



**Study Session Agenda
City of Council Bluffs, Iowa
October 7, 2019, 3:45 PM
Council Chambers, 2nd Floor, City Hall
209 Pearl Street**

STUDY SESSION AGENDA

- A. Facility Needs Assessment - HGM
- B. Policy Review Committee Update – Jon Finnegan
- C. Review Agenda



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

AGENDA

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER

3. CONSENT AGENDA

- A. Approval of Agenda & tape recordings of these proceedings to be incorporated into the official minutes.
- B. Reading, correction and approval of the September 23, 2019 City Council Meeting Minutes.
- C. Resolution 19-228
Resolution authorizing transfers between funds under Iowa Code 545-2 for FY19.
- D. Resolution 19-229
Resolution of intent to dispose of and setting a Public Hearing for October 21, 2019 at 7:00 p.m. for City property legally described as Lots 9 and 10, Block 6 and the east ½ of the vacated alley on the west and the west ½ of the adjacent alley on the east lying south of the railroad, Howards Subdivision. Location: formerly addressed as 1212 17th Avenue. OTB-19-026
- E. Council Bluffs Public Library Annual Report
- F. Claims

4. MAYORS PROCLAMATIONS

- A. Fire Prevention Week

5. PUBLIC HEARINGS

- A. Resolution 19-230
Resolution to dispose of City property generally described as being a portion of Lot 3, Marian Price Addition; a portion of Lots 9 and 10, Southland Gardens; and a portion of Lots 5 and 6, Block 25, Bayliss 3rd Addition. Location: South of 2806 S. 7th Street, 2805 S. 8th Street, and 711 28th Avenue. OTB-19-021

B. Resolution 19-231

Resolution to dispose of City property described as the portion of Lot 3, Block 35, Everett's Addition lying southeasterly of the Union Avenue right-of-way. Location: formerly addressed as 812 S. 17th Street. OTB-19-025

6. ORDINANCES ON 1ST READING

A. Ordinance 6402 (Continued from 9-23-19)

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

7. RESOLUTIONS

A. Resolution 19-232

Resolution officially designating the City Council meeting dates for the City of Council Bluffs during the 2020 calendar year.

B. Resolution 19-233

Resolution authorizing the Mayor to execute Iowa Department of Transportation Agreement No. 4-19-STBG-SWAP-014 in connection with the CBIS Segment 4 Sewer Relocations. Project # PW17-15

C. Resolution 19-234

Resolution approving the use of 2020 Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) program funds and directing the Mayor to submit the 2020 Annual Plan to the City of Omaha and the U.S. Department of Housing and Urban Development (HUD.)

D. Resolution 19-235

Resolution authorizing the release of a perpetual and permanent sanitary sewer easement across a portion of Parcel 'A' in the southeast quarter of Section 4-74-44, and being more particularly described on Attachment B. Location: Lying West of Interstate 29, East of River Road, and South of Nebraska Avenue. MIS-19-003

E. Resolution 19-236

Resolution selecting Knudson Companies as the preferred developer for approximately 8.5 acres of City-owned land at South 34th Street and 1st Avenue and to enter into a purchase, sale, and development agreement.

8. APPLICATIONS FOR PERMITS AND CANCELLATIONS

A. Liquor Licenses

1. Casey's General Store #3050, 510 23rd Ave
2. Fareway Stores, Inc. #073, 310 McKenzie Ave
3. Hy-Vee Clubroom #2, 1745 Madison Ave
4. Mo Fish, 2403 Nash Blvd
5. Rustic Cuts, 501 Veterans Memorial Hwy
6. St. Patrick's Catholic Church, 4 Valley View Dr (new)
7. Spillway Grill and Bar, 1840 Madison Ave, Ste 8 (special event)

9. OTHER BUSINESS

10. CITIZENS REQUEST TO BE HEARD

11. ADJOURNMENT

DISCLAIMER:

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

Council Communication

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

Review Agenda
ITEM C.

Council Action: 10/7/2019

Description

Background/Discussion

Recommendation



City Council Meeting Minutes September 23, 2019

CALL TO ORDER

Mayor Matthew Walsh called the meeting to order on Monday September 23, 2019 at 7:00 p.m.

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

Staff Present: Richard Wade and Jodi Quakenbush.

CONSENT AGENDA

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

Resolution 19-216

Resolution accepting the work of Anderson Excavating in connection with the 2nd Avenue Properties Demolition and Restoration Project and authorizing the Finance Department to issue a city check in the amount of \$23,529.68 for final retainage 30 days after acceptance of the work if no claims are filed.

Reading, correction and approval of the September 9, 2019 and September 11, 2019 City Council Meeting Minutes.

Resolution 19-217

Resolution of intent to dispose of and setting a Public Hearing for October 7, 2019 at 7:00 p.m. for City property generally described as being a portion of Lot 3, Marian Price Addition; a portion of Lots 9 and 10, Southland Gardens; and a portion of Lots 5 and 6, Block 25, Bayliss 3rd Addition. Location: South of 2806 S. 7th Street, 2805 S. 8th Street, and 711 28th Avenue. OTB-19-021

Resolution 19-218

Resolution of intent to dispose of and setting a Public Hearing for October 7, 2019 at 7:00 p.m. for City-owned property legally described as the portion of Lot 3, Block 35, Everett's Addition lying Southeasterly of the Union Avenue Right-of-Way. Location: formerly addressed as 812 S. 17th Street. OTB-19-025

July FY20 Financial Reports, Claims & Right of Redemption

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

PUBLIC HEARINGS

Resolution 19-219

Resolution authorizing the Mayor to execute the five year billboard lease agreement with The Lamar Companies.

Melissa Head and Mike Wolf moved and seconded approval of Resolution 19-219. Unanimous, 5-0 vote.

Resolution 19-220

Resolution authorizing the Mayor to execute the purchase agreement for the sale of Lot 1 of the River Road Subdivision.

Sharon White and Nate Watson moved and seconded approval of Resolution 19-220, as amended to eliminate any City contribution towards the broker's fee, but provides for the City assuming the responsibility for other costs anticipated by this transaction so that it results in the parties total financial responsibilities being unchanged. Unanimous, 5-0 vote.

Resolution 19-221

Resolution granting final plat approval of a one-lot residential subdivision to be known as McKenzie Estate, legally described as being a replat of Lots 8 through 10, Block 2 and Lots 3 through 8, Block 3, all in Oak Grove Addition and the vacated Lindberg Drive adjoining said Blocks 2 and 3. Location: East of Madison Avenue and southwest of Grove Street. SUB-19-009

Heard from Justin McKenzie, 5061 S 135th Street, Omaha Melissa Head and Roger Sandau moved and seconded approval of Resolution 19-221. Unanimous, 5-0 vote.

ORDINANCES ON 1ST READING

Ordinance 6402

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

Melissa Head and Mike Wolf moved and seconded approval of Motion to continue First Consideration of Ordinance 6402 to October 7, 2019 at 7:00 p.m. Unanimous, 5-0 vote.

RESOLUTIONS

Resolution 19-222

Resolution accepting the bid of Carley Construction, LLC in the amount of \$717,497.50 for the Mid-America Center Parking Lots Rehab, Phase 2. Project # BM20-01

Sharon White and Melissa Head moved and seconded approval of Resolution 19-222. Unanimous, 5-0 vote.

