/Planned Commercial development plan must be approved for each lot by the Council Bluffs City Council, prior to issuance of any building permits.
8. Council Bluffs Fire Department stated they have no comments for the rezoning request.
9. Council Bluffs Police Department stated they have no comments/objections for the rezoning request.
10. Council Bluffs Public Works stated they have no comments about the rezoning request.
11. Cox Communications stated they have no objections to the rezoning request.
12. Council Bluffs Water Works stated they have no comments about the rezoning request.
13. MidAmerican Energy stated they have no conflicts or concerns about the proposed rezoning and that the developer and/or their agent shall contact them to discuss electrical needs for any existing and/or new development on the parcels contained in this request.

Recommendation

The Community Development Department recommends approval of the request of Sapp Bros. Inc., represented by Andrew Richard, to rezone properties legally described as Lot 1, Sapp Bros. Truck Center from a mixture of I-2/General Industrial District and P-C/Planned Commercial District to I-2/General Industrial District; and Lot 2, Sapp Bros. Truck Center from a mixture of P-C/Planned Commercial District and C-2/Commercial District to PC District.

subject to the following conditions:

1. The proposed rezoning shall not become effective until such time the Sapp Bros. Truck Center Final Plat is signed by the City and recorded with the Pottawattamie County Recorder's Office.

Public Hearing

Staff speakers for the request:

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

Speakers in favor:

1. Jonathan McCarville, Olsson, 2111 South 67th Street #200, Omaha, NE 68106

Speakers against: None

The Planning Commission recommended approval of the request of Sapp Bros. Inc., represented by Andrew Richard, to rezone properties legally described as Lot 1, Sapp Bros. Truck Center from a mixture of I-2/General

Industrial District and P-C/Planned Commercial District to I-2/General Industrial District; and Lot 2, Sapp Bros. Truck Center from a mixture of P-C/Planned Commercial District and C-2/Commercial District to PC District. subject to the following conditions:

1. The proposed rezoning shall not become effective until such time the Sapp Bros. Truck Center Final Plat is signed by the City and recorded with the Pottawattamie County Recorder's Office.

VOTE: AYE – Hutcheson, Knauss, Rater, Rew, Stroebele, VanHouten, and Watson. NAY – None.
ABSTAIN – Freund. ABSENT – None. VACANT - Three Motion: Carried.

Attachments

Attachment A: Location/zoning map

Attachment B: Sapp Bros. Truck Center Final Plat

Attachment C: Conceptual development plan for Lots 3 and 4, Sapp Bros. Truck Center

Attachment D: Conceptual development plan for Lot 2, Sapp Bros. Truck Center




Prepared by: Christopher Gibbons, Planning and Code Compliance Manager, Community Development Dept.

CITY OF COUNCIL BLUFFS

CASE #ZC-25-001 LOCATION/ZONING MAP

ATTACHMENT A

Legend

-  Area proposed to be rezoned to P-C
-  Area proposed to be rezoned to I-2
-  Parcels

0 165 330
1 Inch = 333 Feet

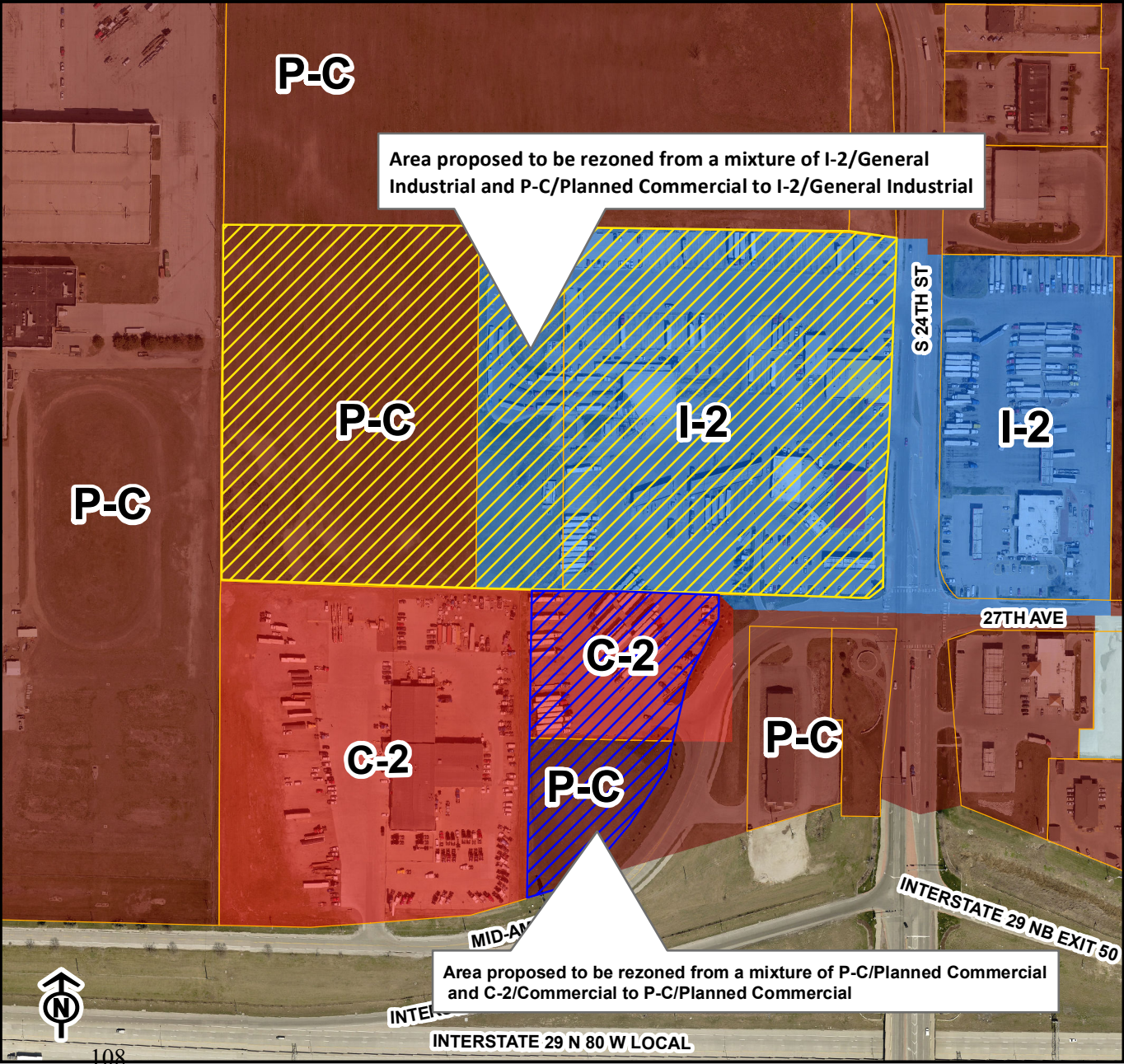


Last Amended: 2/12/25

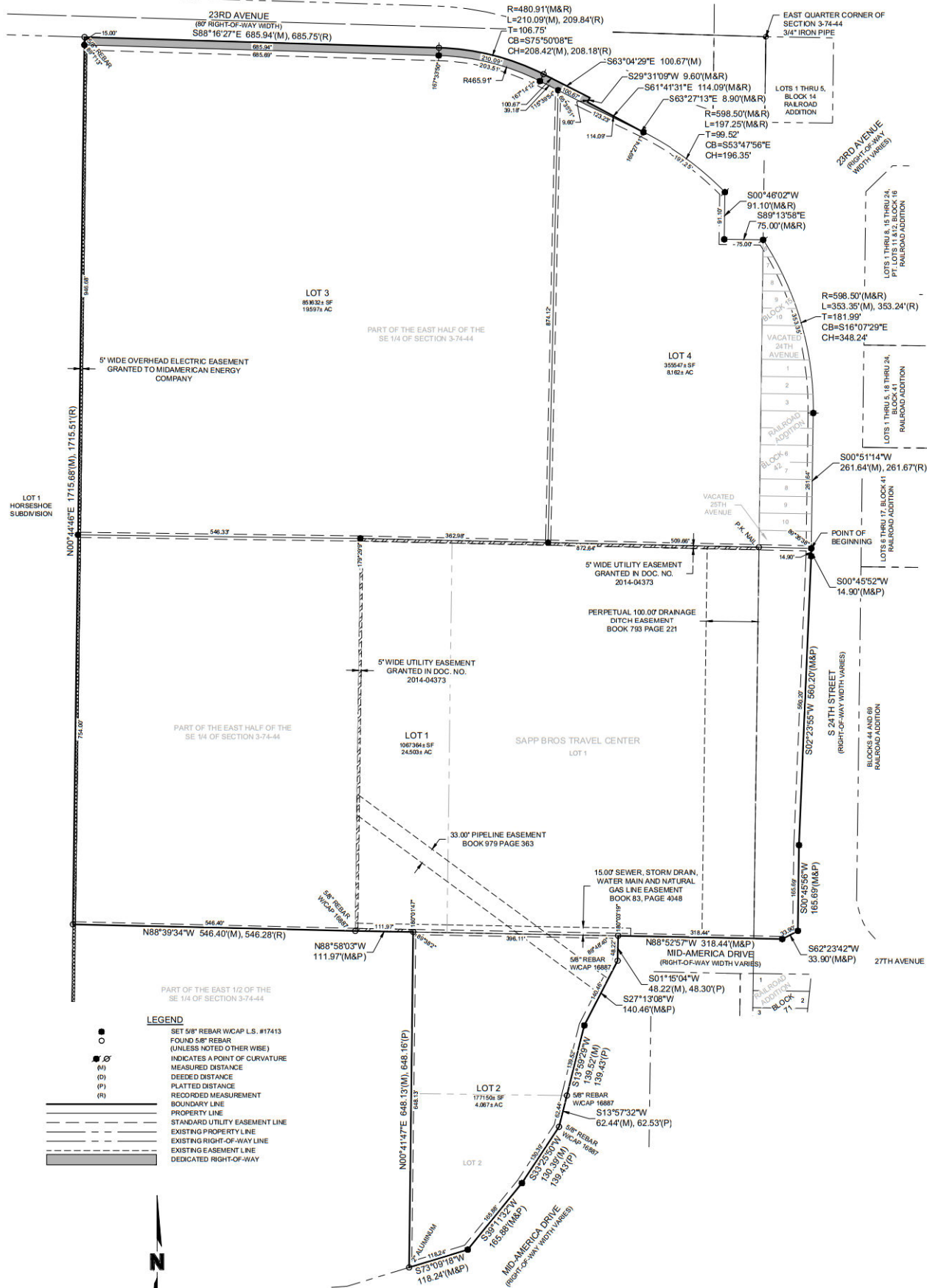


Council Bluffs Community
Development Department
209 Pearl Street
Council Bluffs, IA 51503
Telephone: (712) 890-5350

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 disclaims 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.



ATTACHMENT B



SAPP BROS TRUCK CENTER
LOTS 1 THRU 4

BEING A REPLAT OF LOTS 1 AND 2, SAPP BROS TRAVEL CENTER, TOGETHER WITH A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER, ALL IN SECTION 3, AND A PART OF LOTS 6 THRU 10, BLOCK 15, AND PART OF LOTS 1 THRU 10, BLOCK 42, RAILROAD ADDITION, TOGETHER WITH THE NORTH HALF OF VACATED 25TH AVENUE LYING SOUTH OF BLOCK 42 AND ALL OF THE VACATED 24TH AVENUE LYING BETWEEN BLOCKS 15 AND 42, IN SECTION 2, ALL IN TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA

CERTIFICATE OF COUNTY TREASURER

I, PENNY RAYLN, HEREBY CERTIFY THAT ON THE _____ DAY OF _____, 2025, A COPY OF THIS PLAT WAS FILED IN THE COUNTY ASSESSOR'S OFFICE.

DATED THIS _____ DAY OF _____, 2025.

LEAVOSS
COUNTY ASSESSOR

AUDITOR'S APPROVAL OF SUBDIVISION NAME OR TITLE

THE COUNTY AUDITOR HEREBY ACCEPTS AND APPROVES THE NAME OR TITLE OF SAID SUBDIVISION PLAT AS REQUIRED BY IOWA CODE SECTION 354.8(2).

DATED THIS _____ DAY OF _____, 2025.

MELVYN HOSER
POTTAWATTAMIE COUNTY AUDITOR

TREASURER'S CERTIFICATE OF TAXES AND SPECIAL ASSESMENTS

I, LEA VOSS, TREASURER OF POTTAWATTAMIE COUNTY, IOWA, DO HEREBY CERTIFY THAT THE LAND DESCRIBED IN THE ATTACHED AND FOREGOING LEGAL DESCRIPTION IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESMENTS.

DATED THIS _____ DAY OF _____, 2025.

LEA VOSS
TREASURER, POTTAWATTAMIE COUNTY, IOWA

AUDITOR CERTIFICATE OF RECORDING

STATE OF IOWA } SS DOCKET NO: _____ FILED FOR
POTTAWATTAMIE COUNTY

RECORDED, THIS _____ DAY OF _____, 2025, AT _____ O'CLOCK _____ M., RECORDED IN PLAT ENVELOPE INDEXED AND DELIVERED TO THE COUNTY AUDITOR OF POTTAWATTAMIE COUNTY, IOWA.

DATED _____, 2025.

ANDREW MOATS
POTTAWATTAMIE COUNTY AUDITOR

APPROVAL OF COUNCIL BLUFFS COMMUNITY DEVELOPMENT DEPARTMENT

I, THE UNDERSIGNED, COUNCIL BLUFFS COMMUNITY DEVELOPMENT DIRECTOR, APPROVE THE FINAL PLAT OF SAPP BROS TRUCK CENTER.

DATED THIS _____ DAY OF _____, 2025.

COURTNEY HARTER
COUNCIL BLUFFS COMMUNITY DEVELOPMENT DIRECTOR

APPROVAL BY COUNCIL BLUFFS CITY COUNCIL

CITY COUNCIL RESOLUTION NO. _____

RESOLUTION ACCEPTING AND APPROVING THE PLAT OF SAPP BROS TRUCK CENTER, AN ADDITION TO COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

NOW THEREFORE BE, AND IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, IOWA, THAT SAID PLAT OF SAPP BROS TRUCK CENTER, AN ADDITION TO COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA AS HERETO ATTACHED AND FORMING PART OF THIS RESOLUTION BE, AND THE SAME HEREBY IS, ACCEPTED AND APPROVED.

DATE _____ THE HONORABLE MATTHEW J. WALSH, MAYOR

DATE _____ ATTEST: JODI QUAKENBUSH, CITY CLERK

NOTES

- ALL INTERNAL LINES ARE RADIAL/PERPENDICULAR UNLESS OTHERWISE NOTED AS NON-RADIAL (NR).
- ALL INTERNAL ANGLES ARE 90° UNLESS OTHERWISE NOTED.
- ANGLES MEASURED ADJACENT TO CURVES ARE MEASURED TO THE CHORD OF SAID CURVE.
- THERE ARE NO PRIVATE RESTRICTIONS AND/OR COVENANTS THAT WILL BE RECORDED WITH THE PLAT.

LEGAL DESCRIPTION

BEING A REPLAT OF LOTS 1 AND 2, SAPP BROS TRAVEL CENTER, TOGETHER WITH A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER, ALL IN SECTION 3, AND A PART OF LOTS 6 THRU 10, BLOCK 15, AND PART OF LOTS 1 THRU 10, BLOCK 42, RAILROAD ADDITION, TOGETHER WITH THE NORTH HALF OF VACATED 25TH AVENUE LYING SOUTH OF BLOCK 42 AND ALL OF THE VACATED 24TH AVENUE LYING BETWEEN BLOCKS 15 AND 42, IN TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1, SAPP BROS TRAVEL CENTER, SAID CORNER ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF S 24TH STREET; THENCE ON SAID WEST RIGHT-OF-WAY LINE OF S 24TH STREET FOR THE FOLLOWING THREE (3) DESCRIBED COURSES: (1) ON AN ASSUMED BEARING OF S00°45'22"W, 14.90 FEET; (2) S02°23'55"W, 560.20 FEET; (3) S00°45'56"W, 165.69 FEET TO A POINT INTERSECTING SAID WEST RIGHT-OF-WAY LINE OF S 24TH STREET AND THE NORTH RIGHT-OF-WAY LINE OF MID-AMERICA DRIVE; THENCE ON SAID NORTH AND WEST RIGHT-OF-WAY LINE OF MID-AMERICA DRIVE FOR THE FOLLOWING EIGHT (8) DESCRIBED COURSES: (1) S62°23'42"W, 33.90 FEET; (2) N88°52'57"W, 318.44 FEET; (3) S01°15'04"W, 48.22 FEET; (4) S27°13'08"W, 140.46 FEET; (5) S13°57'32"W, 139.52 FEET; (6) S13°57'32"W, 42.44 FEET; (7) S33°29'59"W, 130.39 FEET; (8) S39°13'22"W, 165.88 FEET; (9) S77°09'18"W, 118.24 FEET TO A CORNER OF SAID LOT 2, SAPP BROS TRAVEL CENTER; THENCE ON THE WEST LINE OF SAID LOTS 1 AND 2, SAPP BROS TRAVEL CENTER N00°41'47"E, 648.13 FEET TO A CORNER OF SAID LOT 1, SAPP BROS TRAVEL CENTER; THENCE ON CONTINUING ON SAID WEST LINE OF LOT 1, SAPP BROS TRAVEL CENTER N88°50'00"W, 111.97 FEET TO A CORNER OF SAID LOT 1, SAPP BROS TRAVEL CENTER; THENCE N88°39'34"W, 546.40 FEET TO A POINT ON THE WEST LINE OF SAID EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 3; THENCE ON SAID WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 3, N00°41'47"E, 171.68 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF 23RD AVENUE; THENCE ON SAID SOUTH RIGHT-OF-WAY LINE OF 23RD AVENUE FOR THE FOLLOWING NINE (9) DESCRIBED COURSES: (1) S88°48'27"E, 885.84 FEET TO A POINT OF CURVATURE; (2) ON A 480.91 FOOT RADIUS CURVE TO THE RIGHT, AN ARC LENGTH OF 210.09 FEET (LONG CHORD BEARS S72°50'00"E, 208.42 FEET); (3) S65°10'00"E, 100.87 FEET; (4) S27°13'08"W, 96.00 FEET; (5) S61°14'13"E, 114.09 FEET; (6) S63°27'13"E, 8.90 FEET TO A POINT OF CURVATURE; (7) ON A 598.50 FOOT RADIUS CURVE TO THE RIGHT, AN ARC LENGTH OF 197.25 FEET (LONG CHORD BEARS S53°47'56"E, 196.35 FEET); (8) S00°46'02"W, 91.10 FEET; (9) S89°13'58"E, 75.00 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHEAST QUARTER OF SECTION 3, SAID POINT ALSO BEING A POINT INTERSECTING SAID SOUTH RIGHT-OF-WAY LINE OF 23RD AVENUE AND SAID WEST RIGHT-OF-WAY LINE OF S 24TH STREET; SAID POINT ALSO BEING A POINT OF NON-TANGENT CURVATURE; THENCE ON SAID WEST RIGHT-OF-WAY LINE OF S 24TH STREET FOR THE FOLLOWING TWO DESCRIBED COURSES: (1) ON A 598.50 FOOT RADIUS CURVE TO THE RIGHT, AN ARC LENGTH OF 353.35 FEET (LONG CHORD BEARS S16°07'29"E, 348.24 FEET); (2) S00°51'14"W, 261.64 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS A CALCULATED AREA OF 2.468,904.12 OR 56.678 ACRES MORE OR LESS.

DEDICATION

SAPP BROS TRAVEL CENTER, INC. AND SAPP BROS, INC., AS THE OWNERS OF THE REAL ESTATE DESCRIBED IN THE ATTACHED LEGAL DESCRIPTION, HAVE IN THE PURSUANCE OF THE LAWS, CAUSED SAID DESCRIBED REAL ESTATE TO BE SURVEYED, STAKED AND PLATTED INTO LOTS AND STREETS, A FIFTEEN FOOT-WIDE STRIP OF LAND ALONG THE FRONTAGE OF PROPOSED LOT 3 AND A NORTHERLY PORTION OF PROPOSED LOT 4 TO THE CITY OF COUNCIL BLUFFS AS IS PARTICULARLY SHOWN AND SET FORTH IN THE ATTACHED PLAT AND SAID CERTIFICATE OF TERRY L. ROTHANZL, A LICENSED SURVEYOR WHO SURVEYED AND PLATTED THE REAL ESTATE TO BE KNOWN AS SAPP BROS TRUCK CENTER LOTS 1 THRU 4, AN ADDITION TO COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, AND THAT THE SAME IS PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE AS OWNER AND PROPRIETOR THEREOF.

EXECUTED AT THE CITY OF COUNCIL BLUFFS, IOWA, THE _____ DAY OF _____, 2025.

BY: _____

NAME _____ TITLE _____

BY: _____

NAME _____ TITLE _____

STANDARD UTILITY EASEMENT NOTES

A FIVE (5) FOOT-WIDE PERMANENT EASEMENT ON EACH SIDE AND REAR PROPERTY LINE(S) AND A TEN (10) FOOT-WIDE EASEMENT ALONG ALL FRONT LOT LINES IS RESERVED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES.

- FRECTION OF STRUCTURES PROHIBITED: GRANTOR SHALL NOT FRECTION ANY STRUCTURE OVER OR WITHIN THE EASEMENT AREA WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER WHO SHALL NOT BE UNREASONABLY WITHHELD, PROVIDED HOWEVER GRANTOR SHALL HAVE THE RIGHT TO PLACE AND MAINTAIN A SURFACED ROADWAY OVER AND WITHIN THE EASEMENT AREA.
- CHANGE OF GRADE PROHIBITED: GRANTOR SHALL NOT CHANGE THE GRADE, ELEVATION OR CONTOUR OF ANY PART OF THE EASEMENT AREA WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER WHICH SHALL NOT BE UNREASONABLY WITHHELD.
- 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.
- REMOVAL AND REPLACEMENT: WITH THE EXCEPTION OF EXISTING STRUCTURES, THE COST OF REMOVAL AND REPLACEMENT OF ANY UNAUTHORIZED IMPROVEMENT OR STRUCTURES WITHIN THE EASEMENT AREA, NECESSITATED BY THE EXERCISE OF THE RIGHTS UNDER THIS EASEMENT, SHALL BE BORNE BY THE GRANTOR OR THEIR SUCCESSORS OR ASSIGNS.
- SURFACE RESTORATION: CITY'S LIABILITY TO RESTORE THE SURFACE WITHIN THE EASEMENT AREA SHALL BE LIMITED ONLY TO GRADING AND SEEDING.
- DUTY TO REPAIR: CITY AGREES THAT ANY DRAIN TILE, DRIVE OR ACCESS WAY, FENCE, OR YARD OR OTHER IMPROVEMENTS OUTSIDE OF THE EASEMENT AREA WHICH MAY BE DAMAGED AS A RESULT OF ANY ENTRY MADE THROUGH AN EXERCISE OF THE CITY'S RIGHT OF ACCESS SHALL BE REPAIRED AT NO EXPENSE TO GRANTOR AND TO GRANTOR'S SATISFACTION.
- 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.

ACKNOWLEDGEMENT OF NOTARIES

STATE OF _____) SS

COUNTY OF _____)

ON THIS _____ DAY OF _____, 2025, BEFORE ME, A NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED FOR SAID COUNTY AND STATE, PERSONALLY APPEARED

_____, WHO IS PERSONALLY KNOWN TO ME TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFRICKED TO THE ABOVE INSTRUMENT AS INDIVIDUALS, AND HE ACKNOWLEDGED THE SIGNING OF THE SAME TO BE HIS VOLUNTARY ACT AND DEED AND THE VOLUNTARY ACT AND DEED OF SAID CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL THE DATE LAST AFORESAID.

NOTARY PUBLIC

ACKNOWLEDGEMENT OF NOTARIES

STATE OF _____) SS

COUNTY OF _____)

ON THIS _____ DAY OF _____, 2025, BEFORE ME, A NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED FOR SAID COUNTY AND STATE, PERSONALLY APPEARED

_____, WHO IS PERSONALLY KNOWN TO ME TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFRICKED TO THE ABOVE INSTRUMENT AS INDIVIDUALS, AND HE ACKNOWLEDGED THE SIGNING OF THE SAME TO BE HIS VOLUNTARY ACT AND DEED AND THE VOLUNTARY ACT AND DEED OF SAID CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL THE DATE LAST AFORESAID.

NOTARY PUBLIC

SURVEYOR'S CERTIFICATION

I, TERRY L. ROTHANZL, DO HEREBY CERTIFY THAT I HAVE MADE A BOUNDARY SURVEY OF THE SUBDIVISION HEREIN AND THAT PERMANENT MONUMENTS AS NOTED HEREON HAVE BEEN PLACED ON THE BOUNDARY OF THE PLAT AND AT ALL CORNERS, ANGLE POINTS, AND ENDS OF ALL CURVES ON THE BOUNDARY AND ON THE LOTS AND BLOCKS. I HAVE KNOWN AS SAPP BROS TRUCK CENTER LOTS 1 THRU 4, BEING A REPLAT OF LOTS 1 AND 2, SAPP BROS TRAVEL CENTER, TOGETHER WITH A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER, ALL IN SECTION 3, TOWNSHIP 74 NORTH, RANGE 44 WEST, AND A PART OF LOTS 6 THRU 10, BLOCK 15, AND PART OF LOTS 1 THRU 10, BLOCK 42, RAILROAD ADDITION, IN SECTION 2, TOWNSHIP 74 NORTH, RANGE 44 WEST, TOGETHER WITH THE NORTH HALF OF VACATED 25TH AVENUE LYING SOUTH OF BLOCK 42 AND ALL OF THE VACATED 24TH AVENUE LYING BETWEEN BLOCKS 15 AND 42, IN THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA.

TERRY L. ROTHANZL
IOWA L.S. 17413

2-5-2025
DATE



drawn by: _____
designed by: _____
project no.: 013-06834
date: 2-5-2025

SHEET
1 of 1

olsson

2111 South 67th Street
Suite 200
Omaha, NE 68106
olsson.com
TEL 402.341.1116
FAX 402.341.5955

BY

DESCRIPTION

DATE

NAME

TITLE

DATE

REV.

NO.

REVISIONS

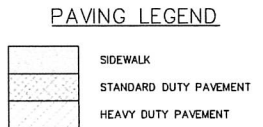
2025

FINAL PLAT

SAPP BROS TRUCK CENTER
LOTS 1 THRU 4

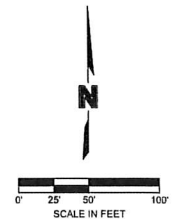
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Attachment C

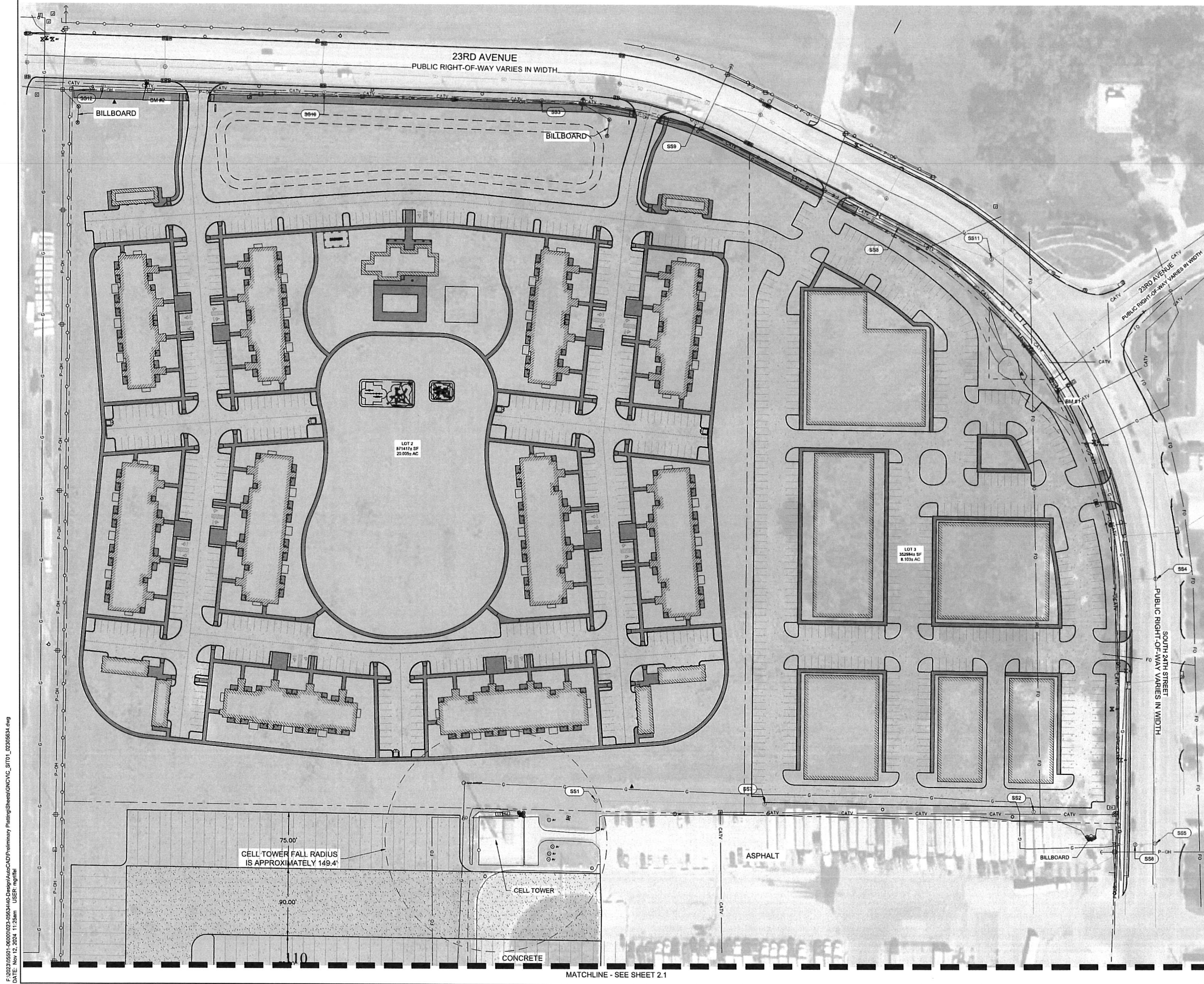


olson®

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Suite 200
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olsson.com
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FAX 402.341.5895



<div> <div>drawn by: _____</div> <div>designed by: _____</div> <div>project no.: 073-05631</div> <div>date: 07-18-2024</div> </div>	<div> <div>SITE LAYOUT - NORTH</div> <div>PLANNED COMMERCIAL DEVELOPMENT PLAN</div> </div>		REV. NO.	DATE	DESCRIPTION	BY
<div> <div>SAPP BROS. - TRUCK CENTER</div> <div>NW CORNER OF S. 24TH ST. AND INTERSTATE 80</div> </div>						
<div> <div>COUNCIL BLUFFS, IA</div> </div>		2024		REVISIONS		



Attachment D

PAVING LEGEND

SIDEWALK

STANDARD DUTY PAVEMENT

HEAVY DUTY PAVEMENT

olsson

2111 South 67th Street
Suite 200
Omaha, NE 68106
olsson.com
TEL 402.341.1116
FAX 402.341.5555

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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 7, 2025 at 7:00 p.m. in the City Council Chambers, 2nd 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 Sapp Bros. Inc., represented by Andrew Richard, to rezone properties legally described as Lot 1, Sapp Bros. Truck Center from a mixture of I-2/General Industrial District and P-C/Planned Commercial District to I-2/General Industrial District; and Lot 2, Sapp Bros. Truck Center from a mixture of P-C/Planned Commercial District and C-2/Commercial District to PC/Planned Commercial District.

Jodi Quakenbush, City Clerk

ORDINANCE NO. 6642

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 PROPERTIES LEGALLY DESCRIBED AS LOT 1, SAPP BROS. TRUCK CENTER FROM A MIXTURE OF I-2/GENERAL INDUSTRIAL DISTRICT AND P-C/PLANNED COMMERCIAL DISTRICT TO I-2/GENERAL INDUSTRIAL DISTRICT; AND LOT 2, SAPP BROS. TRUCK CENTER FROM A MIXTURE OF P-C/PLANNED COMMERCIAL DISTRICT AND C-2/COMMERCIAL DISTRICT TO P-C/PLANNED COMMERCIAL DISTRICT, AS SET FORTH AND DEFINED IN CHAPTERS 15.18 AND 15.21 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 properties legally described as Lot 1, Sapp Bros. Truck Center from a mixture of I-2/General Industrial District and P-C/Planned Commercial District to I-2/General Industrial District; and Lot 2, Sapp Bros. Truck Center from a mixture of P-C/Planned Commercial District and C-2/Commercial District to P-C/Planned Commercial District as set forth and defined in Chapters 15.18 and 15.21 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 and upon the Sapp Bros. Truck Center Final Plat being executed by the City and recorded with the Pottawattamie County Recorder's Office.

ADOPTED
AND
APPROVED

April 7, 2025.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

First Consideration: 3-24-25
Second Consideration: 4-7-25
Public Hearing: 4-7-25
Third Consideration:

Council Communication

Department: Community Development
Case/Project No.:
Submitted by: Dessie Redmond, Housing &
Economic Development Planner

Resolutions 25-95 and 25-96
ITEM 5.B.

Council Action: 4/7/2025

Description
Resolution 25-95 approving request for proposals for approximately 2.22 acres of land at the southeast corner of Mohawk Street and Comanche Street.
Resolution 25-96 approving minimum development requirements, competitive criteria, and procedures for disposition of certain property located within the East Manawa Drive Housing Urban Renewal Area; and soliciting proposals in accordance with the request for proposals, and setting a public hearing for May 19, 2025 at 7:00 p.m. on the intent to accept the selected development proposal submitted.
Background/Discussion
See attached staff report.
Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/28/2025
Request for Proposals	Other	3/28/2025
Notice of Public Hearing	Notice	3/28/2025
Resolution 25-95	Resolution	4/2/2025
Resolution 25-96	Resolution	4/2/2025

Council Communication

Department Community Development	Ordinance No.: N/A Resolution No.: 25-	City Council: April 7, 2025
Subject/Title		
<ol style="list-style-type: none">1. Approval of the request for proposals (RFPs) for new two-family attached residential use development on a portion of property generally located on a 2.2-acre parcel of land situated at the southeast corner of Mohawk Street and Comanche Street; and2. Approval of the minimum development requirements, competitive criteria and procedures for disposition of certain property located within the East Manawa Drive Housing Urban Renewal Area and soliciting proposals in accordance with the request for proposals, and setting a public hearing for May 19, 2025 as the date of public hearing on the intent to accept the selected development proposal submitted.		
<u>Background</u> The City of Council Bluffs is inviting proposals for the purchase and development of an approximate 2.2-acre parcel of land in the Lake Manawa Neighborhood of Council Bluffs. The property, situated at the southeast corner of Mohawk Street and Comanche Street, is intended for the development of a two-family attached housing project consisting of approximately 22-24 units. This opportunity is being managed by the city's Community Development Department, which is seeking developers interested in contributing to the area's residential growth.		
<u>Discussion</u> <p>This parcel is located within the East Manawa Drive Housing Urban Renewal Area. In order to initiate the property disposal process, the City must undertake certain actions on the property to ensure reasonable competitive bidding procedures and allow 30 days to respond and to comply with Iowa urban renewal laws. This includes providing notice by publication in a newspaper having a general circulation to the community 30 days prior to the execution of a contract involving the transfer of property.</p> <p>Attached is a copy of the request for proposal that will be uploaded into the City's 'IONWAVE' bid letting web application and emailed to developers, real estate firms and other parties soliciting submissions. The proposal's availability will be published in the legal ad section of the Nonpareil and posted on the City's website. The attached resolution asks for City Council approval of this form and content.</p> <p>A separate resolution also directs the City Clerk to publish notice inviting development proposals to be submitted. Proposals are due by 10:00 a.m. on May 8, 2025 to the Community Development Department. Lastly, the resolution approves May 19, 2025 as the date of public hearing on the intent to accept the selected development proposal submitted.</p>		
Attachments		
Request for proposals Resolutions Public hearing notice		

City of Council Bluffs, Iowa
Request for Proposals
Redevelopment of Land Located Along Mohawk Street
Proposal Due Date: May 8, 2025

The City of Council Bluffs is inviting proposals for the purchase and development of an approximate 2.22 acre parcel of land in the Lake Manawa Neighborhood. The property, located at the southeast corner of Mohawk Street and Comanche Street, is intended for the development of a two-family attached housing project consisting of approximately 22-24 units. This opportunity is being managed by the city's Community Development Department, which is seeking developers interested in contributing to the area's residential growth.

To align with the city's vision, the development should focus on creating a two-family residential environment. This area should feature low-density housing, residential attached units, establishing a westerly boundary within the overall 93 acre site that complements future phases of the development. The site is part of land that has been designated as the east Manawa Drive Residential Urban Renewal Area and has been prioritized for economic and housing development.

City Objectives

The city is seeking proposals to develop the site in conformance with applicable ordinances, as well as in compliance with the following stated objectives. These objectives include, but are not limited to:

- Proposals may be submitted for the development of two-family attached residential. The units can be affordable, market rate or a combination.
- To cause the construction of new housing units with occupancy on or before December 31, 2028.
- To provide a positive impact on the city resulting in increased tax revenues and contribute to the city's long term economic and community growth objectives.
- To implement the recommendations contained in the East Manawa Subdivision Planned Residential (PR) Development Plan. Information is available online at <https://www.councilbluffs-ia.gov/2535/E-Manawa-Subdivision>.

Site Description

The East Manawa subdivision is a 93-acre area purchased by the City in 2022 with the intention of creating a new, mix-income neighborhood with high-quality design, along with open spaces, a trail network and connections to nearby neighborhoods. The master planned development includes an estimated 900 housing units in various typologies that will allow respond to the needs of all types of housing in Council Bluffs. (Attachment A – E. Manawa Conceptual Layout).

This RFP is specific to the west section of the East Manawa subdivision and is approximately 2.22 acres abutting Mohawk Street. South of Veteran's Memorial Highway, the site is within 2.75 miles of the following local amenities:

- Lake Manawa City Park (0.25 miles or less)
- Council Bluffs Power Center and Metro Crossing (1.75 miles)
- Metro Area Transit Yellow Line (0.75 miles)

- Interstate-29 (1.5 miles)
- Lewis Central Community School District Campus (2.75 miles)
- Council Bluffs trail system (0.5 miles)

The overall East Manawa subdivision will be completed in phases to respond to market demand. It is the City's intent to complete a new extension along the southerly boundary of the property from East Manawa Drive to Mohawk Street to construct 40 new affordable, attached single-family units. Another phase will construct approximately 180 multi-family and is located just south of Hwy 275 between E. Manawa Drive and the Council Bluffs Country Club.

Utilities

The parcel is served with water, sanitary sewer, storm sewer, and street paving, but individual service lines may need to be extended to accommodate the project.

Existing Zoning and Preferred Development

The property is currently zoned R-3 Low Density Multi-Family Residential District (Attachments B – Location Map with R-3 Zoning with a Planned Residential Overlay) with an appended Planned Residential Overlay. The selected developer will be required to submit a set of detailed development plans that address all R-3 District (Attachment C – Chapter 15.10/R-3 District), PR Overlay, and Development Standards (Attachment D – E. Manawa One and Two-Family Residential Development Standards), and said plans must be reviewed by the City Planning Commission and approved by City Council prior to any construction activity occurring on this site. The City will work with the developer to final plat site as a preliminary subdivision plan has already been approved (Attachment E – Preliminary Plan).

Floodplain and Storm Detention

The property is located in the Zone X (protected by the levee). As part of the overall development, stormwater detention areas are currently under construction. The regional detentions will be maintained by the East Manawa Home Owners Association (HOA).

Home Owners Association (HOA)

All property owners will be required to contribute to the HOA to maintain storm water detention areas within the subdivision. The HOA Articles are currently in draft form.

Lot Market Value

The City will sell the lots to the developer(s) for \$55,000 each. It is not required to submit an offer on all parcels.

Site Restrictions and Conditions

An existing Iowa Department of Natural Resources (DNR) pipe, which runs diagonally across the site, will remain in place and provides water from Mosquito Creek to maintain Lake Manawa's water level.

A Phase I Environmental Site Assessment (ESA) was completed in 2021 and is available upon request.

Inquiries, Questions and Deadlines

All inquiries/questions regarding this RFP must be directed via the electronic submission system at <https://cbiabids.ionwave.net/>. Any changes or additions to the RFP information will be sent to via Ion

Wave. Any other contact in reference to this RFP prior to the time of an award decision will not be addressed.

RFP Issued: April 8, 2025 (CST)

Q&A Ends: April 22, 2025 at 3:00 pm (CST)

Answers to all questions will be posted no later than April 25, 2025 at 3:00 pm (CST).

RFP Due: May 8, 2025 by 10:00 a.m. (CST)

Proposals submitted in person, facsimile transmission (fax) or electronic mail (email) will not be accepted.

Proposal and Submittal Requirements

In a clear and concise manner, developers must submit proposals that demonstrate the developer's capacity to satisfy the requirements of this RFP. Proposals do not need to be elaborate or costly, but should be prepared in a professional manner. The following information to be submitted for consideration:

1. Application – must be completed and attached as proposal cover page (see Attachment F – Proposal Cover Page).
2. Project Summary – A brief written description of the project.
3. Project Plans – A scaled plot plan of the proposed development. The plot plan should illustrate the location of structures, parking areas, ingress and egress, open or landscape areas, etc. The developer must also submit additional information such as elevation drawings, photos of similar projects, typical floor plans, etc.

Interior lots are 40' wide and set at this width due to existing infrastructure. The lot width must remain at 40' wide, the product look for the two-family units type can be up to the developer(s). The units can be affordable, market rate or a combination (see Attachment G – Mohawk Lot Exhibit).

4. Developer Experience – Provide a listing of previous projects completed, especially with regard to projects that are relevant to the proposed development.
5. Project Timeline – A timeline for the project design, bidding, construction and occupancy.
6. Financial Summary – Developer must provide a proposed cost and source of funding for the project, including a minimum 10-year project pro forma. Developer must also outline expected funding sources and projected date all financing will be secured.
7. Project Contingencies – Indicate any special assistance needed to implement the project, such as financial assistance, state or federal applications, or other public participation.

Special Conditions

Any proposed construction project must adhere to the following requirements:

- The construction project is exempt from federal labor standards.
- A HUD environmental has been completed prior to construction commencement by the city and is available upon request.
- All newly constructed housing must meet all locally adopted and enforced building codes, standards and ordinances of the City of Council Bluffs.
- All newly constructed housing must meet the requirements of the 2012 International Energy Conservation Code as adopted and amended.

Proposal Evaluation

The project proposals will be reviewed based on the following evaluation criteria:

1. Design, Aesthetics and Quality of Construction Materials and Landscaping (45%): The quality of design and materials is essential. A combination of durable materials and transparency with an urban appearance must be utilized. Preference will be given to developers that:
 - a. Create a single-family attached environment following the R-3 zoning district and the applicable Overlay Standards.
 - b. Utilize architectural details such as color changes, material changes, minor wall offsets, height variations, wall setbacks, accent lines and upper floor step back to articulate building elevations. A list of acceptable building materials is outlined in the “Architecture” section of the of the East Manawa PR Development Standards. A list of materials and visual renderings of the site layout, units and exterior design must be provided as a part of this submittal.
2. Developer’s Experience and Capacity (40%): The makeup/description of the developer’s project team. The preferred developer will have significant experience in the construction of two-family units. The names of individuals involved and the roles they will perform must be listed. Provide a description of the qualifications and experience of the specific individuals who will be involved in the work described in this RFP, including staff and other professionals.
3. Funding Sources (15%): Preference will be given to Developers not utilizing either 4% or 9% Low Income Housing Tax Credits (LIHTC). Provide a list of proposed funding sources and when the funds are expected to be awarded/confirmed.

The above information will be used to select qualified developers. Upon developer selection, development agreements will be negotiated and executed.

Potential Development Incentives Available

The City will work to support the selected developer in applying for any and all applicable federal, state or local incentive applications. These applications must be completed by the selected developer with assistance from the City. The contractor is required to be registered in sam.gov.

- Thriving Communities Designation provides an additional point toward Work Force Housing tax credit application through Iowa Economic Development Authority (IEDA).

- Possible energy incentives may be obtained from MidAmerican Energy and Black Hills Energy depending on project design. Consultation should be initiated with each company prior to final design.
- The property may be eligible for Tax Increment Financing and/or property tax exemption, and will be negotiated by the city on a project specific basis.
- The City of Council Bluffs also entered into a HOME consortium agreement with the City of Omaha, which results in receiving annual funds from the Home Investment Partnership Program (HOME).
- The property also may be eligible for grant(s) from the City's Housing Development Program. Guidelines can be found on the City's website at: <https://www.councilbluffs-ia.gov/2554/Housing-Development-Program>

General Provisions

- 1) Submittal Ownership/Costs: Upon submission, all information becomes the property of the City of Council Bluffs. The City has the right to use any or all ideas presented in any submission in the response to this RFP, whether or not the submittal results in a contract with the submitting Developer. All costs for development of the written submittal and any oral presentation are entirely the obligation of the Developer and shall not be reimbursed.
- 2) Non-Warranty of Request for Qualifications: The City shall not be responsible for any error or omission in this RFP, nor for the failure on the part of the Developers to ensure that they have all the information necessary to affect their submittals.
- 3) Request for Clarification: The City reserves the right to request clarification of information submitted and to request additional information of one or more Developers, either orally or in writing.
- 4) Acceptance/Rejection of Submittals: The City reserves the right to accept or reject any or all submittals in whole or in part, with or without cause, to waive technicalities, or to accept submittals or portions thereof, which, in the City's judgment, best serve the interest of the City of Council Bluffs.

The City reserves the right to allow alterations, modifications or revisions to individual elements of the Scope of Services any time during the period of contract, which results from this RFP.

- 5) Indemnification: The selected Developer shall: (1) faithfully perform said Contract on City's part and satisfy all claims and demands incurred for the same; (2) fully indemnify and save harmless the City from all costs and damages which said City may suffer by reason of failure to do so; and (3) fully reimburse and repay said City all outlay and expenses which said City may incur in making good any default.