Resolution 19-223

Resolution amending the planned commercial development plan for properties legally described as Lots 1 and 2, and part of Outlot 1, Plaza at the MARCC relative to signage. Location: 20 and 40 Arena Way. PC-02-002(M1)

Melissa Head and Sharon White moved and seconded approval of Resolution 19-223. Unanimous, 5-0 vote.

Resolution 19-224

Resolution endorsing an application for RISE Program Funding in connection with the Gifford Road Reconstruction, Phase III project.

Mike Wolf and Melissa Head moved and seconded approval of Resolution 19-224. Unanimous, 5-0 vote.

Resolution 19-225

Resolution amending the planned commercial development plan for Lot 1, Bluffs Vision II Subdivision Replat 1 relative to attached signage. Location: 3220 23rd Avenue. PC-03-001(M)

Roger Sandau and Mike Wolf moved and seconded approval of Resolution 19-225. Unanimous, 5-0 vote.

Resolution 19-226

Resolution approving an eighth location for the display of the Iowa West Foundation's art collection on city property in Tom Hanafan River's Edge Park. The piece known as "Looking Up" will be added to the collection and the rights and duties of the parties shall be as set out in the public art license agreement entered between the City and the Foundation on September 22, 2006.

Nate Watson and Melissa Head moved and seconded approval of Resolution 19-226. Unanimous, 5-0 vote.

Resolution 19-227

Resolution approving the City Street Financial Report ending June 30, 2019

Mike Wolf and Melissa Head moved and seconded approval of Resolution 19-227. Unanimous, 5-0 vote.

APPLICATIONS FOR PERMITS AND CANCELLATIONS

Liquor Licenses: 1) Barleys, 114 W Broadway (Special Event) (Contingent on Department approval) 2) Bertha's, 1322 N 16th St 3) Full Fledge Brewing Company, 40 Arena Way, Ste 2 (Special Event) 4) Texas Roadhouse, 3231 S 24th St

Cigarette Permit & Noise Variance Request

Melissa Head and Roger Sandau moved and seconded approval of Application for Permits & Cancellations 7A 1-4, 7B & 7C. Unanimous, 5-0 vote.

CITIZENS REQUEST TO BE HEARD

Heard from Richard Rohrberg, 516 N 38th Street, Travis Gulick, 2806 S. 7th Street and Dave Malone, 1340 Valley View Lane.

ADJOURNMENT

Mayor Walsh adjourned the meeting at 7:19 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: Finance
Case/Project No.:
Submitted by: Marianne Collins

Resolution 19-228
ITEM 3.C.

Council Action: 10/7/2019

Description

Resolution authorizing transfers between funds under Iowa Code 545-2 for FY19.

Background/Discussion

Generally, interfund transfers are made to fund capital projects and made from special revenue funds as required by Iowa Code and City ordinance.

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 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 origination, the name of the fund into which the transfer is to be received and the dollar amount of the transfer.

For FY19 and FY20, transfer resolutions will be brought forward for approval as part of the amended budget and as needed.

For FY21, transfer resolutions will be included with original adopted budget and the amended budget. Any additional transfers will be brought forward as needed.

This resolution allows the City to transfer dollars between funds for purposes outlined on the attached schedule.

Recommendation

Approve the resolution.

ATTACHMENTS:

Description	Type	Upload Date
Inter Fund Transfers 10-07-19	Resolution	9/27/2019
Resolution 19-228	Resolution	10/2/2019

Inter Fund Transfers
Council Meeting: October 7, 2019

Transfer From		Transfer To		Amount	Purpose
Fund Category	Fund Name	Fund Category	Fund Name		
Special Revenue	Employee Benefits Levy	General	Employee Benefits Cost	1,000,689.90	Funding for General Fund as provided by Employee Benefit Levy

Resolution 19-228

Resolution authorizing transfers between funds under Iowa Code 545-2 for FY19.

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: October 7, 2019

Matthew J. Walsh, Mayor

Jodi Quakenbush, City Clerk

Council Communication

Department: Community
Development

Case/Project No.: OTB-19-026
Submitted by: Courtney Harter,
Community Development Project
Coordinator

Resolution 19-229
ITEM 3.D.

Council Action: 10/7/2019

Description

Resolution of intent to dispose of and setting a Public Hearing for October 21, 2019 at 7:00 p.m. for City property legally described as Lots 9 and 10, Block 6 and the east ½ of the vacated alley on the west and the west ½ of the adjacent alley on the east lying south of the railroad, Howards Subdivision. Location: formerly addressed as 1212 17th Avenue. OTB-19-026

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
OTB-19-026 Staff Report	Other	9/27/2019
OTB-19-026 Attachment A - Location Map	Map	9/27/2019
OTB-19-026 Attachment B - Letter of Intent	Letter	9/27/2019
OTB-19-026 Public Hearing Notice	Other	9/27/2019
Resolution 19-229	Resolution	10/2/2019

Council Communication

<p>Department: Community Development</p> <p>CASE # OTB-19-026</p> <p>Applicant: Miguel Santacruz USA Builders LLC 2423 S 8th Street Council Bluffs, Iowa 51501</p>	<p>Resolution of Intent No. _____</p> <p>Resolution to Dispose No. _____</p>	<p>Set Public Hearing: 10/7/19</p> <p>Public Hearing: 10/21/19</p>
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Subject/Title

Request of the Community Development Department to dispose of the property generally located at 1212 17th Avenue to USA Builders, LLC (Miguel Santacruz) for the construction of a new single-family house to be sold to a family at or below 80% of the median family income.

Lots 9 and 10, Block 6 and the east ½ of the vacated alley on the west and the west ½ of the adjacent alley on the east lying south of the railroad, Howards Subdivision, City of Council Bluffs, Pottawattamie County, Iowa. The property is locally known as 1212 17th Avenue.

Background/Discussion

In 2018, the Community Development Department acquired the house located at 1212 17th Avenue through the Community Development Block Grant (CDBG) program as part of its continued efforts in the Sunset Park neighborhood. The previous dilapidated house was demolished and the land prepped for new development. On September 4, 2019, the City released a Request for Proposals from developers to construct a new single-family unit on the property that would be sold to a family at or below 80% of the median family income to meet CDBG program guidelines. On September 25, 2019, RFP responses were due and USA Builders, LLC submitted the only proposal.

The property is classified as and ‘buildable’ and ‘transitional preserve.’ The ‘preserve’ designation allowed Community Development staff to complete the required CDBG disposition process. The applicant commits to constructing a new, affordable residential unit within one year that will be sold to a homebuyer meeting the CDBG income guidelines.

The applicant’s RFP response requested the lot be sold for \$14,000 with a home sales price of \$163,000. However, Community Development staff questioned the affordability of this sales price to someone at or below 80% of the median family income. As negotiated between CD Staff and Mr. Santacruz, he will lower his maximum sales price to \$149,000 with the \$14,000 lot price being forgivable. This is a reasonable solution given the federal restrictions on the use of the lot.

The subject property is 78 feet wide by 142 feet deep, and is 10,244 square feet in size, which exceeds all site development standards for a property located in the R-3/Low Density Multi-Family Residential District. The property is large enough to accommodate a residential dwelling, as the applicant has proposed. The property is located in the Flood Zone X protected by the levee.

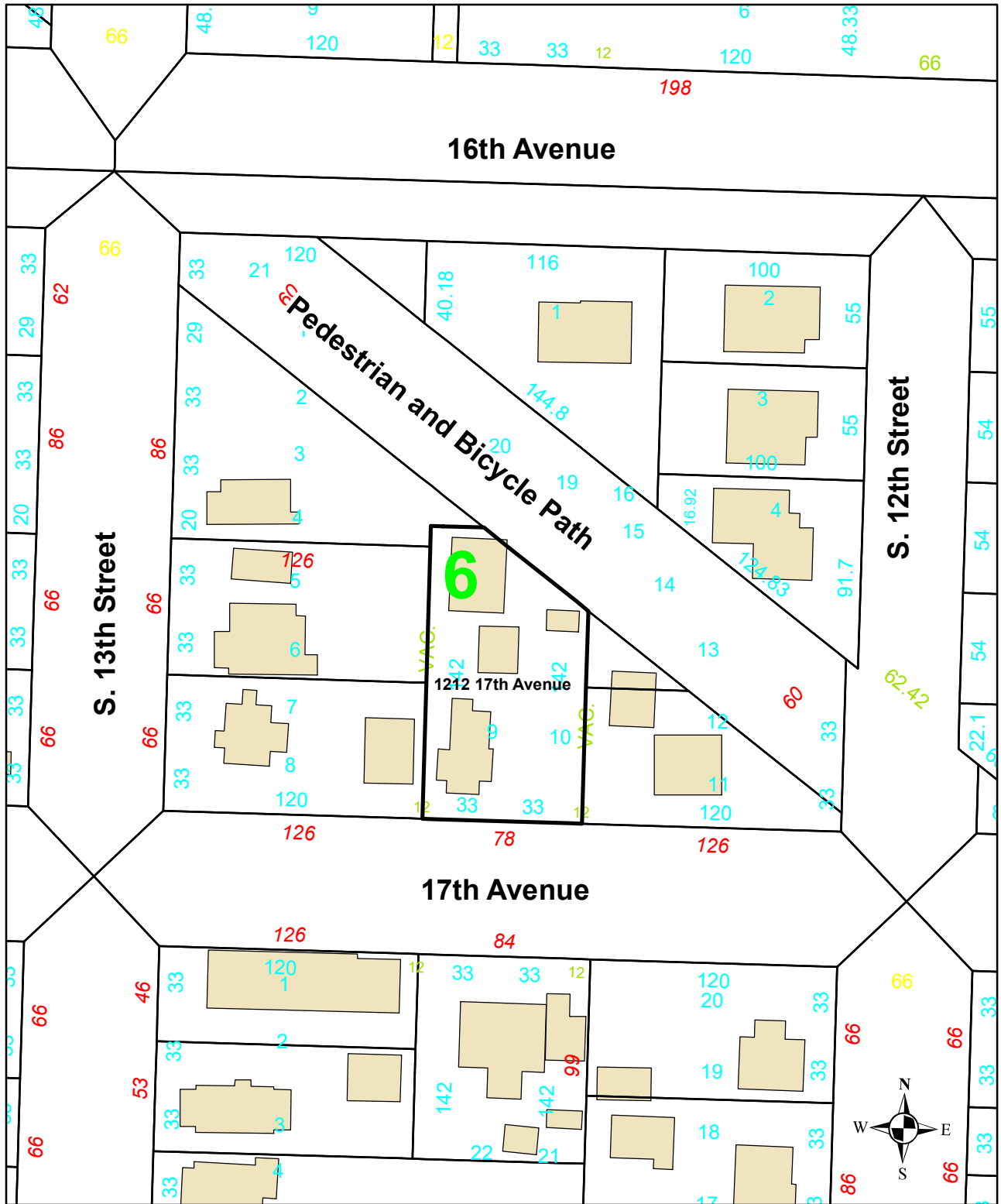
Recommendation

The Community Development Department recommends setting a public hearing on the disposal of the property legally described as Lots 9 and 10, Block 6 and the east ½ of the vacated alley on the west and the west ½ of the adjacent alley on the east lying south of the railroad, Howards Subdivision, City of Council Bluffs, Pottawattamie County, Iowa on the October 21, 2019 City Council Meeting.

Attachment A: Location map

Attachment B: Letter of Intent

Prepared By: Courtney Harter, Community Development Project Coordinator





To whom a may concern, USA Builders LLC is proposing to construct a Single-Family Housing Unit that will be located at 1212 17th Avenue Council Bluffs IA, 51501. We are planning on a Two Story Home with three bedrooms and two bathrooms, that will be 1,120 square feet plus a two car garage. We propose to buy the lot for \$14,000 and we plan to pay the lot once our proposition is accepted. Our estimated sale price is \$163,000. If you have any questions, please contact me at 712-314-8741.

Miguel Santacruz
miguelsantacruz@gmail.com

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

RESOLUTION NO. 19-229

A RESOLUTION OF INTENT TO DISPOSE OF CITY PROPERTY DESCRIBED AS LOTS 9 AND 10, BLOCK 6 AND THE EAST ½ OF THE VACATED ALLEY ON THE WEST AND THE WEST ½ OF THE ADJACENT ALLEY ON THE EAST LYING SOUTH OF THE RAILROAD, HOWARDS SUBDIVISION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA..

WHEREAS, the City has received an offer from USA Builders, LLC Miguel Santacruz to purchase the City owned property described as Lots 9 and 10, Block 6 and the east ½ of the vacated alley on the west and the west ½ of the adjacent alley on the east lying south of the railroad, Howards Subdivision, City of Council Bluffs, Pottawattamie County, Iowa.

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

That the City does hereby express its intent to dispose of City owned property described as Lots 9 and 10, Block 6 and the east ½ of the vacated alley on the west and the west ½ of the adjacent alley on the east lying south of the railroad, Howards Subdivision, City of Council Bluffs, Pottawattamie County, Iowa.; and

BE IT FURTHER RESOLVED

That a public hearing be scheduled for October 21, 2019.

ADOPTED
AND
APPROVED: October 7, 2019

Matthew J. Walsh Mayor

ATTEST: _____
Jodi Quakenbush City Clerk



20
19

Annual Report Fiscal Year 2018-19
Council Bluffs Public Library



MESSAGE FROM THE LIBRARY DIRECTOR

August 2018 marked the 20th year that the Council Bluffs Public Library has been in the building at 400 Willow Ave. We celebrated with an event for the community featuring Jeff Koterba, American editorial cartoonist based in Omaha. After 20 years in the building, it was time to give the building a facelift. All six restrooms received new partitions, sinks, and countertops, and Teen Central acquired a beautiful new service desk purchased by the Council Bluffs Public Library Foundation.

It's been a banner year for programs! The Youth Service staff continues to take story times to daycares and schools throughout the community. Many adult programs had a history theme this year, which is always popular.

We continue to partner with the Omaha Public Library and offer a "Library Pass" program, now offering the Henry Doorly Zoo, Fontenelle Forest, Omaha Children's Museum, Lauritzen Gardens, and the B-Bicycle bike rental. We also partner with many organizations in Council Bluffs for programming including, Raise me to Read, UP Museum, YMCA, Council Bluffs Public Works, the Council Bluffs Community Schools, Lutheran Family Services, Centro Latino, YMCA Senior Center, American Red Cross, Country House Memory Care, IWCC, and many more.

We had three staff members retire. Stephanie Holmes, Patty Daub, and Marcia Steffensen worked a total of 50 years at the library.

We look forward to serving you in the coming year with outstanding programs and opportunities for creative engagement, all while maintaining a stellar collection of books, music, films, and "things," both physical and digital, to entice all members of our community.