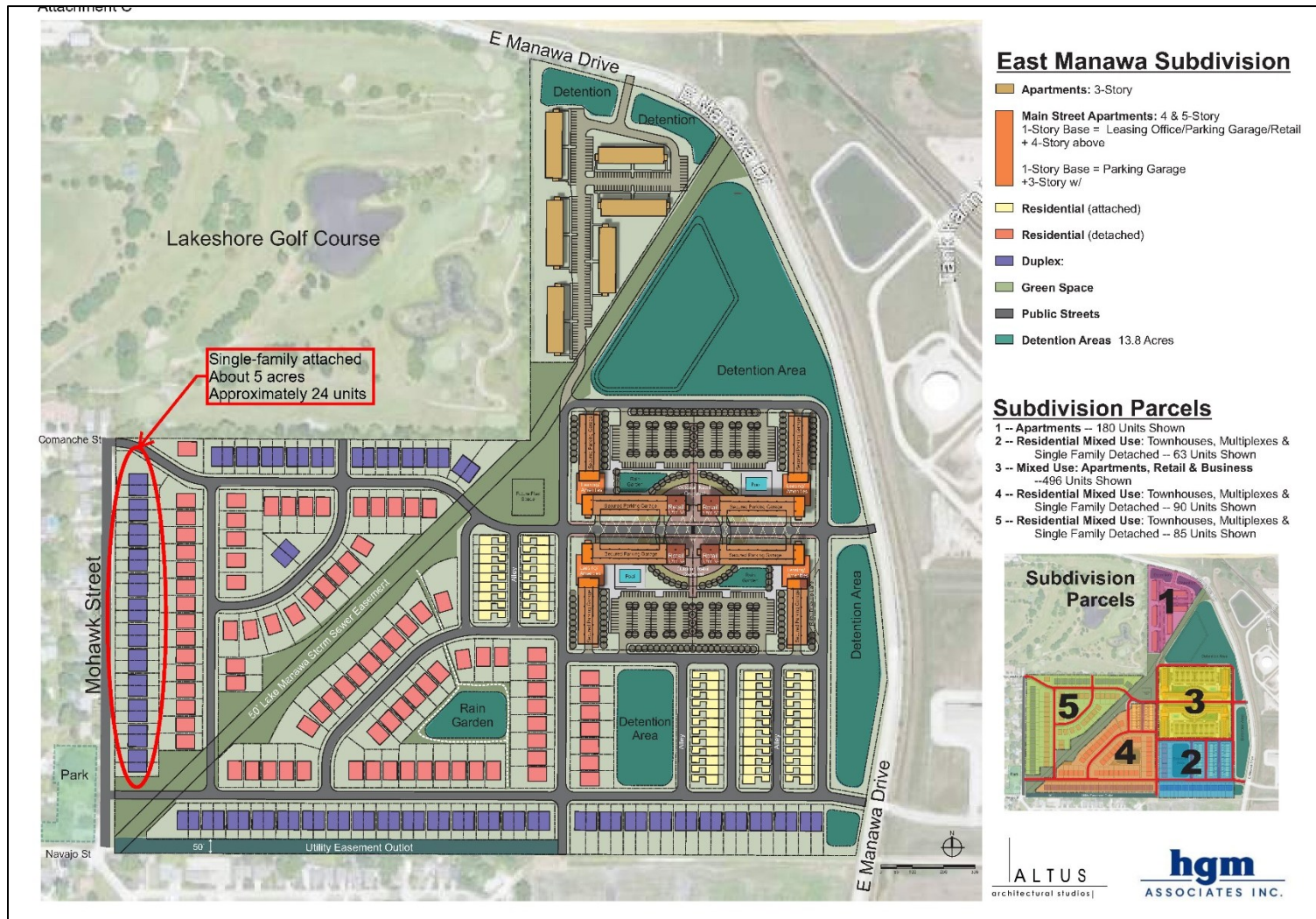
The selected Developer shall protect, defend, indemnify and save harmless the City, its agents, boards and employees, collectively referred to as "Indemnitees", from and against costs and suits, actions, claims, losses, liability or damage of any character, and from and against costs and expenses, including in part attorney fees, incidental to the defense of such suits, actions, claims, sickness, including death, to any person, or damage to property, including in part the loss of use

resulting there from, arising from any act or omission of the Developer, or his employees, servants, agents, subcontractors or suppliers, or anyone else under the Developer's direction and control, and arising out of, occurring in failure of performance of any work or services called for by the Contract, or from conditions created by the performance or non-performance of said work or services. The Developer's indemnification hereunder shall apply without regard to whether acts or omissions of one or more of the Indemnitees would otherwise have made them jointly or derivatively negligent or liable for such damage or injury, expecting only that the Developer shall not be obligated to so protect, defend, indemnify and save harmless if such damage or injury is due to the sole negligence of one or more of the Indemnitees.

- 6) Insurance: The selected Developer shall carry and maintain during the life of the contract insurance as deemed appropriate by the City of Council Bluffs. Specific amounts and types of insurance will be detailed in the negotiated development agreement.
- 7) Collusion: The Developer, by submitting a Proposal, declares that the submission is made without any previous understanding, agreement or connections with any persons, Developers or corporations making a competing submission on the same project, and that it is in all respects, fair and in good faith without any outside control, collusion or fraud.
- 8) Consideration of Submittals: Proposals will be considered from Developers normally engaged in providing and performing services as specified in this RFP. The Developer must have adequate organization, facilities, equipment and personnel to ensure prompt and efficient service to the City. The City reserves the right to inspect the facilities and organization or to take any other action necessary to determine the ability to perform in accordance with specifications, terms and conditions before recommending any award.
- 9) Discrimination Clause: According to the City of Council Bluffs Municipal Code 1.40, discrimination of race, color, religion, creed, sex, sexual orientation, gender identity, national origin, age or mental or physical disability is prohibited in any form. This extends to any and all partner agencies and contractual obligations.

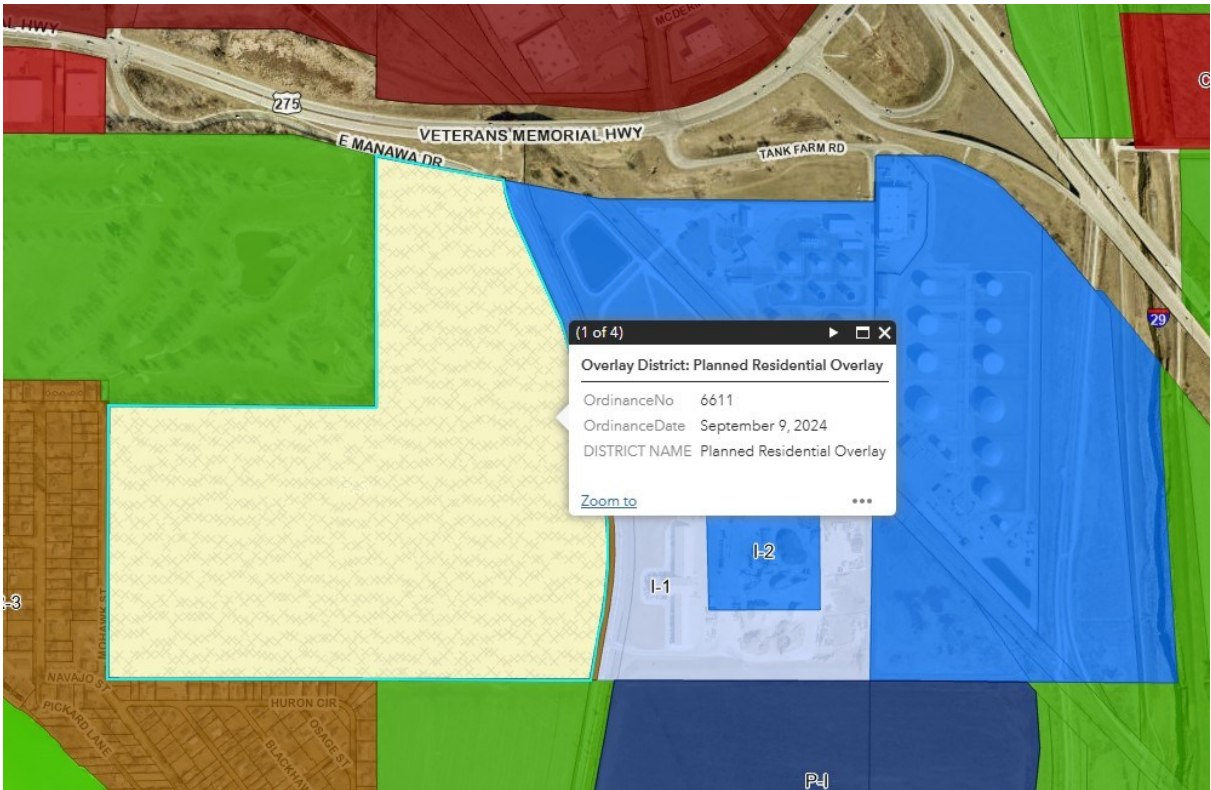
Attachment A

E. Manawa Conceptual Layout



Attachment B

Location Map with R-3 Zoning with a Planned Residential Overlay



Attachment C

Chapter 15.10 - R-3/LOW DENSITY MULTIFAMILY RESIDENTIAL DISTRICT

Sections:

15.11.010 - Statement of intent.

This district is intended to provide for development of high density multiple-family housing. This district allows for a mixture of compatible uses with high density urban neighborhoods. This district is most appropriate in central areas of the community or in areas which have full services.

(Ord. 5308 § 1 (part), 1996).

15.11.020 - Principal uses.

The following principal uses shall be permitted outright in an R-4 district:

- (1) Boarding, lodging rooming house, or bed and breakfast;
- (2) Business, professional office;
- (3) Community recreation services;
- (4) Congregate housing, life care facility or nursing home;
- (5) Consumer service establishment;
- (6) Day care services;
- (7) Dwelling, multifamily;
- (8) Dwelling, single-family attached;
- (9) Dwelling, single-family detached;
- (10) Dwelling, townhouse;
- (11) Dwelling, two-family;
- (12) Family home;
- (13) Group care home;
- (14) Local utility services;
- (15) Park and recreation services;
- (16) Private parking lot;
- (17) Public parking lot;
- (18) Public safety services;
- (19) Religious assembly;
- (20) School.

(Ord. 5918 § 1, 2007).

15.11.030 - Conditional uses.

The following conditional uses shall be permitted in an R-4 district, when authorized in accordance with the requirements set forth in Chapter 15.21:

- (1) Cemetery;
- (2) College or universities;
- (3) Commercial recreation (indoor and outdoor);
- (4) Cultural service;
- (5) Commercial storage;
- (6) Governmental maintenance facility.

(Ord. 5918 § 2, 2007).

15.11.040 - Accessory uses.

The following uses shall be permitted in an R-4 district:

01. Uses of land or structures customarily incidental and subordinate to one of the principal uses, unless otherwise excluded.

(Ord. 5308 § 1 (part), 1996).

15.11.050 - Site development regulations.

Minimum Lot Size

Use	Lot Area
Single-family detached	5,000 square feet
Single-family attached and two-family dwellings	5,000 square feet except when a single-family attached or two-family dwelling is divided by a lot line coinciding with the common wall separating the two units. The minimum lot area shall be 2,500 square feet.
Townhouse dwelling	7,500 square feet except when a townhouse dwelling unit is divided by a lot line coinciding with the common wall separating the units, the minimum lot area shall be 2,500 square feet
Multifamily dwelling	

(3 to 4 units)	7,500 square feet
(5 or more units)	9,000 square feet plus an increase of 750 square feet per each additional unit

Minimum Setbacks	Principal Structure	Accessory Structure
Front yard:	20 feet	Greater of 20 feet or existing front setback line of principal structure
Street side yard:	15 feet	15 feet
Interior side yard:	5 feet with one foot indentation for every story above the first floor	3 feet
Rear yard:	20 feet	3 feet
Maximum height:	100 feet	18 feet
Lot coverage: all structures	60% maximum	

(Ord. 5308 § 1 (part), 1996).

15.11.060 - Additional regulations.

01. Reserved.

(Ord. 5308 § 1 (part), 1996).

15.11.070 - Signs.

Signage in this district shall comply with Chapter 15.33, "Signs."

(Ord. 5308 § 1 (part), 1996).

Attachment D

East Manawa Subdivision PR Development Plan

One and Two Family Residential Development

- A. **Site Development.** All one-and-two family development shall comply with the site development standards listed in the table below:

Building Placement	
Front (min max)	10' 20'
Street-Side	10' 15'
Interior Side (min)	5'
Rear (min)	10'
Accessory Structure	3'
Building Coverage	
Lot Coverage (max)	45%
The ground floor of any accessory structure shall not exceed 90 percent of the footprint of the principal structure.	
Building Height	
Principal Structure (max)	35'
Accessory Structure (max)	18'
Maximum Principal Structure Width	40'

- B. **Lot Configuration.**

Lot Size	
Lot Area (max)	6,000 sf
Lot Width (min)	30'
Lot Depth (min)	60'

- C. **Architecture**

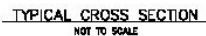
1. Entrances.
 - a. For interior lots, primary entrances shall be designed with a porch measuring a minimum of six (6) feet in depth and eight (8) feet in width and shall be oriented towards the public or private street.
 - b. Railing or porch walls are not required but if provided shall have a maximum height of four (4) feet.
 - c. On corner lots, the primary entrance shall be oriented to face the street to which the majority of development is oriented towards, if applicable. Two-family units on corner lots shall place one primary entrance per frontage.
 - d. Uncovered decks or porches which do not include a permanent roof overhead are prohibited along any street facing façade.

- e. There shall be a direct hard-surface pedestrian connection between the sidewalk and front entry.
 2. **Transparency.** A minimum of 15 percent of the area of the primary building elevation facing a public right-of-way shall include transparent windows or doors. For side building elevations facing a public right-of-way, a minimum of 10 percent transparency shall be required. Windows in garage doors shall count towards transparency requirements.
 3. **Building Materials.** Brick, stone, glass, or other similar high quality materials covering at least 15 percent of the street-facing façade. For side building elevations facing a public right-of-way, a minimum of 10 percent of the side-street facing façade shall incorporate high-quality materials. Glass utilized for transparent doors and windows shall count towards this requirement.
 4. **Architectural design elements.** Each one-and-two family structure shall incorporate a minimum of three of the following elements:
 - a. Wall offsets;
 - b. Roof dormer that is at least four (4) feet wide;
 - c. Roof eaves with a minimum projection of sixteen (16) inches from the intersection of the roof and exterior walls;
 - d. High quality roofing materials other than asphalt shingles;
 - e. Decorative eave braces;
 - f. Shutters on the exterior of ground floor windows;
 - g. Side or rear loaded garage;
 - h. For attached, front loaded garage doors:
 - (1) Two separate doors for two car garages instead of one large door on non-tandem two car garages;
 - (2) Decorative details on the garage door. Standard squares on a garage door shall not qualify as a decorative detail;
 - i. A minimum four (4) color paint scheme;
 - j. Other architectural elements as approved by the Community Development Director or their designee.
 5. **House plan variety.** No two dwellings directly abutting or across the street from another shall have architecturally identical street facing facades.
 6. **Accessory Structures.** Accessory buildings greater than 200 square feet of floor area shall be designed to be compatible with the architectural design of the house.
 7. **Garages**
 - a. Attached garages shall not extend beyond the non-garage portion of the front façade.
 - b. Except in the rear yard, garage doors that face a public street shall be no more than nine feet in height and shall not exceed 60 percent of the width of the principal structure facing the same street.
- D. **Fences and Walls.** All fencing shall conform to the standards listed in Section 15.24.040, *Fence Regulations*, of the CBMC (Zoning Ordinance) with the exception that non-coated chain-link fences shall be prohibited in the front and street side yards.
- E. **Off-Street Parking.** Off-street parking shall comply with the requirements of Section 15.23, *Off-Street Parking, Loading and Unloading*, with the following exceptions:

1. The minimum number of parking spaces required for one-and-two family residential uses shall be one space per dwelling unit.
 2. Off-street parking may be permitted in the required front yard setback on a hard surface design in accordance with Section 15.23, *Off-Street Parking Loading and Unloading* of the Council Bluffs Municipal Code (Zoning Ordinance). Vehicles shall be parked and stored in such a manner that does not obstruct pedestrian or vehicular circulation or the use of the public right-of-way, including sidewalks, trails, bike lanes and alleys.
 3. If an alley is present and open to traffic, all vehicular access shall take place from the alley. When an alley is not present, access to corner lots from a secondary street shall be preferable to access from the primary street. For sites without alleys, duplexes may include a 20-foot wide shared driveway or two 12-foot driveways on opposite ends of the lot.
 4. Driveway design. The maximum width of all driveways located between the principal structure and the front property line shall be 12 feet. The maximum width of all driveways located between the principal structure on a lot and a street-side property line shall be 20 feet, but shall taper down to 12 feet in width at the intersection with the property line. Driveways may exceed the maximum permitted width if connected to an attached garage, and shall only be as wide as the garage.
 5. Shared driveways. Shared driveways between abutting lots are encouraged. Proof of access through copies of signed and recorded shared driveway access easements or similar documentation shall be provided to the City of Council Bluffs prior to construction of a shared driveway.
- F. **Alleys.** All alleys shall be constructed in compliance with all applicable Council Bluffs Public Works Department standards.
- G. **Landscaping**
1. One deciduous street tree shall be planted per lot in the green space between the sidewalk and street along all frontages and shall comply with the Council Bluffs Street Tree Guide.
 2. All required landscape plantings shall be appropriately maintained and dead plant material replaced at a time appropriate to planting seasons but in all cases shall be replaced within one year.
- H. **Signage.** Any signage shall comply with the PR District signage standards listed in Section 15.33.160, Residential District Signs, of the CBMC (Zoning Ordinance) and shall be designed with colors and materials compatible with the architectural style and materials of the development.

Attachment E
Preliminary Plan

PROGRESS SET
Jul 18, 2024
NOT FOR
CONSTRUCTION



A PARCEL OF LAND BEING A PORTION OF NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW1/4 NW1/4) AND THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW1/4 NW1/4) AND THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SE1/4 NW1/4) OF SECTION 18, TOWNSHIP 74 NORTH, RANGE 43 WEST AND A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SE1/4 NE1/4) OF SECTION 13, TOWNSHIP 74 NORTH, RANGE 44 WEST ALL IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

THENCE ON SAID WESTERLY SECTION LINE, NORTH 00 DEGREES 01 MINUTE 02 SECONDS WEST, 1,218.63 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF EAST MANAWA DRIVE;

- 1) SOUTH 79 DEGREES 20 MINUTES 56 SECONDS EAST, 38.07 FEET;
- 2) SOUTH 76 DEGREES 21 MINUTES 21 SECONDS EAST, 309.25 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 533.69 FEET;
- 3) SOUTHEASTERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 46 DEGREES 31 MINUTES 36 SECONDS, 433.30 FEET;
- 4) NORTH 89 DEGREES 34 MINUTES 41 SECONDS EAST, 4.88 FEET;
- 5) SOUTH 24 DEGREES 20 MINUTES 30 SECONDS EAST, 562.03 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 856.03 FEET;
- 6) SOUTHEASTERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 12 DEGREES 05 MINUTES 32 SECONDS, 181.49 FEET;
- 7) SOUTH 12 DEGREES 23 MINUTES 58 SECONDS EAST, 858.03 FEET;
- 8) SOUTH 04 DEGREES 55 MINUTES 48 SECONDS EAST, 331.20 FEET;
- 9) SOUTH 10 DEGREES 10 MINUTES 56 SECONDS WEST, 559.60 FEET;

THENCE ALONG SAID SOUTH QUARTER SECTION LINE, NORTH 89 DEGREES 52 MINUTES 54 SECONDS WEST, 1,327.44 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4 NE1/4) OF SECTION 13;

THENCE ALONG SAID NORTH QUARTER SECTION LINE, SOUTH 89 DEGREES 39 MINUTES 13 SECONDS EAST, 1,323.80 FEET TO THE POINT OF BEGINNING.

CURRENT OWNER/DEVELOPER:

ZONING:

EXISTING FLOOD PLAIN:
MISSOURI RIVER FLOOD PLAIN
FEMA FLOOD ZONE - AREA WITH REDUCED
FLOOD RISK DUE TO LEVEE - ZONE X

NOTES:

PROPOSED WATER: CITY WATER CONNECTIONS TO BE DESIGNED BY C&W

DEDICATION OF R-D-W: YES

2.94 ACRES OF 50' WIDE R-O-W WILL BE DEDICATED TO CITY OF COUNCIL BLUFFS.

EASEMENTS: A 5.00 FOOT WIDE PERMANENT EASEMENT ON EACH SIDE OF ALL SIDE LOT LINES, A 10.00 FOOT WIDE PERMANENT EASEMENT ALONG ALL FRONT LOT LINES, AND A 5.00 FOOT WIDE PERMANENT EASEMENT ALONG ALL REAR LOT LINES, ARE RESERVED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES.

ENGINEER:

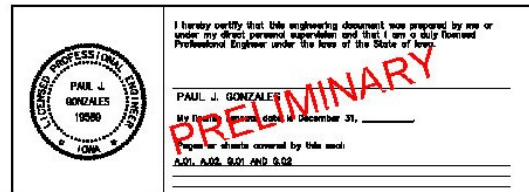
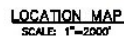
STORM WATER DETENTION:

BOUNDARY SURVEY:

BOUNDARY SURVEY WILL BE PROVIDED BY
HGM ASSOCIATES INC.

PAGE NO.	DESCRIPTION
A.01	TITLE SHEET
A.02	AREA MAP
C.01	OVERALL LOT LAYOUT
G.02	PHASE 1 PLAN

THE URBAN STANDARD SPECIFICATIONS FOR PUBLIC IMPROVEMENTS, 2024, AND CITY OF COUNCIL BLUFFS SUPPLEMENTAL SPECIFICATIONS 2024, SHALL APPLY TO THIS PROJECT.



Project: EAST MANAWA SUBDIVISION

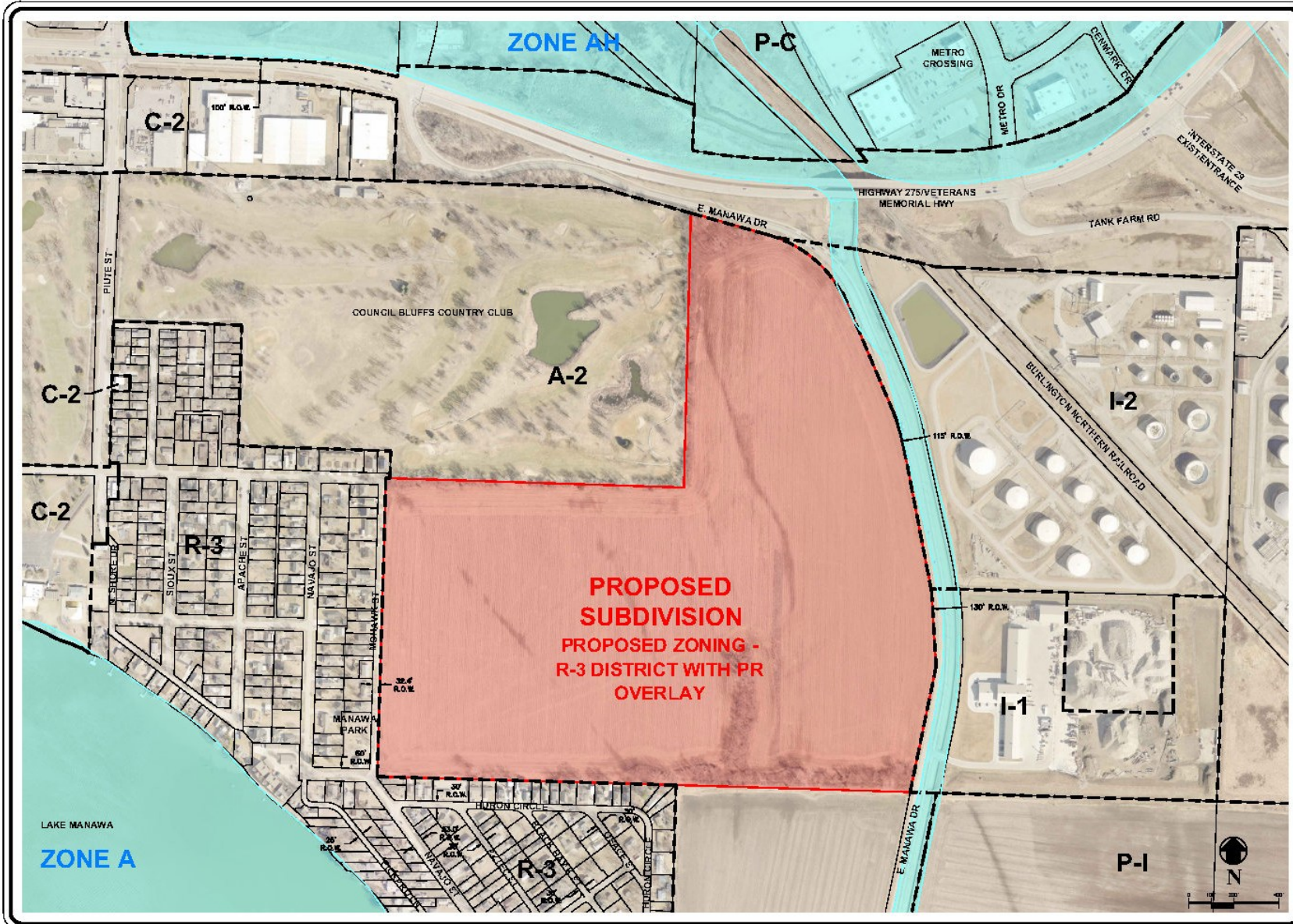
PHASE I LAYOUT

Sheet **TITLE SHEET**

project no.
150023

A.01

FILENAME: S:\Projects\150023 EAST MANAWA SUBDIVISION\150023 PRELIM PLATTING
 DRAWN BY: JAW DATE: 7/18/2024 2:15 PM, PLOT SCALE: 1:2



PROGRESS SET
 JUL 18, 2024
 CONSTRUCTION

hgm
 ASSOCIATES INC.
 ENGINEERING ARCHITECTURE SURVEYING
 1001 10th St. Suite 100
 Council Bluffs, IA 51503

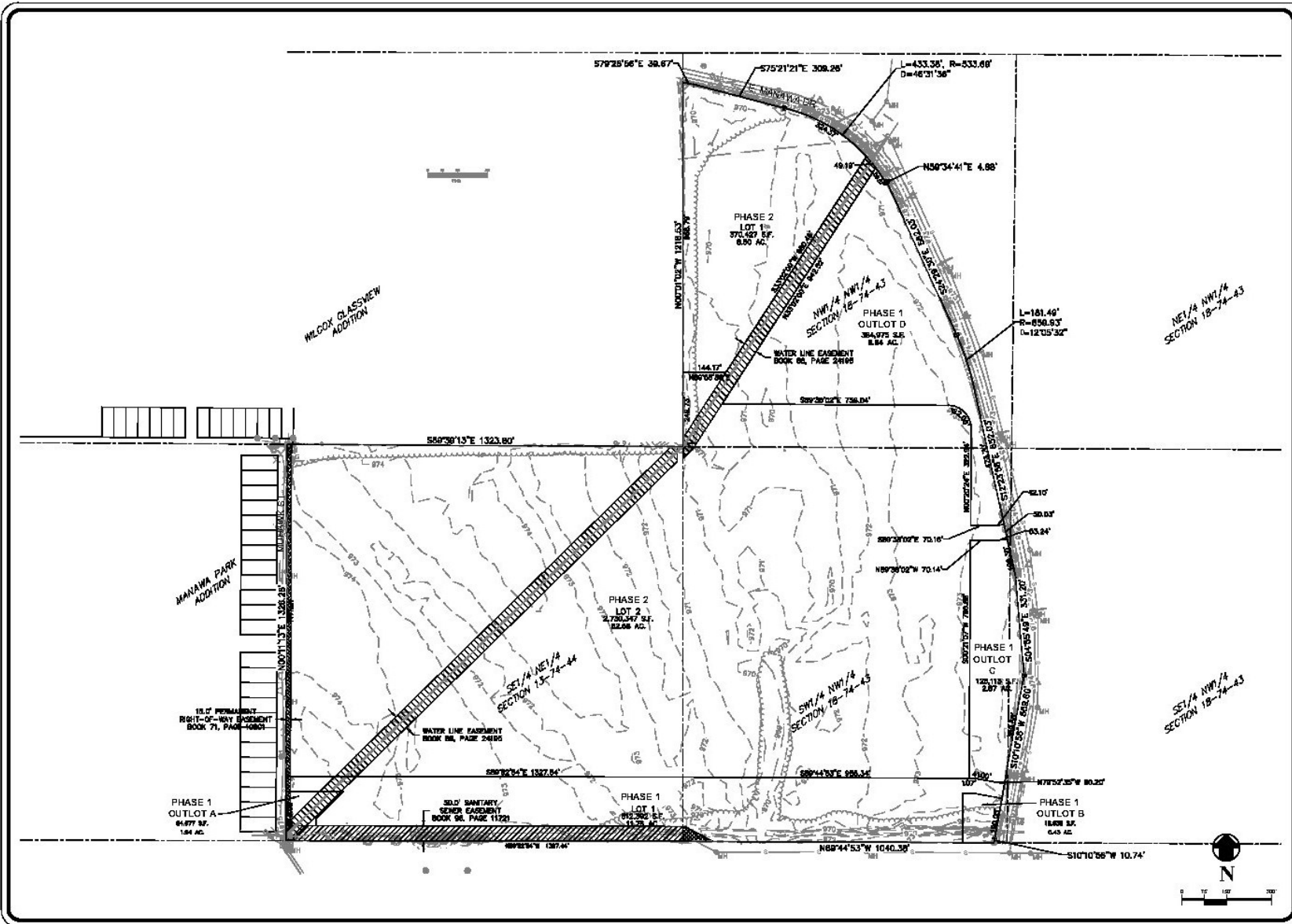
THIS DRAWING IS A PRELIMINARY DESIGN. IT IS NOT TO BE USED FOR CONSTRUCTION OR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF HGM ASSOCIATES INC. ANY CHANGES TO THIS DRAWING MUST BE APPROVED BY HGM ASSOCIATES INC. IN WRITING.

DATE	BY	REVISION
7/18/2024	JAW	1.00

PROJECT: EAST MANAWA SUBDIVISION
 PHASE: LAYOUT
 CLIENT: CITY OF COUNCIL BLUFFS
 209 PEARL STREET, COUNCIL BLUFFS, IA 51503
 AREA MAP

150023
 A.02

FILENAME: S:\manawa\projects\150023 EAST MANAWA SUBDIVISION\Drawings\150023 PRELIM PLAT.dwg
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PROGRESS SET
 Jul 11, 2024
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 CONSTRUCTION

hgm
 ASSOCIATES INC.
 ENGINEERING ARCHITECTURE SURVEYING
 created with: cadsoft

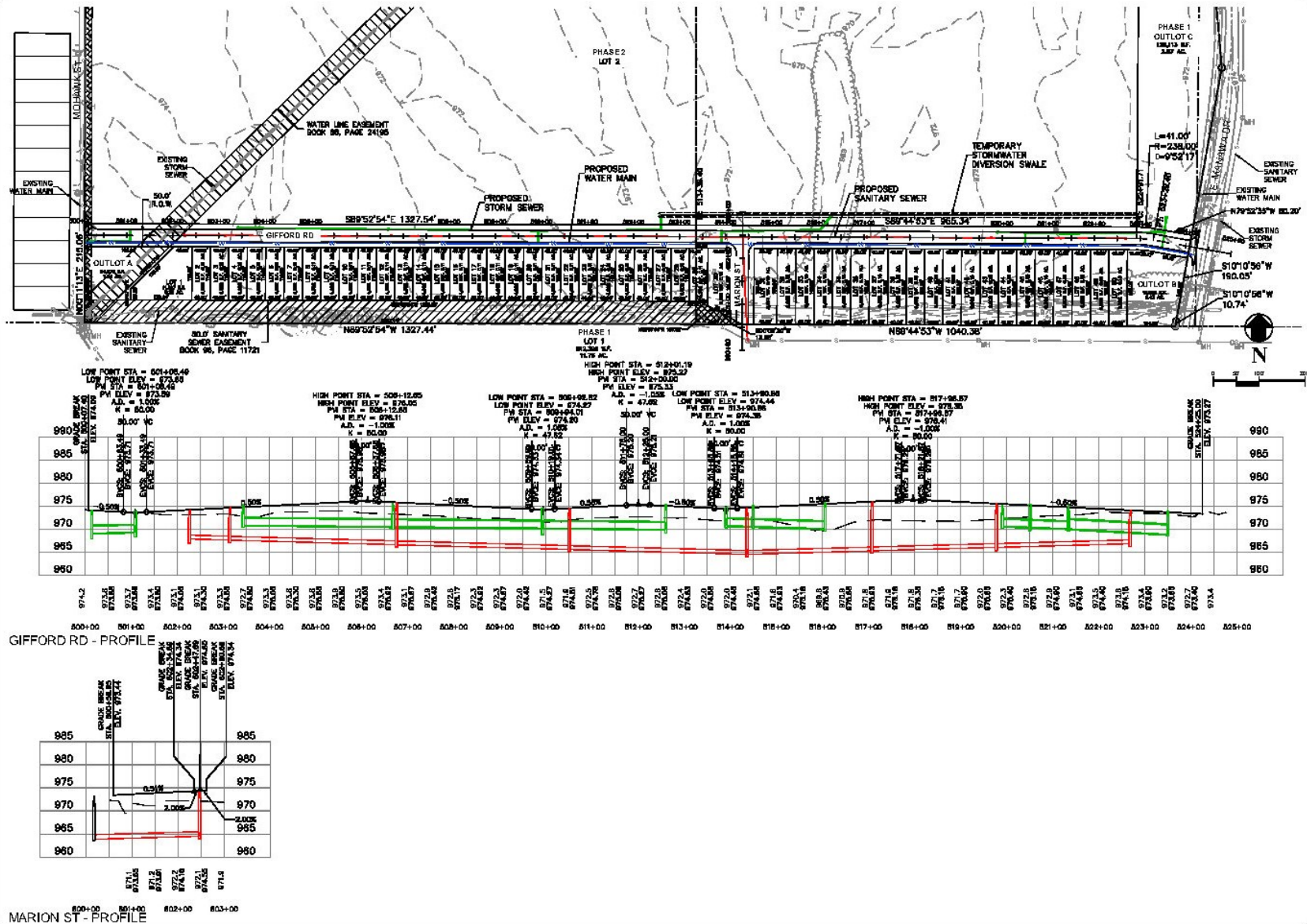
The County is being made aware of this project for information only. The County is not responsible for the accuracy of the information provided. The County is not responsible for the accuracy of the information provided. The County is not responsible for the accuracy of the information provided.

DATE	BY	REVISION
7/11/2024	JAW	1.00

PROJECT: EAST MANAWA SUBDIVISION
 PHASE 1 LAYOUT
 CITY OF COUNCIL BLUFFS
 209 PEARL STREET, COUNCIL BLUFFS, IA 51501
 SHEET: 01 OF 01
 OVERALL LOT LAYOUT

PROJECT NO: 150023
 SHEET: G.01

FILENAME: S:\manawa\150023 EAST MANAWA SUBDIVISION\150023 PRELIM PLATTING
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PROGRESS SET
 JUL 11, 2024
 NOT FOR CONSTRUCTION

hgm
ASSOCIATES INC.
 ENGINEERING ARCHITECTURE SURVEYING
 209 PEARL STREET, COUNCIL BLUFFS, IA 51501

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DATE: 7/11/2024
 DRAWN BY: JAW
 CHECKED BY: JAW
 APPROVED BY: JAW

PROJECT: EAST MANAWA SUBDIVISION
PHASE: PHASE 1 LAYOUT
CITY: CITY OF COUNCIL BLUFFS
ADDRESS: 209 PEARL STREET, COUNCIL BLUFFS, IA 51501
PLAN: PHASE 1 PLAN

150023
G.02

Attachment F
Proposal Cover Page

Project Information

Project Name _____

Organization Information

Name of Developer _____

Mailing Address _____

Contact Person _____

Telephone _____ Fax _____

Email Address _____

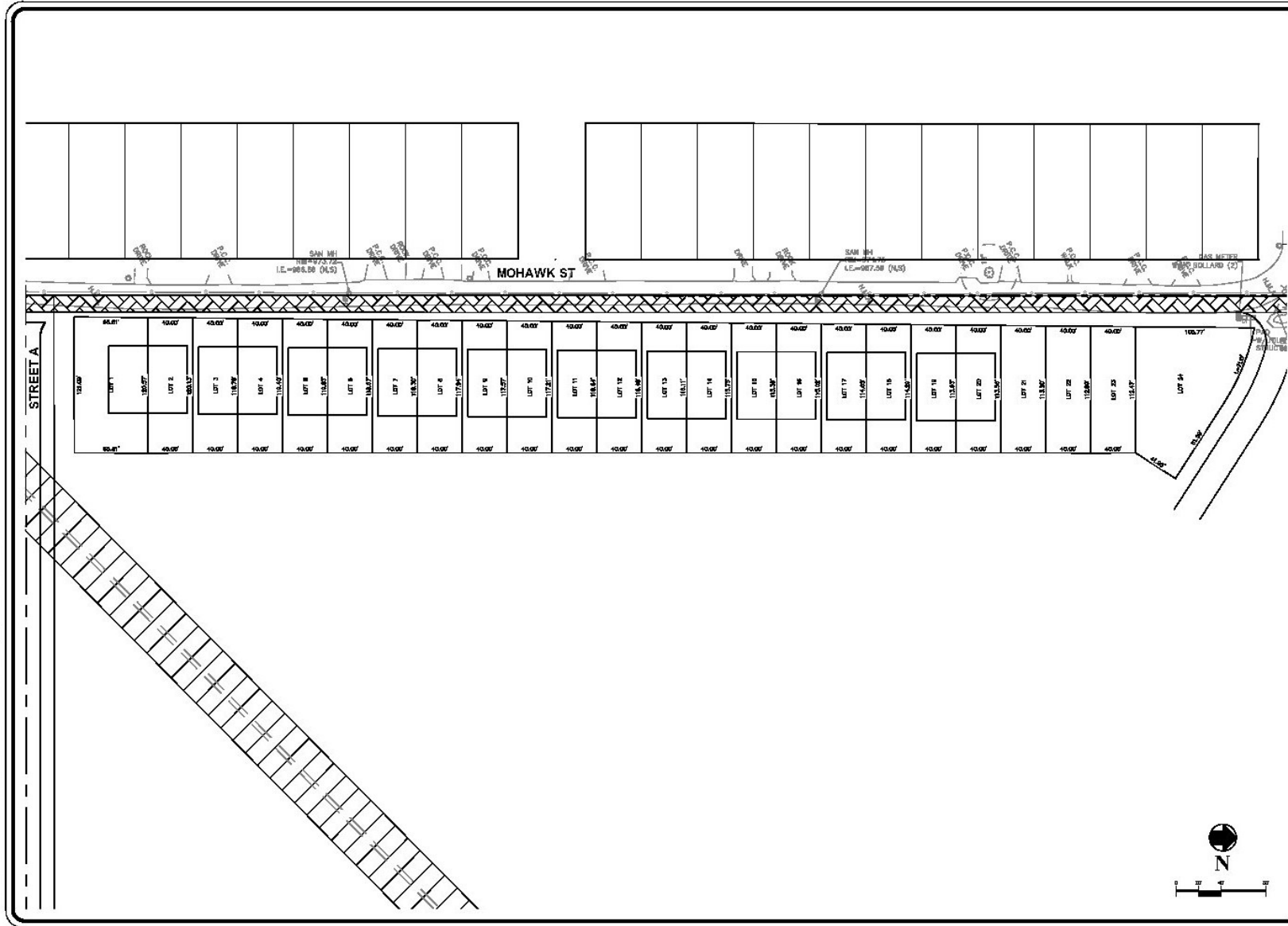
Employer Identification Number _____ MBE/WBE Owned?

DUNS Number _____

Partners

Type	Name and Address	Contact Person
Project Development		
Architectural Firm		
Engineering Firm		
Lender		
Other (specify)		
Other (specify)		

Attachment G
Mohawk Lot Exhibit



hgm
 ASSOCIATES INC.
 ENGINEERING ARCHITECTURE SURVEYING
 and landscape

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PROJECT: EAST MANAWA SUBDIVISION
 CITY OF COUNCIL BLUFFS
 807 PEARL STREET, COUNCIL BLUFFS, IA 51501
 MOHAWK ST LOTS EXHIBIT

PROJECT NO: 150624
 SHEET: 1 of 1

NOTICE OF PUBLIC HEARING

To Whom It May Concern:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing to select a qualified firm(s) to dispose of City-owned property in the East Manawa Drive Housing Urban Renewal Area, being legally described as an approximate 2.22 acre portion of a parcel of land being a portion of northwest quarter of the northwest quarter (nw1/4 nw1/4) and the southwest quarter of the northwest quarter (sw1/4 nw1/4) and the southeast quarter of the northwest quarter (se1/4 nw1/4) of section 18, township 74 north, range 43 west and a portion of the southeast quarter of the northeast quarter (se1/4 ne1/4) of section 13, township 74 north, range 44 west all in the City of Council Bluffs, Pottawattamie county, Iowa. You are further notified that the public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 19th day of May, 2025 in the City Council Chambers, 2nd Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

Jodi Quakenbush, City Clerk

RESOLUTION NO. 25-95

RESOLUTION APPROVING REQUEST FOR PROPOSALS FOR APPROXIMATELY 2.22 ACRES OF LAND AT THE SOUTHEAST CORNER OF MOHAWK STREET AND COMANCHE STREET

WHEREAS, this Council has previously found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and, by Resolution No. 24-243 in 2024, approved and adopted the East Manawa Drive Housing Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the East Manawa Drive Housing Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Pottawattamie County; and

WHEREAS, the City owns certain real property located within the Urban Renewal Area (the "Development Property"); and

WHEREAS, the Plan provides for, among other things, the disposition of properties for development or redevelopment as an urban renewal project; and

WHEREAS, the City desires to sell the Development Property to a private developer(s) for development into two-family attached residential; and

WHEREAS, City staff has caused a Request for Proposals to be prepared, attached hereto as Exhibit 1 and made a part hereof, which sets forth information regarding the Development Property and requirements and evaluation criteria for proposals to develop the Development Property; and

WHEREAS, this Council believes it is in the best interest of the City and the Plan to act as expeditiously as possible to offer the Development Property for redevelopment as set out herein.

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

1. That the form and content of the Request for Proposal attached hereto, the provisions of which are incorporated herein by reference, be and the same hereby are in all respects authorized, approved and confirmed.
2. That City staff is are hereby authorized, empowered, and directed to do all such acts and things as may be necessary to carry out and comply with the provisions of the Request for Proposals, and the City's receipt of proposals thereunder.
3. The Development Property offered for sale and redevelopment in accordance with the Request for Proposals is legally described as follows:

An approximate 2.22 acre portion of a parcel of land being a portion of northwest quarter of the northwest quarter (nw1/4 nw1/4) and the southwest quarter of the northwest quarter (sw1/4 nw1/4) and the southeast quarter of the northwest quarter

(se1/4 nw1/4) of section 18, township 74 north, range 43 west and a portion of the southeast quarter of the northeast quarter (se1/4 ne1/4) of section 13, township 74 north, range 44 west all in the City of Council Bluffs, Pottawattamie county, Iowa.

PASSED AND APPROVED this 7th day of April, 2025.

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, 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 said City showing proceedings of the Council, and the same is a true and complete copy of the action taken by said Council with respect to said 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 (a copy of the face sheet of said agenda being attached hereto) 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 said 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 offices as indicated therein, that no vacancy existed except as may be stated in said 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 individual named therein as officers to their respective positions.

WITNESS my hand and the seal of said Council hereto affixed this _____ day of _____, 2025.

City Clerk, City of Council Bluffs, Iowa

(SEAL)

ATTACH REQUEST FOR
PROPOSALS AS
EXHIBIT 1

01623253-1\10342-101

RESOLUTION NO. 25-96

RESOLUTION APPROVING MINIMUM DEVELOPMENT
REQUIREMENTS, COMPETITIVE CRITERIA, AND PROCEDURES
FOR DISPOSITION OF CERTAIN PROPERTY LOCATED WITHIN
THE URBAN RENEWAL AREA; AND SOLICITING PROPOSALS IN
ACCORDANCE WITH THE REQUEST FOR PROPOSALS

WHEREAS, this Council has previously found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and, by Resolution No. 24-243 in 2024, approved and adopted the East Manawa Drive Housing Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the East Manawa Drive Housing Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Pottawattamie County; and

WHEREAS, the City owns certain real property located within the Urban Renewal Area consisting of a property at the southeast corner of Mohawk Street and Comanche Street, approximately 2.22 acres in size (the "Development Property"); and

WHEREAS, the Plan provides for, among other things, the disposition of properties for development or redevelopment as an urban renewal project; and

WHEREAS, the City desires to sell the Development Property to a private developer(s) for new two-family attached residential use development in accordance with the provisions of the Request for Proposals approved by this Council on April 7, 2025 for the Development Property, which sets forth minimum requirements for proposals to develop the Development Property and evaluation criteria for such proposals; and

WHEREAS, in order to comply with Iowa Code Section 403.8, the City is establishing reasonably competitive bidding procedures for the disposition of the Development Property and all developers interested in submitting a proposal to compete for the sale and redevelopment of the Development Property must submit a proposal meeting the requirements set forth in the Request for Proposal and set forth herein; and

WHEREAS, to give full and fair opportunity for developers interested in submitting a proposal for the sale and redevelopment of the Development Property, this Council should by this Resolution:

1. Approve the minimum requirements for the sale of and redevelopment of the Development Property.
2. Set a date for receipt of competing proposals and the opening thereof; and provide for review of such proposals with recommendations to this Council in accordance with established procedures.

3. Approve and direct publication of a notice to advise any would-be bidders of the opportunity to compete for the sale of the Development Property on the terms and conditions set forth herein.

WHEREAS, this Council believes it is in the best interest of the City and the Plan to act as expeditiously as possible to offer the Development Property for redevelopment as set out herein.

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

1. The Development Property offered for sale and redevelopment in accordance with the terms and conditions contained in this Resolution, the Plan, and the Request for Proposals is legally described as follows:

A 2.22 acre portion of a parcel of land being a portion of northwest quarter of the northwest quarter (nw1/4 nw1/4) and the southwest quarter of the northwest quarter (sw1/4 nw1/4) and the southeast quarter of the northwest quarter (se1/4 nw1/4) of section 18, township 74 north, range 43 west and a portion of the southeast quarter of the northeast quarter (se1/4 ne1/4) of section 13, township 74 north, range 44 west all in the City of Council Bluffs, Pottawattamie county, Iowa.

2. It is hereby determined that the requirements set forth in the Request for Proposals shall be considered the minimum development requirements, which requires that each proposal must (1) provide for a minimum of 22 residential units, (2) include and provide for the developer's purchase of the Development Property at not less than the fair value for use in accordance with the Plan, and (3) include the following information:

- a. Application – Included in the Request for Proposals;
- b. Project Summary – A brief written description of the project;
- c. Project Plans – A scaled plot plan of the proposed development. The plot plan should illustrate the location of structures, parking areas, ingress and egress, open or landscape areas, etc. The developer(s) must also submit additional information such as elevation drawings, photos of similar projects, typical floor plans, etc.;

Interior lots are 40' wide and set at this width due to existing infrastructure. The lot width must remain at 40' wide, the product look for the two-family units type can be up to the developer(s). The units can be affordable, market rate or a combination;

- d. Developer Experience – Provide a listing of previous projects completed, especially with regard to projects that are relevant to the proposed development;

- e. Project Timeline – A timeline for the project design, bidding, construction and occupancy;
 - f. Financial Summary – Developer(s) must provide a proposed cost and source of funding for the project, including a 10-year project proforma. Developer(s) must also outline expected funding sources and projected date all financing will be secured; and
 - g. Project Contingencies – Indicate any special assistance needed to implement the project, such as financial assistance, state or federal applications, or other public participation;
3. It is hereby determined that the evaluation criteria set forth in the Request for Proposals shall constitute the competitive criteria by which any proposals submitted shall be evaluated, which includes the following criteria:
- a. Design, Aesthetics and Quality of Construction Materials and Landscaping (45%): The quality of design and materials is essential. A combination of durable materials and transparency with an urban appearance must be utilized. Preference will be given to developers that:
 - i. Create a single-family attached environment following the R-3 zoning district and the applicable Overlay Standards.
 - ii. Utilize architectural details such as color changes, material changes, minor wall offsets, height variations, wall setbacks, accent lines and upper floor step back to articulate building elevations. A list of acceptable building materials is outlined in the “Architecture” section of the of the East Manawa PR Development Standards. A list of materials and visual renderings of the site layout, units and exterior design must be provided as a part of this submittal.
 - b. Developer’s Experience and Capacity (40%): The makeup/description of the developer’s project team. The preferred developer will have significant experience in the construction of two-family units. The names of individuals involved and the roles they will perform must be listed. Provide a description of the qualifications and experience of the specific individuals who will be involved in the work described in this RFP, including staff and other professionals.
 - c. Funding Sources (15%): Preference will be given to Developers not utilizing either 4% or 9% Low Income Housing Tax Credits (LIHTC). Provide a list of proposed funding sources and when the funds are expected to be awarded/confirmed.
4. This action of the Council shall be considered to be and does hereby constitute notice to all concerned of the intention of this Council to accept proposals for the sale and

redevelopment of the Development Property in accordance with the procedures set forth in this Resolution and in the Request for Proposals, which Request for Proposals is on file for public inspection at the office of the City Clerk, City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503.

7. The City Clerk is authorized and directed to secure immediate publication of the text of this Resolution in the NonPareil, a newspaper having general circulation in the community.
8. Proposals for the purchase of the Development Property must be received by the City's electronic submission system at <https://cbiabids.ionwave.net/> on or before 10:00 A.M. on May 8, 2025. Said proposals must be electronically submitted in accordance with the instructions set forth in the Request for Proposals. The Community Development Director, or his designee, is hereby authorized and directed to make a preliminary analysis of each such proposal for compliance with the minimum requirements established by this Resolution and by the Request for Proposals, and to advise the Council with respect thereto. Proposals meeting the minimum requirements will then be presented to the City Council at 7:00 P.M. on May 19, 2025 at its meeting to be held in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503. The Council shall judge the strength of the proposals meeting the foregoing minimum requirements by the criteria set forth above and shall make the final evaluation and selection of a proposal.
9. The minimum development requirements, competitive criteria, and procedures set forth in this Resolution and in the Request for Proposals are hereby determined to be "reasonable competitive bidding procedures" in substantial conformance with the provisions of Iowa Code Section 403.8. If there is any discrepancy between this Resolution and the Request for Proposal, the more detailed Request for Proposal shall control.
10. In the event qualified proposals are timely submitted and the City Council accepts a proposal, the City will file or publish notice of the intent of the City of Council Bluffs, Iowa to accept a proposal, to the extent required by law.