2018 Board Members

Matt Garst, President
Buck Christensen, VP
Alison Smith, Secretary
Anne Rohling
Stacey Goodman
Kathy Penkert
Leo Martin
Cindy Keithley
Jeff Snow

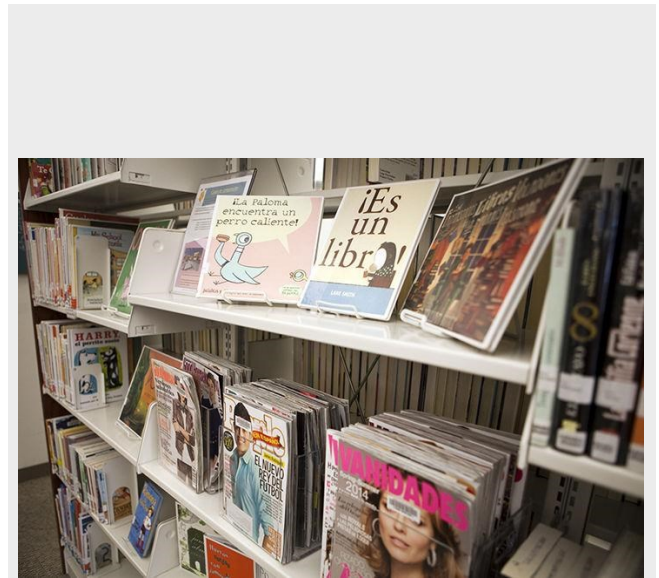


Library Director Kathy Rieger

SOMETHING FOR EVERYONE

Collections & Circulation

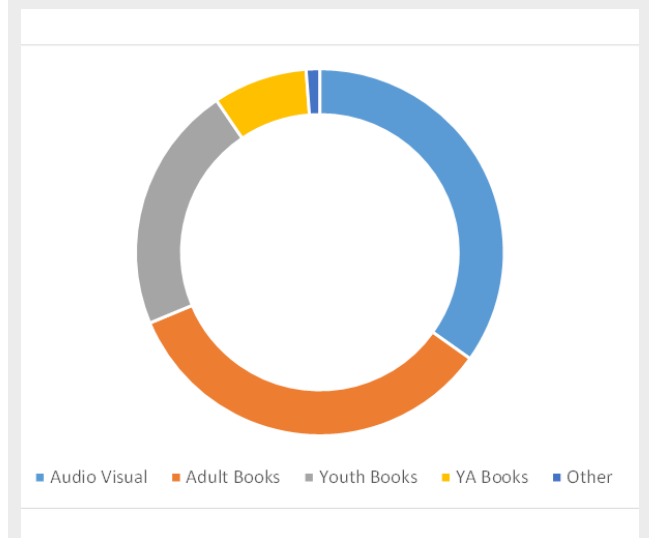
- The community checked out 379,993 physical items
- 11,646 new items were added to library collections
- 3,043 new library cards were issued
- 5,274 items were borrowed from or loaned to other libraries
- 25,404 holds were placed on library materials



The library has a growing collection of materials in Spanish.



Library patron selecting a new book.

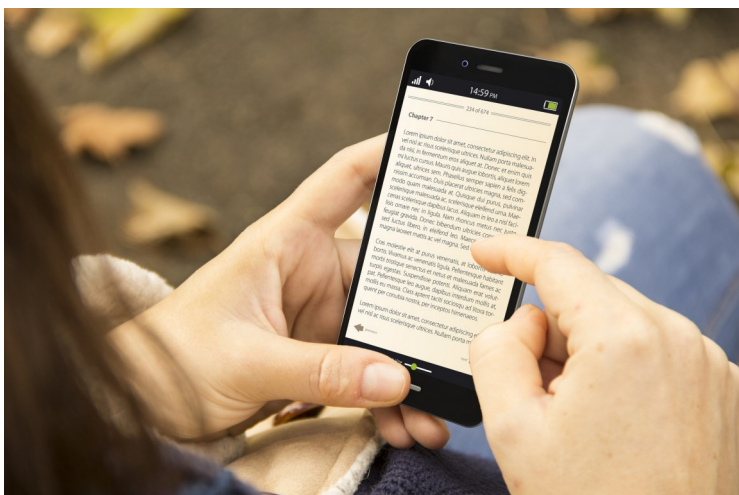


Checkouts of physical materials by media type.

2018-19 HIGHLIGHTS

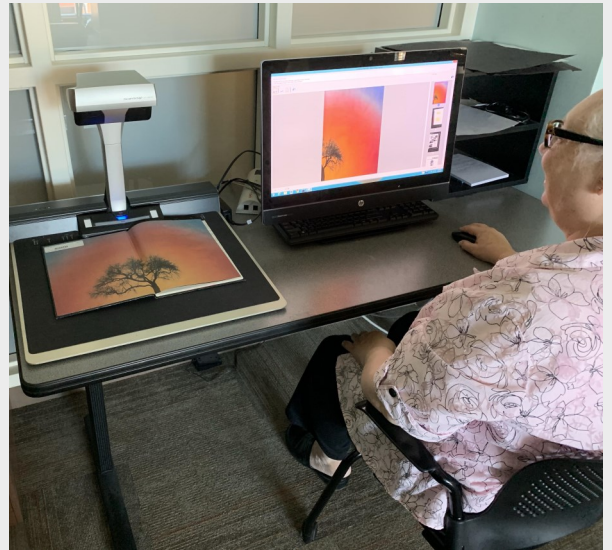
Innovation & New Technologies

- Community users downloaded **61,821** eBooks and eAudiobooks
- The Library increased digital services by offering thousands of video tutorials from LinkedIn Learning
- Volunteers digitized historic City Directories and school yearbooks into a searchable online archive.
- Patrons downloaded **72,765** historic newspaper articles
- There were **208,000** unique website sessions
- Patrons accessed **435,962** digital resources from library database collections



Library patron reading an eBook.

"Technology help at the Reference Desk was wonderful. All my questions were answered and staff helped me clean up my computer. I just can't say enough about how helpful they are," - Comment Card.



Library volunteer scanning historic Council Bluffs yearbooks.



Teens using a library iPad.

2018-19 HIGHLIGHTS

Teen Central

- 14,827 teens attended library programs
- Library staff visited area Middle Schools for lunch-time book discussions
- 824 Middle School students were bussed to the library for Monday Funday afterschool programs
- 290 teens took part in Movies with Friends—watching preapproved films through a wireless receiver connected to five sets of headphones
- The Library added Opposing View Points—a database to help students with research papers
- Teen Central Staff delivered 420 programs
- Patrons checked out 31,458 Young Adult books
- Teen volunteers gave 462 hours of their time to assist with library services and programs



Teens enjoying Movies with Friends service in Teen Central.



Boredom Busters offer self-directed crafts and activities all day, every day.



Youth Services



The Youth Department partnered with Bloomer Elementary and Country-House Residence for Memory Care to provide a monthly intergenerational story time. Stories, songs, and activities help with memory and build relationships between the residents and the children.

Eric Litwin—original author of the Pete the Cat, The Nuts, and Groovy Joy – visited the library. Eric entertained audiences in three public shows and a school visit. This program was a partnership between the library, Raise Me to Read, the Alice Wells Memorial Fund, and the Friends of the Council Bluffs Library.



The library added five new Kindergarten groups to its outreach schedule. The library now delivers a total of 56 outreach story times to daycares, preschools, and Kindergarten classrooms throughout the community.



The Youth Department presented 782 programs for children. These programs were attended by 30,534 people.