PASSED AND APPROVED this 7th day of April 2025.

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, 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 said City showing proceedings of the Council, and the same is a true and complete copy of the action taken by said Council with respect to said 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 (a copy of the face sheet of said agenda being attached hereto) 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 said 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 offices as indicated therein, that no vacancy existed except as may be stated in said 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 individual named therein as officers to their respective positions.

WITNESS my hand and the seal of said Council hereto affixed this _____ day of _____, 2025.

City Clerk, City of Council Bluffs, Iowa

(SEAL)

Council Communication

Department: Community Development
Case/Project No.: SAV-25-001
Submitted by: Haley Weber, Planner

Resolution 25-98
ITEM 5.C.

Council Action: 4/7/2025

Description
Resolution to vacate and dispose of Lindberg Drive right-of-way adjacent to the easterly 80 feet of Lot 9, Block 1, and the westerly 30 feet of Lot 1 and all of Lot 2, Block 3, all in Oak Grove Addition. Location: Immediately south of 724 Hazel Street. SAV-25-001
Background/Discussion
See attached staff report.
Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/28/2025
Attachment A: Location/Zoning Map	Map	3/28/2025
Attachment B: Site Photographs	Other	3/28/2025
Resolution 25-98	Resolution	4/2/2025

City Council Communication

Department: Community Development CASE #SAV-25-001 Applicant(s): Parker Smith 724 Hazel Street Council Bluffs, IA 51503 Bill Somers 625 Lindberg Drive Council Bluffs, IA 51503	Reso. of Intent No. _____ Reso. to Dispose No. _____	Resolution of Intent: 3/25/2025 Resolution to Dispose: 4/7/2025 Planning Commission: 3/11/2025
<div style="text-align: center;">Subject/Title</div> <p>Request: Public hearing on the request of Parker Smith and Bill Somers to vacate and dispose of the Lindberg Drive right-of-way adjacent to the easterly 80 feet of Lot 9, Block 1, and the westerly 30 feet of Lot 1 and all of Lot 2, Block 3, Oak Grove Addition, City of Council Bluffs, Pottawattamie County, Iowa.</p> <p>Location: Immediately south of 724 Hazel Street</p>		
<div style="text-align: center;">Background</div> <p>The Community Development Department has received a request from Parker Smith (representing 724 Hazel Street) and Bill Somers (representing 625 Lindberg Drive) to vacate and dispose of the Lindberg Drive right-of-way adjacent to the easterly 80 feet of Lot 9, Block 1, and the westerly 30 feet of Lot 1 and all of Lot 2, Block 3, Oak Grove Addition, City of Council Bluffs, Pottawattamie County, Iowa. The subject right-of-way measures approximately 60 feet in width and 80 feet in length.</p> <p>The applicant at 724 Hazel (Parker Smith) previously brought forth a request to vacate only the north half of the subject right-of-way to incorporate additional land area into their property for off-street parking purposes. Said request was originally scheduled for the February 11, 2025 Planning Commission meeting, with a staff recommendation of denial due to creation of a substandard segment of right-of-way. The applicant requested to postpone the public hearing to revise the request to include the entire width of Lindberg Drive right-of-way, as described above. Vacating the entire portion of Lindberg Drive right-of-way would result in Lot 2, Block 3, Oak Grove Addition (the west 50 feet of 625 Lindberg Drive) to become landlocked. The applicants intend to submit a subsequent final plat request to combine the acquired portions of right-of-way and existing lots into two lots of record so that all lots maintain access following the proposed vacation.</p> <p>On August 25, 2003, the City Council amended the adopted <i>Policy and Procedures for Alley, Street and Right-of-way Vacations</i>. The objectives of the amended Policy are as follows:</p> <p>A. <i>To provide due process and citizen participation in the application and review process for vacations.</i> Property owners with land that abuts the subject alley are as follows:</p> <p style="margin-left: 40px;">North: Residential property owned by Parker Smith (applicant) South: Residential property owned by John S. and Ramona C. Crookham Trust (applicant, represented by Bill Somers) East: Lindberg Drive and Hazel Street West: Formerly vacated Lindberg Drive (Case #SAV-19-005)</p>		

The abutting property owners were mailed a petition asking if they are in favor of/opposed to the vacation request and if they were willing to/not willing to acquire the portion of the alley adjacent to their property, if vacated. Their response is noted in Item J below.

B. To ensure that no property owner is deprived of required and reasonable access.

The property (625 Lindberg Drive) to the south of the proposed vacation area is comprised of two existing lots of record (Lots 1 and 2, Block 3, Oak Grove Addition). Lot 2, Block 3, Oak Grove Addition only has access off the subject portion of Lindberg Drive to be vacated and would therefore become landlocked if the vacation were to be approved. The Community Development Department recommends that the vacation not become effective until such time a final plat is executed to replat the property at 625 Lindberg into one lot of record so that all lots continue to have access following the proposed vacation. The property at 724 Hazel Street will continue to have access off Hazel Street.

C. To discourage the creation and eliminate or reduce existing dead-end alleys, streets or other rights-of-way.

The subject request is to vacate an unimproved, dead-end section of Lindberg Drive right-of-way.

D. To reduce or eliminate hazardous and dangerous traffic conditions.

The subject right-of-way is not improved and is not utilized for public vehicular and/or pedestrian traffic circulation.

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

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

- The Council Bluffs Public Works Department stated an easement shall be retained over the existing sanitary sewer line located within the subject right-of-way.
- The Council Bluffs Police Department stated they have no comments or objections to the request.
- The Council Bluffs Fire Department stated they have no comment on the request.
- Council Bluffs Water Works stated they have no comment on the request.
- MidAmerican Energy stated they operate overhead electric distribution facilities that appear to be within, adjacent, or overhanging the section of Lindberg Drive right-of-way to be vacated. MidAmerican Energy's acceptance of the revised request to vacate and dispose is contingent upon the establishment of a permanent and perpetual utility easement to provide and ensure reasonable access to their facilities within the area to be vacated.
- Black Hills Energy stated they have no concerns with the request.
- Cox Communications stated they have no objections to the request.

F. To maintain appropriate right-of-way width to ensure that an adequate pedestrian and vehicular circulation system is retained. The subject right-of-way dead-ends into private property to the west and is not improved. Vacating the subject right-of-way would have no impact on pedestrian or vehicular circulation.

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

The subject request is to vacate an unimproved portion of Lindberg Drive right-of-way which dead-ends into private property.

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

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

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

Not applicable.

J. To establish an equitable price for surplus public property.

There are two property owners with land that abuts the subject right-of-way. Both abutting property owners were notified of the vacation request. Each abutting property owner is eligible to receive their portion of the alley in consideration of \$381.42. The applicant at 724 Hazel Street has indicated that they are in favor of the request and willing to acquire their portion of subject right-of-way for \$381.42. The signed petition from 625 Lindberg has not been returned as of the date of this report.

Recommendation

The Community Development Department recommends approval of the request of Parker Smith and Bill Somers to vacate and dispose of the Lindberg Drive right-of-way adjacent to the easterly 80 feet of Lot 9, Block 1, and the westerly 30 feet of Lot 1 and all of Lot 2, Block 3, Oak Grove Addition, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments stated above and the following conditions:

- A. An easement shall be retained over the subject right-of-way for utility access and maintenance purposes;
- B. All portions of the subject right-of-way shall be disposed of to an abutting property owner(s); and
- C. A final plat shall be executed to combine Lots 1 and 2, Block 3, Oak Grove Addition with the associated portion of right-of-way to create one lot of record.

Public Hearing

Staff speakers for the request:

- 1. Haley Weber, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor:

- 1. Parker Smith, 724 Hazel Street, Council Bluffs, IA 51503

Speakers against: None

The Planning Commission recommended approval of the request of Parker Smith and Bill Somers to vacate and dispose of the Lindberg Drive right-of-way adjacent to the easterly 80 feet of Lot 9, Block 1, and the westerly 30 feet of Lot 1 and all of Lot 2, Block 3, Oak Grove Addition, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments stated above and the following conditions:

- A. An easement shall be retained over the subject right-of-way for utility access and maintenance purposes;
- B. All portions of the subject right-of-way shall be disposed of to an abutting property owner(s); and
- C. A final plat shall be executed to combine Lots 1 and 2, Block 3, Oak Grove Addition with the associated portion of right-of-way to create one lot of record.

VOTE: AYE – Freund, Hutcheson, Knauss, Rater, Rew, Stroebele, VanHouten, and Watson. NAY – None. ABSTAIN – None. ABSENT – None. VACANT - Three Motion: Carried.


Attachments

Attachment A: Location/Zoning Map
Attachment B: Site Photographs

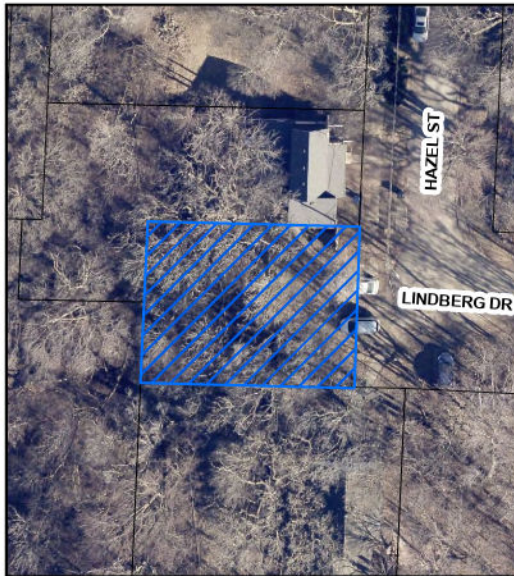
Prepared by: Haley Weber, Planner, Community Development Department

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASE #SAV-25-001 - REVISED LOCATION/ZONING MAP

Legend

 Subject Vacation Area Case
#SAV-25-001 (Revised)

0 12.5 25
1 inch = 21 feet



Last Amended: 2/13/2025



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
disclaims any and all responsibility for errors,
if any, in the information contained on this
map or the nature 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.

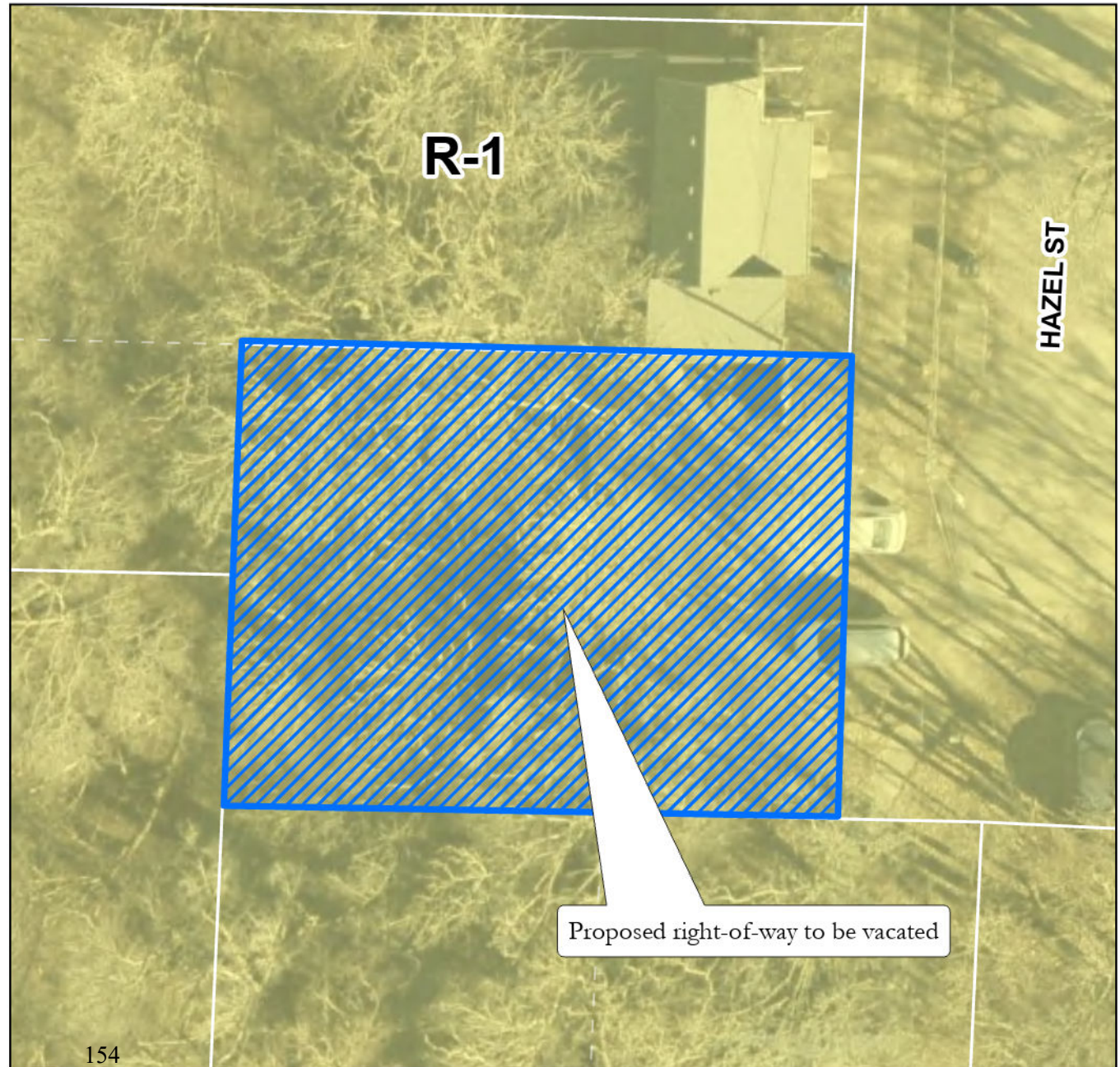




Exhibit A: Looking west towards subject R-O-W from Lindberg Drive



Exhibit B: Looking northwest towards dwelling at 724 Hazel St. and subject R-O-W



Exhibit C: Looking west towards subject R-O-W from Lindberg Drive

RESOLUTION NO. 25-98

A RESOLUTION TO VACATE AND DISPOSE OF LINDBERG DRIVE RIGHT-OF-WAY ADJACENT TO THE EASTERLY 80 FEET OF LOT 9, BLOCK 1, AND THE WESTERLY 30 FEET OF LOT 1 AND ALL OF LOT 2, BLOCK 3, ALL IN OAK GROVE ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, following public hearing and having given careful study to the proposal, the City Council determines that City-owned right-of-way described as follows: Lindberg Drive right-of-way adjacent to the easterly 80 feet of Lot 9, Block 1, and the westerly 30 feet of Lot 1 and all of Lot 2, Block 3, all in Oak Grove Addition, City of Council Bluffs, Pottawattamie County, Iowa, is of no benefit to the public and should be vacated; and

WHEREAS, a public meeting was held on this matter on the 7th day of April, 2025; and

WHEREAS, pursuant to Iowa Code Section 354.23, the City Council declares its intent to dispose of this City right-of-way by conveying and quitclaiming all of its right, title, and interest in it to the abutting property owner(s); and

WHEREAS, this conveyance is subject to the reservation of a permanent and perpetual utilities easement of way in favor of the City of Council Bluffs, for the maintenance of any and all utilities equipment presently in place, and for such reconstruction, re-emplacement and repair thereof which said City and its licensees and/or franchise grantees may in the future deem necessary and proper, and for the removal of any improvements emplaced thereon by the grantees, or their successors or assigns, necessitated by the reconstruction, re-emplacement, or repair of such utilities, such removal to be at the sole expense of grantees or their successors or assigns and without cost to the City, its licensees and/or franchise grantees, and without obligation to repair or replace such improvements, and subject to any and all other easements and right-of-way of record and those not of record; and

WHEREAS, a final plat shall be executed to combine Lots 1 and 2, Block 3, Oak Grove Addition with the associated portion of right-of-way to create one lot of record; and

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

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

Parker Smith: the northerly 30 feet of Lindberg Drive right-of-way adjacent to the easterly 80 feet of Lot 9, Block 1, Oak Grove Addition, City of Council Bluffs, Pottawattamie County, Iowa, for the sum \$381.42; and

John S. and Ramona C. Crookham Trust: the southerly 30 feet of Lindberg Drive right-of-way adjacent to the westerly 30 feet of Lot 1 and all of Lot 2, Block 2, Oak Grove Addition, City of Council Bluffs, Pottawattamie County, Iowa, for the sum of \$381.42.

BE IT FURTHER RESOLVED

That the Mayor and the City Clerk be and are hereby authorized, empowered and directed to execute a City deed conveying the City's interest in the above-described right-of-way; and

BE IT FURTHER RESOLVED

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

ADOPTED
AND
APPROVED:

April 7, 2025.

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

STATE OF IOWA)
COUNTY OF)ss
POTTAWATTAMIE)

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

Notary Public in and for said State

Council Communication

Department: Finance

Case/Project No.:

Submitted by: Finance Department / Danielle

Bemis

Resolution 25-99

ITEM 5.D.

Council Action: 4/7/2025

Description

Resolution approving the City of Council Bluffs Budget for Fiscal Year Ending June 30, 2026.

Background/Discussion

Staff is requesting approval of the Budget for Fiscal Year Ending June 30, 2026. Upon approval, documents will be prepared and submitted to the Iowa Department of Management and to the Pottawattamie County Auditor prior to April 30, 2025 as required by State of Iowa Code Section 384.

Recommendation

Approval of the resolution in order to abide by the required filing date of April 30, 2025.

ATTACHMENTS:

Description

[Budget Public Hearing Notice](#)

[Budget Presentation](#)

[Resolution 25-99](#)

Type

Notice

Other

Resolution

Upload Date

3/28/2025

3/28/2025

4/2/2025

NOTICE OF PUBLIC HEARING -- PROPOSED BUDGET
Fiscal Year July 1, 2025 - June 30, 2026

City of: **COUNCIL BLUFFS**

The City Council will conduct a public hearing on the proposed Budget at: **City Council Chambers, City Hall 209 Pearl St., Council Bluffs, IA 51503**
Meeting Date: 4/7/2025 Meeting Time: 07:00 PM

At the public hearing any resident or taxpayer may present objections to, or arguments in favor of, any part of the proposed budget. This notice represents a summary of the supporting detail of revenues and expenditures on file with the City Clerk and County Auditor.

City budgets are subject to protest. If protest petition requirements are met, the State Appeal Board will hold a local hearing. For more information, consult <https://dom.iowa.gov/local-budget-appeals>.

The Budget Estimate Summary of proposed receipts and expenditures is shown below. Copies of the the detailed proposed Budget may be obtained or viewed at the offices of the Mayor, City Clerk, and at the Library.				
The estimated Total tax levy rate per \$1000 valuation on regular property				17.69276
The estimated tax levy rate per \$1000 valuation on Agricultural property is				3.00375
At the public hearing, any resident or taxpayer may present objections to, or arguments in favor of, any part of the proposed budget.				
Phone Number (712) 890-5100	City Clerk/Finance Officer's NAME Danielle Bemis			
		Budget FY 2026	Re-estimated FY 2025	Actual FY 2024
Revenues & Other Financing Sources				
Taxes Levied on Property	1	62,731,851	59,789,427	55,351,101
Less: Uncollected Property Taxes-Levy Year	2	0	0	0
Net Current Property Taxes	3	62,731,851	59,789,427	55,351,101
Delinquent Property Taxes	4	0	0	17,181
TIF Revenues	5	2,449,566	3,190,030	3,559,045
Other City Taxes	6	23,973,459	23,291,418	26,616,998
Licenses & Permits	7	2,667,950	2,961,937	3,919,576
Use of Money and Property	8	1,198,300	4,014,914	4,318,630
Intergovernmental	9	27,576,115	28,374,727	21,365,637
Charges for Fees & Service	10	35,611,839	31,882,777	38,734,252
Special Assessments	11	166,000	168,624	173,339
Miscellaneous	12	2,022,346	3,101,265	11,700,213
Other Financing Sources	13	7,691,972	62,600	34,220,743
Transfers In	14	48,780,708	42,301,472	31,109,206
Total Revenues and Other Sources	15	214,870,106	199,139,191	231,085,921
Expenditures & Other Financing Uses				
Public Safety	16	46,955,364	44,380,380	42,746,466
Public Works	17	13,975,757	13,270,407	11,707,564
Health and Social Services	18	407,039	316,479	326,691
Culture and Recreation	19	15,816,434	13,986,184	14,973,575
Community and Economic Development	20	8,951,260	7,044,190	7,021,884
General Government	21	22,561,710	22,090,212	19,639,049
Debt Service	22	14,412,167	13,513,061	10,885,386
Capital Projects	23	32,183,472	28,616,884	27,807,499
Total Government Activities Expenditures	24	155,263,203	143,217,797	135,108,114
Business Type / Enterprises	25	21,642,475	20,172,564	17,901,170
Total ALL Expenditures	26	176,905,678	163,390,361	153,009,284
Transfers Out	27	48,780,708	42,301,472	31,109,206
Total ALL Expenditures/Transfers Out	28	225,686,386	205,691,833	184,118,490
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out	29	-10,816,280	-6,552,642	46,967,431
Beginning Fund Balance July 1	30	326,752,917	333,305,559	286,338,128
Ending Fund Balance June 30	31	315,936,637	326,752,917	333,305,559

City of Council Bluffs

FY26 Annual Budget

Public Hearing April 7, 2025



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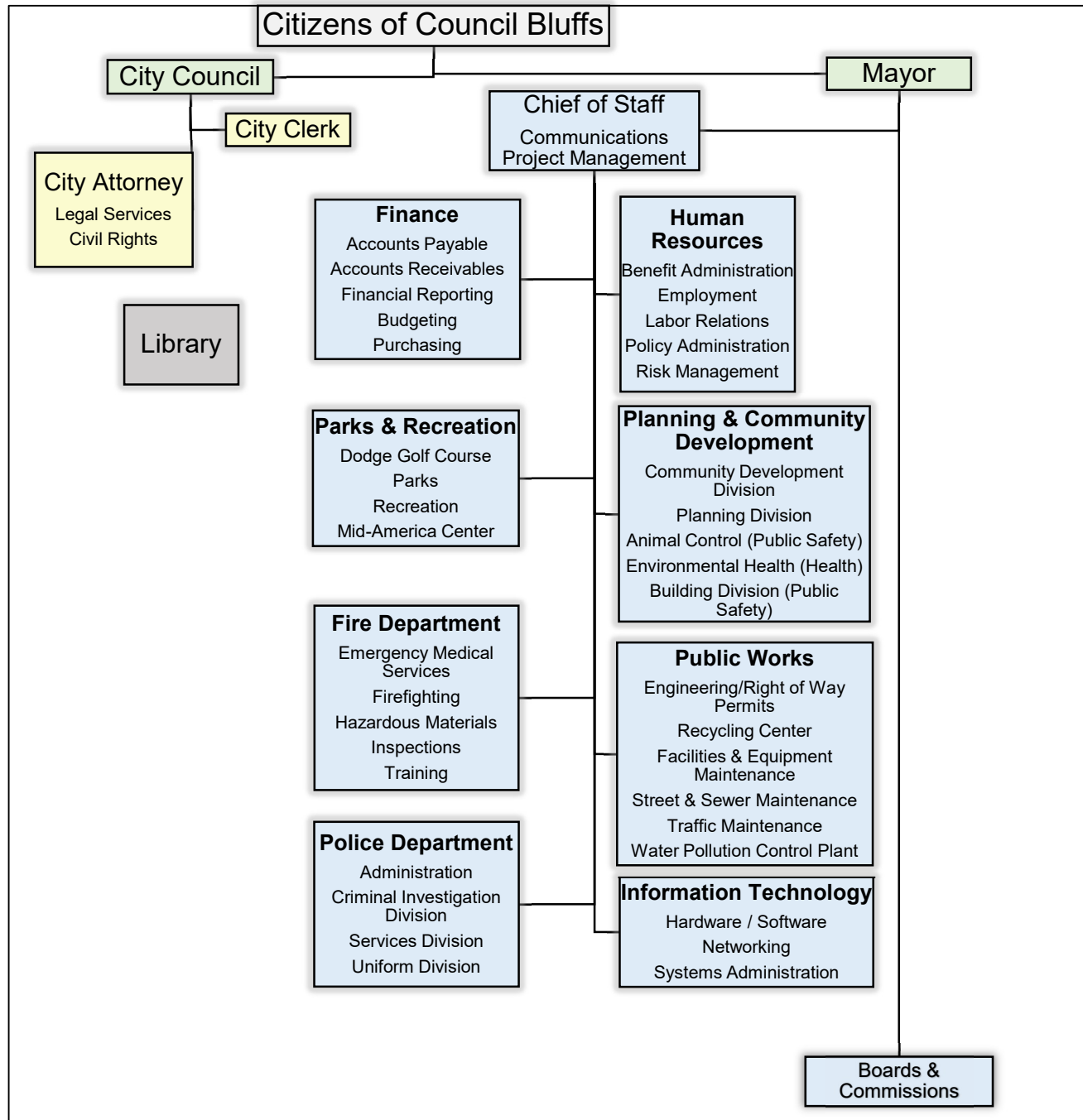
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FY26 Annual Budget

Highlights of the FY26 Annual Budget:

- Overall property tax revenue increased by 4.36%
 - Total City property tax levy decreased to \$17.6928, a decrease of \$0.1619 from FY25. This reduction was primarily driven by legislation requirements in House File 718 and the strategic use of reserve funds. Refer to page 8.
 - Overall taxable valuation increased by 5.3%, primarily due to new construction and market changes adding to the total taxable value.
 - Local option sales tax is projected to increase by \$500K due to resilient economic activity.
 - Federal, state, and nongovernmental grants are projected to increase by \$5.8M, primarily driven by an increase in capital and operating projects.
 - Charges for services revenues are projected to increase by approximately \$3.8M based on increased ambulance, civic center, and solid waste collection revenues.
 - Debt service levy remains flat as part of the City's strategic plan.
- Operating expenditures increased versus FY25 budget:
 - Salaries & wages increased by 5.26% (\$2.44M).
 - Pension costs increased by 5.59% (\$376.3K).
 - Group insurance increased by 7.36% (\$966.0K) driven by increased health insurance costs.
 - Property and general liability insurance increased by 10.38% (\$202.5K), primarily due to market factors.
- Expenditures for capital improvement projects included in the annual budget increased 18.6%, primarily due to \$6.5M budgeted in parks and recreation projects.
- American Rescue Plan Act (ARPA) funds of \$24.8M were received in FY21 and FY22.
 - Project spend does not occur until determined and approved by Council. Unspent ARPA dollars are classified as unearned revenue until expense is incurred.
 - All revenues and expenditures related to ARPA are retained in a Special Revenue Fund. ARPA revenues and expenditures are not included in this packet.
 - All funds were obligated by December 31, 2024. All funds will be spent by December 31, 2026.

City of Council Bluffs Organizational Chart



Elected by the Citizens
of Council Bluffs

Appointed by the
City Council

Appointed by the
Mayor

Appointed by the
Library Board

City of Council Bluffs Officials

Elected City Officials

Matt Walsh	Mayor	December 31, 2025
Joe Disalvo	Council Member	December 31, 2027
Steve Gorman	Council Member	December 31, 2025
Jill Shudak	Council Member	December 31, 2027
Chris Peterson	Council Member	December 31, 2025
Roger Sandau	Council Member	December 31, 2027

Term Expires

Council Appointed Officials

Richard Wade	City Attorney
Jodi Quakenbush	City Clerk

City Officials

Brandon Garrett	Chief of Staff
Matthew Davis	Police Chief
Matthew Cox	Director Public Works
Courtney Harter	Director Community Development
Mark Howard	Chief Information Officer
Justin James	Fire Chief
Brenda Norton	Director Human Resources
Vincent Martorello	Director Parks and Recreation
Danielle Bemis	Director Finance

Antonia Krupicka-Smith	Library Director
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Budget Summary All Funds

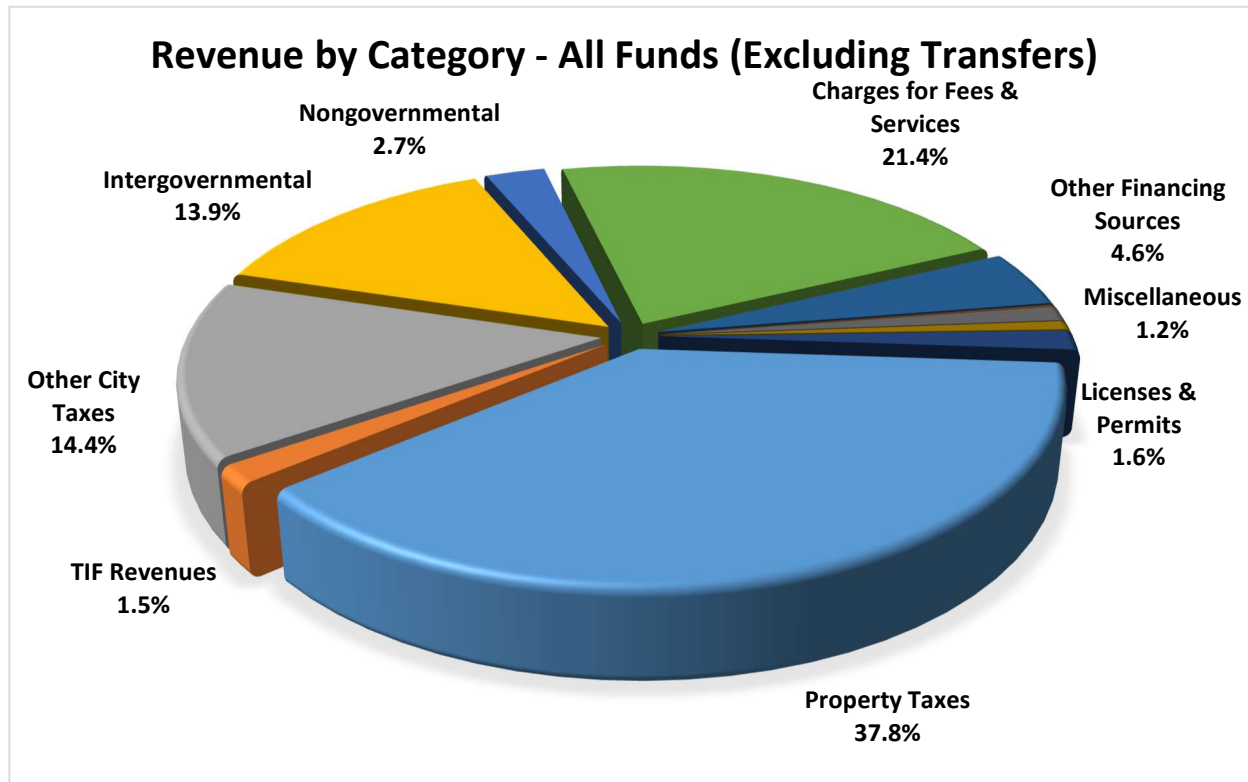
	FY26 Operating	FY26 Capital	FY26 Total
REVENUE & OTHER FINANCING SOURCES			
Property Taxes	\$ 62,731,850	\$ -	\$ 62,731,850
TIF Revenues	2,449,566	-	2,449,566
Other City Taxes	23,973,461	-	23,973,461
Licenses & Permits	2,667,950	-	2,667,950
Use of Money & Property	1,198,300	-	1,198,300
Intergovernmental	19,009,046	4,050,000	23,059,046
Nongovernmental	1,017,069	3,500,000	4,517,069
Charges for Fees & Services	35,611,839	-	35,611,839
Special Assessments	166,000	-	166,000
Miscellaneous	2,022,346	-	2,022,346
Other Financing Sources	-	7,691,972	7,691,972
Transfers In	24,071,991	24,708,717	48,780,708
TOTAL REVENUE & OTHER FINANCING SOURCES	<u>\$ 174,919,418</u>	<u>\$ 39,950,689</u>	<u>\$ 214,870,107</u>
EXPENDITURES & OTHER FINANCING USES			
Public Safety	\$ 46,955,364	\$ -	\$ 46,955,364
Public Works	13,975,757	-	13,975,757
Health & Social Services	407,039	-	407,039
Culture & Recreation	15,816,434	-	15,816,434
Community & Economic Development	8,951,260	-	8,951,260
General Government	22,561,710	-	22,561,710
Debt Service	14,412,167	-	14,412,167
Capital Projects	150,000	32,033,472	32,183,472
Business Type Activities	21,642,476	-	21,642,476
Transfers Out	38,561,736	10,218,972	48,780,708
TOTAL EXPENDITURES & OTHER FINANCING USES	<u>\$ 183,433,941</u>	<u>\$ 42,252,444</u>	<u>\$ 225,686,385</u>
NET REVENUE (EXPENDITURES)	<u>\$ (8,514,523)</u>	<u>\$ (2,301,755)</u>	<u>\$ (10,816,278)</u>

REVENUE, EXCL TRANSFERS	\$ 150,847,427	\$ 15,241,972	\$ 166,089,399
EXPENDITURES, EXCL TRANSFERS	\$ 144,872,205	\$ 32,033,472	\$ 176,905,677

Revenue Budget Detail - All Funds

REVENUE & OTHER FINANCING SOURCES	FY25 BUDGET	FY26 BUDGET	CHANGE
Property Taxes	\$ 60,110,208	\$ 62,731,850	\$ 2,621,642
TIF Revenues	3,190,030	2,449,566	(740,464)
Other City Taxes			
Local Option Sales Tax	12,000,000	12,500,000	500,000
Franchise Tax	2,400,000	2,480,000	80,000
Utility Property Tax Replacement	3,361,418	3,444,561	83,143
Hotel/Motel Tax	3,000,000	2,910,000	(90,000)
Gaming Tax	2,530,000	2,638,900	108,900
Total Other City Taxes	23,291,418	23,973,461	682,043
Licenses & Permits	2,745,250	2,667,950	(77,300)
Use of Money & Property	1,744,550	1,198,300	(546,250)
Intergovernmental			
Federal Grants	4,990,220	8,944,560	3,954,340
State Grants	2,536,000	3,038,803	502,803
Road Use Tax	8,500,000	8,750,000	250,000
Commercial Rollback	2,205,412	1,927,903	(277,509)
County & Other Governments	388,356	397,780	9,424
Total Intergovernmental	18,619,988	23,059,046	4,439,058
Nongovernmental Grants	3,136,369	4,517,069	1,380,700
Charges for Fees & Services			
Sewer Services	14,762,500	15,012,500	250,000
Refuse Services	6,347,476	6,965,867	618,391
MidAmerica Center Services	4,012,380	4,767,227	754,847
Police and Fire Services	3,174,000	4,874,000	1,700,000
Park & Recreation Services	1,208,600	1,403,726	195,126
Other	2,341,302	2,588,519	247,217
Total Charges for Fees & Services	31,846,258	35,611,839	3,765,581
Special Assessments	166,000	166,000	-
Miscellaneous			
Red Light Enforcement Fines	860,000	1,177,100	317,100
Fines and Violations	421,900	445,900	24,000
Expense Reimbursements	304,425	219,752	(84,673)
Other	171,440	179,594	8,154
Total Miscellaneous	1,757,765	2,022,346	264,581
Other Financing Sources, GO Bonding	6,059,240	7,691,972	1,632,732
TOTAL REVENUE & OTHER FINANCING SOURCES	152,667,076	166,089,399	13,422,323
Transfers In	42,301,472	48,780,708	6,479,235
TOTAL REVENUE	\$ 194,968,549	\$ 214,870,107	\$ 19,901,558

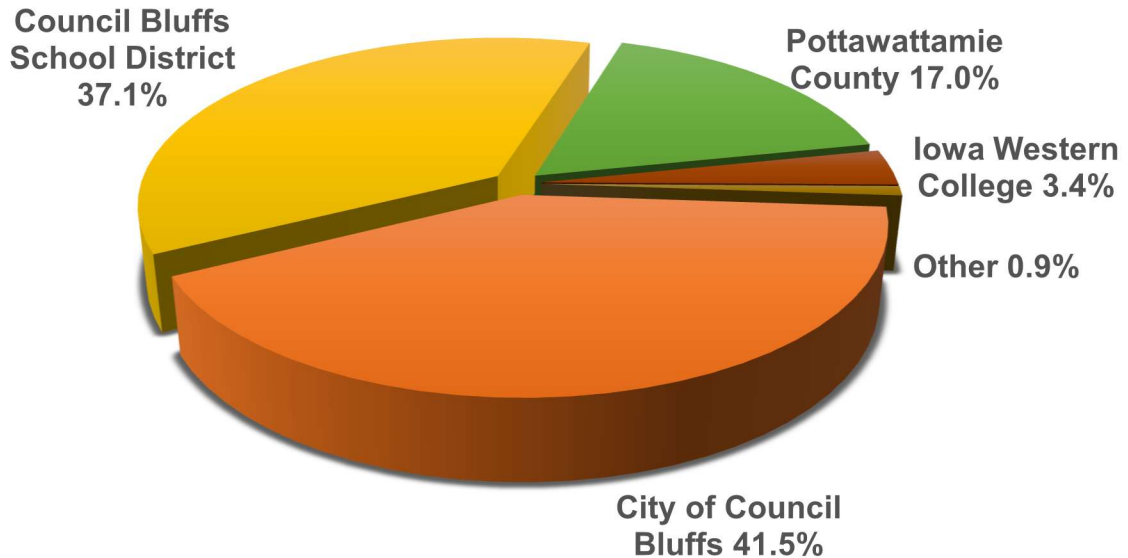
Revenue Budget



Excluding transfers between funds, FY26 budgeted revenues increased by \$13,422,323 vs FY25. The largest drivers of the increase in year over year revenue were charges for fees and services, grants from various government and nongovernment organizations, and taxable valuation increases leading to increased property tax revenues. The primary decrease in year over year revenue is primarily due to a decrease in TIF projects, leading to reduced TIF revenues, along with a decrease in projected interest revenues based on projected future interest rates.

Property Tax Levy by Taxing Authority

Property taxes support many different taxing authorities; primarily cities, counties and school districts. Each taxing authority sets their own levy rate. The City of Council Bluffs total tax levy proposed for the FY26 Budget is \$17.6928. This is a slight decrease from the FY25 levy rate. The total levy for FY25 for Pottawattamie County residents residing in the Council Bluffs school district was \$43.02038.



City of Council Bluffs	17.85470	}	Total FY25 Levy	43.02038
Council Bluffs School District	15.97301			
Pottawattamie County	7.32578			
Iowa Western College	1.47643			
Other	0.39046			

Historical City of Council Bluffs Levy Summary

Tax Levy	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
General	\$ 8.5050	\$ 8.5050	\$ 8.5050	\$ 7.7750	\$ 8.3083	\$ 8.5050	\$ 8.2573	\$ 8.0954
Transit	0.3186	0.3186	0.3186	0.4186	0.3933	0.3933	0.4634	0.3580
Airport	0.2499	0.2499	0.2499	0.2500	0.2400	0.2400	0.2400	0.2400
Liability and Insurance	1.0506	0.8290	0.8290	0.9490	0.8290	0.7400	0.7000	0.8490
Employee Benefit	5.4159	5.5375	5.5375	5.3174	5.2350	5.5617	5.3740	5.3304
Debt Service	2.7201	2.8200	2.8200	2.8200	2.8200	2.8200	2.8200	2.8200
Total	\$ 18.2600	\$ 18.2600	\$ 18.2600	\$ 17.5300	\$ 17.8256	\$ 18.2600	\$ 17.8547	\$ 17.6928

Overall FY26 budgeted property tax revenue has increased vs. FY25 budget by 4.36% or \$2.6 million, primarily driven by increase in taxable property valuation from new construction and the following levy changes.

- Due to legislation changes, including House File 718 and Senate File 2442, the Combined General Fund Levy was reduced by \$0.1619 per thousand dollars of taxable value.
- Due to increased insurance costs, the liability and insurance levy was increased by \$0.1490 per thousand dollars of taxable value.
- With strategic plans for reserves, we were able to reduce the transit liability by \$0.1054 per thousand dollars of taxable value and employee benefit levy by \$0.0436 per thousand dollars of taxable value.

ADDITIONAL INFORMATION ON PROPERTY TAX LEVIES

The City can generate property tax revenue through the use of a number of tax levies designated by the state for specific uses. Those levies are listed below along with their designated uses and levy thresholds.

General Fund Levy

With the passage of House File (HF) 718 in 2023 and Senate File (SF) 2442 in 2024, the State Code of Iowa section 384.1 sets forth the Adjusted City General Fund Levy (ACGFL) for cities. The General Fund Levy assists with the funding of public safety, public works, culture and recreation, cemeteries, community and economic development, inspection services and general administration. For fiscal years 2025 through 2028, the amount of the levy is limited to \$8.10 per thousand dollars of taxable value, adjusted for certain former levies eliminated with HF 718 and with a growth factor defined in code section 384.1, paragraph C. Beginning in FY2029, the amount of the levy will be limited to \$8.10 per thousand dollars of taxable value. The City's allowable general fund levy for FY2026 is \$8.09537 once all adjustments have been included. The City is currently levying at the maximum value as allowed by law.

Transit Levy

The State of Iowa allows cities to levy a property tax for the operation of a transit system. The amount of the levy is limited by State of Iowa law to no more than \$0.95 per thousand dollars of assessed value. The revenue generated from this levy is used to fund the operation and maintenance of a municipal transit system and supplements other revenue sources from the transit system including fares and grant proceeds. The City of Council Bluffs is currently at a levy rate of \$0.35800 per thousand, a decrease from the FY25 budget. The decrease is driven by a decrease in budgeted fleet replacement expenditures and the use of strategic reserves.

Aviation Authority Levy

The City of Council Bluffs levies on behalf of the Council Bluffs Airport Authority. This levy is remitted to the City who in turn, remits the collected aviation levy to the Airport Authority.

Liability and Insurance Levy

The State of Iowa allows cities to levy a property tax to fund costs of tort liability insurance and settlements, property insurance, and any other insurance that may be necessary in the operation of the city, and the costs of a self-insurance program. This levy has no maximum, but its use is limited to the actual costs of the insurance and liability program. The City of Council Bluffs is currently at a levy rate of \$0.8490 per thousand, which is an increase from the FY25 budget. In FY25, the liability and insurance levy was adjusted to provide funding in other areas.

Employee Benefits Levy

The Employee Benefits Levy, known as the trust and agency levy under Iowa Code, is used to fund the employee benefits of the City, including retirement and health insurance. There is no maximum for this levy under State of Iowa law, but can be used only to fund employee benefits. The City of Council Bluffs is currently at a levy rate of \$5.3304 per thousand, which is a slight decrease from the FY25 budget. In FY26, the employee benefit levy was adjusted to provide funding in other areas.

Debt Service Levy

The City's Debt Service Levy is used to fund the annual payments on the money the City has borrowed to fund the Capital Improvement Program. The debt service levy is unlimited. Section 384.4 of the Code of Iowa states, "A city shall establish a Debt Service Fund and shall certify taxes to be levied for the Debt Service Fund in the amount necessary to pay":

1. Judgments against the city, except those authorized by State law to be paid from other funds.
2. Interest as it becomes due and the amount necessary to pay, or to create a sinking fund to pay, at maturity of all general obligation bonds.
3. Payments required to be made from the Debt Service Fund under a lease or lease-purchase agreement.
4. Payments required to be made from the Debt Service Fund under a loan agreement.
5. Payments authorized to be made from the Debt Service Fund to a flood project fund.

ADDITIONAL CITY REVENUE

OTHER CITY TAXES

Local Option Sales Tax (LOST)

Besides property taxes, a significant source of tax revenue is the Local Option Sales Tax. The sales tax rate in Council Bluffs is 7%, with 6% going to the State and 1% coming back to the local government (County/City). By City Ordinance, 100% of sales tax revenue shall be devoted to the maintenance and improvement of the city's sewer and street systems. Based on recent Iowa Department of Revenue estimates, the City budgeted \$12.5 million in Local Option Sales Taxes, which is an increase of 4.2% from the FY25 budget.

Hotel/Motel Tax

The City utilizes a 7% hotel/motel tax imposed on the gross receipts of renting. State law requires that 50% of hotel/motel tax is to be used for acquiring, improving or operating recreational, cultural or entertainment facilities as well as encouragement of tourism and convention business. The City supports the Council Bluffs Convention and Visitor's Bureau and development of recreational facilities with hotel/motel funds. The remaining revenues may be spent on any other lawful purpose. The City budgeted \$2.9 million in hotel/motel tax revenue for FY26, which is a slight decrease from the FY25 budget.

Gaming Tax

The City receives a portion of all monies received by local casino operators. These funds are used to support general fund expenditures. The City is able to provide gaming funds to support facilities maintenance and capital projects. The City receives funding from admissions on the riverboat and 0.05% of adjusted gross revenue recorded by the casino operators. Gaming revenue budgeted in FY26 is \$2.64 million, up \$108.9K against the FY25 budget. This increase was primarily driven by the actual impact of Nebraska legislation legalizing gaming facilities in that state being less than anticipated during FY25.

Other Taxes

Other taxes include utility property tax replacement and franchise tax. Franchise tax is on gas, electric and cable. The amount of franchise tax budgeted for FY26 is \$2.5 million, an increase of \$80 thousand, or 3.3% compared to the budget in FY25. The increase is primarily driven by increases in franchise fees generated by utilities, offset by a reduction in franchise fees generated by cable.

LICENSES AND PERMITS

Fees from licenses and registrations include business, alarm, beer, liquor, cigarette, dog, cat, housing and other misc. licenses and registrations. Fees from permits include building, electrical, mechanical, plumbing, refuse hauling, excavation, subdivision inspection, and other permits.

USE OF MONEY AND PROPERTY

This category includes interest and investment earnings collected and rent received from City owned property. Interest earned has increased as a result of rising interest rates.

INTERGOVERNMENTAL REVENUE

Intergovernmental revenues include Federal grants and reimbursements, State grants and reimbursements, State shared revenues, and County or other local grants and reimbursements. Many of these revenues are construction project related and thus change significantly with the timing and type of projects.

This category includes Road Use Tax Funds (RUTF). The State Road Use Tax Fund consists of revenues from fuel tax, vehicle registration fees, use tax, driver's license fees and other miscellaneous sources. Road Use Tax is distributed on a per capita basis.

The State Grant category includes flood mitigation funds which is the sales tax revenue anticipated to be received from the State to be used for flood mitigation. That revenue is expected to be \$2.7 million in FY26, which is an increase of \$500 thousand from FY25. The revenue is based on an agreement between the City of Council Bluffs and the State of Iowa over a 20-year funding period.

Commercial Rollback (Commercial and Industrial Replacement, and Business Property Tax Replacement) tax collection has been included in the budget. The amount of rollback tax collection included in the budget for FY26 is \$1.9 million.

CHARGES FOR SERVICES

This category includes revenue from charges for services for Sewer and Sanitation charges. Other Charges for Services include parking, transit, ambulance, rental registration, golf fees, swimming fees and Mid-America Center revenue. Charges for Services are up \$3.8 million vs. FY25 budget driven by increased rates from GEMT Ambulance, Mid-America Center revenue and Solid Waste Collections.

SPECIAL ASSESSMENTS

Special Assessments are an additional tax levied on private property for public improvements that enhance the value of the property. The City assesses a special assessment on drainage districts to aid in the cost of maintaining the run off of water within these areas. Special assessments are flat vs. FY25 budget.

MISCELLANEOUS REVENUE

This category includes donations, library fines & charges, court fines, red light camera revenue and reimbursements. Revenues of a non-recurring nature which are not assigned above are included in this category. The amount built into the FY26 budget for red light enforcement revenue is \$1.2 million compared to \$860 thousand FY25. This increase is primarily driven by the anticipated completion of construction on highways with red light cameras.