Attendance at Saturday Drop-In programs increased by 45% this year! These events offer school age patrons a variety of high interest activities.



The library was a partner site for the Council Bluffs School District's 21st Century Grant this year, providing weekly clubs for students from Rue, Bloomer, and Edison. Each student in the club got a library card, checked out materials, and participated in a weekly activity.

2018-19 HIGHLIGHTS

Community Partnerships

- In partnership with Centro Latino and IWCC, the Library hosted HiSet classes in Spanish. Last year six students **graduated**, receiving their high school equivalency
- Through the Homebound Program, the library delivered **3,190** items to patron who cannot visit the library due to advanced age, long term illness, or disability.
- The library began checking out passes to area attractions. This partnership with Fontenelle Forest, Lauritzen Gardens, Heartland B-cycle, Omaha Children’s Museum, and the Henry Doorly Zoo allows community members to experience local cultural attractions. **796** patrons checked out passes.
- The library hosted staff from Google for a day of learning. The **Grow With Google** event offered workshops and one-on-one consultations for digital learners and local businesses.



Graduates of high school equivalency program.



Homebound patron enjoys a library book.



Google Staff answering questions from the community.



PUBLIC COMPUTER USE

Public Computers provide access to our patrons to assist them with job seeking, searching for housing, booking appointments, homework, and more.



Vibrant & Accessible Community Spaces

- The library offered 1,544 programs that were attended by 53,242 people
- Community groups rented the library's five meeting rooms for 2,164 events
- 134,043 people entered the library building on 400 Willow
- The community asked 44,721 reference questions



FUNDING SOURCES

Friends of the Library – \$9,357
Contract Towns – \$11,008
Gifts and Memorials – \$50,000
Library Foundation – \$186,326
Pottawattamie County – \$241,122
City of Council Bluffs – \$2,761,717

EXPENDITURES

Staff Development – \$10,597
Office & Operating – \$36,820
Contracts – \$125,633
Repairs & Maintenance – \$165,174
Books & Memorials – \$270,078
Personnel – \$1,836,417

STAFFING

PROFESSIONAL	8
TOTAL	39
VOLUNTEER HOURS	1,898

"I have recently moved to Council Bluffs and I just wanted to say that I love the Council Bluffs Public Library and everything that Council Bluffs has to offer."

- Library Patron Comment Card

Council Bluffs Public Library
400 Willow Ave
Council Bluffs, IA 51503
712-323-7553
www.councilbluffslibrary.org



*******NOTICE OF CLAIM*******

Date: 09-16-2019

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

19-PW-2030

To: CITY OF COUNCIL BLUFFS
CITY CLERK
209 PEARL ST
COUNCIL BLUFFS, IA 51501

CERTIFIED MAIL# 92148901066154000142458628

RE: Damage to COX Property

COX Claim Num: UNO000031168491
Damage/Discovery Date: 09-12-2019
Damage Location: 3400 S EXPRESSWAY ST, COUNCIL BLUFFS, IA
Damage County: UNKN
Damage Amount: UNDETERMINED

Dear Sir/Madam:

Please be advised that COX Facilities sustained damage as a result of the negligent acts or omissions by employees or agents of CITY OF COUNCIL BLUFFS .

Investigation has revealed that on or about 09-12-2019 employees or agents of CITY OF COUNCIL BLUFFS, ARCHON CONSTRUCTION WAS DOING GAS WORK FOR THE CITY OF COUNCIL BLUFFS AND DAMAGED A COX CABLE in the area of 3400 S EXPRESSWAY ST, COUNCIL BLUFFS, IA.

REQUEST FOR GOVERNMENTAL NOTICE FORM

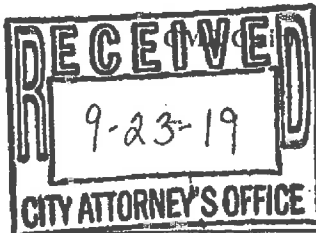
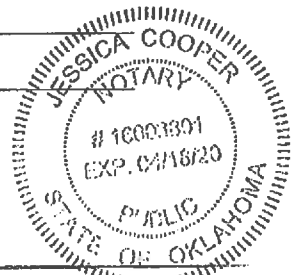
If your Governmental Entity requires the completion of its own form to complete proper notice, please forward a copy to the address listed above. Every good faith effort has been made to identify the proper office and address to perfect our notice. Please forward to your attorney, if misdirected, to contact us. Matters herein stated are alleged on information and belief this pleader believes to be true. If there is insurance to cover this matter, kindly advise as to the name of the insurance company, its address and the claim number assigned. If you have any questions, or need additional information, please contact me at 1-800-321-4158 ext 8232.

CLERK RCVD
23 SEP'19
PM3:01

Sincerely,
Chelsea Dongelewic

Chelsea Dongelewic

NOTARY *[Signature]*
Commission Expires 4/10/20



CLAIMS MANAGEMENT RESOURCES

Phone 405.606.8200 | P.O. Box 60770, Oklahoma City, OK 73146 | www.cmrclaims.com

19-PW-2029

*******NOTICE OF CLAIM*******

Date: 09-09-2019

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

To: CITY OF COUNCIL BLUFFS
CITY CLERK
209 PEARL ST
COUNCIL BLUFFS, IA 51501

CERTIFIED MAIL# 92148901066154000142227859

RE: **Damage to COX Property**

COX Claim Num: ESR000003034108
Damage/Discovery Date: 09-05-2019
Damage Location: 1200 6TH AVE, COUNCIL BLUFFS, IA
Damage County: UNKN
Damage Amount: UNDETERMINED

Dear Sir/Madam:

Please be advised that **COX** Facilities sustained damage as a result of the negligent acts or omissions by employees or agents of CITY OF COUNCIL BLUFFS .

Investigation has revealed that on or about 09-05-2019 employees or agents of CITY OF COUNCIL BLUFFS, THE CITY OF COUNCIL BLUFFS WAS DOING SEWER WORK AND DAMAGED A COX CABLE in the area of 1200 6TH AVE, COUNCIL BLUFFS, IA.

REQUEST FOR GOVERNMENTAL NOTICE FORM

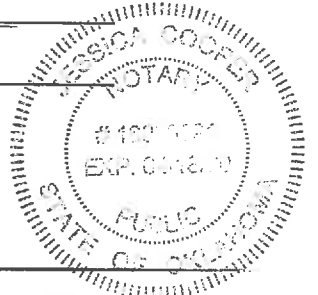
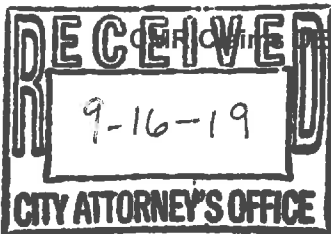
If your Governmental Entity requires the completion of its own form to complete proper notice, please forward a copy to the address listed above. Every good faith effort has been made to identify the proper office and address to perfect our notice. Please forward to your attorney, if misdirected, to contact us. Matters herein stated are alleged on information and belief this pleader believes to be true. If there is insurance to cover this matter, kindly advise as to the name of the insurance company, its address and the claim number assigned. If you have any questions, or need additional information, please contact me at 1-800-321-4158 ext 8232.

CLERK RCVD
17 SEP 19
AM 10:58

Sincerely,
Chelsea Dongelewic

Chelsea Dongelewic

NOTARY *[Signature]*
Commission Expires 4/12/20



CLAIMS MANAGEMENT RESOURCES

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

CITY CLAIM NO. 19-PW-2031

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Nicole Reding DAY PHONE: 402-871-6545

ADDRESS: 6430 N. 77th St Omaha NE 68134 DOB: 3-16-73

DATE & TIME OF LOSS/ACCIDENT: Sat Sep 14, 2019 10:30 pm

LOCATION OF LOSS/ACCIDENT: Alley behind 116 S. 7th St Council Bluffs, IA

DESCRIPTION OF LOSS/ACCIDENT:

My daughter went to visit her boyfriend at this address
after work Sat Sep 14, 2019. She went to park by the back door
which requires her to drive in the Alley to get to the parking pad →

TOTAL DAMAGES CLAIMED: \$

WITNESS(ES) (Name(s), Address(es), Phone No(s)): Monique Oliver (driver of the car at the
time) 6430 N. 77th St Omaha NE 68134 402-218-6526

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 NA

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

OTHER RELEVANT INFORMATION: Photos + invoices attached description above

LIST INSURANCE PROVIDER AND COVERAGE: Allstate full coverage - did not file w/ insurance

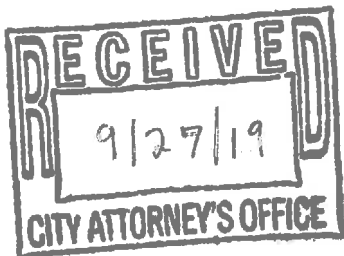
I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IN SUPPORT OF MY CLAIM IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

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

9-24-19

DATE

Nicole Reding
CLAIMANT'S SIGNATURE



AM:27
30 SEP 19
CLERK RUD

by the door. The Alley is full of (basically nothing but)
Pot holes impossible to drive around. The Car (2011 Nissan
Sentra) sits close to the ground. She hit one of the pot
holes & it took off the Protective Plastic Cover under
The front of the car (pits provided) & punctured a hole in
the gas tank. I have contacted Dulovic works who
said the would send a truck out to fill the holes
w/ gravel & suggested I submit This Claim.
My daughter goes over here several times a week
& neither one of us can able to afford repairs
if they would happen again. I appreciate your
time & consideration of this claim. Thank you

City of Council Bluffs Iowa

Office of the Mayor

Proclamation

- WHEREAS,** the city of Council Bluffs, Iowa is committed to ensuring the safety and security of all those living in and visiting Council Bluffs; and
- WHEREAS,** fire is a serious public safety concern both locally and nationally, and homes are where people are at greatest risk from fire; and
- WHEREAS,** U.S. fire departments responded to 382,397 home fires in 2017, according to the National Fire Protection Association (NFPA); and
- WHEREAS,** U.S. home fires resulted in 2,739 civilian deaths in 2017, representing the majority (80 percent) of all U.S. fire deaths; and
- WHEREAS,** in one-fifth of all homes with smoke alarms, the smoke alarms are not working; and
- WHEREAS,** three out of five home fire deaths result from fires in properties without smoke alarms (40 percent) or with no working smoke alarms (17 percent); and
- WHEREAS,** working smoke alarms cut the risk of dying in reported home fires in half; and
- WHEREAS,** many Americans don't know how old the smoke alarms in their homes are, or how often they need to be replaced, which at least once every ten years; and
- WHEREAS,** the age of a smoke alarm can be determined by the date of its manufacture, which is marked on the back of the smoke alarm; and
- WHEREAS,** Council Bluffs first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and
- WHEREAS,** Council Bluffs residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and
- WHEREAS,** the 2019 Fire Prevention Week theme, "Not every hero wears a cape. Plan and practice your escape" effectively serves to educate the public about the vital importance of replacing the smoke alarms in their homes at least every ten years, and to determine the age of their smoke alarms by checking the date of manufacture on the back of the alarms.

NOW, THEREFORE, I,

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

October 6 through October 12, 2019

As

FIRE PREVENTION WEEK

in the City of Council Bluffs, Iowa and encourage all residents to find out how old the smoke alarms in their homes are, to replace them if they're more than 10 years old, and to participate in the many public safety activities and efforts of Council Bluffs fire and emergency services during Fire Prevention Week 2019.



**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 October, in the year Two
Thousand Nineteen.**

Matthew J. Walsh, Mayor

Council Communication

Department: Community
Development
Case/Project No.: OTB-19-021
Submitted by: Chris Meeks,
Planner

Resolution 19-230
ITEM 5.A.

Council Action: 10/7/2019

Description

Resolution to dispose of City property generally described as being a portion of Lot 3, Marian Price Addition; a portion of Lots 9 and 10, Southland Gardens; and a portion of Lots 5 and 6, Block 25, Bayliss 3rd Addition. Location: South of 2806 S. 7th Street, 2805 S. 8th Street, and 711 28th Avenue. OTB-19-021

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
OTB-19-021 Staff Report	Other	9/27/2019
OTB-19-021 Attachment A	Map	9/27/2019
OTB-19-021 Attachments B - D (Surveys)	Other	9/27/2019
Resolution 19-230	Resolution	10/2/2019

Council Communication

Department: Community Development CASE #OTB-19-021 Applicant: City of Council Bluffs	Resolution to Dispose No. _____	Public Hearing: 10/7/2019
--	---------------------------------	------------------------------

Subject/Title

Request of the City of Council Bluffs to dispose of surplus city property associated with the former right-of-way of 29th Avenue, a roadway which has been converted to an alleyway. The subject properties are generally described as being a portion of Lot 3, Marian Price Addition; a portion of Lots 9 and 10, Southland Gardens; and a portion of Lots 5 and 6, Block 25, Bayliss 3rd Addition, all in the City of Council Bluffs, Pottawattamie County, Iowa.

Location: South of 2806 S. 7th Street, 2805 S. 8th Street, and 711 28th Avenue

Background/Discussion

In June of 2018, the Iowa Department of Transportation deeded to the City of Council Bluffs a portion of property near the former right-of-way of 29th Avenue, which was previously acquired by the Iowa DOT to accommodate the Interstate 80/Interstate 35 Interstate project. It was determined by the Community Development Department, Public Works Department, and City Owned Property Committee that the best course of action to dispose of these surplus properties would be to offer them to adjacent property owners in a manner that would correct any nonconformities, keep lot shapes as uniform in shape as possible, and to allow property owners reasonable use of the acquired property. It was determined that the value for each property should be established using the adopted Street, Alley, and Public Ground Vacation schedule. Since none of the properties are exclusively buildable, the City Owned Property Committee has proposed to sell the properties to adjacent property owners using a forgivable mortgage, requiring an initial 10% down payment with the remaining value being forgiven after 2 years of satisfactory maintenance of the property.

The following adjacent property owners were offered the opportunity to purchase a section of the surplus property:

- Edward M. and Sheri L. Hotz, owners of the property addressed as 2805 S. 8th Street, stated they are willing to purchase the property generally described as a portion of Lots 5 and 6, Block 25, Bayliss 3rd Addition (as shown on Attachment B). The property contains 2,549 square feet, with a total land value established at \$412.35.
- Michael P. and Nancy Brooks, owners of the property addressed as 711 28th Avenue, stated they are willing to purchase the property generally described as a portion of Lots 9 and 10, Southland Gardens (as shown on Attachment C). The property contains 2,150 square feet, with a total land value established at \$352.50.
- Travis B. and Ashley Gulick, owners of the property addressed as 2806 S. 7th Street, stated they are willing to purchase the property generally described as a Portion of Lot 3, Marian Price Addition (as shown on Attachment D). The property contains 3,150 square feet, with a total land value established at \$502.50.