OTHER FINANCING SOURCES

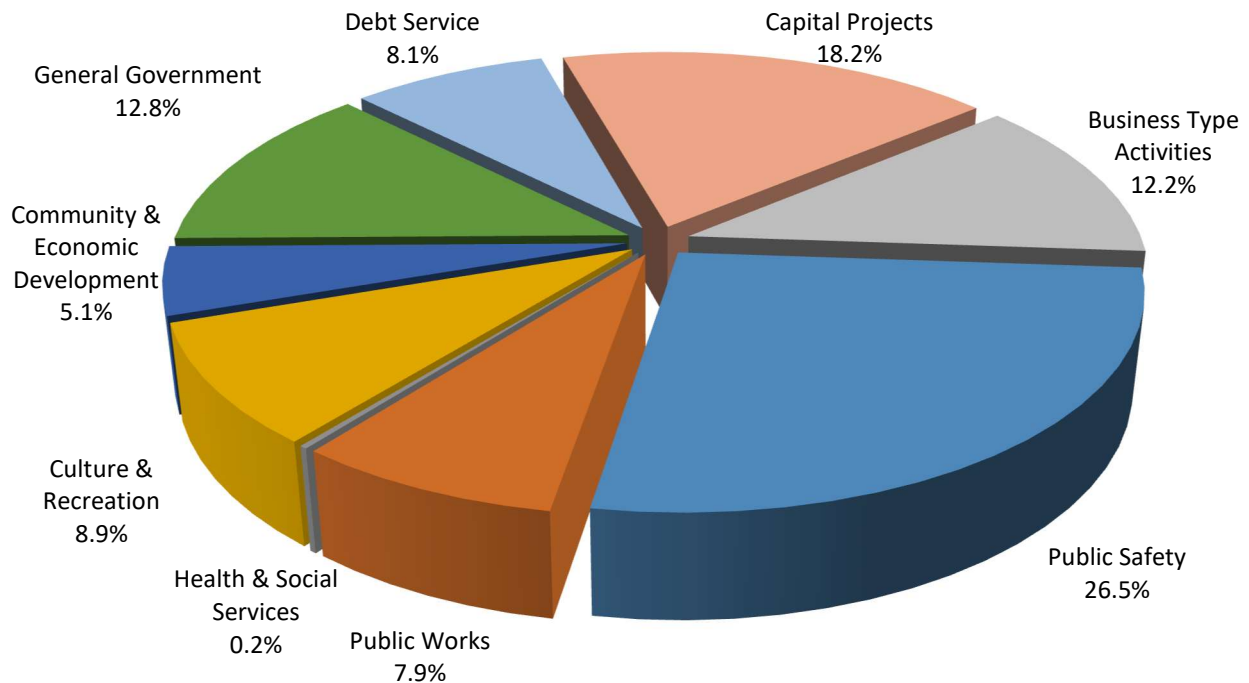
This category is used for the proceeds from bonding. The FY26 budget includes two bond issuances, a General Obligation issuance of \$7.7 million as defined in the FY26 Capital Improvement Projects (CIP).

Expenditures Budget – All Funds

EXPENDITURES & OTHER FINANCING USES	FY25 BUDGET	FY26 BUDGET	CHANGE
Public Safety	\$ 43,946,287	\$ 46,955,364	\$ 3,009,076
Public Works	13,270,407	13,975,757	705,349
Health & Social Services	316,479	407,039	90,560
Culture & Recreation	13,986,484	15,816,434	1,829,950
Community & Economic Development	6,502,256	8,951,260	2,449,004
General Government	21,003,434	22,561,710	1,558,276
Debt Service	13,513,061	14,412,167	899,106
Capital Projects	27,145,240	32,183,472	5,038,232
Business Type Activities	20,172,563	21,642,476	1,469,912
Transfers Out	42,301,472	48,780,708	6,479,235
TOTAL EXPENDITURES & OTHER FINANCING USES	\$ 202,157,683	\$ 225,686,385	\$ 23,528,701
TOTAL EXPENDITURES, EXCLUDING TRANSFERS	\$ 159,856,211	\$ 176,905,677	\$ 17,049,466

Excluding transfers between funds, the City of Council Bluffs FY26 Proposed Expenditures Budget is \$176,905,677, an increase of 10.7% from the FY25 Approved Budget. This increase is primarily driven by an increase in budgeted capital project spend.

Expenditures by Service - All Funds, excluding Transfers



Expenditures Budget Detail – All Funds

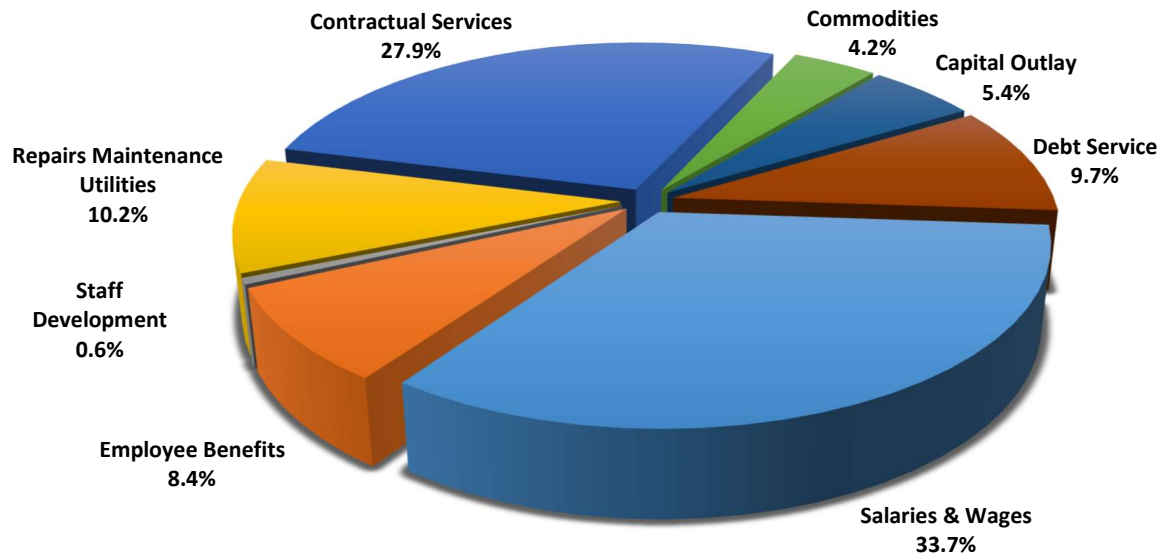
	FY25 BUDGET	FY26 BUDGET	CHANGE
Public Safety			
Police	\$ 22,562,259	\$ 23,887,441	\$ 1,325,182
Fire	18,769,953	20,379,258	1,609,305
Building Inspections	1,612,422	1,637,308	24,886
Animal Control	670,273	694,706	24,433
Flood Control	331,380	356,651	25,270
Total Public Safety	43,946,287	46,955,364	3,009,076
Public Works			
Roads, Bridges, & Sidewalks	10,739,307	11,712,157	972,849
Transit Operations	2,531,100	2,263,600	(267,500)
Total Public Works	13,270,407	13,975,757	705,349
Health Inspection	316,479	407,039	90,560
Culture & Recreation			
Library Services	3,631,876	3,725,255	93,379
Parks	4,360,094	5,277,307	917,213
Dodge Riverside Golf Course	1,507,151	1,571,644	64,493
Mid America Center	4,487,363	5,242,228	754,865
Total Culture & Recreation	13,986,484	15,816,434	1,829,950
Community & Economic Development			
Planning & Administration	1,072,902	1,067,270	(5,632)
Community Development	2,619,758	5,857,134	3,237,375
TIF	2,809,595	2,026,856	(782,739)
Total Community & Economic Development	6,502,256	8,951,260	2,449,004
General Government*	21,003,434	22,561,710	1,558,276
Debt Service	13,513,061	14,412,167	899,106
Capital Projects	27,145,240	32,183,472	5,038,232
Business Type Activities			
Sewer	13,134,609	14,067,175	932,567
Refuse	7,037,955	7,575,300	537,346
Total Business Type Activities	20,172,563	21,642,476	1,469,912
TOTAL EXPENDITURES BEFORE TRANSFERS	\$ 159,856,211	\$ 176,905,677	\$ 17,049,466

*See Next Page for General Government Detail

General Government Expenditure Detail

	FY25 BUDGET	FY26 BUDGET	CHANGE
Mayor	\$ 942,917	\$ 977,676	\$ 34,760
City Council	79,516	81,855	2,339
City Clerk/Civil Service	314,518	412,363	97,846
Human Resources			
Employee Benefits & Insurance	1,907,067	1,995,000	87,933
Insurance & Risk Management	2,288,006	2,568,145	280,139
Human Resources Dept	695,423	737,178	41,754
Total Human Resources	4,890,496	5,300,322	409,826
Finance/Procurement	1,725,961	1,659,778	(66,183)
Legal			
Tort & Liability	1,105,940	1,166,862	60,922
City Attorney and Legal HR	460,070	598,147	138,077
Total Legal	1,566,010	1,765,010	198,999
Information Technology	3,329,601	3,806,537	476,936
City Equipment Maintenance	2,425,762	2,510,257	84,495
City Facilities Maintenance	1,595,216	1,697,129	101,913
City Central Stores	18,600	20,350	1,750
Parking Garage	138,718	165,398	26,680
Bass Pro Property Taxes	642,100	642,300	200
Tourism and Promotion	984,555	901,415	(83,140)
Economic Development Commitments	402,500	407,375	4,875
Administration	1,070,310	1,295,240	224,930
Aviation Tax Levy	876,655	918,704	42,049
Total General Government	\$ 21,003,434	\$ 22,561,710	\$ 1,558,276

Expenditures by Category, excluding Capital Projects and Transfers



SALARIES AND WAGES

Includes salaries for full-time, part-time and seasonal employees along with over-time

EMPLOYEE BENEFITS

Primarily consists of FICA, retirement plans (IPERS and MFPRSI) and work compensation

CONTRACTUAL SERVICES

Includes employee health insurance program, TIF commitments, CDBG projects, property and casualty insurance

CAPITAL OUTLAY

Includes spend for capital equipment and depreciation in Business Type Activities (BTA).

OVERVIEW OF FUNDS

The City utilizes separate funds in order to account for revenues and expenditures that are reserved for specific purposes as required by the State and Government Accounting Standards Board (GASB). Major fund categories are: General, Special Revenue, TIF Special Revenue, Debt Service, Capital Projects, Permanent and Proprietary.

Transfers between specific funds

Revenue that is restricted and received in one major fund category is transferred to the fund that is accumulating the costs. For example, a CIP project in the Capital Projects fund may receive funding from a Special Revenue fund. This will result in a transfer out (expenditure) in the Special Revenue fund and a transfer in (revenue) the Capital Projects fund.

ADOPTED BUDGET SUMMARY

City Name: COUNCIL BLUFFS
Fiscal Year July 1, 2025 - June 30, 2026

	GENERAL	SPECIAL REVENUES	TIF SPECIAL REVENUES	DEBT SERVICE	CAPITAL PROJECTS	PERMANENT	PROPRIETARY	BUDGET 2026	RE-ESTIMATED 2025	ACTUAL 2024
Revenues & Other Financing Sources										
Taxes Levied on Property	1 33,671,189	18,924,363		10,136,299	0			62,731,851	59,789,427	55,351,101
Less: Uncollected Property Taxes-Levy Year	2 0	0		0	0			0	0	0
Net Current Property Taxes	3 33,671,189	18,924,363		10,136,299	0			62,731,851	59,789,427	55,351,101
Delinquent Property Taxes	4 0	0		0	0			0	0	17,181
TIF Revenues	5		2,449,566					2,449,566	3,190,030	3,559,045
Other City Taxes	6 9,886,680	13,537,760		549,019	0			23,973,459	23,291,418	26,616,998
Licenses & Permits	7 2,572,950	85,000					10,000	2,667,950	2,961,937	3,919,576
Use of Money and Property	8 603,100	584,900	0	0	0	0	10,300	1,198,300	4,014,914	4,318,630
Intergovernmental	9 2,346,105	16,588,741	8,792	1,082,477	7,550,000		0	27,576,115	28,374,727	21,365,637
Charges for Fees & Service	10 13,518,472	0		0	0	0	22,093,367	35,611,839	31,882,777	38,734,252
Special Assessments	11 0	166,000		0	0		0	166,000	168,624	173,339
Miscellaneous	12 1,890,781	86,000		0	0	240	45,325	2,022,346	3,101,265	11,700,213
Sub-Total Revenues	13 64,489,277	49,972,764	2,458,358	11,767,795	7,550,000	240	22,158,992	158,397,426	156,775,119	165,755,972
Other Financing Sources:										
Total Transfers In	14 21,394,991	150,000	0	2,527,000	24,708,717	0	0	48,780,708	42,301,472	31,109,206
Proceeds of Debt	15 0	0	0	0	7,691,972		0	7,691,972	0	33,635,998
Proceeds of Capital Asset Sales	16 0	0	0	0	0	0	0	0	62,600	584,745
Total Revenues and Other Sources	17 85,884,268	50,122,764	2,458,358	14,294,795	39,950,689	240	22,158,992	214,870,106	199,139,191	231,085,921
Expenditures & Other Financing Uses										
Public Safety	18 46,758,517	196,847	0			0		46,955,364	44,380,380	42,746,466
Public Works	19 2,659,106	11,316,651	0			0		13,975,757	13,270,407	11,707,564
Health and Social Services	20 407,039	0	0			0		407,039	316,479	326,691
Culture and Recreation	21 15,538,734	277,700	0			0		15,816,434	13,986,184	14,973,575
Community and Economic Development	22 1,067,270	5,857,134	2,026,856			0		8,951,260	7,044,190	7,021,884
General Government	23 21,919,410	642,300	0			0		22,561,710	22,090,212	19,639,049
Debt Service	24 0	0	0	14,412,167		0		14,412,167	13,513,061	10,885,386
Capital Projects	25 0	150,000	0		32,033,472	0		32,183,472	28,616,884	27,807,499
Total Government Activities Expenditures	26 88,350,076	18,440,632	2,026,856	14,412,167	32,033,472	0		155,263,203	143,217,797	135,108,114
Business Type Proprietary: Enterprise & ISF	27						21,642,475	21,642,475	20,172,564	17,901,170
Total Gov & Bus Type Expenditures	28 88,350,076	18,440,632	2,026,856	14,412,167	32,033,472	0	21,642,475	176,905,678	163,390,361	153,009,284
Total Transfers Out	29 1,496,500	32,859,240	895,996	0	10,218,972	0	3,310,000	48,780,708	42,301,472	31,109,206
Total ALL Expenditures/Fund Transfers Out	30 89,846,576	51,299,872	2,922,852	14,412,167	42,252,444	0	24,952,475	225,686,386	205,691,833	184,118,490
Excess Revenues & Other Sources Over	31									
(Under) Expenditures/Transfers Out	32 -3,962,308	-1,177,108	-464,494	-117,372	-2,301,755	240	-2,793,483	-10,816,280	-6,552,642	46,967,431
Beginning Fund Balance July 1	33 38,683,292	52,482,942	489,923	2,381,175	33,225,856	71,263	199,418,466	326,752,917	333,305,559	286,338,128
Ending Fund Balance June 30	34 34,720,984	51,305,834	25,429	2,263,803	30,924,101	71,503	196,624,983	315,936,637	326,752,917	333,305,559

The State Budget summary reflects the entire operating budget for the City aligned by the various funds. The excess of expenditures over revenue (line 32 of the form) is primarily driven by the timing of spend vs revenue received. For example, the timing of spend for large capital improvement projects will extend over the fiscal year planned. It is also driven by depreciation required by GASB to be reflected in the proprietary funds. (See the proprietary funds schedule included in this report.)

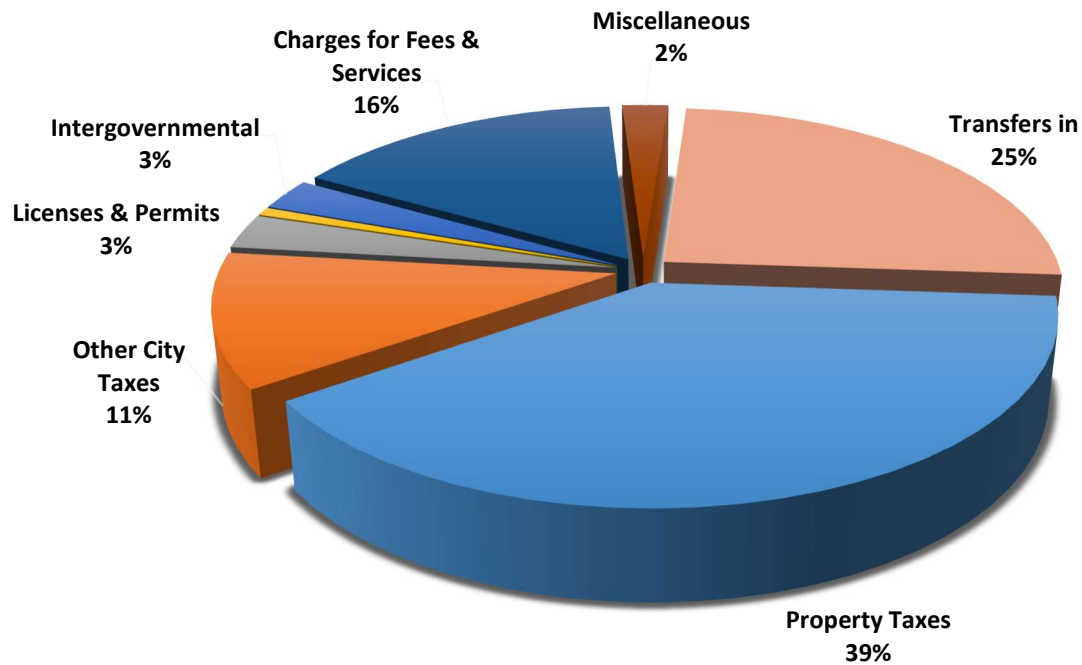
General Fund

The General Fund is the primary fund used by a government entity. This fund is used to record all resources inflows and outflows that are not associated with special-purpose funds, such as Special Revenue and Capital Project Funds. Primary functions being paid for through the General Fund are Public Safety, Culture and Recreation and General Administrative.

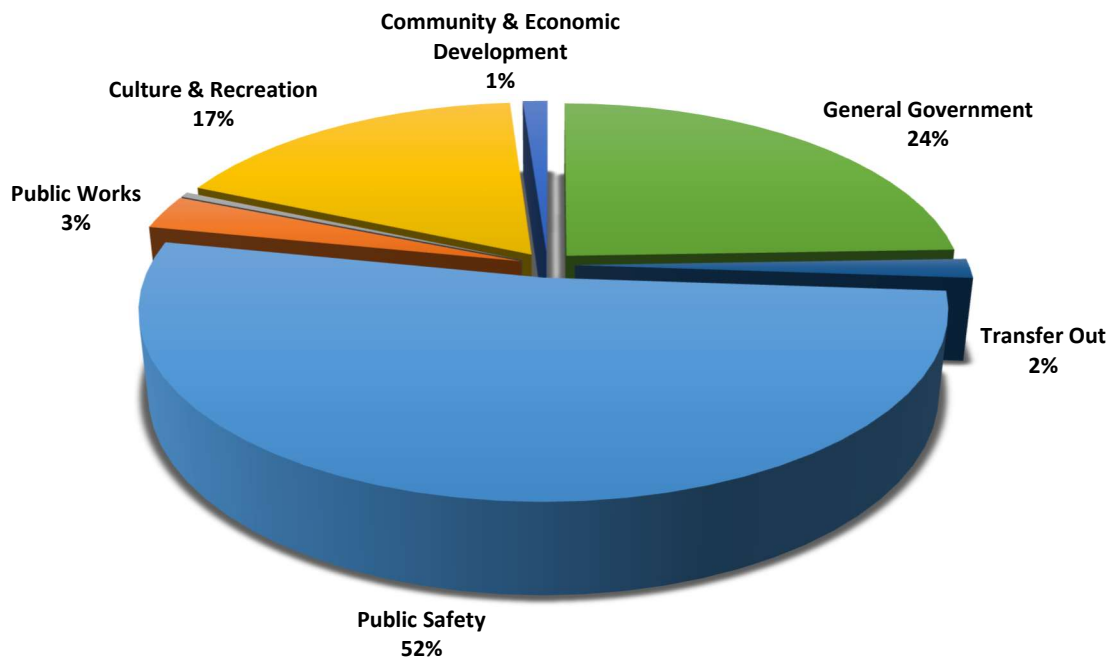
Budget Summary General Fund

	FY25 Budget	FY26 Budget
REVENUE & OTHER FINANCING SOURCES		
Property Taxes	\$ 32,324,578	\$ 33,671,189
Other City Taxes	9,748,773	9,886,681
Licenses & Permits	2,687,250	2,572,950
Use of Money & Property	1,104,250	603,100
Intergovernmental	2,499,577	2,346,105
Charges for Fees & Services	10,616,282	13,518,472
Miscellaneous	1,652,200	1,890,781
Transfers In	19,873,861	21,394,991
TOTAL REVENUE & OTHER FINANCING SOURCES	\$ 80,506,772	\$ 85,884,269
EXPENDITURES & OTHER FINANCING USES		
Public Safety	\$ 43,761,518	\$ 46,758,517
Public Works	2,915,967	2,659,106
Health & Social Services	316,479	407,039
Culture & Recreation	13,669,484	15,538,734
Community & Economic Development	1,072,902	1,067,270
General Government	20,361,334	21,919,410
Transfers Out	985,000	1,496,500
TOTAL EXPENDITURES & OTHER FINANCING USES	\$ 83,082,684	\$ 89,846,576
NET REVENUE (EXPENDITURES)	\$ (2,575,912)	\$ (3,962,307)

Receipts by General Fund



Expenditures - General Fund



General Fund Supplemental Schedules

Separate third party management companies manage the Mid-America Arena and Convention Center and Dodge Riverside Golf Course. Both facilities continue to benefit from professional management.

In FY25, House File 718 eliminated the Civic Center Levy. In prior fiscal years, the City utilized this levy to help subsidize operations at the Mid-America Arena and Convention Center. The City plans to utilize other general fund revenue to offset anticipated shortfalls.

In FY18, the city entered into a capital lease with River's Edge Parking, LLC for a parking facility located at the River's Edge development. The FY26 budget includes lease payments which are funded by the Iowa West Foundation.

Mid-America Arena and Convention Center Operating Budget

	FY25 BUDGET	FY26 BUDGET	CHANGE
Operating Revenue	\$ 4,012,380	\$ 4,767,227	\$ 754,847
Operating Expense	4,262,363	5,017,228	754,865
Operating Net Income (Loss)	(249,983)	(250,001)	(18)
Less Management Fees	225,000	225,000	-
Net Loss	\$ (474,983)	\$ (475,001)	\$ (18)

Dodge Riverside Golf Operating Budget

	FY25 BUDGET	FY26 BUDGET	CHANGE
Operating Revenue	\$ 1,516,770	\$ 1,563,719	\$ 46,949
Operating Expense	1,424,591	1,474,244	49,653
Operating Net Income	92,180	89,475	(2,704)
Less Management Fees	82,560	97,400	14,840
Net Income (Loss)	\$ 9,620	\$ (7,925)	\$ (17,544)

River's Edge Parking, LLC Parking Garage Operating Budget

	FY25 BUDGET	FY26 BUDGET	CHANGE
Iowa West Foundation Grant	\$ 775,369	\$ 775,369	\$ -
Lease Payment	775,369	775,369	-
TIF	90,740	125,423	34,683
Net Total	90,740	125,423	34,683
Maintenance	126,718	153,398	26,680
Management Fees	12,000	12,000	-
Net Income (Loss)	\$ (47,978)	\$ (39,975)	\$ 8,003

Special Revenue Funds

Special Revenue Funds are used to account for revenues derived from specific sources that are usually required by law or regulation to be accounted for separately from the City's general fund.

Special Revenue Funds Summary by Fund

	CDBG/Comm Dev	Road Use	Local Option Sales Tax	Library Donations	Employee Benefits	Other	Total FY26 Budget
REVENUE & FINANCING SOURCES							
Property Taxes	\$ -	\$ -	\$ -	\$ -	\$ 18,792,323	\$ 132,039	\$ 18,924,362
Other City Taxes	-	-	12,500,000	-	1,037,761	-	13,537,761
Licenses & Permits	-	85,000	-	-	-	-	85,000
Use of Money & Property	-	17,000	-	-	-	567,900	584,900
Intergovernmental	6,988,000	8,750,000	-	26,000	574,780	8,261	16,347,041
Nongovernmental	-	-	-	241,700	-	-	241,700
Charges for Fees & Services	-	-	-	-	-	-	-
Special Assessments	-	-	-	-	-	166,000	166,000
Miscellaneous	30,000	46,000	-	10,000	-	-	86,000
Transfers In	-	-	150,000	-	-	-	150,000
TOTAL REVENUE & FINANCING SOURCES	\$ 7,018,000	\$ 8,898,000	\$ 12,650,000	\$ 277,700	\$ 20,404,864	\$ 874,200	\$ 50,122,764
EXPENDITURES & FINANCING USES							
Public Safety	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 196,847	\$ 196,847
Public Works-Road Use	-	11,316,651	-	-	-	-	11,316,651
Culture & Recreation - Library	-	-	-	277,700	-	-	277,700
Community & Economic Development	5,717,134	-	-	-	-	140,000	5,857,134
General Government	-	-	-	-	-	642,300	642,300
Debt Service	-	-	-	-	-	-	-
Capital Projects	-	-	150,000	-	-	-	150,000
Transfers Out	-	285,000	11,850,000	-	20,724,240	-	32,859,240
TOTAL EXPENDITURES & FINANCING USES	\$ 5,717,134	\$ 11,601,651	\$ 12,000,000	\$ 277,700	\$ 20,724,240	\$ 979,147	\$ 51,299,871
Net Revenue (Expenditures)	\$ 1,300,867	\$ (2,703,651)	\$ 650,000	\$ -	\$ (319,376)	\$ (104,947)	\$ (1,177,107)

Special Revenue Fund – Community Dev Block Grant (CDBG)/Community Development

The City accounts for all federal funding from the US Department of Housing and Urban Development and other state and local grants in specific funds for community development.

Special Revenue Fund - Road Use

The State shared revenue from gasoline taxes and vehicle registrations are provided to cities for the purpose of funding road improvements and maintenance. The revenue received is based on a per capita rate. The City maintains 675 miles of streets, as well as alleys, right of ways, ADA ramps and City owned sidewalks.

Special Revenue Fund - Local Option Sales Tax

The City collects a 1% Local Option Sales Tax which supports the Cities street and sewer improvements.

Special Revenue Fund - Library Donations

The Library fund is used to account for donations directed specifically to the City Public Library.

Special Revenue Fund - Employee Benefit

The Employee Benefit fund provides for the cost of insurance, retirement, worker compensation and other benefits to all City employees. This funding is currently recorded in the Employee Benefit fund and transferred to the appropriate general fund where the expense is recorded.

Special Revenue Fund - Other

This category includes smaller special revenue funds which includes Bass Pro, City Drainage District funds and a Self-Supported Municipal Improvement District (SSMID).

Special Revenue Fund – ARPA

The ARPA fund provided relief due to the impact of Covid-19 pandemic. ARPA revenues and expenditures are not included in this budget packet.

TIF Special Revenue Fund

Tax Increment Finance (TIF) is a method to promote urban renewal/economic development efforts in an area by directing the property tax revenues generated from property value increases within a designated TIF district to finance the costs of improvements made in the district. TIF districts are established within approved urban renewal areas (URA). Tax revenues are then used to fund infrastructure improvements and other incentives to allow for economic development in these districts.

Budget Summary TIF Revenues

	FY25 Budget	FY26 Budget	Change
Tax Increment Revenue	\$ 3,210,733	\$ 2,458,358	\$ (752,375)
TOTAL REVENUE & OTHER FINANCING SOURCES	\$ 3,210,733	\$ 2,458,358	\$ (752,375)

TIF Expenditures

	FY25 Budget	FY26 Budget	Change
Payment to Developers	\$ 2,049,595	\$ 2,026,856	\$ (22,739)
Bond Payment (Marketplace)	760,000	-	(760,000)
Expense Reimbursement	221,080	670,751	449,671
Transfer to Capital Projects	200,000	225,245	25,245
Transfer to Debt Service	63,756	-	(63,756)
TOTAL EXPENDITURES & OTHER FINANCING USES	\$ 3,294,431	\$ 2,922,852	\$ (371,579)
NET REVENUE (EXPENDITURES)	\$ (83,698)	\$ (464,494)	\$ (380,796)

Debt Service Fund

The Debt Service Fund is a legally required fund. The fund administers the payments for the City's debt. The City issues general obligation bonds to fund capital projects. \$7.7 million of general obligation bonds for FY26 capital projects will be issued in FY26. For the majority of projects funded through general obligation debt, the City usually issues general obligation bonds for a period of 10 years. However the general obligation bonds on the new Police Department Headquarters issued in FY18 were issued for a period of 20 years. The City borrowed funds in FY12 to fund sewer improvement projects. The debt service for this loan is paid directly from sewer fees and not from the debt levy. The City's debt associated with the TIF developer agreements is included in the TIF fund and not from the debt levy.

DEBT SERVICE REVENUES

	FY25 BUDGET	FY26 BUDGET	CHANGE
Property Tax Levy	\$ 10,562,872	\$ 10,992,426	\$ 429,554
Nongovernmental Grant	775,369	775,369	-
Transfer In Debt Payments	2,117,371	2,527,000	409,629
Total Debt Service Revenue	<u>\$ 13,455,612</u>	<u>\$ 14,294,795</u>	<u>\$ 839,183</u>

DEBT SERVICE EXPENDITURES

	FY25 BUDGET	FY26 BUDGET	CHANGE
Bond Payments	\$ 12,737,692	\$ 13,636,798	\$ 899,106
Lease Payments	775,369	775,369	-
Total Debt Service Payments	<u>\$ 13,513,061</u>	<u>\$ 14,412,167</u>	<u>\$ 899,106</u>

Statutory Debt Capacity Update

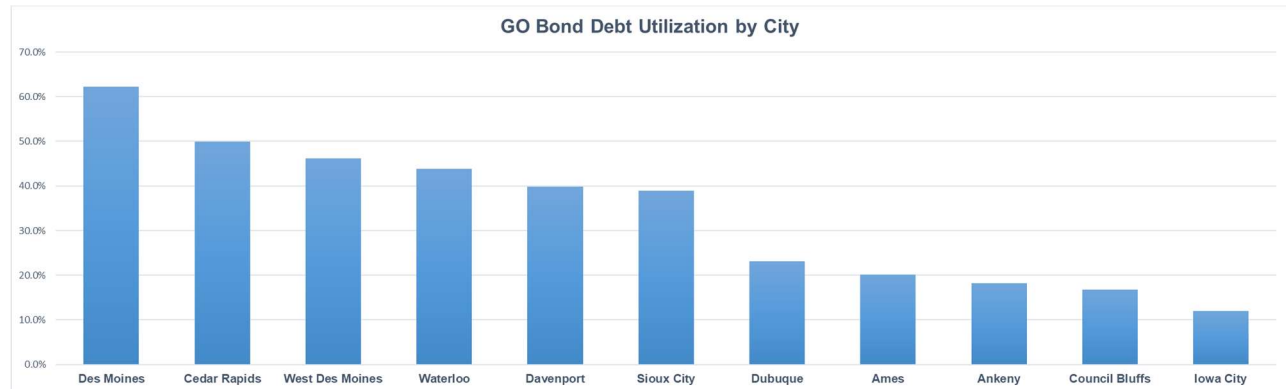
The Iowa Constitution stipulates the debt of a community may not exceed 5% of the Actual Assessed Value of the Taxable Property within the city or town. General obligation bonds, TIF debt and leases paid from the general fund are included as indebtedness of the City under the statutory debt limit. Below is the debt capacity calculation for the City:

City of Council Bluffs Debt Capacity Calculation

100% Assessed Value of property, January 1, 2024:	\$ 8,491,660,020
Statutory Debt limit	5%
Debt Limit	<u>\$ 424,583,001</u>
Outstanding GO Debt, TIF Debt, Loan and Installment Purchases Debt	\$ 75,120,632
Fund Balance available for Debt repayment	<u>(2,833,456)</u>
Projected Net Debt Outstanding June 30, 2025	<u>\$ 72,287,176</u>
Legal Debt Margin Utilized	<u>17.03%</u>

GO Bond Debt Capacity Used by City

General Obligation (GO) Bonds is the primary debt funding mechanism for a City. Legal debt margin for all debt of a City cannot exceed 5% of total actual valuation. The City of Council Bluffs has a very low utilization of the legal debt margin.



As of June 30, 2024

City	Population	100% Valuation (\$)	Debt Limit	GO Debt Capacity in Use	% of Debt Capacity Used for GO Bonds
Des Moines	214,133	\$ 19,288,961,321	\$ 964,448,066	\$ 599,760,000	62.2%
Cedar Rapids	137,710	\$ 15,892,338,290	\$ 794,616,915	\$ 396,830,000	49.9%
West Des Moines	68,723	\$ 13,291,140,928	\$ 664,557,046	\$ 307,090,000	46.2%
Waterloo	67,314	\$ 5,414,733,155	\$ 270,736,658	\$ 118,605,000	43.8%
Davenport	101,724	\$ 10,052,634,910	\$ 502,631,746	\$ 200,540,000	39.9%
Sioux City	85,797	\$ 7,434,409,122	\$ 371,720,456	\$ 144,930,000	39.0%
Dubuque	59,667	\$ 6,472,591,693	\$ 323,629,585	\$ 74,975,000	23.2%
Ames	66,427	\$ 6,636,609,831	\$ 331,830,492	\$ 67,035,000	20.2%
Ankeny	67,887	\$ 11,018,599,053	\$ 550,929,953	\$ 100,260,000	18.2%
Council Bluffs	62,799	\$ 8,491,660,020	\$ 424,583,001	\$ 71,190,000	16.8%
Iowa City	74,828	\$ 8,787,156,880	\$ 439,357,844	\$ 52,980,000	12.1%

Sources:

United States Census 2020 Population

State of Iowa Department of Management as of 1/1/2024 (100% Valuation)

Debt outstanding derived from official statements, audits and continuing disclosure reports

Capital Projects Fund

The City of Council Bluffs Capital Improvement Program (CIP) is adopted annually by the City Council. The CIP includes expenditures that are of significant value and have a long-term useful life such as, streets, sewers, land and major equipment. CIP projects are additionally approved on an individual basis during the bidding process. Funding for capital projects is primarily provided through federal, state and local grants and by general obligation bonds.

CAPITAL PROJECTS FUND

	FY26 BUDGET
REVENUE & FINANCING SOURCES	
Federal Grants	\$ 1,350,000
State Grants	2,700,000
Nongovernment Grants	3,500,000
Proceeds of Debt	7,691,972
Transfers In	17,016,745
TOTAL REVENUE & FINANCING SOURCES	<u>\$ 32,258,717</u>

	FY26 BUDGET
EXPENDITURES & FINANCING USES	
Levee Certification Projects	\$ 3,500,000
Public Works Street Projects	15,195,000
Community Development Projects	1,750,000
Parks & Recreation Projects	6,526,060
MidAmerica Center Projects	1,975,000
IT Software & Hardware	800,000
Fire Projects	380,000
Police Projects	1,232,412
Building Maintenance Projects	675,000
TOTAL EXPENDITURES & FINANCING USES	<u>\$ 32,033,472</u>

CAPITAL PROJECTS EXPENDITURES TO REVENUE RECONCILIATION

Total Revenue & Financing Sources	\$ 32,258,717
Total Expenditures & Financing Uses	<u>32,033,472</u>
Revenue over Expenditures	225,245
TIF revenue collected in FY26 for prior year spend	<u>(225,245)</u>
Net Expenditures & Revenue	<u>\$ -</u>

Permanent Fund

The City uses a separate fund to account for funds received and held for perpetual care, Fairview Cemetery. A portion of all cemetery plots sold are accounted for in this fund.

Proprietary Fund (Business Type Activities, BTA)

The City utilizes proprietary funds to account for the two business type activities: Sewer and Refuse.

Proprietary Fund - Sewer

The City of Council Bluffs operates approximately 305 miles of sanitary sewer and 227 miles of storm sewers. The City maintains 22 sanitary and 15 storm sewer pump stations. Sewer rates were first increased in FY22 with a planned increase over the next 5 years, outlined in the Schedule of Fees.

Proprietary Fund - Sewer

	FY25 BUDGET	FY26 BUDGET
REVENUE & FINANCING SOURCES		
Charges for Services	\$ 14,762,500	\$ 15,112,500
Miscellaneous	42,000	21,000
TOTAL REVENUE & FINANCING SOURCES	<u>\$ 14,804,500</u>	<u>\$ 15,133,500</u>
EXPENSES & FINANCING USES		
Sewer Operations & Maintenance	\$ 8,397,159	\$ 8,982,375
Sewer Equipment	488,150	641,000
Sewer Capital Improvement Loan	49,300	43,800
Transfers Out	2,600,000	3,310,000
Total Expenditures	<u>11,534,609</u>	<u>12,977,175</u>
Depreciation Expense	4,200,000	4,400,000
TOTAL EXPENSES & FINANCING USES	<u>\$ 15,734,609</u>	<u>\$ 17,377,175</u>
NET REVENUE (EXPENSES)	<u>\$ (930,109)</u>	<u>\$ (2,243,675)</u>

Proprietary Fund - Recycling and Refuse

The City of Council Bluffs operates a recycling center and curbside refuse and recycling collection program. Most recyclables are received from the curbside collection program and from recycling containers located throughout the region including locations in Pottawattamie, Harrison and Mills County. Refuse collection rates were first increased in FY22 with the final planned increase scheduled for FY26, outlined in the Schedule of Fees.

Proprietary Fund - Refuse

	FY25 BUDGET	FY26 BUDGET
REVENUE & FINANCING SOURCES		
Charges for Refuse Collection	\$ 5,402,476	\$ 5,670,867
Sale of Recyclables & Other Services	1,060,000	1,310,000
Rents & Royalties	5,300	5,300
Miscellaneous	18,325	39,325
TOTAL REVENUE & FINANCING SOURCES	\$ 6,486,101	\$ 7,025,492
EXPENDITURES & FINANCING USES		
Refuse Disposal	\$ 3,443,418	\$ 3,682,991
Recycling Center Operations	3,284,537	3,164,309
Recycling Center Equipment	35,000	453,000
Total Expenditures	\$ 6,762,955	\$ 7,300,300
Depreciation Expense	275,000	275,000
TOTAL EXPENDITURES & FINANCING USES	\$ 7,037,955	\$ 7,575,300
NET REVENUE (EXPENSES)	\$ (551,854)	\$ (549,808)

Supplemental Schedules

Transfer Detail (Interfund and Intrafund)

Transfer From		Transfer To		Amount	Purpose
Fund Category	Fund Name	Fund Category	Fund Name		
General	Gaming	Capital	Capital Projects	1,275,000	FY26 CIP
General	Fire	Capital	Capital Projects	100,000	FY26 CIP
General	Parks	Capital	Capital Projects	121,500	FY26 CIP
Special Revenue	Road Use Tax	Capital	Capital Projects	285,000	FY26 CIP
Special Revenue	Local Option Sales Tax	Capital	Capital Projects	11,700,000	FY26 CIP
Special Revenue	Local Option Sales Tax	Special Revenue	Local Option Sales Tax	150,000	FY26 CIP
Special Revenue	Employee Benefit Levy	General	General-Employee Benefits	20,724,240	Fund Employee Benefits
Tax Increment Financing (TIF)	W. Broadway TIF	General	General-Community Dev	5,949	Expense Reimbursement
Tax Increment Financing (TIF)	Playland Park TIF	General	General-CAM Expense	101,837	River's Edge CAM Agreement
Tax Increment Financing (TIF)	Playland Park TIF	General	General-Community Dev	3,506	Expense Reimbursement
Tax Increment Financing (TIF)	Playland Park TIF	General	General-River's Edge Parking Garage	125,423	River's Edge Parking Garage Maintenance Expense
Tax Increment Financing (TIF)	Playland Park TIF	Capital	Capital Projects	200,000	River's Edge Development Project
Tax Increment Financing (TIF)	Marketplace TIF	General	General	427,406	IFA Loan Payoff Advance
Tax Increment Financing (TIF)	Marketplace TIF	General	General-Community Dev	3,458	Expense Reimbursement
Tax Increment Financing (TIF)	23rd Avenue TIF	General	General-Community Dev	3,039	Expense Reimbursement
Tax Increment Financing (TIF)	Valley View TIF	General	General-Community Dev	133	Expense Reimbursement
Tax Increment Financing (TIF)	Downtown TIF	Capital	Capital Projects	25,245	Vine Street Parking Project
BTA	Sewer	Capital	Capital Projects	3,310,000	FY26 CIP
Capital	GO Bonding	Capital	Capital Projects	7,691,972	FY26 CIP
Capital	River Levee	Debt Service	Debt Service	2,527,000	GO Bonds Issued in 2024
Total Transfers				48,780,708	

Capital Improvement Program FY26 approved by Council on December 16, 2024

Complete approved FY26 Capital Improvement Program (CIP) can be found at:

<https://www.councilbluffs-ia.gov/149/Finance>

PROJECT #	PROJECT TITLE	DESCRIPTION	Current Year Project Cost	Notes/Further information
Building Maintenance			\$2,650,000	
BM-26-01	MAC Parking Lot Rehab - Phase VI	Replacement of City owned lots	\$1,000,000	
BM-26-02	MAC Arena Upgrades - Phase I	Replace South retractable seating	\$675,000	
BM-26-03	City Hall Exterior Repair	Repair window lintels, clean and seal exterior walls	\$250,000	
BM-26-04	MAC Arena Folding Chairs	Replace arena folding chairs	\$210,000	
BM-26-05	Bass Pro Shops Parking Lot Repairs	Mill and patch, crack seal and seal coat	\$275,000	
BM-26-06	Vehicles & Heavy Equipment	Replace MAC utility vehicle and truck	\$90,000	
BM-26-07	SWILE Backup Generator Addition	Install whole house generator at SWILE to cover network link to WWTP and direct link to PD	\$150,000	
Library			\$50,000	
LI-26-01	Outreach Vehicle	Vehicle to support Library outreaches, including upfitting	\$50,000	PY Bond \$
Community Development Department			\$1,750,000	
CD-26-01	FIRST AVE Program (Furthering Interconnections	Acquisitions/demolition/trail/infrastructure/studies (31st - 35th St)	\$500,000	
CD-26-02	Downtown Plan	Completion of Downtown Plan Update from 2003	\$600,000	
CD-26-03	East Manawa Development	Planning, design, infrastructure, trail	\$350,000	CDBG
CD-26-04	Old Battery Factory site	Infrastructure	\$300,000	CDBG
Fire Department			\$380,000	
FD-26-01	Station 2 Precon Plans	Plans for remodel of station 2	\$100,000	
FD-26-02	Vehicles & Heavy Equipment	QRV 22 Replacement, Fire Car 8 Replacement, Fire Car 6 Replacement, Large Diameter Hose Replacement	\$280,000	
Police Department			\$1,232,412	
PD-26-01	Vehicles & Heavy Equipment	Replacement of 6 cruisers with upfitting costs; department issued rifles	\$705,658	
PD-26-02	Taser Replacement	Replace 80 tasers with 5-year warranty	\$526,754	
			\$0	
IT			\$800,000	
IT-26-01	Safety and Security	Cameras	\$70,000	
IT-26-02	Infrastructure & Services	Fiber, network switches, servers, storage	\$500,000	
IT-26-03	Mobile Technology	MDTs and tablets	\$80,000	
IT-26-04	Software Licensing	Software renewals; permit/licensing software implementation	\$150,000	

PROJECT #	PROJECT TITLE	DESCRIPTION	Current Year Project Cost	Notes/Further information
Parks and Recreation Department			\$6,526,060	
PR-26-01	River's Edge Donor Plaza	Construct New Donor Plaza for the Donors of River's Edge	\$600,000	
PR-26-02	Big Lake Park North Field Trails and Dog Park, P	Engineering and design of the north field improvements	\$50,000	
PR-26-03	South Expressway Trail Connection	Engineering and design of trail connection	\$375,000	
PR-26-04	S. 24th Trail Connection	New trail segment from I-29 off ramp to Recreation Complex, along S. 24th Street	\$400,000	
PR-26-05	Pirate Cove Improvements	New concrete plaza and shelter area	\$155,000	
PR-26-06	Trolley Park Playground Improvement	Replace existing play surface and add a couple of stand alone pieces of play equipment	\$261,000	
PR-26-07	Big Lake Park Playground Improvements, Phase	Engineering and design of playground and associated park improvements	\$71,500	
PR-26-08	City County Trail Connector	Additional funding for design and construction of City County Trail	\$375,000	
PR-26-09	Vehicles & Heavy Equipment	Vehicles & Heavy Equipment	\$738,560	
PR-26-10	Rivers Edge Gateway Enhancements	Decorative lighting, landscaping, hardscaping, irrigation and entry signage at W. Broadway	\$3,500,000	
Public Works Department			\$18,845,000	
PW-26-01	Infrastructure Maintenance	Emergency Repair	\$150,000	
PW-26-02	Infrastructure Maintenance	Traffic Signal Improvements	\$200,000	
PW-26-03	Infrastructure Maintenance	HMA Resurfacing, curb & gutter	\$300,000	
PW-26-04	Infrastructure Management	Sanitary Sewer Rate Study	\$100,000	
PW-26-05	NPDES PH II Program Management	Stormwater Utility Study	\$100,000	
PW-26-06	Indian Creek Channel Rehabilitation	Repair of I.C. concrete structure	\$3,500,000	FMP
PW-26-07	Richard Downing Blvd Reconstruction	Pavement, storm sewer	\$2,250,000	
PW-26-08	Valley View Intersection Improvements	Greenview Rd and Franklin Ave	\$800,000	
PW-26-09	E Manawa Sewer Rehab - Phase XIV	Pavement, sewer	\$1,500,000	Other = Sewer
PW-26-10	Kanesville Pedestrian Bridge Repairs	Repair bridge structure	\$450,000	
PW-26-12	S 23rd Street Sewer Rehab - Phase II	Pavement, sewer	\$1,250,000	Other = Sewer
PW-26-13	Ave B Reconstruction, Phase II	Pavement, sewer	\$1,250,000	Other = Sewer
PW-26-14	Hillcrest Reconstruction, Phase II	Pavement, sewer	\$900,000	Other = Sewer
PW-26-15	WPCP Digester Lids	Repair/Replace Digester Lids	\$3,500,000	Other = Sewer
PW-26-16	Pump Station Rehab	Forrest Glen Sanitary P.S.	\$1,500,000	
PW-26-17	SS4A Planning Grant	City-wide traffic calming and speed study	\$875,000	
PW-26-18	East End Ops Building	Purchase former Pott Co. site on Greenview	\$220,000	Other = Sewer
Total			\$32,233,472	

FY26 Proposed Property Tax Levy, Public Hearing held on March 24, 2025

Additional Property Tax Levy Details can be found at:

<https://www.councilbluffs-ia.gov/2556/Property-Tax-Levy>

How to read this form and what it means:

Tax Rate Comparison-Current VS Propose - This section uses a specific formula to compare property tax costs for a residential property and a commercial property over two years.

Residential property - In this example, in 2025, the residential property would have a tax of \$827.44; in 2026, the tax would be \$923.12. However, this example assumes a 10% increase in assessed property values. This assumption caused the majority of the 11.61% increase shown and may not reflect actual changes to valuation.

The formula used is: $((\text{Assessed Value} \times \text{Residential Rollback Rate}) / 1000) \times \text{Levy Rate}$

*Your assessed value can be found at www.pottco.org.

*The Residential Rollback Rate is 46.3428% for FY25 and 47.4316% for FY26.

*The certified levy rate for FY25 is \$17.85467; the proposed levy rate for FY26 is to be lowered to \$17.69276

Commercial property - In this example, in 2025, the commercial property would have a tax of \$3,651.53; in 2026, the tax would be \$4,125.02. However, this example assumes a 10% increase in assessed property values. This assumption caused the majority of the 12.95% increase shown and may not reflect actual changes to valuation.

The formula used is: $((\text{First } \$150,000 \text{ of Assessed Value} \times \text{Residential Rollback Rate}) + (\text{Remaining Assessed Value} \times 90\% \text{ Rollback Rate})) / 1000 \times \text{Levy Rate}$

*Your assessed value can be found at www.pottco.org.

*The Residential Rollback Rate is 46.3428% for FY25 and 47.4316% for FY26. Commercial rollback is 90% for FY25 and FY26.

*The certified levy rate for FY25 is \$17.85467; the proposed levy rate for FY26 is to be lowered to \$17.69276

Note: The Residential Rollback Rate (set forth by the State of Iowa) prescribe the portion of the assessed value that is taxable by local governments.