Recommendation

The Community Development Department recommends disposing of the above described properties subject to the following conditions:

1. Edward M. and Sheri L. Hotz, owners of the property addressed as 2805 S. 8th Street, and legally described as Lots 3 and 4, Block 25, Bayliss 3rd Addition, shall receive the property generally described as a portion of Lots 5 and 6, Block 25, Bayliss 3rd Addition (as shown on Attachment B). The purchase price shall be \$412.35, with costs beyond a \$41.26 down payment being forgiven after 2 years of satisfactory maintenance.
2. Michael P. and Nancy Brooks, owners of the property addressed as 711 28th Avenue and legally described as Lot 2, Block 4, Day's South Side Addition, shall receive the property generally described as a portion of Lots 9 and 10, Southland Gardens (as shown on Attachment C). The purchase price shall be \$352.50, with costs beyond a \$35.25 down payment being forgiven after 2 years of satisfactory maintenance.
3. Travis B. and Ashley Gulick, owners of the property addressed as 2806 S. 7th Street, and legally described as Lot 2, Marian Price Addition, shall receive the property generally described as a Portion of Lot 3, Marian Price Addition (as shown on Attachment D). The purchase price shall be \$502.50, with costs beyond a down payment of \$50.25 being forgiven after 2 years of satisfactory maintenance.
4. Closing on the properties shall occur within 60 days of the date of approval.
5. Property owners shall sign an agreement not to sell the newly acquired properties separately from the properties they currently own without prior approval from the Community Development Department of the City of Council Bluffs.

Attachment A: Case map

Attachment B: Survey of Property adjacent to 2805 S. 8th Street

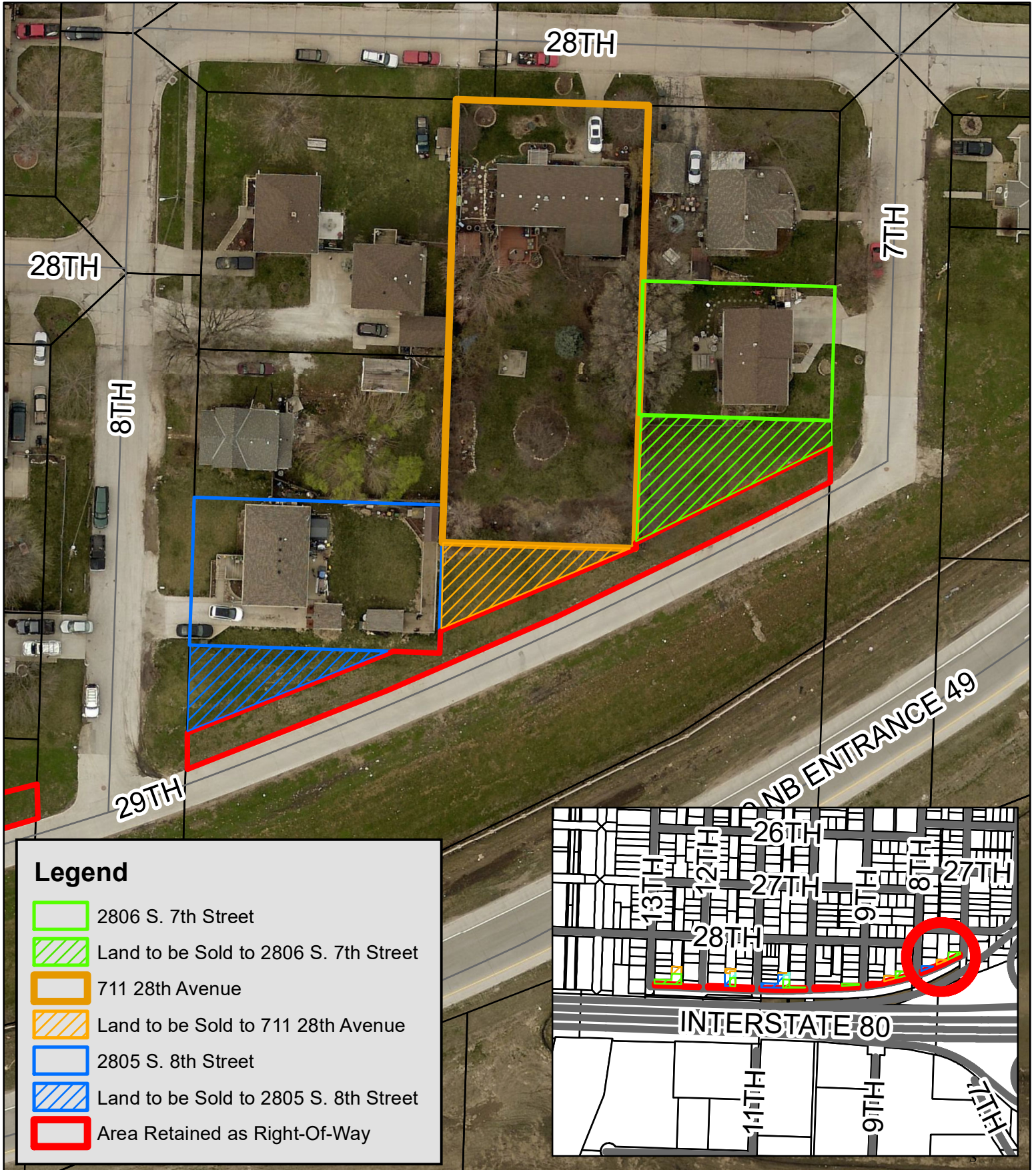
Attachment C: Survey of Property adjacent to 711 28th Avenue

Attachment D: Survey of Property adjacent to 2806 S. 7th Street

Prepared By: Chris Meeks, Planner, Community Development Department

CASE #OTB-19-021

CASE MAP



Legend

- 2806 S. 7th Street
- Land to be Sold to 2806 S. 7th Street
- 711 28th Avenue
- Land to be Sold to 711 28th Avenue
- 2805 S. 8th Street
- Land to be Sold to 2805 S. 8th Street
- Area Retained as Right-Of-Way

50 25 0 50 Feet

ATTACHMENT B

RECORDER'S INDEX	
LOT: 5 AND 6	
BLOCK: 25	
SUBDIVISION: BAYLISS 3RD ADDITION	
ALIQUOT PART:	
SECTION: /TOWNSHIP: / RANGE:	
CITY: COUNCIL BLUFFS	
COUNTY: POTTAWATTAMIE	
PROPRIETOR: CITY OF COUNCIL BLUFFS	
REQUESTED BY: CITY OF COUNCIL BLUFFS	
DATE OF FIELD SURVEY:	

RETURN TO: DAVE VERMILION CITY OF COUNCIL BLUFFS PUBLIC WORKS 209 PEARL ST. COUNCIL BLUFFS, IA 51503
 PREPARED BY: JONATHAN M. LEISINGER, P.L.S., HGM ASSOCIATES INC., P.O. BOX 919, COUNCIL BLUFFS, IOWA 51502 (712)323-0530

PROJECT
29TH AVENUE

EXHIBIT "A"