Note: The first \$150,000 of taxable valuation on commercial, industrial, and railroad properties is subject to the current residential rollback; any value over is subject to the 90% rollback.

Current Year Certified - This column illustrates the FY25 certified valuations (set forth by County Assessor), levy rate, and revenue for the City of Council Bluffs. Overall City of Council Bluffs' levy rate for FY25 is 17.85467.

Budget Year Effective - This is a required column per House File 718, passed in 2023, and Senate File 2442, passed in 2024. This column illustrates increased valuations for FY26 budget (set forth by County Assessor), but automatically keeps revenue consistent with FY25 and calculates the overall levy rate. This illustration does not factor continued inflation, supply/demand issues, or increased costs associated with employees and insurance (employee and property/liability) in order for the City to continue offering full services (Public Safety, Public Works, Parks and Recreation, Community Development, initiatives with non-profit organizations, etc.).

Budget Year Proposed - This column illustrates the increased valuations for FY26 budget (set forth by County Assessor) and calculates the overall levy rate for the City of Council Bluffs, determined by the needs of the proposed FY26 operating budget. The proposed budget, and in turn, levy rate considers factors such as: inflation, supply/demand issues, costs for employees and insurance (employee and property/liability). These factors allow the City to continue offering full services (Public Safety, Public Works, Parks and Recreation, Community Development, initiatives with non-profit organizations, etc.). The proposed levy rate is 17.69276, a decrease of .16191, or (0.9%), from FY25.

* This is a requirement per House File 718, passed through legislation in 2023.

CITY NAME: COUNCIL
BLUFFS

NOTICE OF PUBLIC HEARING - CITY OF COUNCIL BLUFFS - PROPOSED PROPERTY TAX LEVY
Fiscal Year July 1, 2025 - June 30, 2026

CITY #: 78-732

The City Council will conduct a public hearing on the proposed Fiscal Year City property tax levy as follows:

Meeting Date: 3/24/2025 Meeting Time: 06:00 PM Meeting Location: Council Chambers at City Hall, 209 Pearl St., Council Bluffs, IA 51503

At the public hearing any resident or taxpayer may present objections to, or arguments in favor of the proposed tax levy. After the hearing of the proposed tax levy, the City Council will publish notice and hold a hearing on the proposed city budget.

City Website (if available)
<https://www.councilbluffs-ia.gov/>

City Telephone Number
(712) 890-5100

Iowa Department of Management	Current Year Property Tax	Certified 2024 - 2025	Budget Year Property Tax	Effective 2025 - 2026	Budget Year Property Tax	Proposed 2025 - 2026
Taxable Valuations for Non-Debt Service		3,343,055,436		3,525,506,271		3,525,506,271
Consolidated General Fund		27,604,545		27,604,545		28,540,278
Operation & Maintenance of Public Transit		1,549,172		1,549,172		1,262,131
Aviation Authority		802,333		802,333		846,122
Liability, Property & Self Insurance		2,340,139		2,340,139		2,993,155
Support of Local Emergency Mgmt. Comm.		0		0		0
Unified Law Enforcement		0		0		0
Police & Fire Retirement		4,402,804		4,402,804		4,643,092
FICA & IPERS (If at General Fund Limit)		3,065,582		3,065,582		2,527,788
Other Employee Benefits		10,497,161		10,497,161		11,621,444
Capital Projects (Capital Improv. Reserve)		0		0		0
Taxable Value for Debt Service		3,434,085,684		3,594,432,394		3,594,432,394
Debt Service		9,684,122		9,684,122		10,136,299
CITY REGULAR TOTAL PROPERTY TAX		59,945,858		59,945,858		62,570,309
CITY REGULAR TAX RATE		17.85467		16.95080		17.69276
Taxable Value for City Ag Land		9,452,504		9,822,004		9,822,004
Ag Land		28,393		28,393		29,503
CITY AG LAND TAX RATE		3.00375		2.89075		3.00375
Tax Rate Comparison-Current VS. Proposed*						
Residential property with an Actual/Assessed Valuation of \$100,000/\$110,000	Current Year 2024/2025	Certified	Budget Year 2025/2026	Proposed	Percent	Change
City Regular Residential		827		923		11.61
Commercial property with an Actual/Assessed Valuation of \$300,000/\$330,000	Current Year 2024/2025	Certified	Budget Year 2025/2026	Proposed	Percent	Change
City Regular Commercial		3,652		4,125		12.95

Note: Actual/Assessed Valuation is multiplied by a Rollback Percentage to get to the Taxable Valuation to calculate Property Taxes. Residential and commercial properties have the same rollback percentage through \$150,000 of actual/assessed valuation.

Reasons for tax increase if proposed exceeds the current:

Increase in property tax valuation is primarily driven by new construction and market changes. Increased property tax revenue will be utilized to offset continued inflation, caused by changes in supply and demand, as well as increased costs for employee and property/liability insurance.

RESOLUTION NO. 25-99

A Resolution approving the City of Council Bluffs Budget for
Fiscal Year Ending June 30, 2026

WHEREAS, The City of Council Bluffs is required to hold a public hearing on the proposed budget for fiscal year ending June 30, 2026, and

WHEREAS, The City Council Bluffs has a requirement to submit its budget for the fiscal year ending June 30, 2026 to the Iowa Department of Management and to the Pottawattamie County Auditor prior to April 30, 2025, and

WHEREAS, The City of Council Bluffs is required to publish and post the proposed budget at least ten and no more than twenty days from the public hearing.

NOW, THEREFORE, BE IT RESOLVED

BY THE CITY COUNCIL

OF THE

CITY OF COUNCIL BLUFFS, IOWA

Approval of the City of Council Bluffs Budget for Fiscal Year Ending June 30, 2026.

ADOPTED
AND
APPROVED

April 7, 2025

Matthew J. Walsh, Mayor

ATTEST: _____
Jodi Quakenbush City Clerk

Council Communication

Department: Community Development
Case/Project No.: AN-25-001
Submitted by: Christopher N. Gibbons, AICP,
Planning and Code Compliance Manager

Resolution 25-100
ITEM 5.E.

Council Action: 4/7/2025

Description Resolution approving voluntary annexation with owners in opposition of approximately 473 acres (more/less) of land, legally described as being part of Sections 29-74-43 and 32-74-43, Pottawattamie County, Iowa and part of Sections 5-73-43 and 6-73-43, Mills County, Iowa, and being more particularly described in the case staff report. Location: Annexation area generally extending south from current City limits along South 192nd Street/BNSF Railroad right-of-way and South 189th Street, lying north of Bungee Avenue.
Background/Discussion See attached staff report.
Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/28/2025
Attachment A: Annexation boundary map and property owners list	Other	3/28/2025
Attachment B - Legal description for annexation area	Other	4/1/2025
Attachment C: Letter from BNSF requesting voluntary annexation	Letter	3/28/2025
Attachment D: Letter from Cattleman's Heritage Beef Company requesting voluntary annexation	Letter	3/28/2025
Attachment E: Letter from Oak Valley, LLC requesting voluntary annexation	Letter	3/28/2025
Attachment F: Letter from QRS Investments, LLC requesting voluntary annexation	Letter	3/28/2025
Attachment G: Mills and Pottawattamie County Zoning Map (Annexation Areas)	Map	3/28/2025
Attachment H: City Growth Area Map	Map	3/28/2025
Attachment I: Scott Belt, Chair of the Pottawattamie County Board of Supervisors	Letter	3/28/2025
Attachment J: Lonnie Mayberry, Richard Crouch, and Jack Sayers, Mills County Board of Supervisors	Letter	3/28/2025
Attachment K: Lori Green, St. Mary's Township Trustee	Letter	3/28/2025
Attachment L: Letter of opposition from Scott Glenn	Letter	3/28/2025
Attachment M: Letter of opposition from Sam Irwin	Letter	3/28/2025
Attachment N: Letter of support from MAPA	Letter	3/28/2025
Attachment O: Resolution opposing the voluntary annexation from Mills County BoS	Other	3/28/2025
Attachment P: Resolution supporting the voluntary annexation from Pottawattamie County Board of BoS	Other	3/28/2025
Resolution 25-100	Resolution	4/2/2025

City Council Communication

<p>Department: Community Development</p> <p>CASE #AN-25-001</p> <p>Applicants: City of Council Bluffs 209 Pearl Street Council Bluffs, Iowa</p> <p>BNSF Railway Company P.O. Box 961051 Fort Worth, TX 76161</p> <p>Cattlemen’s Heritage Beef Company 666 Walnut Street, Suite 203 Des Moines, IA 50309</p> <p>QRS Investments, LLC P.O. Box 336 Council Bluffs, IA 51502</p> <p>Oak Valley, LLC 1673 200th Street Red Oak, IA 51566</p>	<p>Resolution No. _____</p>	<p>City Council: 4/7/2025</p> <p>Planning Commission: 3/11/2025</p>
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Subject/Title

Request: Public hearing on the request of Oak Valley LLC, Cattleman Heritage Beef Co. LLC, BNSF Railroad, QRS Investments, LLC, and the City of Council Bluffs for voluntarily annexation with owners in opposition of approximately 473 acres (m/l) of land, legally described as being part of Sections 29-74-43 and 32-74-43, Pottawattamie County, Iowa and part of Sections 5-73-43 and 6-73-43, Mills County, Iowa and being more particularly described in Attachment 'B' of the case staff report.

Background

The Community Development Department has received requests from Oak Valley, LLC, Cattleman Heritage Beef Co. LLC, BNSF Railroad, and QRS Investments, LLC for voluntarily annexation of approximately 473 acres (m/l) of land, lying south of the existing Council Bluffs municipal boundary, as shown on Attachment ‘A’ and legally described on Attachment ‘B’. The purpose of this annexation is to provide City utilities and services for new industrial developments on parcels identified as 7, 7A, 7B, 7C and 10, 10A, 10B, and 10C, as shown on Attachment ‘A’. Included with this request is the involuntary annexation of seven parcels, identified as #1, #2, #5, #6, #11, #11A, and #12 on Attachment ‘A’. These parcels were included in the request so the City of Council Bluffs maintains a relatively uniform-shaped boundary and to not create an “island” of unincorporated area that is surrounded by property located within the City of Council Bluffs. The combined total acreage of these seven parcels is less than 20% of the land area proposed to be voluntarily annexed into the City, which complies with the regulations stated in Chapter 368.7, *Voluntary Annexation of Territory*, of the Iowa Code.

The table below summarizes all properties included the request and notates whether they are being voluntarily or involuntarily annexed into the City of Council Bluffs.

Property Owner	Acres	County	Parcel Id #	Current Land Use	County Zoning Designation	Voluntarily Annexed	Involuntarily Annexed
Scott Glen	12.15	Pottawattamie	744329300011	Farming operation (cattle)	A-3		X
Kinze Melvin Williams	8	Pottawattamie	744329300008	Residential	A-3		X
BNSF Railroad	23.54	Pottawattamie	N/A	Railroad right-of-Way	A-3 & I-2	X	
City of Council Bluffs	54.86	Pottawattamie	744332300007	Firing range	I-2	X	
Jimmie David Leggett	7	Pottawattamie	744332300003	Residential w/farming operation	I-2		X
Lyman-Richey Corporation	4.89	Pottawattamie	744332300008	Concrete manufacturing	I-1		X
Oak Valley, LLC	121.34	Mills	34220010000000, 34220020000000, 34330000000000, and 34340000000000	Undeveloped	Industrial	X	
QRS Investments, LLC	38.39	Mills	34350010100000	Distribution/warehousing	Industrial	X	
State of Iowa*	57.38	Mills	N/A	Interstate 29 right-of-way	Industrial	N/A	N/A
Cattleman's Heritage Beef Company, LLC	131.99	Mills	35710000000000, 35720000000000, 35700010000000, and 35690000000000	Undeveloped	Industrial	X	
Beverly Realty, LLC	4	Mills	35720010000000 and 35730040000000	Adult Entertainment (Romantix)	Industrial		X
BNSF Railroad	8.92	Mills	N/A	Railroad right-of-Way	Industrial	x	
Kinze Melvin Williams	1	Mills	35730040000000	Retail (K&B Saddlery)	Industrial		X
Totals	473.46					379.04	37.04

*State of Iowa right-of-way was not used to determine numbers of acres to be involuntarily annexed

Chapter 368.7, *Voluntary Annexation of Territory*, of the Iowa Code allows cities to involuntarily annex up to 20% of the total area being voluntarily annex for the purpose of providing a uniform boundary and to eliminate the creation of an “island” of territory that is surrounded by city jurisdiction. The total amount of land to be annexed into the City of Council Bluffs is 473.66 acres, of which, 379.04 acres are being voluntarily annexed and 37.04 are being involuntarily annexed. When applying the 80/20 annexation rule to this request, the City of Council Bluffs is eligible to annex up to 75.80 acres of land. City staff reviewed all properties in the immediate area of the annexation and determined 37.04 acres for involuntary annexation were sufficient, as the selected properties either provided a linkage to the City’s existing municipal boundary or assisted with creating a uniform boundary. An additional 38.76 acres of land were eligible for involuntary annexation but the City chose not to pursue it because the other eligible properties were too large in size and would have led to partial annexations with inconsistent zoning jurisdictions between the City of Council Bluffs and Mills/Pottawattamie Counties.

It should be noted the annexation area includes portions of Interstate 29 rights-of-way. This land was included so that the City of Council Bluffs maintains a relatively uniform shaped boundary once the annexation is finalized, and to allow annexed properties on both sides of the interstate access to City services and utilities, if needed. The City did not use the interstate rights-of-way acreage for calculating the number of acres that can be involuntarily annexed, as that would have required pre-approval from the Iowa Attorney General Office.

Zoning and Land Use

The properties being annexed are zoned a mixture of industrial and/or agricultural, as per Pottawattamie and Mills County GIS databases (see Attachment G). Existing land uses within the annexation area include: undeveloped land, distribution/warehousing, residential dwellings, farming operations, concrete manufacturing, firing range, retail commercial, and an adult entertainment establishment. Section 15.27.030 *Annexed Territory* of the Council Bluffs Municipal Code (Zoning Ordinance) states “*annexed land shall retain the same zoning classification after annexation that it had prior to annexation. Those*

regulations shall remain in place until the City completes the legislative action to rezone the property". Once the annexation process is finalized, the City of Council Bluffs will initiate discussions with each annexed property owner to determine their future land use classification and an appropriate zoning designation. Amendments to the City's future land use plan and zoning map will occur once those discussions are completed.

All properties included in the annexation are located within the City of Council Bluffs' two-mile extraterritorial jurisdiction and are subject to the Joint City-County Land Use Plan (JLUS) Policies that were adopted between the City and Pottawattamie County (August 28, 2023, Resolution No. 23-234) and Mills County (September 23, 2024, Resolution No. 24-267). Per the adopted JLUS, the annexation area is designated as a City Growth Area 1B (see Attachment H) and is described on Page 70 of the JLUS as *"land located within the three-mile study area that is a priority for growth in an urban development pattern. The land is identified as an area having access, or planned access, for services including water, sanitary sewer, storm sewer, emergency services, power, natural gas, communications, and roadways. Areas should be developed to City standards. The area is projected to have access to a roadway network. In many cases this area can be serviced from existing infrastructure with extensions and does not require installation of new main service trunk lines. Areas will be annexed and reclassified into the appropriate City zoning district as subdivision or development of individual sites occur".* Furthermore, the future land use plan in JLUS designates the annexation area as mostly industrial, with the Bunge Avenue/Interstate 29 Interchange classified as commercial. Therefore, the purpose and intent of the proposed annexation is generally consistent with the City's adopted future land use and growth area plans.

Annexation Procedure

Chapter 368 of the Iowa Code sets out the procedure for municipal annexation of territory and the required notifications needed before City Council takes any action on the annexation. The public hearing is scheduled for the April 7, 2025 City Council meeting.

1. A consultation hearing with the Pottawattamie County Board of Supervisors, Mills County Board of Supervisors, and Trustees of Lewis Township, Oak Township, and St. Mary's Township was held on February 19, 2025 at 10:00 a.m. in Meeting Room 'B' of the Council Bluffs Public Library. The following people attended the consultation hearing:
 - a. Jeff Jorgenson, Pottawattamie County Board of Supervisors
 - b. Susan Miller, Pottawattamie County Board of Supervisors
 - c. John Rasmussen, Engineer, Pottawattamie County
 - d. Jack Sayers, Mills County Board of Supervisors
 - e. Jacob Ferro, Engineer, Mills County
 - f. Mark Norman, Mills County Economic Development Foundation
 - g. Paula Hazelwood, Advance Southwest Iowa Corporation
 - h. Keith Johnson, Oak Township Trustee
 - i. Mark Schoening, Oak Township Trustee
 - j. Paul Thieschafer, St. Mary's Township Trustee
 - k. Sharyn Poore, St. Mary's Township Trustee
 - l. Matthew and Laura Schultz, residents of Mills County
 - m. Mike Jaussen, Southwest Iowa Renewable Energy (SIRE)
 - n. Jonathan Bladt, Representative of Senator Grassley's office
 - o. Courtney Harter, City of Council Bluffs, Director of Community Development
 - p. Christopher Gibbons, City of Council Bluffs, Planning and Code Compliance Manager

Comments and questions related to the following topics were received from the meeting participants: extension and serviceability of utilities; inclusion of additional land along South 192nd Street and Bunge Avenue in the annexation; maintenance of S. 192nd Street and Bunge Avenue (within and adjacent to the annexation area); and timeframe for completing the annexation. Written recommendations for modification to the annexation are required by Iowa Code to be submitted to the City no later than seven days after the consultation. The City received written comments from the following individuals following the consultation hearing:

- A. Scott Belt, Chair of the Pottawattamie County Board of Supervisors (see Attachment I)
- B. Lonnie Mayberry, Richard Crouch, and Jack Sayers, Mills County Board of Supervisors (see Attachment J); and
- C. Lori Green, St. Mary's Township Trustee (see Attachment K).

All letters are included with this staff report and will be forwarded to the Council Bluffs City Council for consideration.

2. No later than 30-days after the consultation hearing, the board of supervisors of each county that contains all or a portion of the territory to be annexed shall, by resolution, state whether or not it supports the application or whether it takes no position in support of or against the application, as per Chapter 368 of the Iowa Code. Failure of a board of supervisors to adopt a resolution shall not delay the proceedings of annexation application nor shall such failure be considered a deficiency either in the application or in the annexing city's proceedings. On March 18, 2025, the Mills County Board of Supervisors approved Resolution No. 25-07, which opposed the annexation request. A copy of said resolution is included with this report as Attachment 'O'. On March 18, 2025, the Pottawattamie County Board of Supervisors approved Resolution No. 12-2025, which supported the annexation request. A copy of said resolution is included with this report as Attachment 'P'.
3. At least 14 business days before the April 7, 2025 City Council public hearing, notice will be published in the Daily Nonpareil (Pottawattamie County) and the Opinion Tribune (Mills County) newspapers. A copy of said notice will also be mailed to the Chair of the Mills County and Pottawattamie County Board of Supervisors, all effected utilities and each adjoining property owner not already inside the City. Additionally, a copy of said notice will be mailed to the Iowa Attorney General since the annexation includes portions of Interstate 29 right-of-way.
4. On February 20, 2025, the Council Bluffs Community Development Department mailed notifications to all property owners included in the annexation area; all property owners that abut the proposed annexation area; and all City Departments and local utility providers of the Council Bluffs City Planning Commission hearing to be held on March 11, 2025 and the City Council public hearing to be held on April 7, 2025.
5. On March 17, 2025, the Council Bluffs Community Development Department sent a copy of the annexation request (i.e., legal description, map, and City Council public hearing date) via certified mail to the following: all nonconsenting property owners in the annexation area; the Chair of the Mills County and Pottawattamie County Board of Supervisors; Mills County Attorney; Pottawattamie County Attorney; the Attorney General for the State of Iowa; District 4 Engineer – Iowa Department of Transportation; all known public and private utilities serving the annexation area.
6. Voluntary annexation with owners in opposition is not complete without approval of four-fifths of the members of the City Development Board. This group is a state board appointed by the Governor to consider annexation proposals. Upon notification by the City of its action on the voluntary annexation, the City Development Board will schedule their public hearing.

Comments

1. The purpose of this annexation is to provide City utilities and services for new industrial developments that are proposed to locate on parcels identified as 7, 7A, 7B, 7C and 10, 10A, 10B, and 10C, as shown

- on Attachment 'A'. Both developments will require an industrial zoning designation and development plan submittals, which will be reviewed by the City prior to the commencement of any construction.
2. The annexation boundary aligns with the legal descriptions of all properties involved. On the east side of Interstate 29, the proposed annexation includes portions of South 192nd Street, which is gravel roadway. On the west side of Interstate 29, the proposed annexation includes portions of 189th Street, which is a seal-coat/asphalt roadway. Neither of these streets meet current Council Bluffs roadway standards and their design will be evaluated in coordination with development review for proposed two new industrial developments. The annexation does not include Bunge Avenue. The City recognizes Bunge Avenue is not built to City current standards and that further evaluation of the roadway must occur as part of the development review for the two proposed industrial projects. The City has made the developer of each industrial project aware that a traffic study is required and the recommendations from said studies will help determine what improvements to Bunge Avenue, South 192nd Street, and 189th Street are needed. The City will then coordinate with the developers, Iowa Department of Transportation, Mills County, and Pottawattamie County on any necessary road improvements and possible cost-sharing.
 3. All property owners abutting the annexation territory were notified of the proposed request. No public comments have been received as of the date of this report.
 4. All landowners who are being involuntarily annexed were notified of the request. The City received comments in opposition of the annexation from Scott Glenn, owner of 11225 192nd Street, due to concerns associated with increased taxes caused by being part of the City of Council Bluffs and land use incompatibility due to their existing farming operation. Additionally, Mr. Glen sent an email to the City (see Attachment L) stating the annexation of their property is unnecessary since other large tracts of land adjacent to the annexation area and his property are being omitted. The City responded to Mr. Glenn's email and clarified his taxes should not increase as a result of the annexation as his land is assessed at an agricultural levy rate (District 49, Mills County). Additionally, the City explained his property had to be included in the annexation to provide a uniform-shaped boundary for the City and to avoid a possible "island" of unincorporated area, since his property it will be surrounded on three sides by City jurisdiction, if the annexation is approved.

The City also received a phone call from Mr. Robert DePiano, who is the attorney for Beverly Realty, LLC, which own the adult entertainment establishment (Romantix) at 50662 189th Street. Mr. DePiano stated the estate is indifferent to the annexation at this time but wanted to confirm the proposed annexation will not negatively impact his client's adult entertainment establishment. The City acknowledged the existing adult entertainment establishment and clarified the property is being annexed "as-is" and that we will work with his client to on appropriate zoning designation for their use.

The City also received a letter of opposition from Mr. Sam Irwin (Council Bluffs resident) regarding the proposed annexation (see Attachment M).

Kinze M. Williams, owner of properties at 11003 192nd Street, Council Bluffs, Iowa and 18818 Bunge Avenue, Council Bluffs, Iowa, contacted the Community Development Department to discuss the annexation. Mr. Williams asked questions about utilities and property taxes.

5. The City received a letter for support from Omaha-Council Bluffs Metropolitan Area Planning Agency (MAPA) for the proposed annexation (see Attachment N).
6. All City Departments and local utilities were notified of the proposed annexation. No adverse comments have been received from any City Department or local utility provider regarding the proposed annexation request.
7. The City of Council Bluffs has a sanitary sewer treatment facility at 18452 Applewood Road, which is

north of the annexation area. Sanitary sewer service could be extended to serve the annexation area when development occurs to justify the expense.

8. Council Bluffs Water Works has an existing water line main near the Council Bluffs sewer pump station on S. 192nd Street, located north of the annexation area. Upon annexation, Council Bluffs Water Works could extend their services to this area when development occurs to justify the expense.
9. Council Bluffs Police and Fire Departments will provide emergency services to the annexation area, upon completion of the annexation process.
10. MidAmerican Energy and Black Hills Energy have existing utilities to service the annexation territory.
11. All non-residential uses within the annexation area will have to privately contract for trash removal services, as the City of Council Bluffs only provides trash removal services for residential dwellings. Properties at 11003 S. 192nd Street and 10265 S. 192nd Street are existing residential dwellings and will be provided with trash removal services from the City of Council Bluffs upon annexation.
12. All properties within the annexation area will be subject to a City tax levy upon being annexed. The annexation area includes properties that are assessed as agricultural, residential, and commercial/industrial. These designations will not change upon annexation and City taxes shall be applied appropriately.

Recommendation

The Community Development Department recommends approval of the request for voluntary annexation of the property as shown in Attachment 'A' and legally described in Attachment 'B' and finds the following:

1. This annexation is consistent with the voluntary annexation procedure set forth in the Chapter 368 of the Iowa Code.
2. The area proposed for annexation adjoins the City's corporate boundary.
3. The proposed annexation will not create an island of County land surrounded by the City or restrict potential future annexation in any direction.
4. The proposed annexation creates a uniform boundary.
5. City services will not be adversely affected if the land is annexed. Utilities, including sanitary sewer and water, can be extended to serve the annexation area when development occurs to justify the expense.
6. The proposed annexation is consistent with the future land use map of the *Joint City Council Land Use Plan*.
7. The proposed annexation is in the best interest of the City.

Public Hearing

Speakers in favor:

1. Christopher Gibbons, AICP, Planning and Code Compliance Manager, Council Bluffs Community Development Department, 209 Pearl Street, Council Bluffs, Iowa 51501.

Speakers against:

1. Scott Glen, 11225 192nd Street, Council Bluffs, Iowa 51503
2. Terry Oswald, 1517 Chestnut Drive, Council Bluffs, Iowa 51503
3. Ruth Schroeder, 51750 196th Street, Council Bluffs, Iowa 51501
4. Laura Schultz, 51791 196th Street, Council Bluffs, Iowa 51503
5. Natalie Leggett, 10265 192nd Street, Council Bluffs, Iowa 51503
6. Del Husz, 50411 Ashton Road, Glenwood, Iowa 51534

Planning Commission Recommendation

The Planning Commission concurs with the findings of the Community Development Department and recommends approval of the voluntary annexation of the property as shown in Attachment ‘A’ and legally described in Attachment ‘B’ of the case staff report and finds the following:

1. This annexation is consistent with the voluntary annexation procedure set forth in the Chapter 368 of the Iowa Code.
2. The area proposed for annexation adjoins the City’s corporate boundary.
3. The proposed annexation will not create an island of County land surrounded by the City or restrict potential future annexation in any direction.
4. The proposed annexation creates a uniform boundary.
5. City services will not be adversely affected if the land is annexed. Utilities, including sanitary sewer and water, can be extended to serve the annexation area when development occurs to justify the expense.
6. The proposed annexation is consistent with the future land use map of the *Joint City Council Land Use Plan*.
7. The proposed annexation is in the best interest of the City.

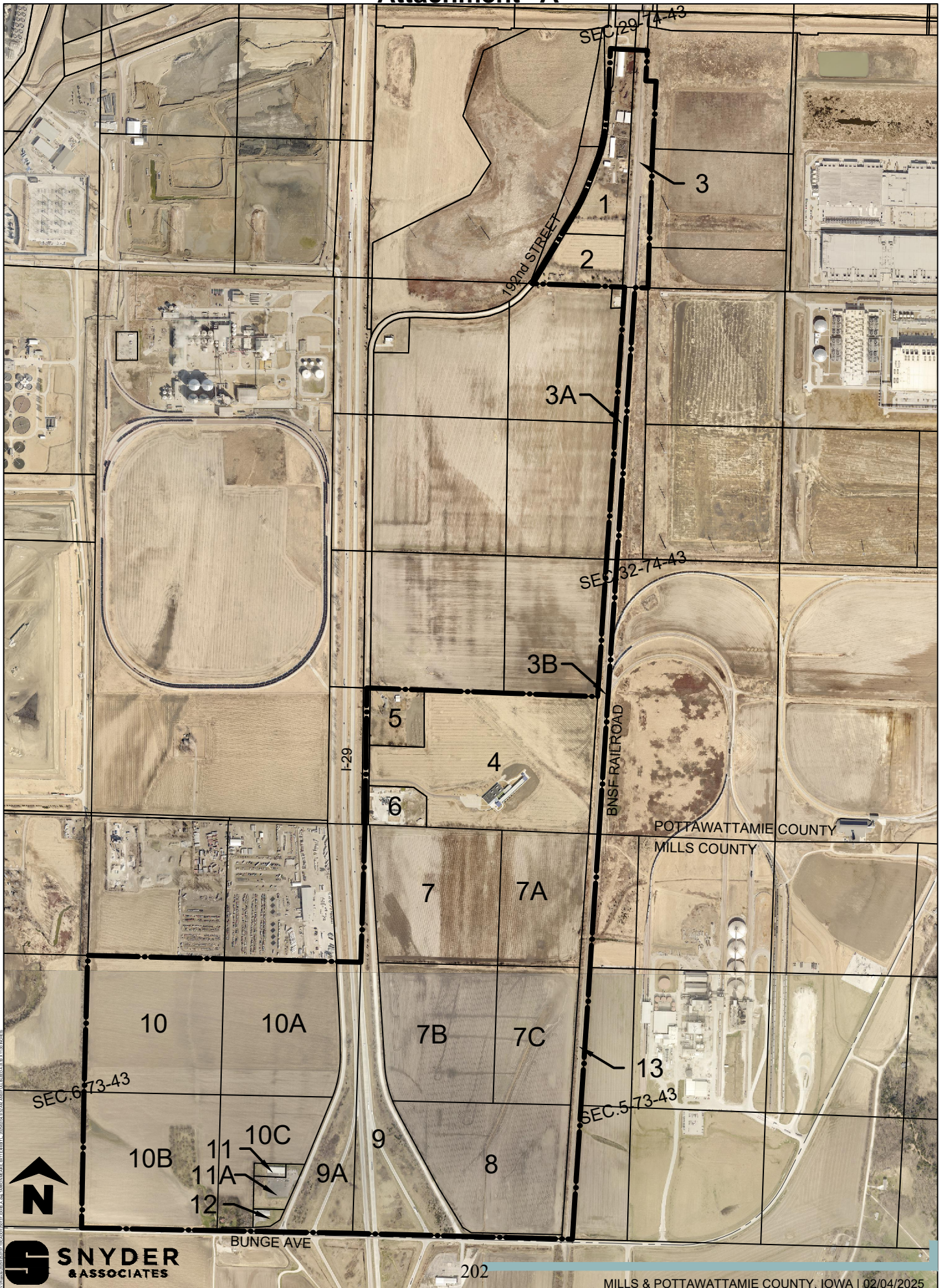
VOTE: AYE – Freund, Hutcheson, Knauss, Rater, Stroebele and VanHouten. NAY – Watson.
ABSTAIN – Rew. ABSENT – None. VACANT - Three Motion: Carried.

Attachments

Attachment A: Annexation boundary map and property owners list
Attachment B: Annexation legal description
Attachment C: Letter from BNSF requesting voluntary annexation
Attachment D: Letter from Cattleman’s Heritage Beef Company requesting voluntary annexation
Attachment E: Letter from Oak Valley, LLC requesting voluntary annexation
Attachment F: Letter from QRS Investments, LLC requesting voluntary annexation
Attachment G: Mills and Pottawattamie County Zoning Map (Annexation Areas)
Attachment H: City Growth Area Map
Attachment I: Scott Belt, Chair of the Pottawattamie County Board of Supervisors
Attachment J: Lonnie Mayberry, Richard Crouch, and Jack Sayers, Mills County Board of Supervisors
Attachment K: Lori Green, St. Mary’s Township Trustee
Attachment L: Letter of opposition from Scott Glenn
Attachment M: Letter of opposition from Sam Irwin
Attachment N: Letter of support from MAPA
Attachment O: Resolution opposing the voluntary annexation from Mills County BoS
Attachment P: Resolution supporting the voluntary annexation from Pottawattamie County Board of BoS

Prepared by: Christopher N. Gibbons, AICP, Planning and Code Compliance Manager

Attachment "A"



Attachment A - Property owner list

SOUTHLANDS ANNEXATION					
NUMBER	NAME	MAILING ADDRESS	ACRES	BRIEF LEGAL DESCRIPTION	PARCEL #
1	Scott Glenn	206 Timber Dr. Council Bluffs, IA 51503	12.15	LEWIS TWP 29-74-43 LT 2 SUB OF G/L 2 EXC COMM 183.77'W CENTER SECTION 29 TH S355.13' W242.84' N355.01' E248.03' TO POB & LT 3 SUB OF G/L 1 POTTAWATTAMIE COUNTY, IOWA	7443 29 300 011
2	Kinze Melvin Williams	11003 192nd St. Council Bluffs, IA 51503	8.00	LEWIS TWP 29-74-43 LT 4 AUD SUB G/L LT 1 SE SW POTTAWATTAMIE COUNTY, IOWA	7443 29 300 008
3	BNSF Railroad		11.47	S 1/2 SEC. 27-74-43 RAILROAD RIGHT OF WAY POTTAWATTAMIE COUNTY, IOWA	
3A	BNSF Railroad		6.00	NW 1/4 SEC. 32-74-43 RAILROAD RIGHT OF WAY POTTAWATTAMIE COUNTY, IOWA	
3B	BNSF Railroad		6.07	SW 1/4 SEC. 32-74-43 RAILROAD RIGHT OF WAY POTTAWATTAMIE COUNTY, IOWA	
4	City of Council Bluffs, Iowa	209 Pearl St. Council Bluffs, IA 51503	54.86	LEWIS TWP 32-74-43 S1/2 SW LYING W OF RR EXC N552.28' W552.28' & EXC COMM SW COR N378' E454.5'SE152.8' S290.6'W578.09' TO POB POTTAWATTAMIE COUNTY, IOWA	7443 32 300 007
5	Jimmie David Leggett	10265 192nd St. Council Bluffs, IA 51503	7.00	LEWIS TWP 32-74-43 N552.28' W552.28' SW SW POTTAWATTAMIE COUNTY, IOWA	7443 32 300 003
6	Lyman-Richey Corporation	2625 S 158th Plaza Omaha, NE 68130	4.89	LEWIS TWP 32-74-43 PT SW SW COMM SW COR TH N378' E454.5' SE152.8' S290.6' W578' TO POB (PARCELS C & D OF A) POTTAWATTAMIE COUNTY, IOWA	7443 32 300 008
7	Oak Valley, LLC	1673 200th St. Red Oak, IA 51566	37.88	SEC. 5-73-43 FRL NW1/4 NW1/4 MILLS COUNTY, IOWA	34220010000000
7A	Oak Valley, LLC	1673 200th St. Red Oak, IA 51566	25.13	SEC. 5-73-43 FRL NE1/4 NW1/4 W OF CB&Q RR R.O.W. MILLS COUNTY, IOWA	34220020000000
7B	Oak Valley, LLC	1673 200th St. Red Oak, IA 51566	32.90	SEC. 5-73-43 SW1/4 NW1/4 MILLS COUNTY, IOWA	34330000000000
7C	Oak Valley, LLC	1673 200th St. Red Oak, IA 51566	25.43	SEC. 5-73-43 SE1/4 NW1/4 W OF RR MILLS COUNTY, IOWA	34340000000000
8	QRS Investments, LLC	PO Box 336 Council Bluffs, IA 51502	38.39	SEC. 5-73-43 PCL A N1/2 SW1/4 MILLS COUNTY, IOWA	34350010100000
9	State of Iowa		36.43	SEC. 5-73-43 RIGHT OF WAY MILLS COUNTY, IOWA	
9A	State of Iowa		20.95	SEC 6-73-43 RIGHT OF WAY MILLS COUNTY, IOWA	
10	Cattlemen's Heritage Beef Company LLC	666 Walnut St. Suite 203 Dews Moines, IA 50309	40.00	SEC. 6-73-43 SW1/4 NE1/4 MILLS COUNTY, IOWA	35710000000000
10A	Cattlemen's Heritage Beef Company LLC	666 Walnut St. Suite 203 Dews Moines, IA 50309	33.91	SEC. 6-73-43 SE1/4 NE1/4 MILLS COUNTY, IOWA	35720000000000
10B	Cattlemen's Heritage Beef Company LLC	666 Walnut St. Suite 203 Dews Moines, IA 50309	40.00	SEC. 6-73-43 NW1/4 SE1/4 MILLS COUNTY, IOWA	35700010000000
10C	Cattlemen's Heritage Beef Company LLC	666 Walnut St. Suite 203 Dews Moines, IA 50309	18.08	SEC. 6-73-43 NE1/4 SE1/4 EXC 5 AC MILLS COUNTY, IOWA	35690000000000
11	Beverly Realty, LLC	4655 N Colorado Blvd. Denver, CO 80216	0.89	SEC. 6-73-43 0.89 AC SE COR NE1/4 SE1/4 W OF CO RD & N OF HWY 370 (PARCEL B) MILLS COUNTY, IOWA	35730020000000
11A	Beverly Realty, LLC	4655 N Colorado Blvd. Denver, CO 80216	3.11	SEC. 6-73-43 3.11 AC S PT NE1/4 SE1/4 W OF CO RD R.O.W (PARCEL B) MILLS COUNTY, IOWA	35720010000000
12	Kinze Melvin Williams	11003 192nd St. Council Bluffs, IA 51503	1.00	SEC. 6-73-43 IRREG PCL S PT NE1/4 SE1/4 W OF CO RD R.O.W & N OF HWY 370 R.O.W. (PARCEL A) MILLS COUNTY, IOWA	35730040000000
13	BNSF Railroad		8.92	SEC. 5-73-43 RAILROAD RIGHT OF WAY MILLS COUNTY, IOWA	
TOTAL			473.46		

CITY OF COUNCIL BLUFFS – SOUTHLANDS ANNEXATION DESCRIPTION

A PART OF SECTIONS 29 AND 32, TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA, AND A PART OF SECTIONS 5 AND 6, TOWNSHIP 73 NORTH, RANGE 43 WEST OF THE 5TH P.M., MILLS COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 32; THENCE NORTHERLY ALONG THE WEST LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 32 TO THE NORTHWEST CORNER OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER TO THE WEST RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTE FE RAILROAD (A.K.A. KANSAS CITY ST JOSEPH AND COUNCIL BLUFFS RAILROAD AND A.K.A. BURLINGTON NORTHERN RAILROAD); THENCE NORTHERLY ALONG SAID WEST RIGHT OF WAY LINE TO THE SOUTH LINE OF SAID SECTION 29; THENCE WESTERLY ALONG SAID SOUTH LINE TO THE CENTERLINE OF 192ND STREET; THENCE NORTHEASTERLY ALONG SAID CENTERLINE TO THE SOUTHWEST CORNER OF PARCEL "A" OF LOT 2 IN THE AUDITOR'S SUBDIVISION OF GOVERNMENT LOT 2 OF SAID SECTION 29; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID PARCEL "A" TO THE SOUTHEAST CORNER OF SAID PARCEL "A"; THENCE CONTINUING EASTERLY ALONG A LINE PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 29 TO THE EAST RIGHT OF WAY LINE OF SAID BURLINGTON NORTHERN SANTA FE RAILROAD; THENCE SOUTHERLY ALONG SAID EAST RIGHT OF WAY LINE TO THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 5; THENCE WESTERLY ALONG SAID SOUTH LINE TO THE SOUTHWEST CORNER OF SAID NORTH HALF OF THE SOUTHWEST QUARTER; THENCE CONTINUING WESTERLY ALONG THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 6 TO THE WEST LINE OF THE EAST HALF OF SAID SECTION 6; THENCE NORTHERLY ALONG SAID WEST LINE TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 6; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SOUTH HALF OF THE NORTHEAST QUARTER TO THE NORTHEAST CORNER OF SAID SOUTH HALF OF THE NORTHEAST QUARTER; THENCE NORTHERLY ALONG THE EAST LINE OF SAID NORTHEAST QUARTER TO THE POINT OF BEGINNING.



Cary Hutchings
Director
Corporate Real Estate

BNSF Railway Company
P.O. Box 961051
Fort Worth, TX 76161-0051
2650 Lou Menk Dr, MOB2
Fort Worth, TX 76131-2830
817-593-6917
Email:cary.hutchings@bnsf.com

November 13, 2024

Mayor Matt Walsh
209 Pearl St.
Suite 104
Council Bluffs, IA 51503

Subject: Request for Voluntary Annexation of BNSF Property

Dear Mayor Walsh,

Pursuant to the attached map, BNSF Railway respectfully requests to voluntarily annex our property, identified in the enclosed documentation, into the City of Council Bluffs. We believe that annexation will enhance the services and infrastructure available to our property and further contribute to the city's growth and development. However, by making this request, BNSF is not waiving any federal preemption or submitting to the state or local government's jurisdiction.

Please find attached the relevant maps and documentation to facilitate your review. Should you require any additional information to proceed, please do not hesitate to contact me directly at 817-593-6917 or Cary.Hutchings@BNSF.com.

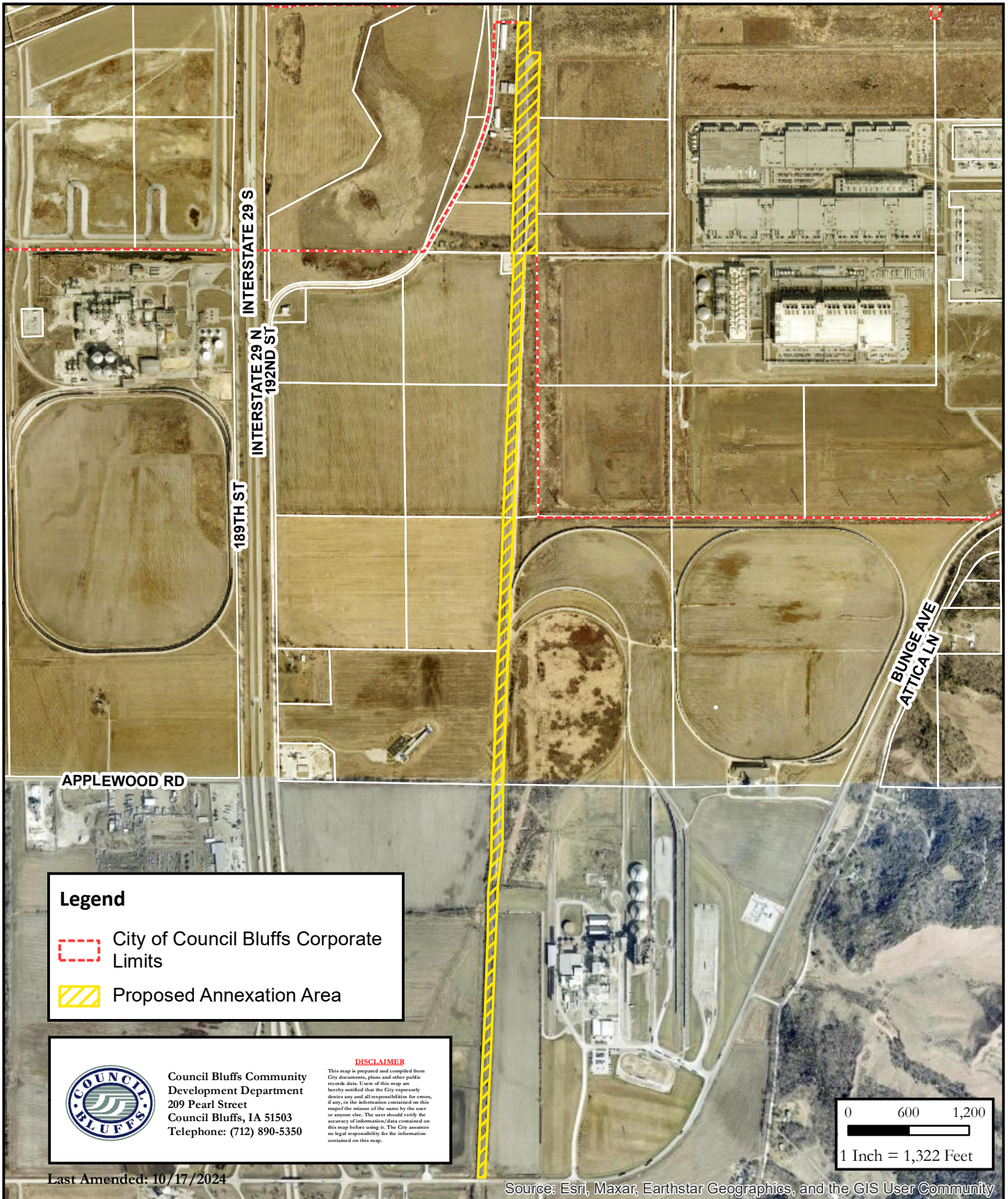
Thank you for considering our request. We look forward to working with the City of Council Bluffs on this annexation process.

Sincerely,

A handwritten signature in black ink, appearing to be "Cary Hutchings", with a long horizontal line extending to the right.

Cary Hutchings
Director Corporate Real Estate
BNSF RAILWAY COMPANY

CITY OF COUNCIL BLUFFS PROPOSED ANNEXATION AREA





November 26, 2024

Courtney Harter
Director of Community Development
City of Council Bluffs
209 Pearl Street, Council Bluffs, IA 51503

Re: Formal Request for Voluntary Annexation – Cattlemen's Heritage Beef Company

Dear Ms. Harter –

On behalf of Cattlemen's Heritage Beef Company ("CHBC"), we are formally requesting voluntary annexation of our property by the City of Council Bluffs.

CHBC is developing a state of the art, sustainable cattle processing facility on 132 acres located at the northwest quadrant of Interstate 29 and Bunge Road in unincorporated Mills County, Iowa (and described as Mills County parcels – 035710000000000, 03700010000000, 035720000000000, 035690000000000.).

I have legal authority as the CEO and Chairman of the Board of Cattlemen's Heritage Beef Company, LLC to enter into this voluntary annexation.

If you have any questions or require additional information, please contact Jon Kallen, Esq. CHBC Corporate Counsel at 515-343-6492 or jon@cattlemensheritage.com.

Regards,


Chad Tentinger

Attachment E

November 18, 2024

The Honorable Mayor Matt Walsh
City of Council Bluffs
209 Pearl Street
Council Bluffs, IA 51503

Subject: Request for Voluntary Annexation of BNSF Property

Dear Mayor Walsh,

On behalf of Oak Valley, LLC, I am writing to formally request the voluntary annexation of our property, as specified by the parcel numbers below, into the City of Council Bluffs. We believe that this annexation will yield mutual benefits, enhancing both our access to city services and infrastructure and contributing to the overall growth of our region.

Should you require any additional information to facilitate this process, please feel free to reach out to my agent, Sandi Winton at 712-520-8548 or sandi@jimhughesrealestate.com

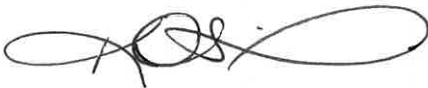
Thank you for your consideration of our request. We look forward to collaborating with the City of Council Bluffs on this annexation and are committed to making it a smooth and beneficial transition for all parties involved.

Property Information:

192nd Street, Council Bluffs, Iowa (Mills County)

- Parcel #1: 0342200100000000 - 40.78 Acres
- Parcel #2: 0342200200000000 - 25.13 Acres
- Parcel #3: 0343300000000000 - 40.00 Acres
- Parcel #4: 0343400000000000 - 26.94 Acres

Sincerely,



Kelly Osheim
Member
Oak Valley, LLC

Attachment F

February 6, 2025

Mayor Matt Walsh
City of Council Bluffs
209 Pearl Street
Council Bluffs, Iowa 51503

RE: Request for Voluntary Annexation

On behalf of QRS Investments, LLC, I am writing to formally request the voluntary annexation of our property, as specified by the parcel numbers below, into the City of Council Bluffs.

19262 Bunge Avenue
Council Bluffs, Iowa 51503

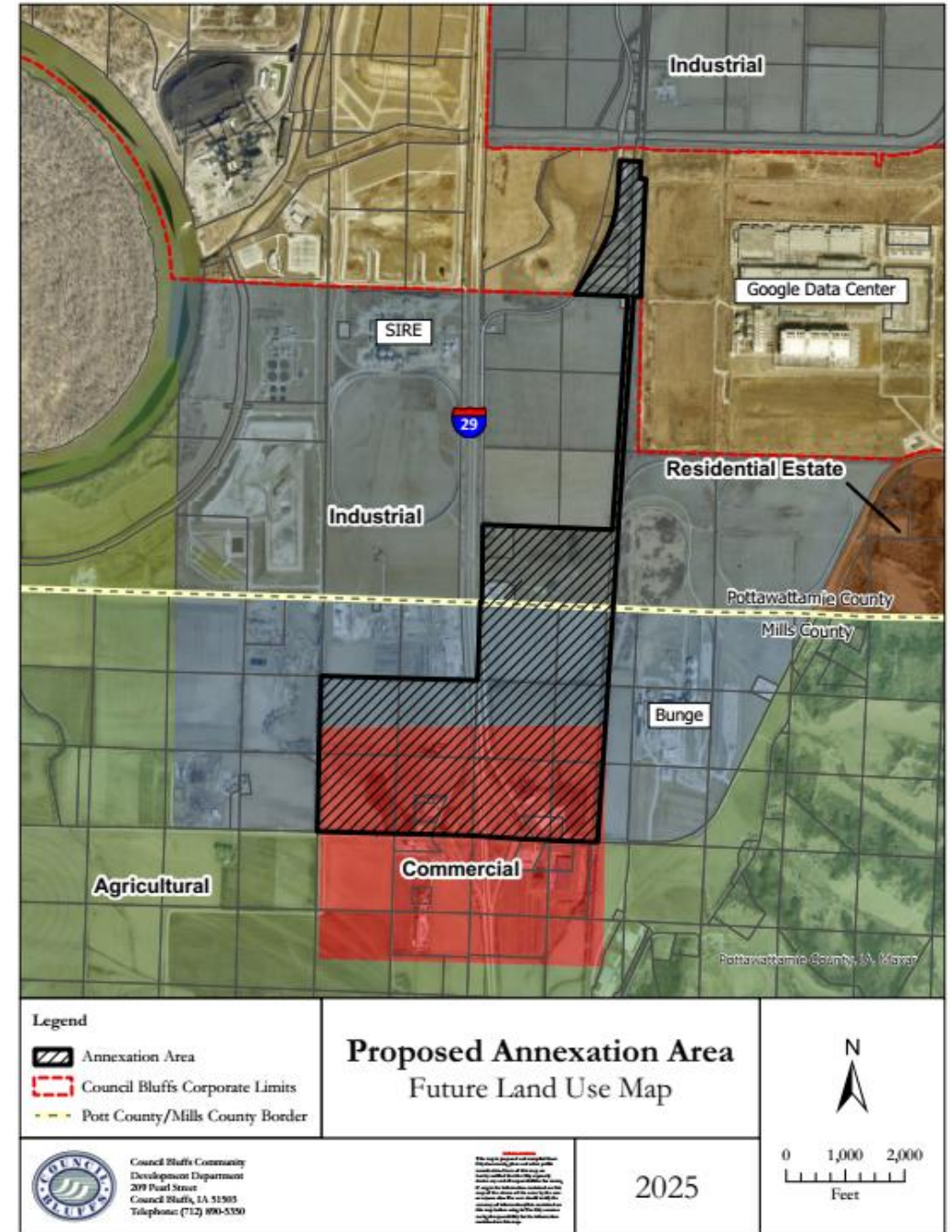
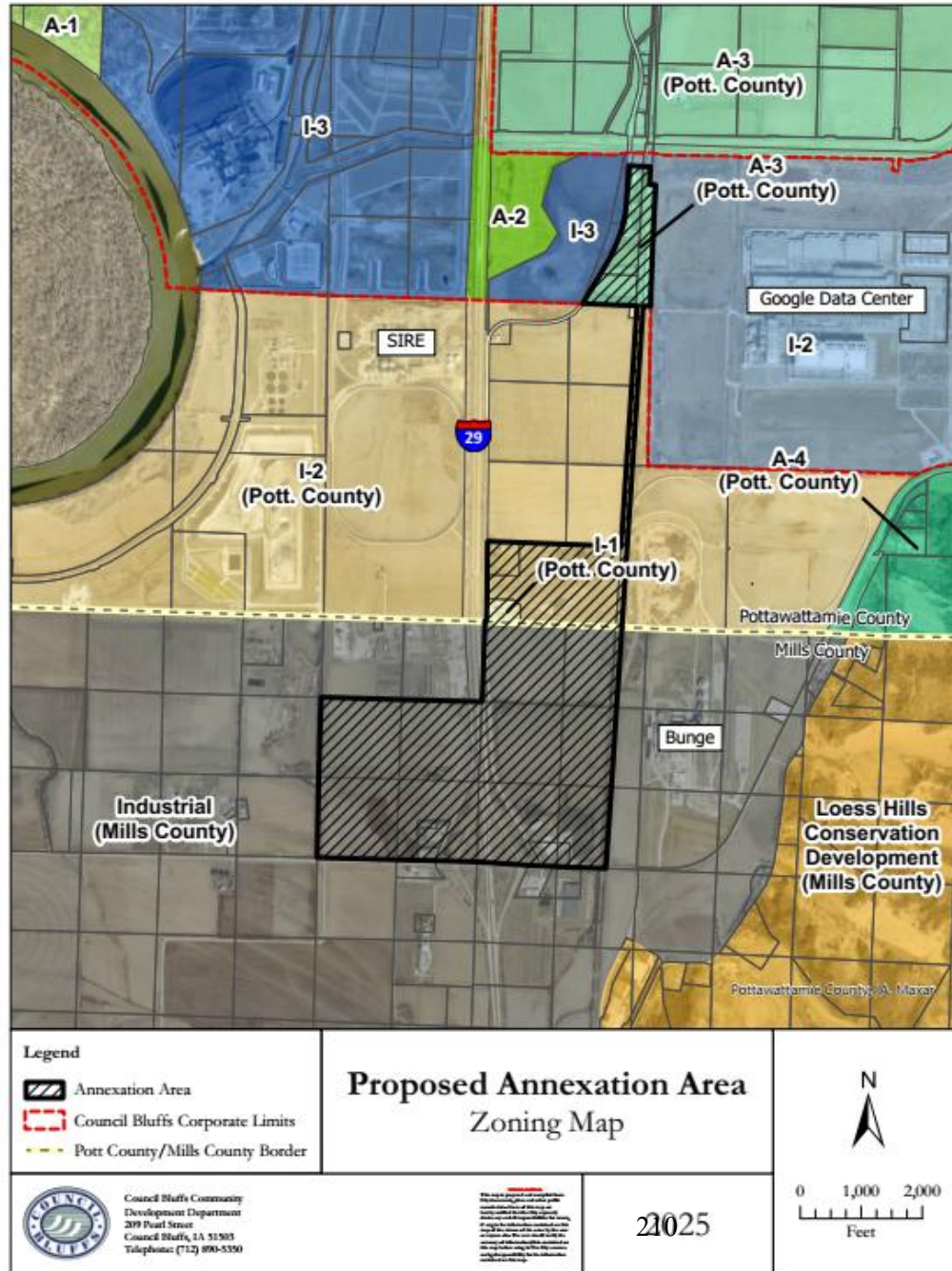
Parcel ID: 034350010100000

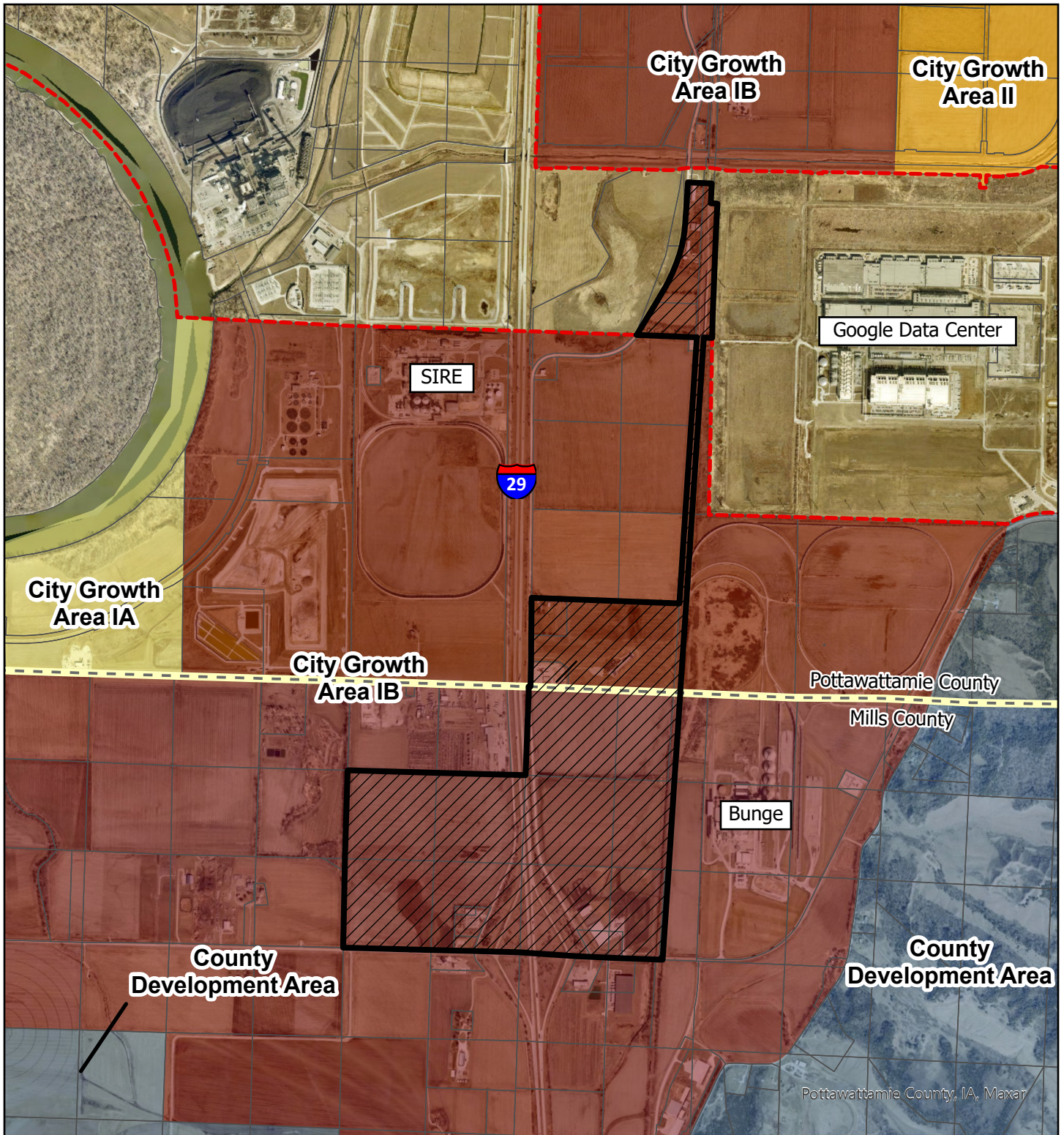
Sincerely,

A handwritten signature in blue ink, appearing to read 'Greg Johnson', with a long horizontal stroke extending to the right.




Greg Johnson

Attachment G





Legend

-  Annexation Area
-  Council Bluffs Corporate Limits
-  Pott County/Mills County Border

Proposed Annexation Area Growth Area Map



0 1,000 2,000
Feet

2025



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 disclaims any and all responsibilities for errors, if any, in the information contained on this map or 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.



227 South 6th Street
Council Bluffs, IA 51501
Ph: 712-328-5644 | Fax: 712-328-5770
PottCounty-ia.gov

Chair Scott Belt
Susan Miller
Tim Wichman
Brian Shea
Jeff Jorgensen

February 25, 2025

Christopher Gibbons, Planning and Code Compliance Manager
Council Bluffs Community Development Department
209 Pearl St.
Council Bluffs, IA 51503

Re: Response to Iowa Annexation Consultation Meeting

Dear Mr. Gibbons,

On behalf of the Pottawattamie County Board of Supervisors we are writing to formally respond to the consultation meeting held on February 19, 2025, regarding the proposed annexation of Southern Pottawattamie County adjacent to 192nd Street. As a stakeholder in the affected area, we would like to express our thoughts, concerns, and/or support regarding the proposed annexation.

1. Acknowledgment of Meeting and Process

We appreciate the opportunity to participate in the annexation consultation process. It is valuable to have a forum in which residents and property owners can provide input, and we are grateful for the transparency of the process.

2. Support/Concerns about the Annexation

Pottawattamie County fully supports the annexation as it appears to align with the long-term growth plans for our community. The proposed expansion will enhance access to municipal services and ensure more sustainable development in the area. However, we have concerns about the boundaries of the annexation creating road maintenance and construction responsibilities for Pottawattamie County without any potential for growth or development in the unincorporated area.

3. Specific Requests for Modifications/Agreements

We would like the following modifications to the proposed annexation.

- Adjust the western boundary to the West ROW line of Interstate 29 instead of the 192nd Street Centerline. The intent is to remove Pottawattamie County's responsibility from construction or maintenance on 192nd Street in that area which wouldn't serve any unincorporated property due the Interstate ROW.
- Adjust the Southern Boundary to the Centerline of Bunge Avenue to accept maintenance and construction responsibility for the increased traffic demands of the development and intersections.
- Take those properties between the existing corporate limit to the North and proposed corporate limits to the South, West of proposed parcel 3B.
- The City and County's involved should update maintenance sharing agreements for all the annexation that have taken place since the last approved agreement.

4. Conclusion

Once again, Pottawattamie County appreciates the opportunity to voice our thoughts and concerns during this consultation process. It is our hope that the annexation, if approved, will proceed in a manner that ensures the best interests of all residents are considered and that adequate provisions are made for infrastructure and services.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott Belt".

Scott Belt, Chairman
Pottawattamie County Board of Supervisors



Mills County Board of Supervisors

Lonnie Mayberry • Jack Sayers • Richard Crouch

Attachment J

To the City of Council Bluffs,

February 26, 2025

This letter addresses the proposed annexation of Mills County in the vicinity of Bunge Avenue. The Board of Supervisors expresses its general support for the annexation but wishes to highlight specific concerns that require attention.

The Board is particularly concerned about:

1. The boundaries of the annexation, specifically the ownership and maintenance responsibilities for Bunge Avenue, particularly as they relate to the centerline of the road.
2. The potential creation of “islands” around existing properties within the annexation area.
3. Increased traffic flow, which may heighten the risk of traffic collisions in the area.

Mills County remains committed to collaboration throughout the annexation process and encourages open dialogue among the City of Council Bluffs, Pottawattamie County, and Mills County. The Board welcomes any actions to address these concerns and looks forward to your response. If you have any questions or need for clarification please do not hesitate to contact us.

Sincerely,



Lonnie Mayberry, Chair

Jack Sayers, Vice Chair

Richard Crouch, Chair

From: Lori Green <lorigreen43@gmail.com>
Sent: Thursday, February 20, 2025 10:04 PM
To: Christopher Gibbons
Subject: Proposed annexation of land into the city of Council Bluffs

THIS MESSAGE IS FROM AN EXTERNAL SENDER.

Look closely at the **SENDER** address. Do not open **ATTACHMENTS** unless expected. Check for **INDICATORS** of phishing.

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Lori Green
St Mary Township Trustee
17889 Allis Rd, Council Bluffs, IA 51503

Christopher Gibbon
Planning and Code Compliance Manager
Community Development Department

Dear Mr. Gibbons,

I am writing to express my concerns regarding the potential annexation of a portion of Mills County by Council Bluffs to facilitate the construction of the Cattleman's Heritage beef processing facility. While I understand the economic opportunities such a development may bring, I am deeply concerned about the infrastructure implications and financial burden this annexation could place on Mills County.

As I understand it, the meatpacking plant cannot proceed with construction until it secures a means to handle its waste products, which has led to a request for Council Bluffs to extend its wastewater services to the proposed site. However, the map outlining the proposed annexation stops short of the interchange at I-29 and Highway 370, despite the significant increase in traffic and weather on the roadway system that this project will generate.

With an estimated daily processing of 2,000 head of cattle a day and 800 employees working across three shifts, there will be a substantial impact on traffic flow at this interchange. Increased traffic control measures, maintenance, and improvements to the highway system will be necessary, and as it stands, Mills County would bear the financial responsibility for these expenses. It is my belief that if Council Bluffs proceeds with annexation to support Cattleman's Heritage facility, the annexation should be adjusted to extend to include the interchange. This would ensure that Council Bluffs takes responsibility for the associated costs rather than shifting the burden to Mills County taxpayers.

I appreciate your attention to this matter and would welcome any updates as decisions are made.

Thank you for your time and consideration.

Sincerely,
Lori Green

March 2, 2025

Christopher Gibbons

Planning and Code Compliance Manager

City of Council Bluffs – Community Development Department

To Whom It May Concern,

In regard to the proposed annexation of our property at 11225 192nd Street, we have some areas of major concern regarding this. This will cause great hardship in the operation of our business. It seems to be completely unnecessary to annex our property at this time, when a large tract to the south of us, between our property and the proposed annexation area, is not being annexed. We feel this is a malicious act of the city to collect revenue, when no doubt there will be large tax abatement to those asking for voluntary annexation. It seems a bit suspicious that you would have to include a long narrow track of railroad just to make our property adjacent to the proposed annexation area. We feel that we were singled out because of having multiple buildings on our property and the land to the south of us was overlooked because it is bare ground.

We would very much appreciate if we could be left out of this annexation. We understand your position as to expanding city boundaries for city growth, but please don't over exercise your authority just to collect tax revenue.

Sincerely,

Scott Glenn
4G Cattle LLC
11225 192nd Street
Council Bluffs, IA 51503

Christopher Gibbons

From: Courtney Harter
Sent: Tuesday, February 25, 2025 6:33 AM
To: 'Sam Irwin'
Cc: Christopher Gibbons
Subject: RE: Planning committee meeting 03/11/2025

Thank you, Mr. Irwin. We will have your comments logged in the record.

Courtney Harter
Director of Community Development
City of Council Bluffs
209 Pearl Street, Council Bluffs, IA 51503
D: (712) 890-5354 / O: (712) 890-5350
[Visit Council Bluffs Online](#)



From: Sam Irwin <sfirwin@aol.com>
Sent: Tuesday, February 25, 2025 6:20 AM
To: Courtney Harter <charter@councilbluffs-ia.gov>
Subject: Planning committee meeting 03/11/2025

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Planning committee and City Council:

I have the following response to the public notice regarding the annexation of 473 Acre development in Mills County into, the Council Bluffs city limits:.

I am against extending city services to this project for some of these reasons as a start:

We have property and people who do not have these services inside the city. That was annexed back in 1969.

We have vacant land available already.

The annexation of the Airport has and is costing the taxpayers money each Year.

The public notice does not give specific's on the who what when and etc; how this will actually decrease our 4 th highest mill levy in the state of Iowa.

This notice does not spell out how it will decrease the poverty level or reduce the homeless.

This notice does not discuss what all the taxes and fee's that will be assessed to this property. Or will it lower our costs.

What will the cost be for actually extending the services.

How many new city function's/jobs will be needed to serve it. Fire Police etc"

Will or have the water works discussed the extension and will it be a high user with what rates. They just raised our residential rates.

What will be the needs for sewer extension and costs.

Will there be new housing in this area for the new Jobs.

To be entered into the records thank you.

Sam Irwin
321 Perrin Place
Council Bluffs Iowa 51503



DATE: February 20, 2025

TO: Christopher Gibbons, Planning and Code Compliance Manager
Community Development Department
209 Pearl Street
Council Bluffs, IA 51503

RE: CASE #AN-25-001 VOLUNTARY ANNEXATION REQUEST

MAPA is in support of the City of Council Bluffs' proposed voluntary annexation of approximately 473 acres (m/l) of land as outlined in CASE #AN-25-001.

Should you have any questions, please contact me at 402-444-6866 x 3220.

Sincerely,

A handwritten signature in black ink, appearing to read "Carlos Morales", written in a cursive style.

Carlos Morales
Transportation and Data Manager

CC:
Scott Belt, Pottawattamie County Supervisor
John Rasmussen, Pottawattamie County Engineer
Lonnie Mayberry, Mills County Chair
Scott Suhr, Iowa DOT





Mills County Board of Supervisors

Lonnie Mayberry • Jack Sayers • Richard Crouch

RESOLUTION 25-07

A RESOLUTION AGAINST THE PROPOSED ANNEXATION OF 473 ACRES (M/L) OF LAND, LEGALLY DESCRIBED AS BEING PART OF SECTIONS 29-74-43 AND 32-74-43, POTTAWATTAMIE COUNTY, IOWA AND PART OF SECTIONS 5-73-43 AND 6-73-43, MILLS COUNTY, IOWA, AS SHOWN IN EXHIBITS 'A' AND 'B' AND PRESENTED TO THE CITY OF COUNCIL BLUFFS, IOWA, UTILIZING THE 80/20 VOLUNTARY ANNEXATION INCLUDING LAND WITHOUT THE CONSENT OF THE LAND OWNERS IN A NON- URBANIZED AREA.

- WHEREAS, the City of Council Bluffs, Iowa ("City") has presented Mills County ("County") with an Application for Voluntary Annexation to the City from five property owners wishing to be annexed into the City of Council Bluffs, Iowa; and
- WHEREAS, the Iowa Code §368.7(1)(a) allows for the City to receive up to 20% additional territory without the consent of the property owners to create uniform boundaries; and
- WHEREAS, the City wishes to annex the real estate legally described in Exhibit A and as shown in the map described in Exhibit B and is within two miles of the City corporate limits; and
- WHEREAS, pursuant to Iowa Code §368.71(1)(b)(2), a resolution is required from the Board of Supervisors of the County for which proposed real estate is to be annexed; and
- WHEREAS, the Board of Supervisors believe that the City's proposed annexation plan will cause various public safety concerns, specifically in-terms of traffic in the area; and
- WHEREAS, the Board of Supervisors believe that the City is creating an undue financial burden on the County by not offering to help provide maintenance and repairs with the roadways in the area, specifically on Bunge Avenue; and
- WHEREAS, the Board of Supervisors shared their concerns at the consultation meeting in accordance with Iowa Code §368.7(b)(1), along with formal comments in accordance with Iowa Code §368.7(2), along with multiple meetings with representatives from the City, and do not feel that the concerns of the people of Mills County have been adequately addressed; and
- WHEREAS, the Board of Supervisors are against the proposed annexation plan as outlined in Exhibits A and B to be incorporated into the City of Council Bluffs, Iowa.

BE IT RESOLVED

The Board of Supervisors of Mills County, Iowa, that the attached Application for Annexation of the real estate described in Exhibit A to the City of Council Bluffs, Iowa, be found to conform to Iowa Code §368.7(1)(a), as voluntary annexation of territory.

Mills County Courthouse • 418 Sharp Street • Glenwood, IA 51534

Phone: (712) 527-4729 • Fax: (712) 527-1579 • Website: www.millscountyiowa.gov



Mills County Board of Supervisors

Lonnie Mayberry • Jack Sayers • Richard Crouch

BE IT FURTHER RESOLVED

The Board of Supervisors hereby oppose the attached Application for Annexation to the City of Council Bluffs, Iowa which would incorporate the area legally described in Exhibit A into the City of Council Bluffs, Iowa.

ADOPTED AND APPROVED This 18th Day of March, 2025.

Absent

Lonnie Mayberry, Chair

Attest:

Amber Farnan

Amber Farnan, Mills County Auditor

Jack Sayers

Jack Sayers, Vice Chair

Richard Crouch

Richard Crouch

RESOLUTION 12-2025

A RESOLUTION IN SUPPORT OF THE PROPOSED ANNEXATION OF 473 ACRES (M/L) OF LAND, LEGALLY DESCRIBED AS BEING PART OF SECTIONS 29-74-43 AND 32-74-43, POTTAWATTAMIE COUNTY, IOWA AND PART OF SECTIONS 5-73-43 AND 6-73-43, MILLS COUNTY, IOWA, AS SHOWN IN EXHIBITS ‘A’ AND ‘B’ AND PRESENTED TO THE CITY OF COUNCIL BLUFFS, IOWA, UTILIZING THE 80/20 VOLUNTARY ANNEXATION INCLUDING LAND WITHOUT THE CONSENT OF THE LAND OWNERS IN A NON- URBANIZED AREA.

- WHEREAS, the City of Council Bluffs, Iowa (“City”) has presented Pottawattamie County (“County”) with an Application for Voluntary Annexation to the City from five property owners wishing to be annexed into the City of Council Bluffs, Iowa; and
- WHEREAS, the Iowa Code §368.7(1)(a) allows for the City to receive up to 20% additional territory without the consent of the property owners to create uniform boundaries; and
- WHEREAS, the City wishes to annex the real estate legally described in Exhibit A and as shown in the map described in Exhibit B and is within two miles of the City corporate limits; and
- WHEREAS, pursuant to Iowa Code §368.71(1)(b)(2), a resolution is required from the Board of Supervisors of the County for which proposed real estate is to be annexed; and
- WHEREAS, the Board of Supervisors support the proposed annexation as outlined in Exhibits A and B to be incorporated into the City of Council Bluffs, Iowa.



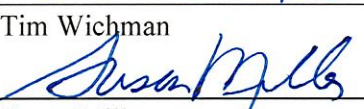


BE IT RESOLVED


The Board of Supervisors of Pottawattamie County, Iowa, that the attached Application for Annexation of the real estate described in Exhibit A to the City of Council Bluffs, Iowa, be found to conform to Iowa Code §368.7(1)(a), as voluntary annexation of territory.

BE IT FURTHER RESOLVED

The Board of Supervisors herby support the attached Application for Annexation to the City of Council Bluffs, Iowa which would incorporate the area legally described in Exhibit A into the City of Council Bluffs, Iowa.

ADOPTED AND APPROVED: March 18, 2025

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
 Scott Belt, Chairman	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
 Tim Wichman	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
 Susan Miller	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
 Brian Shea	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
 Jeff Jorgensen	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: 
Mary Ann Hanusa, County Auditor

RESOLUTION NO. 25-100

A RESOLUTION APPROVING VOLUNTARILY ANNEXATION WITH OWNERS IN OPPOSITION OF APPROXIMATELY 473 ACRES (M/L) OF LAND, LEGALLY DESCRIBED AS BEING PART OF SECTIONS 29-74-43 AND 32-74-43, POTTAWATTAMIE COUNTY, IOWA AND PART OF SECTIONS 5-73-43 AND 6-73-43, MILLS COUNTY, IOWA.

WHEREAS, Oak Valley, LLC, Cattleman Heritage Beef Co. LLC, BNSF Railroad, and QRS Investments, LLC are requesting voluntarily annexation of approximately 473 acres (m/l) of land, lying south of the existing Council Bluffs municipal boundary, as shown on Attachment 'A' and legally described on Attachment 'B' of the City Council Communication report; and

WHEREAS, All comments received are outlined in the attached City Council Communication report and its Attachments; and

WHEREAS, The Planning Commission concurs with the findings of the Community Development Department and recommends approval of the voluntary annexation of this property and finds the following:

- A. This annexation is consistent with the voluntary annexation procedure set forth in the Chapter 368 of the Iowa Code.
- B. The area proposed for annexation adjoins the City's corporate boundary.
- C. The proposed annexation will not create an island of County land surrounded by the City or restrict potential future annexation in any direction.
- D. The proposed annexation creates a uniform boundary.
- E. City services will not be adversely affected if the land is annexed. Utilities, including sanitary sewer and water, can be extended to serve the annexation area when development occurs to justify the expense.
- F. The proposed annexation is consistent with the future land use map of the *Joint City Council Land Use Plan*.
- G. The proposed annexation is in the best interest of the City; and

WHEREAS, an annexation including territory comprising not more than twenty percent of the land area without consent of the property owners is not complete without approval by four-fifths of the members of the City Development Board after a hearing for all affected property owners and the County.

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

That the voluntarily annexation with owners in opposition of approximately 473 acres (m/l) of land, legally described as being part of Sections 29-74-43 and 32-74-43, Pottawattamie County, Iowa and part of Sections 5-73-43 and 6-73-43, Mills County, Iowa; more particularly described in Attachment

'B' of the attached City Council Communication report, is hereby approved.

BE IT FURTHER RESOLVED

That the City Clerk shall send to the City Development Board a copy of the resolution, map, legal description, proof of publication and any other related documents as required by the Board's Administrative Rules for their review and consideration and to set a hearing for all affected property owners and the County.

ADOPTED
AND
APPROVED

April 7, 2025.

MATTHEW J. WALSH

Mayor

Attest: _____

JODI QUAKENBUSH

City Clerk

Council Communication

Department: Community Development
Case/Project No.: URN-25-002
Submitted by: Marianne Collins, Housing &
Economic Development Planner

Ordinance 6644
ITEM 6.A.

Council Action: 4/7/2025

Description
Ordinance providing that general property taxes levied and collected each year on all property located within the Kanesville Urban Renewal Area, in City of Council Bluffs, County of Pottawattamie State of Iowa, by and for the benefit of the State of Iowa, City of Council Bluffs, County of Pottawattamie, Council Bluffs Community School District, and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City in connection with the Kanesville Urban Renewal Area (the Kanesville Urban Renewal Plan.) URN-25-002

Background/Discussion
See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/28/2025
Attachment 1 - Kanesville Urban Renewal Area Plan	Other	3/28/2025
Attachment 2 – Kanesville -Map ED Area - Revised	Map	3/28/2025
Ordinance 6644	Ordinance	4/4/2025

Council Communication

Department: Community Development Case/Project No.: URN-25-002	Ordinance No.: Resolution No.: 25-	City Council: 2-24-2025 Planning Commission: 3-11-2025 P.H. and First Reading: 4-07-2025 2 nd Reading: 4-21-2025 3 rd Reading: 5-05-2025
Subject/Title		
Adoption of the Kanesville Urban Renewal Plan		
Location		
Generally located south of Yellow Pole Road and north of College Road and east of College Road/Washboard Road and west of Hampton Lane		
Background/Discussion		
<p><u>Background</u> Several developers have approached the City about developing parcels of land included in the proposed Kanesville Urban Renewal Area for commercial uses. It has been determined the proposed area meets the definition of “economic development area.” This determination is based on Chapter 403.19 of the Iowa Code.</p> <p>In order to invoke its urban renewal powers, the City Council must agree to designate the subject property an Urban Renewal Area, adopt an Urban Renewal Plan and negotiate a development agreement with the Developer. Assistance in the form of an urban renewal project area, conforming to the Section 403 of Iowa Code, is necessary to acquire land; improve regulatory control; improve public infrastructure and facilities; and to allow for private development of vacant land.</p> <p><u>Discussion</u> The City is removing parcel # 754321400008, the owner is not agreeing to have this agriculture land included in the Kanesville Urban Renewal Plan. A corrected map is attached showing this parcel removed from the Kanesville Urban Renewal Area</p> <p>On February 24, 2025, the City Council passed a resolution of necessity, which directed staff to initiate the process of creating the Kanesville Urban Renewal Plan and Area. This resolution establishes the following timeframe:</p> <div style="margin-left: 40px;"> <p>3-05-2025 Consultation meeting to be held with other taxing jurisdictions</p> <p>3-11-2025 City Planning Commission hearing and review</p> <p>3-24-2025 City Council public hearing on the proposed urban renewal plan</p> </div> <p>The consultation hearing was held on March 5, 2025 and no public attended. Additionally, no written correspondence has been received by the Community Development Department either in support or against the proposed plan.</p> <p>Iowa statutes require the City Planning Commission to review the plan for conformity to the comprehensive plan and to forward a recommendation to City Council prior to the public hearing. This was held 03-11-2025 and Planning Commission recommended approval of the Kanesville URN with a 8-0-3 vote. An urban renewal plan conforming to the requirements of Chapter 403 of the Iowa Code has been prepared and is attached for your review.</p> <p>The Kanesville Urban Renewal Area is being designated as an economic development area that is appropriate for the promotion of economic development, commercial and industrial development, conforming to Chapter 403.19 of the Iowa Code. Designation is necessary to assist and promote local commercial enterprises to strengthen and revitalize the economy. Tax Increment Financing (TIF) will be utilized to provide assistance to the City for the infrastructure costs that will be incurred.</p>		
Staff Recommendation		
The Community Development Department recommends concurrence that the Kanesville Urban Renewal Plan and		

Council Communication

Area is in conformity with the *Bluffs Tomorrow: 2030 Comprehensive Plan*.

Planning Commission Recommendation

The City Planning Commission recommended approval of the Kanesville URN with a 8-0-3 vote. VOTE: AYE – Freund, Hutcheson, Knauss, Rater, Rew, Stroebele Van Houten and Watson. NAY – None. ABSTAIN – None. ABSENT – None. VACANT – Three. Motion carried.

Attachments

Attachment 1 - Kanesville Urban Renewal Area Plan

Attachment 2 – Ordinance

Attachment 3 – Kanesville -Map ED Area - Revised

Prepared by: Marianne Collins, Housing & Economic Development Planner

Submitted by: Courtney Harter, Director of Community Development

**KANESVILLE
URBAN RENEWAL PLAN**

for the

**KANESVILLE
URBAN RENEWAL AREA**

CITY OF COUNCIL BLUFFS, IOWA

March 2025

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- J. URBAN RENEWAL FINANCING
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- P. URBAN RENEWAL PLAN AMENDMENTS
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EXHIBITS

- A. LEGAL DESCRIPTION OF KANESVILLE URBAN RENEWAL AREA
- B. KANESVILLE URBAN RENEWAL AREA MAP
- C. AGRICULTURAL LAND CONSENT

**Kanesville Urban Renewal Plan
for the
Kanesville Urban Renewal Area**

City of Council Bluffs, Iowa

A. INTRODUCTION

The Kanesville Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the Kanesville Urban Renewal Area (“Area” or “Urban Renewal Area”) has been developed to help local officials promote commercial and industrial economic development in the City of Council Bluffs, Iowa (the “City”). In order to achieve this objective, the City intends to undertake urban renewal activities pursuant to the powers granted to it under Chapter 403 of the *Code of Iowa*, as amended.

B. DESCRIPTION OF THE URBAN RENEWAL AREA

The Urban Renewal Area is described in Exhibit A and illustrated in Exhibit B. The City reserves the right to modify the boundaries of the Area at some future date.

C. AREA DESIGNATION

With the adoption of this Plan, the City designates this Urban Renewal Area as an area appropriate for the promotion of economic development (commercial and industrial development).

D. BASE VALUE

If the Urban Renewal Area is legally established, a Tax Increment Financing (TIF) Ordinance is adopted, and debt is certified prior to December 1, 2025, the taxable valuation as of January 1, 2024, will be considered the frozen “base valuation” of the taxable property within that area covered by the TIF ordinance. If a TIF Ordinance is not adopted until a later date, or debt is not first certified prior to December 1, 2025, the frozen “base value” will be the assessed value of the taxable property within that area covered by the TIF Ordinance as of January 1 of the calendar year preceding the calendar year in which the City first certifies the amount of any debt on the Area.

E. DEVELOPMENT PLAN/ZONING

Council Bluffs has a general plan for the physical development of the City as a whole, outlined in the Bluffs Tomorrow: 2030 Comprehensive Plan, adopted in 2014 and updated in 2015. The goals and objectives identified in this Plan, and the urban renewal projects described herein, are in conformance with the goals and land use policies identified in the Comprehensive Plan.

This Urban Renewal Plan does not in any way replace the City's current land use planning or zoning regulation process.

The need, if any, for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area, is set forth in this Plan. As the Area develops, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

F. PLAN OBJECTIVES

Renewal activities are designed to provide opportunities, incentives, and sites to promote economic development (commercial and industrial development). More specific objectives for the development, redevelopment, and rehabilitation within the Urban Renewal Area are as follows:

1. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities, and strengthening the tax base.
2. To plan for and provide sufficient land for commercial and industrial development in a manner that is efficient from the standpoint of providing municipal services.
3. To provide for the installation of public works and facilities including, but not limited to, water, sanitary sewer, roadways, and other public improvements, which contribute to the revitalization of the area and to the sound development of the entire City.
4. To encourage commercial growth and expansion through governmental policies which make it economically feasible to do business.
5. To provide a more marketable and attractive investment climate through the use of various federal, state and local incentives.
6. To stimulate, through public action and commitment, private investment in new and expanded commercial and industrial development.
7. To improve the conditions and opportunities for commercial and industrial economic development.
8. To help develop a sound economic base that will serve as the foundation for future growth and development.
9. To enhance the City by fostering an entrepreneurial climate, diversifying the local economy, encouraging opportunities for new businesses, and supporting retention of existing businesses.

10. To enhance the health, safety, living environment, general character, and general welfare of Council Bluffs, Iowa.
11. To promote development utilizing any other objectives allowed by Chapter 403 of the *Code of Iowa*.

G. TYPES OF RENEWAL ACTIVITIES

To meet the objectives of this Urban Renewal Plan and to encourage the development of the Area, the City intends to utilize the powers conferred under Chapter 403 and Chapter 15A, *Code of Iowa* including, but not limited to, tax increment financing. Activities may include:

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.
2. To arrange for or cause to be provided the construction or repair of public infrastructure including but not limited to streets, curb and gutter, street lighting, water, sanitary sewer, public utilities or other facilities in connection with urban renewal projects.
3. To make loans, forgivable loans, grants, tax rebate payments or other types of economic development grants or incentives to private persons, local development organizations, or businesses for economic development purposes on such terms as may be determined by the City Council.
4. To borrow money and to provide security therefor.
5. To acquire or dispose of property.
6. To provide for the construction of specific site improvements such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.
7. To acquire property through a variety of means (purchase, lease, option, etc.) and to hold, clear, or prepare the property for redevelopment.
8. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Plan or specific urban renewal projects.
9. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City of Council Bluffs and the State of Iowa.

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

H. ELIGIBLE URBAN RENEWAL PROJECTS

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

1. Public Improvements

Project	Estimated Project Date	Estimated Cost	How Project Advances Objectives of Plan
Kanesville Sanitary Sewer Extension PH I – PW 24-21	2025	\$2,500,000	Constructing sewer from west of railroad tracks south of Kanesville to the east, just west of the westbound interstate on-ramp to help facilitate commercial and industrial development in the Area
Kanesville Sanitary Sewer Extension PH II	2025-2026	\$1,500,000	Continues the extension of the sewer line to the east, ending at the east side of the interstate interchange to help facilitate commercial and industrial development in the Area
Roadway and utility improvements to that portion of Hunt Avenue from Kanesville north to the City limits	2026	\$3,000,000	Road and utility improvements will help facilitate commercial and industrial development in the Area
	Total:	\$7,000,000	

2. Development Agreements

A. *Development Agreement with KCI Council Bluffs Land, LLC (or a related entity):* The proposed urban renewal project anticipates the City entering into a development agreement with KCI Council Bluffs Land, LLC (or a related entity) to provide for the construction of a warehouse distribution park. Construction is expected to be completed in 2028 and the project will result in the creation and/or retention of jobs in the Urban Renewal Area. The City expects to make annual grants to KCI Council Bluffs Land, LLC (or a related entity) in the form of rebates of incremental taxes generated by the increased assessed value created by the project. The cost of such grants are not expected to exceed

\$2,000,000 and will be subject to the terms and conditions of a detailed development agreement between the parties.

B. *Development Agreement with EDC Omaha Hold Co, LLC (or a related entity):* The proposed urban renewal project anticipates the City entering into a development agreement with EDC Omaha Hold Co, LLC (or a related entity) to provide for the construction of a data center. Construction is expected to be completed in 2032, and the project will result in the creation and/or retention of jobs in the Urban Renewal Area. The City expects to make annual grants to EDC Omaha Hold Co, LLC (or a related entity) in the form of rebates of incremental taxes generated by the increased assessed value created by the project. The cost of such grants are not expected to exceed \$65,000,000 and will be subject to the terms and conditions of a detailed development agreement between the parties.

C. *Future Development Agreements:* The City expects to consider requests for development agreements for projects that are consistent with this Plan, in the City's sole discretion. Such agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including but not limited to land, loans, grants, tax rebates, infrastructure assistance and other incentives. The costs of such development agreements will not exceed \$5,000,000.

2. Planning, engineering fees (for urban renewal plans), attorney fees, other related costs to support urban renewal projects and planning

Project	Date	Estimated cost
Fees and costs	Undetermined	Not to exceed \$50,000

I. FINANCIAL DATA

1.	Current constitutional debt limit:	\$354,283,045
2.	Current outstanding general obligation debt:	\$71,190,000
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects has not yet been determined. This document is for planning purposes only. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated	\$79,050,000 This total does not include financing costs related to debt issuance, which will be incurred over the life of the Area.

	that the cost of the Eligible Urban Renewal Projects as described above to be funded by TIF Funds will be approximately as stated in the next column:	
--	---	--

J. URBAN RENEWAL FINANCING

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

A. Tax Increment Financing.

Under Section 403.19 of the *Code of Iowa*, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements, economic development incentives, or other urban renewal projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the eligible urban renewal projects. Certain increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City, and in any event upon the expiration of the tax increment district.

B. General Obligation Bonds.

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

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

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

K. PROPERTY ACQUISITION/DISPOSITION

The City will follow any applicable requirements for the acquisition and disposition of property within the Urban Renewal Area.

L. RELOCATION

The City does not expect there to be any relocation required of residents or businesses as part of the eligible urban renewal projects; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

M. PROPERTY WITHIN AN URBAN REVITALIZATION AREA

The Urban Renewal Area may (now or in the future) also be located within an established Urban Revitalization Area. Properties within the Urban Renewal Area shall not be eligible for tax abatement under an Urban Revitalization Plan without the City Council's specific approval. The City Council, at its sole discretion, shall determine which incentives, if any, are available through either: (a) this Plan for urban renewal incentives, if any urban renewal incentives are offered by the City, at the City Council's sole discretion; or (b) tax abatement incentives through the City's Urban Revitalization Plan; or (c) a combination of urban renewal incentives and tax abatement incentives.

N. STATE AND LOCAL REQUIREMENTS

All provisions necessary to conform to State and local laws will be complied with by the City in implementing this Urban Renewal Plan and its supporting documents.

O. SEVERABILITY

In the event one or more provisions contained in the Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized, or unenforceable in any respect, such invalidity, illegality, un-authorization, or unenforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

P. URBAN RENEWAL PLAN AMENDMENTS

This Urban Renewal Plan may be amended from time to time for a number of reasons including, but not limited to, adding or deleting land, adding or amending urban renewal projects, or modifying objectives or types of renewal activities. The City Council may amend this Plan in accordance with applicable State law.

Q. EFFECTIVE PERIOD

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

With respect to the property included within the Urban Renewal Area, which is also included in a TIF Ordinance that provides for the “division of revenue” as those words are used in Chapter 403 of the Code of Iowa, the division of revenue is limited to twenty (20) years beginning with the first calendar year following the calendar year in which the City first certifies to the County Auditor the amount of any loans, advances, indebtedness, or bonds which qualify for payment from the incremental property tax revenues attributable to that property within the TIF Ordinance of the Urban Renewal Area. The division of revenues shall continue on the Urban Renewal Area, for the maximum period allowed by law.

At all times, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the Code of Iowa) by the City for activities carried out under the Urban Renewal Area shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

R. AGRICULTURAL LAND

Because the Urban Renewal Area contains land that is defined as “agricultural land” by Iowa Code Section 403.17(3), the City must acquire consent from the owner(s) of the agricultural land prior to including such land in the Urban Renewal Area. The City has requested consent from the owner(s) of agricultural land proposed to be included in the Urban Renewal Area. A copy of the agricultural landowner agreements is, or will be, attached hereto as Exhibit “C.” The original signed agreement(s) will be placed on file in the City Clerk’s office.

EXHIBIT A

LEGAL DESCRIPTION OF KANESVILLE URBAN RENEWAL AREA

A PARCEL OF LAND BEING A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 20, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4) OF SECTION 21, A PORTION OF THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4NE1/4) OF SECTION 21, ALL OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE1/4SE1/4) OF SECTION 21, A PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW1/4NW1/4) OF SECTION 22, ALL OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW1/4NW1/4) OF SECTION 22, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) OF SECTION 22, A PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION 22, ALL OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 22, A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) OF SECTION 22, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) OF SECTION 28 AND A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4NE1/4) OF SECTION 28, ALL IN TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE

5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 22;

THENCE SOUTH ON THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) AND ON IT'S SOUTHERLY PROLONGATION, 2,220 FEET MORE OR LESS TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 6;

THENCE WEST ON SAID SOUTH RIGHT-OF-WAY LINE AND ON IT'S WESTERLY PROLONGATION, 3,267 FEET MORE OR LESS TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 80;

THENCE SOUTHWESTERLY ON SAID WESTERLY RIGHT-OF-WAY LINE, 2,806 FEET MORE OR LESS TO THE NORTHEAST CORNER OF LOT 1, BLACK HILLS SUBDIVISION IN SAID CITY OF COUNCIL BLUFFS;

THENCE WEST ON THE NORTH LINE OF SAID LOT 1, 876 FEET MORE OR LESS TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COLLEGE ROAD;

THENCE NORTH ON SAID EAST RIGHT-OF-WAY LINE, 2,371 FEET MORE OR LESS TO A POINT ON THE EASTERLY PROLONGATION OF THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 6;

THENCE WEST ON SAID EASTERLY PROLONGATION AND ON SAID SOUTH RIGHT-OF-WAY LINE, 4,161 FEET MORE OR LESS TO A POINT ON THE WEST LINE OF SAID AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 20;

THENCE NORTH ON SAID WEST LINE, 286 FEET MORE OR LESS TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID HIGHWAY 6;

THENCE EAST ON SAID NORTH RIGHT-OF-WAY LINE, 4,087 FEET MORE OR LESS TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF WASHBOARD ROAD;

THENCE NORTH ON SAID WEST RIGHT-OF-WAY LINE, 2,100 FEET MORE OR LESS TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID WASHBOARD ROAD;

THENCE NORTHEASTERLY ON SAID NORTHWESTERLY RIGHT-OF-WAY LINE AND ON IT'S NORTHEASTERLY PROLONGATION 1,370 FEET MORE OR LESS TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF YELLOW POLE ROAD;

THENCE EASTERLY ON SAID NORTHERLY RIGHT-OF-WAY LINE AND ON IT'S EASTERLY PROLONGATION 4,467 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION 22;

THENCE SOUTH ON SAID EAST LINE, 86 FEET MORE OR LESS TO THE POINT OF BEGINNING.

EXCEPT:

A TRACT OF LAND IN PART OF THE NW1/4 SE1/4 S21, T75, R43, POTTAWATTAMIE COUNTY, IOWA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF THE NE 1/4 SE 1/4 SEC. 21; THENCE NORTHLY ALONG THE EAST LINE OF THE SE 1/4 OF SAID SEC. 21 A DISTANCE OF 375.54 FEET; THENCE WESTERLY A DISTANCE OF 1419.00 FEET; THENCE NORTH 0°20'57" W (ASSUMED BEARING) TO A POINT 160 FEET NORTHERLY OF MEASURED AT RIGHT ANGLES FROM THE CENTERLINE OF RELOCATED U.S. HIGHWAY 6, A DISTANCE OF 93.43 FEET TO THE POINT OF BEGINNING; THENCE S 78°55'33"W ALONG THE U.S. HIGHWAY 6 RIGHT-OF-WAY A DISTANCE OF 321.70 FEET; THENCE NORTH 81°30'19"W A DISTANCE OF 256.35 FEET; THENCE S83°10'41"W A DISTANCE OF 299.70 FEET; THENCE S77°02'41"W A DISTANCE OF 151.24 FT; THENCE S89°23'04"W A DISTANCE OF 49.42 FT; THENCE N40°21'33"W A DISTANCE OF 134.24 FT; THENCE N7°10'26"W A DISTANCE OF 215.74 FT. TO A POINT 2013.01 FEET NORTHERLY OF AND 31.62 FT. EASTERLY OF THE S1/4 CORNER OF SAID SEC. 21; THENCE N90°00'00"E A DISTANCE OF 1176.15 FEET; THENCE S0°20'57"E A DISTANCE OF 222.38 FT. TO THE POINT OF BEGINNING, CONTAINING 7.145 ACRES MORE OR LESS

SAID PARCEL CONTAINS AN AREA OF 434.6 ACRES, MORE OR LESS.

MAP OF KANESVILLE URBAN RENEWAL AREA



EXHIBIT C
AGRICULTURAL LAND CONSENT

AGREEMENT TO INCLUDE AGRICULTURAL LAND IN
THE KANESVILLE URBAN RENEWAL AREA

WHEREAS, the City of Council Bluffs, Iowa, (the "City") has proposed to establish an Urban Renewal Plan ("Plan") for the Kanessville Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of land included in the Urban Renewal Area will contain certain property owned by the undersigned Agricultural Land Owner; and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in Section 403.17(3) of "agricultural land" until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property located within the Urban Renewal Area and owned by the Agricultural Land Owner listed below meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa.

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area and agrees that the City of Council Bluffs, Iowa, may include such property within the Urban Renewal Area.

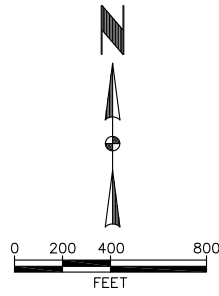
2. The Agricultural Land Owner further authorizes the governing body of the City of Council Bluffs, Iowa, to pass any resolution or ordinance necessary to designate property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED _____, 20____

Agricultural Land Owner's Name (print): _____

Signature: _____

Print Name of Signatory: _____



1 OF 1

EXHIBIT

drawn JDD designed DEF approved MAR. 23
date

hgim

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ORDINANCE NO. 6644

AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE KANESVILLE URBAN RENEWAL AREA, IN CITY OF COUNCIL BLUFFS, COUNTY OF POTTAWATTAMIE STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF COUNCIL BLUFFS, COUNTY OF POTTAWATTAMIE, COUNCIL BLUFFS COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE KANESVILLE URBAN RENEWAL AREA (**THE KANESVILLE URBAN RENEWAL PLAN**)

WHEREAS, the City Council of the City of Council Bluffs, State of Iowa, after public notice and hearing as prescribed by law and pursuant to Resolution No. 25-78 passed and approved on the 24th day of March, 2025, adopted an Urban Renewal Plan (the "Urban Renewal Plan") for an urban renewal area known as the Kaneshville Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, by Resolution No. 25-105, the City Council approved a modification in the legal description of the Urban Renewal Area; and

WHEREAS, the Urban Renewal Area includes the lots and parcels located within the area legally described as follows:

A PARCEL OF LAND BEING A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 20, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4) OF SECTION 21, A PORTION OF THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE

SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4NE1/4) OF SECTION 21, ALL OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE1/4SE1/4) OF SECTION 21, A PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW1/4NW1/4) OF SECTION 22, ALL OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW1/4NW1/4) OF SECTION 22, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) OF SECTION 22, A PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION 22, ALL OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 22, A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) OF SECTION 22, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) OF SECTION 28 AND A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4NE1/4) OF SECTION 28, ALL IN TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 22;

THENCE SOUTH ON THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) AND ON IT'S SOUTHERLY PROLONGATION, 2,220 FEET MORE OR LESS TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 6;

THENCE WEST ON SAID SOUTH RIGHT-OF-WAY LINE AND ON IT'S WESTERLY PROLONGATION, 3,267 FEET MORE OR LESS TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 80;

THENCE SOUTHWESTERLY ON SAID WESTERLY RIGHT-OF-WAY LINE, 2,806 FEET MORE OR LESS TO THE NORTHEAST CORNER OF LOT 1, BLACK HILLS SUBDIVISION IN SAID CITY OF COUNCIL BLUFFS;

THENCE WEST ON THE NORTH LINE OF SAID LOT 1, 876 FEET MORE OR LESS TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COLLEGE ROAD;

THENCE NORTH ON SAID EAST RIGHT-OF-WAY LINE, 2,371 FEET MORE OR LESS TO A POINT ON THE EASTERLY PROLONGATION OF THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 6;

THENCE WEST ON SAID EASTERLY PROLONGATION AND ON SAID SOUTH RIGHT-OF-WAY LINE, 4,161 FEET MORE OR LESS TO A POINT ON THE WEST LINE OF SAID AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 20;

THENCE NORTH ON SAID WEST LINE, 286 FEET MORE OR LESS TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID HIGHWAY 6;

THENCE EAST ON SAID NORTH RIGHT-OF-WAY LINE, 4,087 FEET MORE OR LESS TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF WASHBOARD ROAD;

THENCE NORTH ON SAID WEST RIGHT-OF-WAY LINE, 2,100 FEET MORE OR LESS TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID WASHBOARD ROAD;

THENCE NORTHEASTERLY ON SAID NORTHWESTERLY RIGHT-OF-WAY LINE AND ON IT'S NORTHEASTERLY PROLONGATION 1,370 FEET MORE OR LESS TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF YELLOW POLE ROAD;

THENCE EASTERLY ON SAID NORTHERLY RIGHT-OF-WAY LINE AND ON IT'S EASTERLY PROLONGATION 4,467 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION 22;

THENCE SOUTH ON SAID EAST LINE, 86 FEET MORE OR LESS TO THE POINT OF BEGINNING.

EXCEPT:

A TRACT OF LAND IN PART OF THE NW1/4 SE1/4 S21, T75, R43, POTTAWATTAMIE COUNTY, IOWA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF THE NE 1/4 SE 1/4 SEC. 21; THENCE NORTHLY ALONG THE EAST LINE OF THE SE 1/4 OF SAID SEC. 21 A DISTANCE OF 375.54 FEET; THENCE WESTERLY A DISTANCE OF 1419.00 FEET; THENCE NORTH 0°20'57" W (ASSUMED BEARING) TO A POINT 160 FEET NORTHERLY OF MEASURED AT RIGHT ANGLES FROM

THE CENTERLINE OF RELOCATED U.S. HIGHWAY 6, A DISTANCE OF 93.43 FEET TO THE POINT OF BEGINNING; THENCE S 78°55'33"W ALONG THE U.S. HIGHWAY 6 RIGHT-OF-WAY A DISTANCE OF 321.70 FEET; THENCE NORTH 81°30'19"W A DISTANCE OF 256.35 FEET; THENCE S83°10'41"W A DISTANCE OF 299.70 FEET; THENCE S77°02'41"W A DISTANCE OF 151.24 FT; THENCE S89°23'04"W A DISTANCE OF 49.42 FT; THENCE N40°21'33"W A DISTANCE OF 134.24 FT; THENCE N7°10'26"W A DISTANCE OF 215.74 FT. TO A POINT 2013.01 FEET NORTHERLY OF AND 31.62 FT. EASTERLY OF THE S1/4 CORNER OF SAID SEC. 21; THENCE N90°00'00"E A DISTANCE OF 1176.15 FEET; THENCE S0°20'57"E A DISTANCE OF 222.38 FT. TO THE POINT OF BEGINNING, CONTAINING 7.145 ACRES MORE OR LESS

SAID PARCEL CONTAINS AN AREA OF 434.6 ACRES, MORE OR LESS.

WHEREAS, expenditures and indebtedness are anticipated to be incurred by the City of Council Bluffs, State of Iowa, in the future to finance urban renewal project activities carried out in furtherance of the objectives of the Urban Renewal Plan; and

WHEREAS, the City Council of the City of Council Bluffs, State of Iowa, desires to provide for the division of revenue from taxation in the Urban Renewal Area, as above described, in accordance with the provisions of Section 403.19, Code of Iowa, as amended.

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

Section 1. That the taxes levied on the taxable property in the Urban Renewal Area legally described in the preamble hereof, by and for the benefit of the State of Iowa, City of Council Bluffs, County of Pottawattamie, Council Bluffs Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 2. That portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City of Council Bluffs, State of Iowa, certifies to the Auditor of Pottawattamie County, Iowa the amount of loans, advances, indebtedness, or bonds payable from the division of property tax revenue described herein, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for the taxing district into which all other property taxes are paid.

Section 3. That portion of the taxes each year in excess of the base period taxes determined as provided in Section 2 of this Ordinance shall be allocated to and when collected be paid into a special tax increment fund of the City of Council Bluffs, State of Iowa, hereby established, to pay the principal of and interest on loans, monies advanced to, indebtedness, whether funded, refunded, assumed or otherwise, including bonds or obligations issued under the authority of Section 403.9 or 403.12, Code of Iowa, as amended, incurred by the City of Council Bluffs, State of Iowa, to

finance or refinance, in whole or in part, urban renewal projects undertaken within the Urban Renewal Area pursuant to the Urban Renewal Plan, except that (i) taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2, Code of Iowa, and taxes for the instructional support program of a school district imposed pursuant to Section 257.19, Code of Iowa, (but in each case only to the extent required under Section 403.19(2), Code of Iowa); (ii) taxes for the payment of bonds and interest of each taxing district; (iii) taxes imposed under Section 346.27(22), Code of Iowa, related to joint county-city buildings; and (iv) any other exceptions under Section 403.19, Code of Iowa, shall be collected against all taxable property within the Urban Renewal Area without any limitation as hereinabove provided.

Section 4. Unless or until the total assessed valuation of the taxable property in the Urban Renewal Area exceeds the total assessed value of the taxable property in the Urban Renewal Area as shown by the assessment roll referred to in Section 2 of this Ordinance, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for the taxing districts in the same manner as all other property taxes.

Section 5. At such time as the loans, advances, indebtedness, bonds and interest thereon of the City of Council Bluffs, State of Iowa, referred to in Section 3 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 6. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to fully implement the provisions of Section 403.19, Code of Iowa, as amended, with respect to the division of taxes from property within the Urban Renewal Area as described above. In the event that any provision of this Ordinance shall be determined to be contrary to law, it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19, Code of Iowa, with reference to the Urban Renewal Area and the territory contained therein.

Section 7. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this 21st day of April, 2025.

Mayor

ATTEST:

City Clerk

Read First Time: April 7, 2025

Read Second Time: April 21, 2025

Read Third Time: _____, 2025

PASSED AND APPROVED: _____, 2025.

I, Jodi Quakenbush, City Clerk of the City of Council Bluffs, State of Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. 6644 passed and approved by the City Council of the City at a meeting held _____, 2025, signed by the Mayor on _____, 2025, and published in The Daily Nonpareil on _____, 2025.

City Clerk, City of Council Bluffs, State of Iowa

(SEAL)

4928-6948-9967-1\10342-184

Council Communication

Department: City Clerk
Case/Project No.: URN-25-001
Submitted by: Marianne Collins, Housing &
Economic Development Planner

Ordinance 6643
ITEM 7.A.

Council Action: 4/7/2025

Description
Ordinance providing that general property taxes levied and collected each year on all property located within the Power Drive Housing Urban Renewal Area, in City of Council Bluffs, County of Pottawattamie State of Iowa, by and for the benefit of the State of Iowa, City of Council Bluffs, County of Pottawattamie, Council Bluffs Community School District, and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City in connection with the Power Drive Housing Urban Renewal Area (the Power Drive Housing Urban Renewal Plan.) URN-25-001

Background/Discussion
See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/14/2025
Attachment 1 - Power Drive Housing Urban Renewal Area Plan	Other	3/14/2025
Ordinance 6643	Ordinance	4/2/2025

Council Communication

Department: Community Development Case/Project No.: URN-25-001	Ordinance No.: Resolution No.: 25-	City Council: 2-24-2025 Planning Commission: 3-11-2025 P.H. and First Reading: 3-24-2025
Subject/Title		
Adoption of the Power Drive Housing Urban Renewal Plan		
Location		
Generally located south of 35 th Avenue and north of Veterans Memorial Highway and east of South Expressway and west of Interstate-29		
Background/Discussion		
<p><u>Background</u></p> <p>In 2024 Cornerstone Housing Group approached the City about developing a parcel of land included in the proposed Power Drive Housing Urban Renewal Area. Cornerstone is proposing to construct a 280-unit multi-family project. It has been determined the proposed area meets the definition of “economic development area.” This determination is based on Chapter 403.17 of the Iowa Code.</p> <p>In order to invoke its urban renewal powers, the City Council must agree to designate the subject property an Urban Renewal Area, adopt an Urban Renewal Plan and negotiate a development agreement with the Developer. Assistance in the form of an urban renewal project area, conforming to the Section 403 of Iowa Code, is necessary to acquire land; improve regulatory control; improve public infrastructure and facilities; and to allow for private development of vacant land.</p> <p><u>Discussion</u></p> <p>On February 24, 2025, the City Council passed a resolution of necessity, which directed staff to initiate the process of creating the Power Drive Housing Urban Renewal Plan and Area. This resolution establishes the following timeframe:</p> <div style="margin-left: 40px;"> <p>3-05-2025 Consultation meeting to be held with other taxing jurisdictions</p> <p>3-11-2025 City Planning Commission hearing and review</p> <p>3-24-2025 City Council public hearing on the proposed urban renewal plan</p> </div> <p>The consultation hearing was held on March 5, 2025 and no public attended. Additionally, no written correspondence has been received by the Community Development Department either in support or against the proposed plan.</p> <p>Iowa statutes require the City Planning Commission to review the plan for conformity to the comprehensive plan and to forward a recommendation to City Council prior to the public hearing. This was held 03-11-2025 and Planning Commission recommended approval of the Power Drive Housing URN with a 8-0-3 vote. An urban renewal plan conforming to the requirements of Chapter 403 of the Iowa Code has been prepared and is attached for your review.</p> <p>The Power Drive Housing Urban Renewal Area is being designated as an economic development area that is appropriate for the development of new low and moderate income (LMI) housing units and the provision of public improvements related to housing and residential development conforming to Chapter 403.17 of the Iowa Code. Designation is necessary to assist and promote local commercial enterprises to strengthen and revitalize the economy. Tax Increment Financing (TIF) will be utilized to provide assistance to the City for the infrastructure costs that will be incurred.</p>		
Staff Recommendation		
The Community Development Department recommends concurrence that the Power Drive Housing Urban Renewal Plan and Area is in conformity with the <i>Bluffs Tomorrow: 2030 Comprehensive Plan</i> .		

Council Communication

Planning Commission Recommendation

The City Planning Commission recommended approval of the Power Drive Housing URN with a 8-0-3 vote. VOTE: AYE – Freund, Hutcheson, Knauss, Rater, Rew, Stroebele Van Houten and Watson. NAY – None. ABSTAIN – None. ABSENT – None. VACANT – Three. Motion carried.

Attachments

Attachment 1 - Power Drive Housing Urban Renewal Area Plan

Attachment 2 – Resolution

Attachment 3 - Ordinance

Prepared by: Marianne Collins, Housing & Economic Development Planner

Submitted by: Courtney Harter, Director of Community Development

**POWER DRIVE HOUSING
URBAN RENEWAL PLAN**

for the

**POWER DRIVE HOUSING
URBAN RENEWAL AREA**

CITY OF COUNCIL BLUFFS, IOWA

March 2025

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- A. LEGAL DESCRIPTION OF POWER DRIVE HOUSING URBAN RENEWAL AREA
- B. POWER DRIVE HOUSING URBAN RENEWAL AREA MAP

**Power Drive Housing Urban Renewal Plan
for the
Power Drive Housing Urban Renewal Area**

City of Council Bluffs, Iowa

A. INTRODUCTION

The Power Drive Housing Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the Power Drive Housing Urban Renewal Area (“Area” or “Urban Renewal Area”) has been developed to help local officials respond to and promote economic development in the City of Council Bluffs, Iowa (the “City”). The primary goal of the Plan is to stimulate, through public involvement and commitment, private investment in new low to moderate income (LMI) housing and residential development as defined in Iowa Code Section 403.17(12).

In order to achieve this objective, the City intends to undertake urban renewal activities pursuant to the powers granted to it under Chapter 403 and Chapter 15A of the *Code of Iowa*, as amended.

B. DESCRIPTION OF THE URBAN RENEWAL AREA

The Urban Renewal Area is described in Exhibit A. A map of the Urban Renewal Area is included in Exhibit B. The City reserves the right to modify the boundaries of the Area at some future date.

C. AREA DESIGNATION

With the adoption of this Plan, the City designates this Urban Renewal Area as an economic development area that is appropriate for the development of new LMI residential housing units.

D. BASE VALUE

If the Urban Renewal Area is legally established, a Tax Increment Financing (TIF) ordinance is adopted, and debt is certified prior to December 1, 2025, the taxable valuation as of January 1, 2024, will be considered the frozen “base valuation” for purposes of TIF for the portion of the Urban Renewal Area identified in the TIF ordinance. If a TIF ordinance is not adopted until a later date, or debt is not first certified prior to December 1, 2025, then the frozen “base value” will be the assessed value of the taxable property within that area covered by the TIF ordinance as of January 1 of the calendar year preceding the calendar year in which the City first certifies the amount of any debt for urban renewal projects within the Area.

E. DEVELOPMENT PLAN

The City has a general plan for the physical development of the City as a whole outlined in the Bluffs Tomorrow: 2030 Comprehensive Plan, adopted in 2014 and amended in 2015. The goals

and objectives of the Urban Renewal Plan, including the urban renewal projects identified herein, are in conformity with the City's Bluffs Tomorrow: 2030 Comprehensive Plan.

This Urban Renewal Plan does not in any way replace the City's current land use planning or zoning regulation process.

The need, if any, for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area is set forth in this Plan. As the Area continues to develop, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

F. RESIDENTIAL DEVELOPMENT

The City's objective in this Urban Renewal Area is to promote new LMI housing and residential development. The City realizes that the availability of affordable housing is an important component of attracting new business and industry and retaining existing businesses. In order to help stimulate the development of new affordable housing opportunities, one of the City's overall priorities is to investigate and pursue funding options to provide financial support for new residential development.

G. PLAN OBJECTIVES

Renewal activities are designed to provide opportunities, incentives, and sites for new LMI residential development within the Area. More specific objectives for development within the Urban Renewal Area are as follows:

1. To increase the availability of housing opportunities, which may, in turn, attract and retain local industries and commercial enterprises that will strengthen and revitalize the economy of the State of Iowa and the City of Council Bluffs.
2. To stimulate, through public action and commitment, private investment in new housing and residential development. The City realizes that the availability of affordable, decent, safe, and sanitary housing is important to the overall economic viability of the community.
3. To plan for and provide sufficient land for LMI residential development in a manner that is efficient from the standpoint of providing municipal services.
4. To improve housing conditions and increase housing opportunities, particularly for workers, elderly individuals, and/or LMI individuals and families.
5. To provide for the installation and upgrade of public works, infrastructure, and related facilities in support of new LMI housing development.
6. To provide a more marketable and attractive investment climate.

7. To preserve the health, safety, living environment, general character, and general welfare of Council Bluffs, Iowa.
8. To promote development utilizing any other objectives allowed by Chapter 403 of the *Code of Iowa*.

H. TYPES OF RENEWAL ACTIVITIES

To meet the objectives of this Urban Renewal Plan and to encourage the development of the Area, the City intends to utilize the powers conferred under Chapter 403 and Chapter 15A, *Code of Iowa* including, but not limited to, tax increment financing. Activities may include:

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.
2. To acquire property and to hold, clear, or prepare the property for development.
3. To dispose of property so acquired.
4. To provide for the construction of site-specific improvements, such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.
5. To arrange for, or cause to be provided, the construction or repair of public infrastructure, including, but not limited to, streets and sidewalks, traffic lights, pedestrian safety measures, water mains, sanitary sewers, storm sewers, public utilities, or other facilities in connection with urban renewal projects.
6. To make loans, forgivable loans, tax rebate payments, or other types of economic development grants or incentives to private persons or businesses to promote housing projects on such terms as may be determined by the City Council.
7. To use tax increment revenues to help leverage grants, loans, or other assistance from the state and federal governments (such as providing the local match for such assistance) in support of projects or businesses that advance the objectives of this Plan.
8. To use tax increment financing to facilitate urban renewal projects, including, but not limited to, financing to achieve a more marketable and competitive land offering price and to provide for necessary physical improvements and infrastructure.
9. To use tax increment for LMI housing assistance.
10. To borrow money and to provide security therefor.
11. To finance programs that will directly benefit housing conditions and promote the availability of housing affordable to LMI persons in the community.

12. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Program or specific urban renewal projects.
13. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City of Council Bluffs and the State of Iowa.

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

I. ELIGIBLE URBAN RENEWAL PROJECTS

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

- 1. Development Agreement with Cornerstone Housing Group, LLC (or a related entity):** The City anticipates entering into a new development agreement with Cornerstone Housing Group, LLC (or a related entity) to provide incentives to assist with the cost of constructing a new LMI residential development project within the Urban Renewal Area. The development is expected to include approximately 280 multi-family residential housing units. The residential housing units will be affordable for LMI individuals or families according to the rules set forth under Chapter 403 of the Code of Iowa as families, including single person households, who earn no more than 80% of the higher of the median family income of Pottawattamie County or the State-wide non-metropolitan area as determined by the latest United States Department of Housing and Urban Development, Section 8 income guidelines. All 280 residential housing units are expected to be affordable to LMI individuals. No incentives will be given for residential housing units that are not affordable to LMI individuals. Additionally, the developer will construct all infrastructure necessary to serve the residential housing units.

The City intends to provide assistance in the form of property tax rebates of potential incremental taxes. Under the proposal, a percentage of the incremental property taxes generated by LMI units within the project (from incremental taxes created by the new buildings in the area covered by the development agreement and collected pursuant to Iowa Code Section 403.19) would be used to fund grants to the developer for up to 20 years. The cumulative amount of the grants provided to the developer shall not exceed \$9,000,000. These rebates will not be general obligations of the City, but will be payable solely from incremental property taxes generated by the project.

- 2. Improvements to 35th Avenue:** The City plans to complete improvements to 35th Avenue within the Urban Renewal Area. The improvements are necessary to promote commercial and industrial development within the Area. The City expects the costs of this project will not exceed \$2,300,000.

- 3. Power Drive Road Extension Project:** The Power Drive project will construct approximately 2,200 lineal feet of new concrete roadway, with curb and gutter and storm sewer. The road is expected to be 39 feet wide, allowing for two 12-foot lanes and a 14-foot two way left turn lane in the middle. A right turn lane will be provided on Power Drive at the intersection of Veterans Memorial Highway. A 10-foot concrete trail will be constructed on the east side of the roadway for the entire length of the project. A concrete box culvert and circular concrete culvert will be constructed to accommodate the existing drainage patterns through the project area. The roadway will cross an existing BNSF railroad track. The intersection of Power Drive and 35th Avenue will include a new traffic signal. This project will increase access to the properties located within the Urban Renewal Area, which will support the development of LMI housing within the Area. The costs of this project are expected not to exceed \$4,500,000.
- 4. Planning, engineering fees (for urban renewal plans), attorney fees, other related costs to support urban renewal projects and planning:**

Project	Date	Estimated Cost to be funded by TIF Funds
Fees and costs	Undetermined	Not to exceed \$50,000

J. FINANCIAL INFORMATION

1.	July 1, 2024 Constitutional Debt Limit	\$354,283,045
2.	Current Outstanding General Obligation Debt	\$71,190,000
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects has not yet been determined. This document is for planning purposes only. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects as described above will be approximately as stated in the next column:	\$15,850,000 (This amount does not include costs related to financing.)

K. URBAN RENEWAL FINANCING

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

A. **Tax Increment Financing.**

Under Section 403.19 of the *Code of Iowa*, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements, economic development incentives or other urban renewal projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the eligible urban renewal projects. Certain increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City, and in any event upon the expiration of the tax increment district.

B. **General Obligation Bonds.**

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

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

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

L. PROPERTY ACQUISITION/DISPOSITION

The City will follow any applicable requirements for the acquisition and the disposition of property within the Urban Renewal Area.

M. RELOCATION

The City does not expect there to be any relocation required of residents or businesses as part of the eligible urban renewal project; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

N. STATE AND LOCAL REQUIREMENTS

All provisions necessary to conform to State and local laws will be complied with by the City in implementing this Urban Renewal Plan and its supporting documents.

O. PROPERTY WITHIN AN URBAN REVITALIZATION AREA

The Urban Renewal Area is, or may be in the future, located within an established Urban Revitalization Area. No tax abatement incentives under the Urban Revitalization Plan or any other plan, policy, or ordinance will be allowed for development that occurs in this Urban Renewal Area absent express written permission of the City Council.

P. SEVERABILITY

In the event one or more provisions contained in the Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized, or unenforceable in any respect, such invalidity, illegality, un-authorization, or unenforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

Q. URBAN RENEWAL PLAN AMENDMENTS

This Urban Renewal Plan may be amended from time to time for a number of reasons including, but not limited to, adding or deleting land, adding or amending urban renewal projects, or modifying goals or types of renewal activities.

The City Council may amend this Plan in accordance with applicable State law.

R. EFFECTIVE PERIOD

This Urban Renewal Plan will become effective upon its adoption by the City Council and shall remain in effect until terminated by the City Council.

With respect to property included within the Urban Renewal Area, which is also included in an ordinance providing for the division of revenue as set forth in Section 403.19 of the *Code of Iowa* (a “TIF ordinance”), the collection of incremental property tax revenues or the “division of revenue,” as those words are used in Iowa Code Chapter 403 is limited to twenty (20) fiscal years, beginning with the first fiscal year following the calendar year in which the City first certifies to the County Auditor the amount of any loans, advances, indebtedness, or bonds which qualify for payment from the incremental property tax revenues in the Urban Renewal Area.

At all times, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness, or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the *Code of Iowa*) by the City for activities carried out under the Urban Renewal Plan shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

EXHIBIT A
LEGAL DESCRIPTION OF
POWER DRIVE HOUSING URBAN RENEWAL AREA

Lake Manawa Centre Subdivision Lot B

And

Lake Manawa Centre Subdivision, Lot 10 EXCEPT a tract of land located in part of Lot 10, Lake Manawa Centre Subdivision as platted and recorded in Pottawattamie County, Iowa, more particularly described as follows: Beginning at the Northwesterly corner of said Lot 10, said point being on the South Right-of-Way line of 35th Avenue; thence along said South Right-of-Way line on a curve to the right having a radius of 217.00 feet, an arc length of 85.91 feet and a long chord bearing of South 77°19'31" East for 85.35 feet; thence along a nontangent curve to the left having a radius of 525.00 feet, an arc distance of 248.15 feet and a long chord bearing of South 19°34'49" West for 245.85 feet; thence North 83°57'39" West for 2.11 feet to a point on the West line of said Lot 10; thence North 00°16'49" East for 250.14 feet along the West line of said Lot 10 to the Point of Beginning.

And

A PORTION OF UNPLATTED LANDS IN THE SOUTHEAST QUARTER OF SECTION 12 OF T74N, R44W OF THE 5TH P.M., A PORTION OF BURLINGTON NORTHERN RAIL ROAD RIGHT-OF-WAY, A PORTION OF LOT B OF LAKE MANAWA CENTER SUBDIVISION, A PORTION OF LOTS 1 AND 3 OF POWER CENTER SUBDIVISION, AND A PORTION OF LOT 10 OF LAKE MANAWA CENTER SUBDIVISION, ALL IN POTTAWATTAMIE COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 10. THENCE SOUTHEASTERLY ON THE NORTH LINE OF SAID LOT 10 BEING CURVED THE RIGHT HAVING A RADIUS OF 217.00 FEET AND A CENTRAL ANGLE OF 20° 47' 47", AN ARC DISTANCE OF 78.76 FEET (CHORD=78.33', CHORD BEARING=S 53° 42' 44"E) TO THE POINT OF COMPOUND CURVATURE; THENCE SOUTHEASTERLY ON THE NORTH LINE OF SAID LOT 10 BEING CURVED THE LEFT HAVING A RADIUS OF 283.00 FEET AND A CENTRAL ANGLE OF 04° 18' 56", AN ARC DISTANCE OF 21.32 FEET (CHORD=21.31', CHORD BEARING=S 45° 28' 19"E); THENCE SOUTH 87° 53' 54" WEST, A DISTANCE OF 44.92 FEET; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 33.00 FEET AND A CENTRAL ANGLE OF 9° 55' 59", AN ARC DISTANCE OF 5.72 FEET (CHORD=5.71', CHORD BEARING=S 31° 33' 00"W) TO THE POINT OF COMPOUND CURVATURE; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 563.50 FEET AND A CENTRAL ANGLE OF 24° 26' 35", AN ARC DISTANCE OF 240.40 FEET (CHORD=238.58', CHORD BEARING=S 14° 21' 42"W) TO THE POINT OF TANGENCY; THENCE SOUTH 02° 08' 25" WEST, A DISTANCE OF 141.56 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 546.50 FEET AND A CENTRAL ANGLE OF 28° 27' 01", AN ARC DISTANCE OF 271.36 FEET (CHORD=268.59', CHORD BEARING=S 16° 21' 55"W) TO A POINT ON

THE WEST LINE OF SAID LOT 3; THENCE SOUTH 02° 08' 25" WEST ON THE EAST LINE OF SAID LOT 3, A DISTANCE OF 21.94 FEET TO THE SOUTH CORNER OF SAID LOT 3; THENCE NORTH 46° 47' 59" WEST ON THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 10.94 FEET; THENCE SOUTH 33° 02' 29" WEST, A DISTANCE OF 69.71 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID RAIL ROAD RIGHT-OF-WAY; THENCE SOUTH 33° 02' 29" WEST A DISTANCE OF 101.57 FEET TO SOUTH RAIL ROAD RIGHT-OF-WAY OF BURLINGTON NORTHERN RAIL ROAD; THENCE SOUTH 33° 02' 29" WEST, A DISTANCE OF 61.88 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 473.50 AND A CENTRAL ANGLE OF 32° 50' 16", AN ARC DISTANCE OF 271.38 FEET (CHORD=267.68', CHORD BEARING=S 16° 37' 21" W) TO A POINT ON A CURVE; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 473.50 AND A CENTRAL ANGLE OF 7° 32' 37", AN ARC DISTANCE OF 62.34 FEET (CHORD=62.30', CHORD BEARING=S 3° 34' 05" W) TO A POINT ON A CURVE; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 473.50 AND A CENTRAL ANGLE OF 13° 18' 25", AN ARC DISTANCE OF 109.97 FEET (CHORD=109.72', CHORD BEARING=S 13° 59' 36" E) TO THE POINT OF COMPLEX CURVATURE; THENCE SOUTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 1036.50 AND A CENTRAL ANGLE OF 37° 10' 38", AN ARC DISTANCE OF 672.55 FEET (CHORD=660.81', CHORD BEARING=S 02° 03' 30" E) TO A POINT OF TANGENCY; THENCE SOUTH 16° 31' 49" WEST, A DISTANCE OF 38.95 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF VETERANS MEMORIAL HIGHWAY; THENCE NORTH 87° 19' 57" WEST ON SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 128.97 FEET; THENCE NORTH 02° 05' 19" EAST, A DISTANCE OF 765.83 FEET; THENCE NORTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 539.50 AND A CENTRAL ANGLE OF 04° 10' 15", AN ARC DISTANCE OF 39.27 FEET (CHORD=39.26', CHORD BEARING=N 07° 52' 46" W) TO A POINT ON A CURVE; THENCE NORTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 539.50 AND A CENTRAL ANGLE OF 03° 58' 40", AN ARC DISTANCE OF 37.45 FEET (CHORD=37.45', CHORD BEARING=N 03° 48' 19" W) TO A POINT ON A CURVE; THENCE NORTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 539.50 AND A CENTRAL ANGLE OF 28° 51' 36", AN ARC DISTANCE OF 271.75 FEET (CHORD=268.88', CHORD BEARING=N 18° 36' 41" E); THENCE NORTH 33° 02' 29" EAST, A DISTANCE OF 73.62 FEET TO A POINT ON THE SOUTH RAIL ROAD RIGHT-OF-WAY OF BURLINGTON NORTHERN RAIL ROAD; THENCE NORTH 33° 02' 29" EAST, A DISTANCE OF 101.57 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID RAIL ROAD RIGHT-OF-WAY; THENCE NORTH 33° 02' 29" EAST, A DISTANCE OF 51.50 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ON A CURVE THE LEFT HAVING A RADIUS OF 480.50 FEET AND A CENTRAL ANGLE OF 02° 11' 25", AN ARC DISTANCE OF 18.37 FEET (CHORD=18.37', CHORD BEARING=N 31° 56' 47"E) TO A POINT ON SAID SOUTH LINE OF LOT 3; THENCE NORTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 480.50 FEET AND A CENTRAL ANGLE OF 28° 42' 39", AN ARC DISTANCE OF 240.78 FEET (CHORD=238.27', CHORD BEARING=N 16° 29' 44"E) TO A POINT ON THE EAST LINE OF SAID LOT 3; THENCE NORTH 02° 08' 25" EAST ON SAID WEST LINE, A DISTANCE OF 469.80 FEET; THENCE SOUTH 84° 17' 56" EAST ON SAID WEST LINE, A DISTANCE OF 2.20 FEET TO A POINT ON A CURVE; THENCE NORTHERLY ON SAID WEST LINE BEING CURVED

THE RIGHT AND HAVING A RADIUS OF 525.00 FEET AND A CENTRAL ANGLE OF 12° 59' 27", AN ARC DISTANCE OF 119.03 FEET (CHORD=118.78', CHORD BEARING=N 14° 24' 40"E) TO A POINT ON A CURVE; THENCE NORTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 629.50 FEET AND A CENTRAL ANGLE OF 08° 09' 53", AN ARC DISTANCE OF 89.70 FEET (CHORD=89.63', CHORD BEARING=N 23° 12' 05"E); THENCE NORTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 40.00 FEET AND A CENTRAL ANGLE OF 12° 54' 18", AN ARC DISTANCE OF 9.01 FEET (CHORD=8.99', CHORD BEARING=N 20° 49' 52"E); THENCE NORTH 27° 00' 59" WEST, A DISTANCE OF 42.79 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1; THENCE SOUTHEASTERLY ON SAID NORTH LINE BEING CURVED THE RIGHT AND HAVING A RADIUS OF 217.00 FEET AND A CENTRAL ANGLE OF 11° 38' 13", AN ARC DISTANCE OF 44.07 FEET (CHORD=44.00', CHORD BEARING=S 69° 55' 45"E) TO THE NORTHWEST CORNER OF SAID LOT 10 AND THE POINT OF BEGINNING. CONTAINING 199,542 SQUARE FEET (4.5809 ACRES) MORE OR LESS.

And

All adjacent Rights-of-Way

EXHIBIT B
MAP OF POWER DRIVE HOUSING URBAN RENEWAL AREA



Last Amended: 2/10/2025

ORDINANCE NO. 6643

AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE POWER DRIVE HOUSING URBAN RENEWAL AREA, IN CITY OF COUNCIL BLUFFS, COUNTY OF POTTAWATTAMIE STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF COUNCIL BLUFFS, COUNTY OF POTTAWATTAMIE, COUNCIL BLUFFS COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE POWER DRIVE HOUSING URBAN RENEWAL AREA (**THE POWER DRIVE HOUSING URBAN RENEWAL PLAN**)

WHEREAS, the City Council of the City of Council Bluffs, State of Iowa, after public notice and hearing as prescribed by law and pursuant to Resolution No. 25-77 passed and approved on the 24th day of March, 2025, adopted an Urban Renewal Plan (the "Urban Renewal Plan") for an urban renewal area known as the Power Drive Housing Urban Renewal Area (the "Urban Renewal Area"), which Urban Renewal Area includes the lots and parcels located within the area legally described as follows:

Lake Manawa Centre Subdivision Lot B

And

Lake Manawa Centre Subdivision, Lot 10 EXCEPT a tract of land located in part of Lot 10, Lake Manawa Centre Subdivision as platted and recorded in Pottawattamie County, Iowa, more particularly described as follows: Beginning at the Northwesterly corner of said Lot 10, said point being on the South Right-of-Way line of 35th Avenue; thence along said South Right-of-Way line on a curve to the right having a radius of 217.00 feet, an arc length of 85.91 feet and a long chord bearing of South 77°19'31" East for 85.35 feet; thence along a nontangent curve to the left having a radius of 525.00 feet, an arc distance of 248.15 feet and a long chord bearing of South 19°34'49" West for 245.85 feet; thence North 83°57'39" West for 2.11 feet to a point on the West line of said Lot 10; thence North 00°16'49" East for 250.14 feet along the West line of said Lot 10 to the Point of Beginning.

And

A PORTION OF UNPLATTED LANDS IN THE SOUTHEAST QUARTER OF SECTION 12 OF T74N, R44W OF THE 5TH P.M., A PORTION OF BURLINGTON NORTHERN RAIL ROAD RIGHT-OF-WAY, A PORTION OF LOT B OF LAKE MANAWA CENTER SUBDIVISION, A PORTION OF LOTS

1 AND 3 OF POWER CENTER SUBDIVISION, AND A PORTION OF LOT 10 OF LAKE MANAWA CENTER SUBDIVISION, ALL IN POTTAWATTAMIE COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 10. THENCE SOUTHEASTERLY ON THE NORTH LINE OF SAID LOT 10 BEING CURVED THE RIGHT HAVING A RADIUS OF 217.00 FEET AND A CENTRAL ANGLE OF 20° 47' 47", AN ARC DISTANCE OF 78.76 FEET (CHORD=78.33', CHORD BEARING=S 53° 42' 44"E) TO THE POINT OF COMPOUND CURVATURE; THENCE SOUTHEASTERLY ON THE NORTH LINE OF SAID LOT 10 BEING CURVED THE LEFT HAVING A RADIUS OF 283.00 FEET AND A CENTRAL ANGLE OF 04° 18' 56", AN ARC DISTANCE OF 21.32 FEET (CHORD=21.31', CHORD BEARING=S 45° 28' 19"E); THENCE SOUTH 87° 53' 54" WEST, A DISTANCE OF 44.92 FEET; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 33.00 FEET AND A CENTRAL ANGLE OF 9° 55' 59", AN ARC DISTANCE OF 5.72 FEET (CHORD=5.71', CHORD BEARING=S 31° 33' 00"W) TO THE POINT OF COMPOUND CURVATURE; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 563.50 FEET AND A CENTRAL ANGLE OF 24° 26' 35", AN ARC DISTANCE OF 240.40 FEET (CHORD=238.58', CHORD BEARING=S 14° 21' 42"W) TO THE POINT OF TANGENCY; THENCE SOUTH 02° 08' 25" WEST, A DISTANCE OF 141.56 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 546.50 FEET AND A CENTRAL ANGLE OF 28° 27' 01", AN ARC DISTANCE OF 271.36 FEET (CHORD=268.59', CHORD BEARING=S 16° 21' 55"W) TO A POINT ON THE WEST LINE OF SAID LOT 3; THENCE SOUTH 02° 08' 25" WEST ON THE EAST LINE OF SAID LOT 3, A DISTANCE OF 21.94 FEET TO THE SOUTH CORNER OF SAID LOT 3; THENCE NORTH 46° 47' 59" WEST ON THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 10.94 FEET; THENCE SOUTH 33° 02' 29" WEST, A DISTANCE OF 69.71 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID RAIL ROAD RIGHT-OF-WAY; THENCE SOUTH 33° 02' 29" WEST A DISTANCE OF 101.57 FEET TO SOUTH RAIL ROAD RIGHT-OF-WAY OF BURLINGTON NORTHERN RAIL ROAD; THENCE SOUTH 33° 02' 29" WEST, A DISTANCE OF 61.88 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 473.50 AND A CENTRAL ANGLE OF 32° 50' 16", AN ARC DISTANCE OF 271.38 FEET (CHORD=267.68', CHORD BEARING=S 16° 37' 21" W) TO A POINT ON A CURVE; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 473.50 AND A CENTRAL ANGLE OF 7° 32' 37", AN ARC DISTANCE OF 62.34 FEET (CHORD=62.30', CHORD BEARING=S 3° 34' 05" W) TO A POINT ON A CURVE; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 473.50 AND A CENTRAL ANGLE OF 13° 18' 25", AN ARC DISTANCE OF 109.97 FEET (CHORD=109.72', CHORD BEARING=S 13° 59' 36" E) TO THE POINT OF COMPLEX CURVATURE; THENCE SOUTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 1036.50 AND A CENTRAL ANGLE OF 37° 10' 38", AN ARC DISTANCE OF

672.55 FEET (CHORD=660.81', CHORD BEARING=S 02° 03' 30" E) TO A POINT OF TANGENCY; THENCE SOUTH 16° 31' 49" WEST, A DISTANCE OF 38.95 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF VETERANS MEMORIAL HIGHWAY; THENCE NORTH 87° 19' 57" WEST ON SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 128.97 FEET; THENCE NORTH 02° 05' 19" EAST, A DISTANCE OF 765.83 FEET; THENCE NORTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 539.50 AND A CENTRAL ANGLE OF 04° 10' 15", AN ARC DISTANCE OF 39.27 FEET (CHORD=39.26', CHORD BEARING=N 07° 52' 46" W) TO A POINT ON A CURVE; THENCE NORTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 539.50 AND A CENTRAL ANGLE OF 03° 58' 40", AN ARC DISTANCE OF 37.45 FEET (CHORD=37.45', CHORD BEARING=N 03° 48' 19" W) TO A POINT ON A CURVE; THENCE NORTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 539.50 AND A CENTRAL ANGLE OF 28° 51' 36", AN ARC DISTANCE OF 271.75 FEET (CHORD=268.88', CHORD BEARING=N 18° 36' 41" E); THENCE NORTH 33° 02' 29" EAST, A DISTANCE OF 73.62 FEET TO A POINT ON THE SOUTH RAIL ROAD RIGHT-OF-WAY OF BURLINGTON NORTHERN RAIL ROAD; THENCE NORTH 33° 02' 29" EAST, A DISTANCE OF 101.57 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID RAIL ROAD RIGHT-OF-WAY; THENCE NORTH 33° 02' 29" EAST, A DISTANCE OF 51.50 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ON A CURVE THE LEFT HAVING A RADIUS OF 480.50 FEET AND A CENTRAL ANGLE OF 02° 11' 25", AN ARC DISTANCE OF 18.37 FEET (CHORD=18.37', CHORD BEARING=N 31° 56' 47" E) TO A POINT ON SAID SOUTH LINE OF LOT 3; THENCE NORTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 480.50 FEET AND A CENTRAL ANGLE OF 28° 42' 39", AN ARC DISTANCE OF 240.78 FEET (CHORD=238.27', CHORD BEARING=N 16° 29' 44" E) TO A POINT ON THE EAST LINE OF SAID LOT 3; THENCE NORTH 02° 08' 25" EAST ON SAID WEST LINE, A DISTANCE OF 469.80 FEET; THENCE SOUTH 84° 17' 56" EAST ON SAID WEST LINE, A DISTANCE OF 2.20 FEET TO A POINT ON A CURVE; THENCE NORTHERLY ON SAID WEST LINE BEING CURVED THE RIGHT AND HAVING A RADIUS OF 525.00 FEET AND A CENTRAL ANGLE OF 12° 59' 27", AN ARC DISTANCE OF 119.03 FEET (CHORD=118.78', CHORD BEARING=N 14° 24' 40" E) TO A POINT ON A CURVE; THENCE NORTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 629.50 FEET AND A CENTRAL ANGLE OF 08° 09' 53", AN ARC DISTANCE OF 89.70 FEET (CHORD=89.63', CHORD BEARING=N 23° 12' 05" E); THENCE NORTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 40.00 FEET AND A CENTRAL ANGLE OF 12° 54' 18", AN ARC DISTANCE OF 9.01 FEET (CHORD=8.99', CHORD BEARING=N 20° 49' 52" E); THENCE NORTH 27° 00' 59" WEST, A DISTANCE OF 42.79 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1; THENCE SOUTHEASTERLY ON SAID NORTH LINE BEING CURVED THE RIGHT AND HAVING A RADIUS OF 217.00 FEET AND A CENTRAL ANGLE OF 11° 38' 13", AN ARC DISTANCE OF 44.07 FEET (CHORD=44.00', CHORD

BEARING=S 69° 55' 45"E) TO THE NORTHWEST CORNER OF SAID LOT 10 AND THE POINT OF BEGINNING. CONTAINING 199,542 SQUARE FEET (4.5809 ACRES) MORE OR LESS.

And

All adjacent Rights-of-Way

WHEREAS, expenditures and indebtedness are anticipated to be incurred by the City of Council Bluffs, State of Iowa, in the future to finance urban renewal project activities carried out in furtherance of the objectives of the Urban Renewal Plan; and

WHEREAS, the City Council of the City of Council Bluffs, State of Iowa, desires to provide for the division of revenue from taxation in the Urban Renewal Area, as above described, in accordance with the provisions of Section 403.19, Code of Iowa, as amended.

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

Section 1. That the taxes levied on the taxable property in the Urban Renewal Area legally described in the preamble hereof, by and for the benefit of the State of Iowa, City of Council Bluffs, County of Pottawattamie, Council Bluffs Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 2. That portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City of Council Bluffs, State of Iowa, certifies to the Auditor of Pottawattamie County, Iowa the amount of loans, advances, indebtedness, or bonds payable from the division of property tax revenue described herein, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for the taxing district into which all other property taxes are paid.

Section 3. That portion of the taxes each year in excess of the base period taxes determined as provided in Section 2 of this Ordinance shall be allocated to and when collected be paid into a special tax increment fund of the City of Council Bluffs, State of Iowa, hereby established, to pay the principal of and interest on loans, monies advanced to, indebtedness, whether funded, refunded, assumed or otherwise, including bonds or obligations issued under the authority of Section 403.9 or 403.12, Code of Iowa, as amended, incurred by the City of Council Bluffs, State of Iowa, to finance or refinance, in whole or in part, urban renewal projects undertaken within the Urban Renewal Area pursuant to the Urban Renewal Plan, except that (i) taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2, Code of Iowa, and taxes for the instructional support program of a school district imposed pursuant to Section 257.19, Code of Iowa, (but in each case only to the extent required under Section 403.19(2), Code of Iowa); (ii) taxes for the payment of bonds and interest of each taxing district; (iii) taxes imposed under Section 346.27(22), Code of Iowa, related to joint county-city buildings;

and (iv) any other exceptions under Section 403.19, Code of Iowa, shall be collected against all taxable property within the Urban Renewal Area without any limitation as hereinabove provided.

Section 4. Unless or until the total assessed valuation of the taxable property in the Urban Renewal Area exceeds the total assessed value of the taxable property in the Urban Renewal Area as shown by the assessment roll referred to in Section 2 of this Ordinance, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for the taxing districts in the same manner as all other property taxes.

Section 5. At such time as the loans, advances, indebtedness, bonds and interest thereon of the City of Council Bluffs, State of Iowa, referred to in Section 3 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 6. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to fully implement the provisions of Section 403.19, Code of Iowa, as amended, with respect to the division of taxes from property within the Urban Renewal Area as described above. In the event that any provision of this Ordinance shall be determined to be contrary to law, it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19, Code of Iowa, with reference to the Urban Renewal Area and the territory contained therein.

Section 7. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this 7th day of April, 2025.

Mayor

ATTEST:

City Clerk

Read First Time: March 24, 2025

Read Second Time: April 7, 2025

Read Third Time: _____, 2025

PASSED AND APPROVED: April 7, 2025.

I, Jodi Quakenbush, City Clerk of the City of Council Bluffs, State of Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. 6643 passed and approved by the City Council of the City at a meeting held _____, 2025, signed by the Mayor on _____, 2025, and published in The Daily Nonpareil on _____, 2025.

City Clerk, City of Council Bluffs, State of Iowa

(SEAL)

Council Communication

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

Resolution 25-101
ITEM 8.A.

Council Action: 4/7/2025

Description

Resolution accepting the bid of Compass Utility, LLC for the West Graham Reconstruction. Project #PW25-10

Background/Discussion

On March 18, 2025 bids were received by the DOT as follows:

Compass Utility, LLC Council Bluffs, IA	\$3,544,683.93
Hulstein Excavating, Inc. Edgerton, MN	\$3,913,106.10
Engineer's Opinion (HGM)	\$3,845,528.50

West Graham Avenue is in need of reconstruction. The project extends 1,540 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. The raised median will be removed and a 44 foot wide roadway will be constructed which allows for parking on both sides of the street. The intersection of West Graham and Marion Avenue will be a roundabout. Council Bluffs Water Works will replace their water main as part of the project. The project will be let by the Iowa DOT.

This Federal-aid project was included in the FY25 CIP. The water main cost of \$503,643.38 will be reimbursed by the Council Bluffs Water Works. The sanitary sewer cost of \$405,377.49 will be funded with Local Option Sales Tax funds. Roadway and storm sewer costs of \$2,635,663.06 will be funded with STBG funds up to \$2,108,530; the remaining amount including engineering will be paid with Local Option Sales Tax funds.

The project schedule is as follows:	Construction Start	May 2025
	Construction End	December 2025

Recommendation

Approval of this resolution to accept the bid of Compass Utility, LLC for the West Graham Reconstruction.


ATTACHMENTS:

Description	Type	Upload Date
Map	Map	3/26/2025
Resolution 25-101	Resolution	4/2/2025

PW 25-10
WEST GRAHAM AVE.
RECONSTRUCTION



Legend

 PW 25-10

RESOLUTION
NO 25-101

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK
TO EXECUTE AN AGREEMENT WITH
COMPASS UTILITY, LLC, FOR THE
WEST GRAHAM RECONSTRUCTION
PROJECT #PW25-10**

WHEREAS, the plans, specifications, and form of contract for the West Graham Reconstruction are on file in the office of the City Clerk; and

WHEREAS, a Notice of Public Hearing was published, as required by law, and a public hearing was held on February 10, 2025, and the plans, specifications and form of contract were approved; and

WHEREAS, Compass Utility, LLC, has submitted a low bid in the amount of \$3,544,683.93 for this contract.

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

That the bid of Compass Utility, LLC, in the amount of \$3,544,683.93 is hereby accepted as the lowest and best bid received for said work; and

BE IT FURTHER RESOLVED

That the City Council does hereby award the contract in connection with the West Graham Reconstruction, and

BE IT FURTHER RESOLVED

That the Mayor and City Clerk are hereby authorized, empowered, and directed to execute an agreement with Compass Utility, LLC, for and on behalf of the City of Council Bluffs, upon approval by the City Attorney of the certificate of insurance and payment and performance bonds as required by the contract specifications.

AND BE IT FURTHER RESOLVED

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

ADOPTED
AND
APPROVED

April 7, 2025

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Community Development
Case/Project No.:
Submitted by: Dessie Redmond, Housing &
Economic Development Planner

Resolution 25-102
ITEM 8.B.

Council Action: 4/7/2025

Description
Resolution authorizing the Mayor and City Clerk to execute an agreement with D&D Construction Services for the former Reliance Battery Factory lead-contaminated soil removal project.

Background/Discussion
See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/28/2025
Attachment 1 - Bid tabulation sheet	Other	3/28/2025
Attachment 2 - Letter of Recommendation from Eocene Environmental Group	Letter	3/28/2025
Resolution 25-102	Resolution	4/2/2025

City Council Communication

Department: Community Development Case/Project No.: N/A	Resolution No. 25-_____	City Council: <u>April 7, 2025</u>
Subject/Title		
The former Reliance Battery Factory Lead-Contaminated Soil Removal Project Contract Award & Approval		
Location		
813 22 nd Avenue, Council Bluffs, Iowa		
Background/Discussion		
<p><u>Background</u></p> <p>In 2023, the DNR required the City to enroll into the Land Recycling Program (LRP), which required additional testing on the site as well as on adjacent properties. The City in partnership with their environmental consultant (Eocene Environmental Group, formally Impact 7G) has been completing the required testing and submitting the results to EPA for review. Bidding for the cleanup began on February 25, 2025.</p> <p>On March 26, 2025, six bids were received from interested contractors for the lead-contaminated soil removal project. The low bid for the project was submitted by D&D Construction Services. for \$196,250. The bid has been verified and accepted by staff and Eocene Environmental Group. It is expected that soil removal will begin in late April and be completed no later than July 31, 2025.</p> <p>The cleanup work includes the following:</p> <ul style="list-style-type: none"> • Over-excavation of lead-contaminated soil, backfill and grading, restoration, and seeding of the site located at 813 22nd Avenue, Council Bluffs, Iowa 51501 (the former Reliance Battery Factory site). • Approximately 4615 cubic yards will be removed from the site. All lead-contaminated soil areas identified within the demolition limits will be removed and disposed of in accordance with local, state, and federal regulations to the strictest standard. • Associated work shall include placement of clean compacted fill on excavation areas, site security, traffic control and erosion control in accordance with the NPDES General Permit No. 2 “Storm Water Discharge Associated with Industrial Activity for Construction Activities” for the over-excavation and restoration project at the site. Stabilized construction entrances will be required and silt fences shall be constructed to stop any sediment from leaving the site. • After the site is stabilized, the Contractor shall remove the silt fences. Existing inlets shall be protected. Any track out from the site on the City streets shall be removed on a daily basis. <p>Upon completion of all fill activities the site will be graded, seeded and mulched in accordance to City standards.</p> <p><u>Discussion</u></p> <p>On March 26, 2025, six bids were received from interested contractors for the lead-contaminated soil removal project. The low bid for the project was submitted by D&D Construction Services. for \$196,250. The bid has been verified and accepted by staff and Eocene Environmental Group. It is expected that soil removal will begin in late April and be completed no later than July 31, 2025.</p>		
Staff Recommendation		
The Community Development Department recommends acceptance of the bid from D&D Construction Services. in the amount of \$196,250 for the former Reliance Battery Factory Lead-Contaminated Soil Removal Project.		
Attachments		
1. Bid tabulation sheet 2. Letter of Recommendation from Eocene Environmental Group		

Submitted by: Dessie Redmond, Housing & Economic Development Planner, Community Development Department
 Approved by: Courtney Harter, Director of Community Development

City Council Communication

Bid Tabulation**The former Reliance Battery Factory Lead-Contaminated Soil Removal Project****813 22nd Avenue**

March 26 at 10:00 AM

Community Development Department via the City's Online Bidding Portal

209 Pearl Street, Council Bluffs, IA 51503

Responding Supplier	City	State	Response Submitted	Lines Responded	Response Total
D&D Construction Services INC	Crescent	IA	3/25/2025 09:51:17 PM (CT)	13	\$196,250.00
National Concrete Cutting	Council Bluffs	IA	3/26/2025 09:35:03 AM (CT)	13	\$254,060.00
Cox Contracting Co., Inc.	Council Bluffs	IA	3/26/2025 09:40:01 AM (CT)	13	\$356,151.40
O6 Environmental, LLC	University City	MO	3/25/2025 06:36:56 PM (CT)	13	\$402,218.00
J Pettiecord Inc	Bondurant	IA	3/25/2025 01:34:22 PM (CT)	13	\$418,690.00
General Excavating	Lincoln	NE	3/26/2025 09:05:56 AM (CT)	13	\$772,617.50



March 27, 2025

Mayor and City Council
City of Council Bluffs
209 Pearl Street
Suite 02
Council Bluffs, IA 51503

RE: Bid Letting Results, Former Reliance Battery Factory Site Contaminated Soil Removal

Dear Mayor and City Council:

Proposals were received on the City's IonWave website until 10:00 a.m. on the 26th day of March 2025, for the work included in the above referenced project. A total of six (6) proposals were received.

After careful consideration and review of the proposals as submitted, it is our recommendation that the apparent low bid as submitted by D&D Construction Services, Inc. in the amount of \$ 196,250.00 be accepted and awarded.

D&D Construction Services, Inc. has included a Bid Bond and all other required documentation in their proposal. Their project experience includes projects similar in size, scope, and locality.

Please do not hesitate to contact me at 515-473-6256 or esmart@eocene.com if you have any questions.

Respectfully submitted,

A handwritten signature in blue ink that reads "Emily Smart".

Emily Smart, CGP, LG
Eocene Environmental Group
Project Manager II

RESOLUTION NO. 25-102

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH D&D CONSTRUCTION, INC. FOR THE FORMER RELIANCE BATTERY FACTORY LEAD-CONTAMINATED SOIL REMOVAL PROJECT.

- WHEREAS,** The City wishes to undertake a project known as the former Reliance Battery Factory lead-contaminated soil removal; and
- WHEREAS,** This project will involve soil cleanup of a former vacant battery factory and site improvements; and
- WHEREAS,** Such improvements are required to accommodate the further redevelopment of the area; and
- WHEREAS,** The plans, specifications and form of contract for the former Reliance Battery Factory Lead-Contaminated Soil Removal Project are on file in the City's online bidding portal; and
- WHEREAS,** A Notice of Public Hearing was published as required by law and a public hearing was opened on January 27, 2025 and continued and held on February 24, 2025 and the plans, specifications and form of contract were approved; and
- WHEREAS,** D&D Construction., Inc. has submitted a low bid in the amount of \$196,250 for the project.

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

That the bid from D&D Construction., Inc. in the amount of \$196,250 for the former Reliance Battery Factory Lead-Contaminated Soil Removal Project is hereby accepted as the lowest and best bid received for said work; and

BE IT FURTHER RESOLVED

That the City Council does hereby award the contract in connection with former Reliance Battery Factory Lead-Contaminated Soil Removal Project; and

BE IT FURTHER RESOLVED

That the Mayor and City Clerk are hereby authorized, empowered and directed to execute an agreement with D&D Construction, Inc. for and on behalf of the City of Council Bluffs, upon approval by the City Attorney of the certificate of insurance and cashier's check as required by the contract specifications.

ADOPTED
AND
APPROVED:

April 7, 2025

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

Council Communication

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

Resolution 25-103
ITEM 8.C.

Council Action: 4/7/2025

Description Resolution temporarily vacating portions of West Broadway in connection with the Bikes on he 100 Block Special Event Application.
Background/Discussion
Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Resolution 25-103	Resolution	4/2/2025

RESOLUTION NO. 25-103

**RESOLUTION TEMPORARILY VACATING PORTIONS OF WEST
BROADWAY IN CONNECTION WITH A SPECIAL EVENT APPLICATION.**

WHEREAS, The City has reviewed a special event application “Bikes on the 100 Block” proposed to take place on West Broadway between South 1st Street and South 4th Street, North 2nd Street from Vine Street to West Broadway, Park Avenue from West Broadway to Pierce and Glen Avenue between West Broadway and Pierce Street from 12:00 pm – 11:30 pm on the following dates; Thursdays May 15, 2025, June 19, 2025, July 17, 2025, August 21, 2025 and September 18, 2025.

WHEREAS, The proposed activities would be inconsistent with City and State law if West Broadway, North 2nd Street, Park Avenue and Glen Avenue in these locations were not temporarily vacated.

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

That West Broadway, North 2nd Street, Park Avenue and Glen Avenue be temporarily vacated as described above in connection with the approved special event application.

ADOPTED
AND
APPROVED

April 7, 2025

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

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

Resolution 25-104
ITEM 8.D.

Council Action: 4/7/2025

Description Resolution temporarily vacating a portion of West Broadway in connection with the Cheers for Council Bluffs Schools Special Event Application.
--

Background/Discussion

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Resolution 25-104	Resolution	4/2/2025

RESOLUTION NO. 25-104

**RESOLUTION TEMPORARILY VACATING PORTIONS OF WEST
BROADWAY IN CONNECTION WITH A SPECIAL EVENT APPLICATION.**

WHEREAS, The City has reviewed a special event application “Cheers for CB Schools” proposed to take place on West Broadway between North 1st Street and North 2nd Street from 2:00 pm – 8:00 pm on Friday, May 9th, 2025.

WHEREAS, The proposed activities would be inconsistent with City and State law if West Broadway, in this location, was not temporarily vacated.

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

That West Broadway from North 1st Street to North 2nd Street be temporarily vacated as described above in connection with the approved special event application.

ADOPTED
AND
APPROVED

April 7, 2025

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

Department: Community Development
Case/Project No.: URN-25-002
Submitted by: Marianne Collins, Housing &
Economic Development Planner

Resolution 25-105
ITEM 8.E.

Council Action: 4/7/2025

Description
Resolution nunc pro tunc correcting and modifying the legal description of the Kanesville Urban Renewal Area for the Kanesville Urban Renewal Plan. URN-25-002
Background/Discussion
See attached staff report.
Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/28/2025
Attachment 1 - Kanesville Urban Renewal Area Plan	Other	3/28/2025
Attachment 2 – Kanesville – Map ED Area - Revised	Map	3/28/2025
Resolution 25-105	Resolution	4/2/2025

Council Communication

Department: Community Development Case/Project No.: URN-25-002	Ordinance No.: Resolution No.: 25-	City Council: 2-24-2025 Planning Commission: 3-11-2025 P.H. and First Reading: 4-07-2025
Subject/Title		
Adoption of the Kanesville Urban Renewal Plan		
Location		
Generally located south of Yellow Pole Road and north of College Road and east of College Road/Washboard Road and west of Hampton Lane		
Background/Discussion		
<u>Background</u> Several developers have approached the City about developing parcels of land included in the proposed Kanesville Urban Renewal Area for commercial uses. It has been determined the proposed area meets the definition of “economic development area.” This determination is based on Chapter 403.19 of the Iowa Code. In order to invoke its urban renewal powers, the City Council must agree to designate the subject property an Urban Renewal Area, adopt an Urban Renewal Plan and negotiate a development agreement with the Developer. Assistance in the form of an urban renewal project area, conforming to the Section 403 of Iowa Code, is necessary to acquire land; improve regulatory control; improve public infrastructure and facilities; and to allow for private development of vacant land.		
<u>Discussion</u> The City is removing parcel # 754321400008, the owner is not agreeing to have this agriculture land included in the Kanesville Urban Renewal Plan. A corrected map is attached showing this parcel removed from the Kanesville Urban Renewal Area On February 24, 2025, the City Council passed a resolution of necessity, which directed staff to initiate the process of creating the Kanesville Urban Renewal Plan and Area. This resolution establishes the following timeframe: 3-05-2025 Consultation meeting to be held with other taxing jurisdictions 3-11-2025 City Planning Commission hearing and review 3-24-2025 City Council public hearing on the proposed urban renewal plan The consultation hearing was held on March 5, 2025 and no public attended. Additionally, no written correspondence has been received by the Community Development Department either in support or against the proposed plan. Iowa statutes require the City Planning Commission to review the plan for conformity to the comprehensive plan and to forward a recommendation to City Council prior to the public hearing. This was held 03-11-2025 and Planning Commission recommended approval of the Kanesville URN with a 8-0-3 vote. An urban renewal plan conforming to the requirements of Chapter 403 of the Iowa Code has been prepared and is attached for your review. The Kanesville Urban Renewal Area is being designated as an economic development area that is appropriate for the promotion of economic development, commercial and industrial development, conforming to Chapter 403.19 of the Iowa Code. Designation is necessary to assist and promote local commercial enterprises to strengthen and revitalize the economy. Tax Increment Financing (TIF) will be utilized to provide assistance to the City for the infrastructure costs that will be incurred.		
Staff Recommendation		
The Community Development Department recommends concurrence that the Kanesville Urban Renewal Plan and Area is in conformity with the <i>Bluffs Tomorrow: 2030 Comprehensive Plan</i> .		

Council Communication

Planning Commission Recommendation

The City Planning Commission recommended approval of the Kanesville URN with a 8-0-3 vote. VOTE: AYE – Freund, Hutcheson, Knauss, Rater, Rew, Stroebele Van Houten and Watson. NAY – None. ABSTAIN – None. ABSENT – None. VACANT – Three. Motion carried.

Attachments

Attachment 1 - Kanesville Urban Renewal Area Plan

Attachment 2 – Resolution

Attachment 3 – Kanesville – Map ED Area - Revised

Prepared by: Marianne Collins, Housing & Economic Development Planner

Submitted by: Courtney Harter, Director of Community Development

**KANESVILLE
URBAN RENEWAL PLAN**

for the

**KANESVILLE
URBAN RENEWAL AREA**

CITY OF COUNCIL BLUFFS, IOWA

March 2025

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- P. URBAN RENEWAL PLAN AMENDMENTS
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EXHIBITS

- A. LEGAL DESCRIPTION OF KANESVILLE URBAN RENEWAL AREA
- B. KANESVILLE URBAN RENEWAL AREA MAP
- C. AGRICULTURAL LAND CONSENT

**Kanesville Urban Renewal Plan
for the
Kanesville Urban Renewal Area**

City of Council Bluffs, Iowa

A. INTRODUCTION

The Kanesville Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the Kanesville Urban Renewal Area (“Area” or “Urban Renewal Area”) has been developed to help local officials promote commercial and industrial economic development in the City of Council Bluffs, Iowa (the “City”). In order to achieve this objective, the City intends to undertake urban renewal activities pursuant to the powers granted to it under Chapter 403 of the *Code of Iowa*, as amended.

B. DESCRIPTION OF THE URBAN RENEWAL AREA

The Urban Renewal Area is described in Exhibit A and illustrated in Exhibit B. The City reserves the right to modify the boundaries of the Area at some future date.

C. AREA DESIGNATION

With the adoption of this Plan, the City designates this Urban Renewal Area as an area appropriate for the promotion of economic development (commercial and industrial development).

D. BASE VALUE

If the Urban Renewal Area is legally established, a Tax Increment Financing (TIF) Ordinance is adopted, and debt is certified prior to December 1, 2025, the taxable valuation as of January 1, 2024, will be considered the frozen “base valuation” of the taxable property within that area covered by the TIF ordinance. If a TIF Ordinance is not adopted until a later date, or debt is not first certified prior to December 1, 2025, the frozen “base value” will be the assessed value of the taxable property within that area covered by the TIF Ordinance as of January 1 of the calendar year preceding the calendar year in which the City first certifies the amount of any debt on the Area.

E. DEVELOPMENT PLAN/ZONING

Council Bluffs has a general plan for the physical development of the City as a whole, outlined in the Bluffs Tomorrow: 2030 Comprehensive Plan, adopted in 2014 and updated in 2015. The goals and objectives identified in this Plan, and the urban renewal projects described herein, are in conformance with the goals and land use policies identified in the Comprehensive Plan.

This Urban Renewal Plan does not in any way replace the City's current land use planning or zoning regulation process.

The need, if any, for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area, is set forth in this Plan. As the Area develops, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

F. PLAN OBJECTIVES

Renewal activities are designed to provide opportunities, incentives, and sites to promote economic development (commercial and industrial development). More specific objectives for the development, redevelopment, and rehabilitation within the Urban Renewal Area are as follows:

1. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities, and strengthening the tax base.
2. To plan for and provide sufficient land for commercial and industrial development in a manner that is efficient from the standpoint of providing municipal services.
3. To provide for the installation of public works and facilities including, but not limited to, water, sanitary sewer, roadways, and other public improvements, which contribute to the revitalization of the area and to the sound development of the entire City.
4. To encourage commercial growth and expansion through governmental policies which make it economically feasible to do business.
5. To provide a more marketable and attractive investment climate through the use of various federal, state and local incentives.
6. To stimulate, through public action and commitment, private investment in new and expanded commercial and industrial development.
7. To improve the conditions and opportunities for commercial and industrial economic development.
8. To help develop a sound economic base that will serve as the foundation for future growth and development.
9. To enhance the City by fostering an entrepreneurial climate, diversifying the local economy, encouraging opportunities for new businesses, and supporting retention of existing businesses.

10. To enhance the health, safety, living environment, general character, and general welfare of Council Bluffs, Iowa.
11. To promote development utilizing any other objectives allowed by Chapter 403 of the *Code of Iowa*.

G. TYPES OF RENEWAL ACTIVITIES

To meet the objectives of this Urban Renewal Plan and to encourage the development of the Area, the City intends to utilize the powers conferred under Chapter 403 and Chapter 15A, *Code of Iowa* including, but not limited to, tax increment financing. Activities may include:

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.
2. To arrange for or cause to be provided the construction or repair of public infrastructure including but not limited to streets, curb and gutter, street lighting, water, sanitary sewer, public utilities or other facilities in connection with urban renewal projects.
3. To make loans, forgivable loans, grants, tax rebate payments or other types of economic development grants or incentives to private persons, local development organizations, or businesses for economic development purposes on such terms as may be determined by the City Council.
4. To borrow money and to provide security therefor.
5. To acquire or dispose of property.
6. To provide for the construction of specific site improvements such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.
7. To acquire property through a variety of means (purchase, lease, option, etc.) and to hold, clear, or prepare the property for redevelopment.
8. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Plan or specific urban renewal projects.
9. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City of Council Bluffs and the State of Iowa.

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

H. ELIGIBLE URBAN RENEWAL PROJECTS

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

1. Public Improvements

Project	Estimated Project Date	Estimated Cost	How Project Advances Objectives of Plan
Kanesville Sanitary Sewer Extension PH I – PW 24-21	2025	\$2,500,000	Constructing sewer from west of railroad tracks south of Kanesville to the east, just west of the westbound interstate on-ramp to help facilitate commercial and industrial development in the Area
Kanesville Sanitary Sewer Extension PH II	2025-2026	\$1,500,000	Continues the extension of the sewer line to the east, ending at the east side of the interstate interchange to help facilitate commercial and industrial development in the Area
Roadway and utility improvements to that portion of Hunt Avenue from Kanesville north to the City limits	2026	\$3,000,000	Road and utility improvements will help facilitate commercial and industrial development in the Area
	Total:	\$7,000,000	

2. Development Agreements

A. *Development Agreement with KCI Council Bluffs Land, LLC (or a related entity):* The proposed urban renewal project anticipates the City entering into a development agreement with KCI Council Bluffs Land, LLC (or a related entity) to provide for the construction of a warehouse distribution park. Construction is expected to be completed in 2028 and the project will result in the creation and/or retention of jobs in the Urban Renewal Area. The City expects to make annual grants to KCI Council Bluffs Land, LLC (or a related entity) in the form of rebates of incremental taxes generated by the increased assessed value created by the project. The cost of such grants are not expected to exceed

\$2,000,000 and will be subject to the terms and conditions of a detailed development agreement between the parties.

B. *Development Agreement with EDC Omaha Hold Co, LLC (or a related entity):* The proposed urban renewal project anticipates the City entering into a development agreement with EDC Omaha Hold Co, LLC (or a related entity) to provide for the construction of a data center. Construction is expected to be completed in 2032, and the project will result in the creation and/or retention of jobs in the Urban Renewal Area. The City expects to make annual grants to EDC Omaha Hold Co, LLC (or a related entity) in the form of rebates of incremental taxes generated by the increased assessed value created by the project. The cost of such grants are not expected to exceed \$65,000,000 and will be subject to the terms and conditions of a detailed development agreement between the parties.

C. *Future Development Agreements:* The City expects to consider requests for development agreements for projects that are consistent with this Plan, in the City's sole discretion. Such agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including but not limited to land, loans, grants, tax rebates, infrastructure assistance and other incentives. The costs of such development agreements will not exceed \$5,000,000.

2. Planning, engineering fees (for urban renewal plans), attorney fees, other related costs to support urban renewal projects and planning

Project	Date	Estimated cost
Fees and costs	Undetermined	Not to exceed \$50,000

I. FINANCIAL DATA

1.	Current constitutional debt limit:	\$354,283,045
2.	Current outstanding general obligation debt:	\$71,190,000
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects has not yet been determined. This document is for planning purposes only. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated	\$79,050,000 This total does not include financing costs related to debt issuance, which will be incurred over the life of the Area.

	that the cost of the Eligible Urban Renewal Projects as described above to be funded by TIF Funds will be approximately as stated in the next column:	
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J. URBAN RENEWAL FINANCING

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

A. Tax Increment Financing.

Under Section 403.19 of the *Code of Iowa*, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements, economic development incentives, or other urban renewal projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the eligible urban renewal projects. Certain increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City, and in any event upon the expiration of the tax increment district.

B. General Obligation Bonds.

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

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

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

K. PROPERTY ACQUISITION/DISPOSITION

The City will follow any applicable requirements for the acquisition and disposition of property within the Urban Renewal Area.

L. RELOCATION

The City does not expect there to be any relocation required of residents or businesses as part of the eligible urban renewal projects; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

M. PROPERTY WITHIN AN URBAN REVITALIZATION AREA

The Urban Renewal Area may (now or in the future) also be located within an established Urban Revitalization Area. Properties within the Urban Renewal Area shall not be eligible for tax abatement under an Urban Revitalization Plan without the City Council's specific approval. The City Council, at its sole discretion, shall determine which incentives, if any, are available through either: (a) this Plan for urban renewal incentives, if any urban renewal incentives are offered by the City, at the City Council's sole discretion; or (b) tax abatement incentives through the City's Urban Revitalization Plan; or (c) a combination of urban renewal incentives and tax abatement incentives.

N. STATE AND LOCAL REQUIREMENTS

All provisions necessary to conform to State and local laws will be complied with by the City in implementing this Urban Renewal Plan and its supporting documents.

O. SEVERABILITY

In the event one or more provisions contained in the Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized, or unenforceable in any respect, such invalidity, illegality, un-authorization, or unenforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

P. URBAN RENEWAL PLAN AMENDMENTS

This Urban Renewal Plan may be amended from time to time for a number of reasons including, but not limited to, adding or deleting land, adding or amending urban renewal projects, or modifying objectives or types of renewal activities. The City Council may amend this Plan in accordance with applicable State law.

Q. EFFECTIVE PERIOD

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

With respect to the property included within the Urban Renewal Area, which is also included in a TIF Ordinance that provides for the “division of revenue” as those words are used in Chapter 403 of the Code of Iowa, the division of revenue is limited to twenty (20) years beginning with the first calendar year following the calendar year in which the City first certifies to the County Auditor the amount of any loans, advances, indebtedness, or bonds which qualify for payment from the incremental property tax revenues attributable to that property within the TIF Ordinance of the Urban Renewal Area. The division of revenues shall continue on the Urban Renewal Area, for the maximum period allowed by law.

At all times, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the Code of Iowa) by the City for activities carried out under the Urban Renewal Area shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

R. AGRICULTURAL LAND

Because the Urban Renewal Area contains land that is defined as “agricultural land” by Iowa Code Section 403.17(3), the City must acquire consent from the owner(s) of the agricultural land prior to including such land in the Urban Renewal Area. The City has requested consent from the owner(s) of agricultural land proposed to be included in the Urban Renewal Area. A copy of the agricultural landowner agreements is, or will be, attached hereto as Exhibit “C.” The original signed agreement(s) will be placed on file in the City Clerk’s office.

EXHIBIT A

LEGAL DESCRIPTION OF KANESVILLE URBAN RENEWAL AREA

A PARCEL OF LAND BEING A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 20, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4) OF SECTION 21, A PORTION OF THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4NE1/4) OF SECTION 21, ALL OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE1/4SE1/4) OF SECTION 21, A PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW1/4NW1/4) OF SECTION 22, ALL OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW1/4NW1/4) OF SECTION 22, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) OF SECTION 22, A PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION 22, ALL OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 22, A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) OF SECTION 22, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) OF SECTION 28 AND A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4NE1/4) OF SECTION 28, ALL IN TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE

5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 22;

THENCE SOUTH ON THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) AND ON ITS SOUTHERLY PROLONGATION, 2,220 FEET MORE OR LESS TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 6;

THENCE WEST ON SAID SOUTH RIGHT-OF-WAY LINE AND ON ITS WESTERLY PROLONGATION, 3,267 FEET MORE OR LESS TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 80;

THENCE SOUTHWESTERLY ON SAID WESTERLY RIGHT-OF-WAY LINE, 2,806 FEET MORE OR LESS TO THE NORTHEAST CORNER OF LOT 1, BLACK HILLS SUBDIVISION IN SAID CITY OF COUNCIL BLUFFS;

THENCE WEST ON THE NORTH LINE OF SAID LOT 1, 876 FEET MORE OR LESS TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COLLEGE ROAD;

THENCE NORTH ON SAID EAST RIGHT-OF-WAY LINE, 2,371 FEET MORE OR LESS TO A POINT ON THE EASTERLY PROLONGATION OF THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 6;

THENCE WEST ON SAID EASTERLY PROLONGATION AND ON SAID SOUTH RIGHT-OF-WAY LINE, 4,161 FEET MORE OR LESS TO A POINT ON THE WEST LINE OF SAID AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 20;

THENCE NORTH ON SAID WEST LINE, 286 FEET MORE OR LESS TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID HIGHWAY 6;

THENCE EAST ON SAID NORTH RIGHT-OF-WAY LINE, 4,087 FEET MORE OR LESS TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF WASHBOARD ROAD;

THENCE NORTH ON SAID WEST RIGHT-OF-WAY LINE, 2,100 FEET MORE OR LESS TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID WASHBOARD ROAD;

THENCE NORTHEASTERLY ON SAID NORTHWESTERLY RIGHT-OF-WAY LINE AND ON IT'S NORTHEASTERLY PROLONGATION 1,370 FEET MORE OR LESS TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF YELLOW POLE ROAD;

THENCE EASTERLY ON SAID NORTHERLY RIGHT-OF-WAY LINE AND ON IT'S EASTERLY PROLONGATION 4,467 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION 22;

THENCE SOUTH ON SAID EAST LINE, 86 FEET MORE OR LESS TO THE POINT OF BEGINNING.

EXCEPT:

A TRACT OF LAND IN PART OF THE NW1/4 SE1/4 S21, T75, R43, POTTAWATTAMIE COUNTY, IOWA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF THE NE 1/4 SE 1/4 SEC. 21; THENCE NORTHLY ALONG THE EAST LINE OF THE SE 1/4 OF SAID SEC. 21 A DISTANCE OF 375.54 FEET; THENCE WESTERLY A DISTANCE OF 1419.00 FEET; THENCE NORTH 0°20'57" W (ASSUMED BEARING) TO A POINT 160 FEET NORTHERLY OF MEASURED AT RIGHT ANGLES FROM THE CENTERLINE OF RELOCATED U.S. HIGHWAY 6, A DISTANCE OF 93.43 FEET TO THE POINT OF BEGINNING; THENCE S 78°55'33"W ALONG THE U.S. HIGHWAY 6 RIGHT-OF-WAY A DISTANCE OF 321.70 FEET; THENCE NORTH 81°30'19"W A DISTANCE OF 256.35 FEET; THENCE S83°10'41"W A DISTANCE OF 299.70 FEET; THENCE S77°02'41"W A DISTANCE OF 151.24 FT; THENCE S89°23'04"W A DISTANCE OF 49.42 FT; THENCE N40°21'33"W A DISTANCE OF 134.24 FT; THENCE N7°10'26"W A DISTANCE OF 215.74 FT. TO A POINT 2013.01 FEET NORTHERLY OF AND 31.62 FT. EASTERLY OF THE S1/4 CORNER OF SAID SEC. 21; THENCE N90°00'00"E A DISTANCE OF 1176.15 FEET; THENCE S0°20'57"E A DISTANCE OF 222.38 FT. TO THE POINT OF BEGINNING, CONTAINING 7.145 ACRES MORE OR LESS

SAID PARCEL CONTAINS AN AREA OF 434.6 ACRES, MORE OR LESS.

MAP OF KANESVILLE URBAN RENEWAL AREA



EXHIBIT C
AGRICULTURAL LAND CONSENT

AGREEMENT TO INCLUDE AGRICULTURAL LAND IN
THE KANESVILLE URBAN RENEWAL AREA

WHEREAS, the City of Council Bluffs, Iowa, (the "City") has proposed to establish an Urban Renewal Plan ("Plan") for the Kaneshville Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of land included in the Urban Renewal Area will contain certain property owned by the undersigned Agricultural Land Owner; and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in Section 403.17(3) of "agricultural land" until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property located within the Urban Renewal Area and owned by the Agricultural Land Owner listed below meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa.

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area and agrees that the City of Council Bluffs, Iowa, may include such property within the Urban Renewal Area.

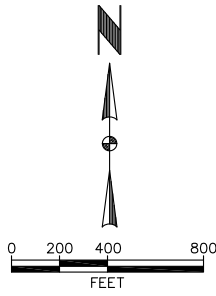
2. The Agricultural Land Owner further authorizes the governing body of the City of Council Bluffs, Iowa, to pass any resolution or ordinance necessary to designate property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED _____, 20____

Agricultural Land Owner's Name (print): _____

Signature: _____

Print Name of Signatory: _____



1 OF 1

EXHIBIT

MAR. '25 revision
date

hgim

available by hgm associates inc.
for use on this project in
accordance with hgm associates
inc. agreement for professional
services. hgm associates inc.
assumes no liability for any use of
this drawing or any part thereof
except in accordance with the
terms of the above agreement.

Resolution 25-105

ITEM TO INCLUDE ON AGENDA

CITY OF COUNCIL BLUFFS, IOWA

April 7, 2025

7:00 P.M.

Kanesville Urban Renewal Plan

- Resolution Nunc Pro Tunc modifying the legal description for the Kanesville Urban Renewal Area.
- Consideration of Ordinance for the division of revenues under Section 403.19, Code of Iowa, for the Kanesville Urban Renewal Plan

IMPORTANT INFORMATION

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

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

April 7, 2025

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:

Disalvo, Peterson, Sandau and Shudak.

Absent: Gorman

Vacant: _____

* * * * *

Council Member _____ then introduced the following Resolution entitled "RESOLUTION NUNC PRO TUNC CORRECTING AND MODIFYING THE LEGAL DESCRIPTION OF THE KANESVILLE URBAN RENEWAL AREA FOR THE KANESVILLE URBAN RENEWAL PLAN " and moved:

☐ that the Resolution be adopted.

☐ to defer action on the Resolution and the proposal to the meeting to be held at _____ .M. on the _____ day of _____, 2025, 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. 25-105

RESOLUTION NUNC PRO TUNC CORRECTING AND
MODIFYING THE LEGAL DESCRIPTION OF THE
KANESVILLE URBAN RENEWAL AREA FOR THE
KANESVILLE URBAN RENEWAL PLAN

WHEREAS, by Resolution No. 25-78 adopted March 24, 2025 (the "Authorizing Resolution"), this Council adopted the Kanesville Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the Kanesville Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein; and

WHEREAS, the City was unable to obtain written permission to include in the Area one parcel of land qualifying as "agricultural land" under Iowa Code Section 403.17(3) and, accordingly, that property must be excluded from the Area; and

WHEREAS, the legal description of the Urban Renewal Area that was presented to this Council on March 24, 2025 did not reflect the exclusion of the above-described agricultural land; and

WHEREAS, the Council has determined to adopt this resolution nunc pro tunc, modifying the legal description of the land to be included in the Urban Renewal Area under the Plan.

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

Section 1. That the legal description for the Urban Renewal Area contained in the Urban Renewal Plan approved and adopted by the Authorizing Resolution on March 24, 2025, is hereby corrected, nunc pro tunc, and the following legal description shall be substituted in lieu thereof, as the legal description of the Urban Renewal Area:

A PARCEL OF LAND BEING A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 20, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4) OF SECTION 21, A PORTION OF THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4) OF

SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4NE1/4) OF SECTION 21, ALL OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE1/4SE1/4) OF SECTION 21, A PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW1/4NW1/4) OF SECTION 22, ALL OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW1/4NW1/4) OF SECTION 22, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) OF SECTION 22, A PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION 22, ALL OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 22, A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) OF SECTION 22, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) OF SECTION 28 AND A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4NE1/4) OF SECTION 28, ALL IN TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 22;

THENCE SOUTH ON THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) AND ON IT'S SOUTHERLY PROLONGATION, 2,220 FEET MORE OR LESS TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 6;

THENCE WEST ON SAID SOUTH RIGHT-OF-WAY LINE AND ON IT'S WESTERLY PROLONGATION, 3,267 FEET MORE OR LESS TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 80;

THENCE SOUTHWESTERLY ON SAID WESTERLY RIGHT-OF-WAY LINE, 2,806 FEET MORE OR LESS TO THE NORTHEAST CORNER OF LOT 1, BLACK HILLS SUBDIVISION IN SAID CITY OF COUNCIL BLUFFS;

THENCE WEST ON THE NORTH LINE OF SAID LOT 1, 876 FEET MORE OR LESS TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COLLEGE ROAD;

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THENCE WEST ON SAID EASTERLY PROLONGATION AND ON SAID SOUTH RIGHT-OF-WAY LINE, 4,161 FEET MORE OR LESS TO A POINT ON THE WEST LINE OF SAID AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 20;

THENCE NORTH ON SAID WEST LINE, 286 FEET MORE OR LESS TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID HIGHWAY 6;

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THENCE NORTH ON SAID WEST RIGHT-OF-WAY LINE, 2,100 FEET MORE OR LESS TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID WASHBOARD ROAD;

THENCE NORTHEASTERLY ON SAID NORTHWESTERLY RIGHT-OF-WAY LINE AND ON IT'S NORTHEASTERLY PROLONGATION 1,370 FEET MORE OR LESS TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF YELLOW POLE ROAD;

THENCE EASTERLY ON SAID NORTHERLY RIGHT-OF-WAY LINE AND ON IT'S EASTERLY PROLONGATION 4,467 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION 22;

THENCE SOUTH ON SAID EAST LINE, 86 FEET MORE OR LESS TO THE POINT OF BEGINNING.

EXCEPT:

A TRACT OF LAND IN PART OF THE NW1/4 SE1/4 S21, T75, R43, POTTAWATTAMIE COUNTY, IOWA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF THE NE 1/4 SE 1/4 SEC. 21; THENCE NORTHLY ALONG THE EAST LINE OF THE SE 1/4 OF SAID SEC. 21 A DISTANCE OF 375.54 FEET; THENCE WESTERLY A DISTANCE OF 1419.00 FEET; THENCE NORTH 0°20'57" W (ASSUMED BEARING) TO A POINT 160 FEET NORTHERLY OF MEASURED AT RIGHT ANGLES FROM

THE CENTERLINE OF RELOCATED U.S. HIGHWAY 6, A DISTANCE OF 93.43 FEET TO THE POINT OF BEGINNING; THENCE S 78°55'33"W ALONG THE U.S. HIGHWAY 6 RIGHT-OF-WAY A DISTANCE OF 321.70 FEET; THENCE NORTH 81°30'19"W A DISTANCE OF 256.35 FEET; THENCE S83°10'41"W A DISTANCE OF 299.70 FEET; THENCE S77°02'41"W A DISTANCE OF 151.24 FT; THENCE S89°23'04"W A DISTANCE OF 49.42 FT; THENCE N40°21'33"W A DISTANCE OF 134.24 FT; THENCE N7°10'26"W A DISTANCE OF 215.74 FT. TO A POINT 2013.01 FEET NORTHERLY OF AND 31.62 FT. EASTERLY OF THE S1/4 CORNER OF SAID SEC. 21; THENCE N90°00'00"E A DISTANCE OF 1176.15 FEET; THENCE S0°20'57"E A DISTANCE OF 222.38 FT. TO THE POINT OF BEGINNING, CONTAINING 7.145 ACRES MORE OR LESS

SAID PARCEL CONTAINS AN AREA OF 434.6 ACRES, MORE OR LESS.

Section 2. That the revised Urban Renewal Plan, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as the "Kanesville Urban Renewal Plan for the Kanesville Urban Renewal Area"; the City Clerk is hereby directed to file a certified copy of the revised Urban Renewal Plan with the proceedings of this meeting.

Section 3. That the findings and conclusions set forth or contained in the revised Urban Renewal Plan and the Authorizing Resolution concerning the area of the City of Council Bluffs, State of Iowa, as corrected hereby, be and the same are hereby ratified and confirmed in all respects as the findings of this Council for this area.

Section 4. That all other provisions of the Authorizing Resolution and the Urban Renewal Plan not affected or otherwise revised by this resolution, be and the same are hereby ratified, confirmed and approved in all respects.

PASSED AND APPROVED this 7th day of April, 2025.

Mayor

ATTEST:

City Clerk

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

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 8th day of April, 2025.

(SEAL)

City Clerk, City of Council Bluffs, State of Iowa

Council Communication

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

Liquor Licenses
ITEM 9.A.

Council Action: 4/7/2025

Description

1. 7 Days Mart, 501 South 21st Street
2. Barley's, 114 West Broadway (Special Event)
2. Lansky's, 1131 North Broadway
3. Maggie's Rodeo Saloon, 164 West Broadway
4. St. Alberts Catholic Schools, 400 Gleason Avenue (Special Event)
5. Sakura Sushi & Hibachi, 3502 Metro Drive

Background/Discussion

See attached for calls for service.

Recommendation

ATTACHMENTS:

Description

[Liquor Licenses](#)

Type

Other

Upload Date

4/1/2025

CBPD ALCOHOL PERMIT RENEWAL REVIEW

	ESTABLISHMENT	ADDRESS	OWNER	RENEWAL DATE
1.	7 Days Mart	501 S 21st		
2.	Barley's	114 W Broadway		
3.	Lansky's	1131 N Broadway		
4.	Maggie's Rodeo Saloon	164 W Broadway		
5.	St Alberts Catholic Schools Auction	400 Gleason Ave		
6.	Sakura Sushi and Hibachi	3502 Metro Dr		
7.				

	CITATIONS	CFS*	NEXUS*	GREEN*	YELLOW*	RED*	
1.	0	0	1	X			*CFS - Calls in the area, establishment mentioned
2.	0	9	3		X		*Nexus - Calls originated at establishment
3.	0	3	3	X			
4.	0	1	6		X		
5.	0	2	3	X			*Green - No issues
6.	0	1	0	X			*Yellow - Minor issues
7.							*Red - Major issues

COMMENTS

*Additional information relating to the CFS can be made available upon request

SIGNATURE Mark Galvan

Printed by Mark Galvan
on 10/10/2019 at 10:10 AM
for the Chief of Police
of the City of Dallas
Dallas Police Department
10/10/2019 10:10 AM

7 Days Mart: LE0004082

Premise Street : 501 South 21st Street

Application Number : App-218166

Class E Retail Alcohol License

> Application Type
Renewal

Tentative Effective Date
2025-05-26

Tentative Expiration Date
2026-05-25

Application Status ?
Submitted to Local Authority

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE _____	Local Amt _____	
FIRE _____	Endorsed _____	
BUILDING <u>10</u>	Issued <u>5-26-2025</u>	
ZONING _____	Expires <u>5-25-2026</u>	
	Council <u>4-7-2025</u>	

Barley's- LC0031431

Premise Street : 114 W Broadway

Application Number : App-216854

Class C Retail Alcohol License

Application Type Amendment	Tentative Effective Date 2024-07-15	Tentative Expiration Date 2025-07-14	Application Status ? Pending Dramshop Review
License Length 12 Month	Local Authority City of Council Bluffs	Dramshop	Corporation Name Repetitions, Inc.
Privileges and Sub Permits	Licensee Consented for Automatic Renewal	Amendment Type Outdoor Service	

"Cheers for CBS Schools"

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

* Please provide a description of the area you intend to use for the Outdoor Service Privilege and explain its relationship to the currently-licensed premises. The Outdoor Service area must be contiguous to your current premises.

Is this a permanent or temporary outdoor service area?

Temporary

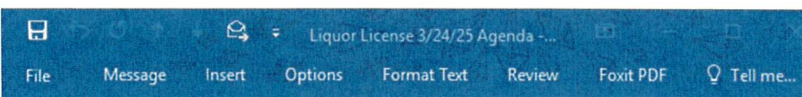
ending property line to have beer tent on street in front of restaurant for event

* Start Date

May 9, 2025

* End Date

May 9, 2025



i This message was sent on 3/14/2025 9:41 AM.
Reply Totals: Approve 3; Reject 0

Recipient	Read	Response
Alex Ford	Read: 3/14/2025 10:12 AM	Approve: 3/14/2025 10:12 AM
Christopher Gibbons		Approve: 3/14/2025 9:47 AM
Mark Galvan	Read: 3/17/2025 10:49 AM	Approve: 3/17/2025 10:51 AM
Rodney Schultz	Read: 3/14/2025 9:42 AM	

Lansky's- BW0091828

Premise Street : 1131 N Broadway

Application Number : App-217035

Special Class C Retail Alcohol License

>	Application Type	Tentative Effective Date	Tentative Expiration Date	Application Status ?
	Renewal	2025-04-12	2026-04-11	Submitted to Local Authority

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE _____	Local Amt	\$337.50
FIRE _____	Endorsed	_____
BUILDING <u>BD</u>	Issued	4-12-2025
ZONING _____	Expires	4-11-2026
	Council	4-7-2025

Maggie's Rodeo Saloon- LC0049553

Premise Street : 164 West Broadway

Application Number : App-218298

Class C Retail Alcohol License

> Application Type
Renewal

Tentative Effective Date
2025-04-15

Tentative Expiration Date
2026-04-14

Application Status ?
Submitted to Local Authority

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE _____	Local Amt	<u>812.50</u>
FIRE _____	Endorsed	_____
BUILDING <u>KS</u>	Issued	<u>4-15-2025</u>
ZONING _____	Expires	<u>4-14-2026</u>
	Council	<u>4-7-2025</u>

Saint Albert Catholic Schools Auction

Premise Street : 400 Gleason Avenue

Application Number : App-217521

Class C Retail Alcohol License

Application Type New	Tentative Effective Date 2025-04-26	Tentative Expiration Date 2025-04-30	Application Status ? Submitted to Local Authority
License Length 5 Day	Local Authority City of Council Bluffs	Dramshop	Corporation Name COUNCIL BLUFFS AREA CATHOLIC EDUCATIONAL SYSTEMS, INC.
Privileges and Sub Permits	Licensee Consented for Automatic Renewal		

<input type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input checked="" type="checkbox"/> SPECIAL EVENT
POLICE _____	Local Amt <u>\$101.56</u>	
FIRE _____	Endorsed _____	
BUILDING <u>10</u>	Issued _____	
ZONING _____	Expires _____	
	Council <u>4-7-2025</u>	

Sakura Sushi & Hibachi LLC- LC0042476

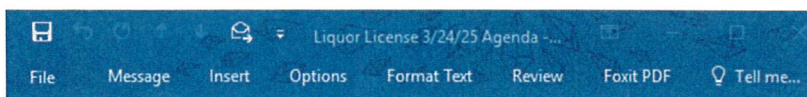
Premise Street : 3502 Metro Dr

Application Number : App-217180

Class C Retail Alcohol License

>	Application Type Renewal	Tentative Effective Date 2025-04-13	Tentative Expiration Date 2026-04-12	Application Status Submitted to Local Authority
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<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE _____	Local Amt _____	
FIRE _____	Endorsed _____	
BUILDING <u>KS</u>	Issued <u>4-13-2025</u>	
ZONING _____	Expires <u>4-12-2026</u>	
	Council <u>3-24-2025</u>	



This message was sent on 3/14/2025 9:41 AM.
Reply Totals: Approve 3; Reject 0

Recipient	Read	Response
Alex Ford	Read: 3/14/2025 10:12 AM	Approve: 3/14/2025 10:12 AM
Christopher Gibbons		Approve: 3/14/2025 9:47 AM
Mark Galvan	Read: 3/17/2025 10:49 AM	Approve: 3/17/2025 10:51 AM
Rodney Schultz	Read: 3/14/2025 9:42 AM	

Council Communication

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

Noise Variance
ITEM 9.B.

Council Action: 4/7/2025

Description The Dock - Live music on weekends May - October until 11:30pm.
Background/Discussion See attached calls for service.
Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Noise Variance Request	Other	4/1/2025

NOISE VARIANCE REQUEST

APPLICATION DATE: 3-18-25
REQUESTING PERSON:
NAME: Joe Disalvo / The Dock Bar & Grill
MAILING ADDRESS: 401 Vets Memorial Highway
PHONE NUMBER: 408 - 917 - 0115
EMAIL: The Dock CB @ Gmail, Com
ORGANIZATION/EVENT: Dock Summer Series
EVENT LOCATION: 401 Veterans Memorial Highway
EVENT DATE: May 1st - Oct 5th
EVENT TIME: 5:pm - 11:30 pm

EXPLAIN SOURCE OF NOISE AND SPECIFIC HOURS OF NOISE:

Live music & people talking

Please return to the City Clerk's Office, 209 Pearl Street, Ste. 102, Council Bluffs, IA 51503
Phone Number: 712-890-5261

Please Note: This application is approved/disapproved by the City Council. Applications **MUST** be received 15 days before the event, to ensure enough time to be reviewed by City Council.

City Council met on _____, 20____, regarding this application requesting noise variance as described above.

- ☐ DENIED
☐ APPROVED
☐ APPROVED WITH FOLLOWING STIPULATION

The Police have the authority to cease music or require reduction of volume for the remainder of event if complaints are received.

City Clerk

Date

Council Communication

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

Noise Variance
ITEM 9.C.

Council Action: 4/7/2025

Description Bikes on The 100 Block - Live band until 10:30pm.
Background/Discussion
Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Noise Variance Request	Other	4/1/2025

NOISE VARIANCE REQUEST

APPLICATION DATE: 3/4/25

REQUESTING PERSON:

NAME: Bobby Edwards / Edwards Motorsports

MAILING ADDRESS: 1010 34th Avenue, Council Bluffs IA 51501

PHONE NUMBER: 402-881-1335

EMAIL: chris@slingshotpromotions.com / bobby.edwards82@gmail.com

ORGANIZATION/EVENT: Bikes on The 100 Block

EVENT LOCATION: Council Bluffs 100 Block

EVENT DATE: Thursdays -- May 15, June 19, July 17, August 21, September 18 2025

EVENT TIME: NOON-1130PM

EXPLAIN SOURCE OF NOISE AND SPECIFIC HOURS OF NOISE:

Live band on main stage from 5PM-1030PM

Please return to the City Clerk's Office, 209 Pearl Street, Ste 102, Council Bluffs, IA 51503
Phone Number: 712-890-5261.

Please Note: This application is approved/disapproved by the City Council. Applications **MUST** be received 15 days before the event, to ensure enough time to be reviewed by City Council.

City Council met on _____, 20____, regarding this application requesting noise variance as described above.

APPROVED ()

DISAPPROVED ()

APPROVED WITH STIPULATION ()

The Police have the authority to cease music or require reduction of volume for the remainder of event if complaints are received.

City Clerk

Date