PAGE 1 OF 1
PARCEL NO. 3

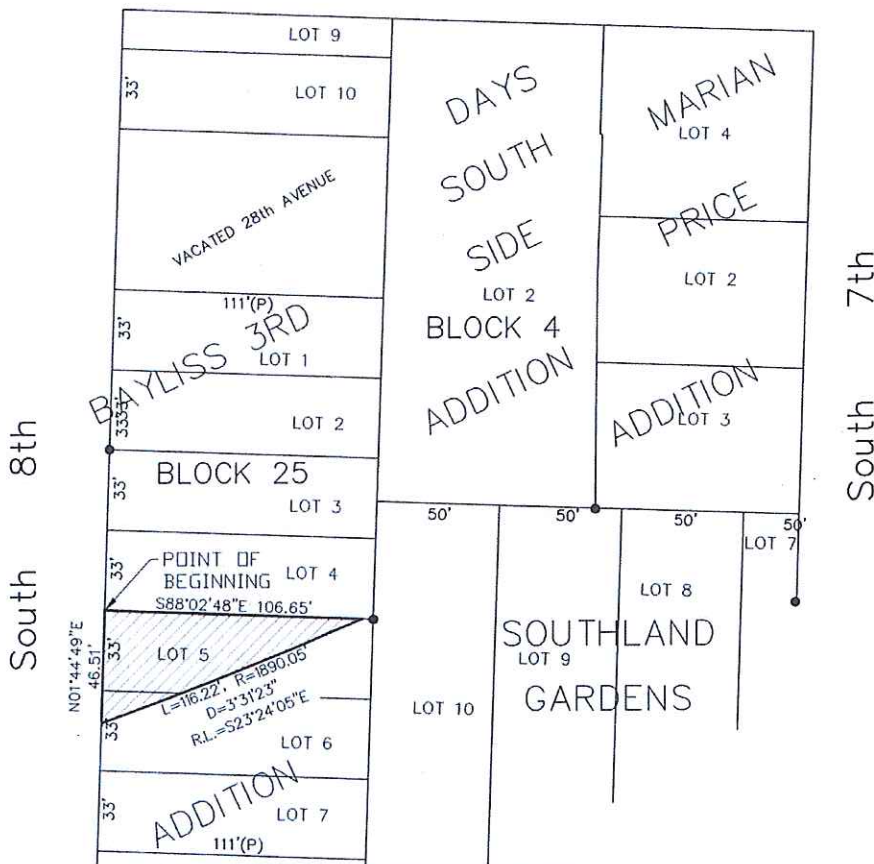
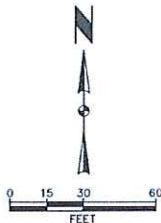
EXCESS RIGHT-OF-WAY

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOT 5 AND LOT 6, BLOCK 25, BAYLISS 3RD ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 5; THENCE ON THE NORTH LINE OF SAID LOT 5, SOUTH 88 DEGREES 02 MINUTES 48 SECONDS EAST, 106.65 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE NORTHERLY TO WHICH POINT A RADIAL LINE BEARS SOUTH 23 DEGREES 24 MINUTES 05 SECONDS EAST, 1890.05 FEET; THENCE WESTERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 03 DEGREES 31 MINUTES 23 SECONDS, 116.22 FEET TO A POINT ON THE WEST LINE OF SAID BLOCK 25; THENCE ON SAID WEST LINE, NORTH 01 DEGREE 44 MINUTES 49 SECONDS EAST, 46.51 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 2,549 SQUARE FEET (0.059 ACRE), MORE OR LESS.



CONTRACT DATED _____
 CONSIDERATION \$ _____
 TEMPORARY EASEMENT 0 s.f. ACQUIRED BY _____
 RANGE _____
 TOWNSHIP _____
 SECTION _____
 EXCESS RIGHT-OF-WAY 2,549 s.f.

PROFESSIONAL LAND SURVEYOR
 JONATHAN M. LEISINGER
 14415
 IOWA

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

Jonathan M. Leisinger September 10, 2019
 JONATHAN M. LEISINGER DATE

LICENSE NUMBER 14415
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2020

PAGES OR SHEETS COVERED BY THIS SEAL:
 SHEET 1 OF 1

POTTAWATTAMIE COUNTY

PROJECT NO. 150717

ATTACHMENT C

RECORDER'S INDEX
LOT: 9 AND 10
BLOCK:
SUBDIVISION: SOUTHLAND GARDENS
ALIQUOT PART:
SECTION: / TOWNSHIP: / RANGE:
CITY: COUNCIL BLUFFS
COUNTY: POTTAWATTAMIE
PROPRIETOR: CITY OF COUNCIL BLUFFS
REQUESTED BY: CITY OF COUNCIL BLUFFS
DATE OF FIELD SURVEY:

RETURN TO: DAVE VERMILLION CITY OF COUNCIL BLUFFS PUBLIC WORKS 209 PEARL ST. COUNCIL BLUFFS, IA 51503
 PREPARED BY: JONATHAN M. LEISINGER, P.L.S., HGM ASSOCIATES INC., P.O. BOX 919, COUNCIL BLUFFS, IOWA 51502 (712)323-0530

PROJECT
29TH AVENUE

EXHIBIT "A"

PAGE 1 OF 1
PARCEL NO. 4

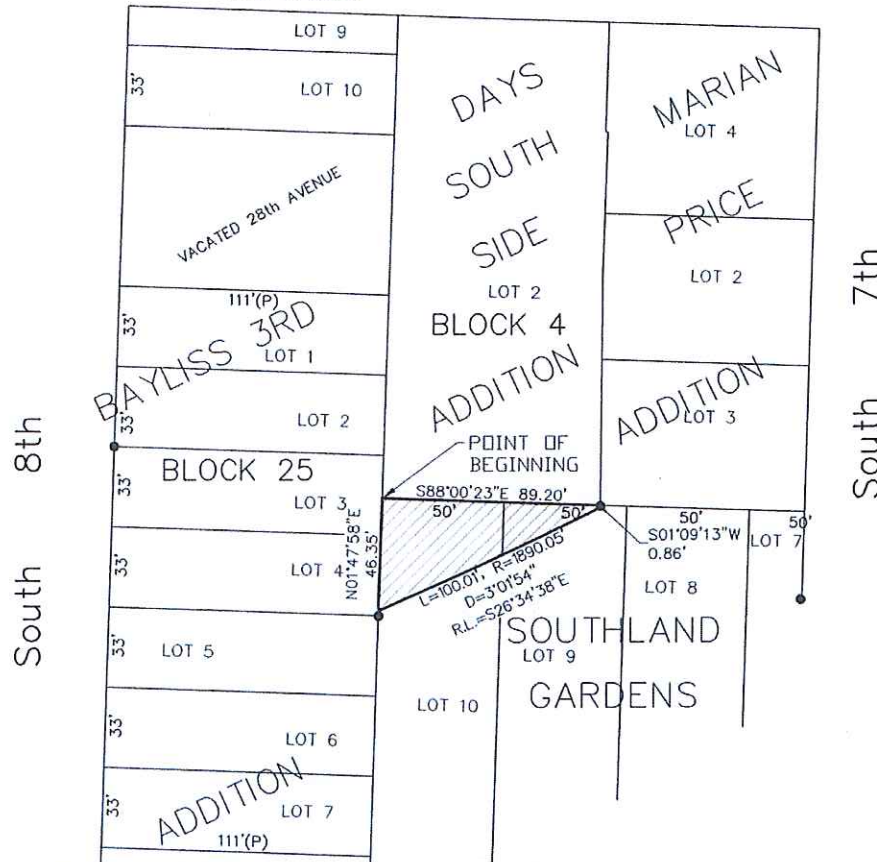
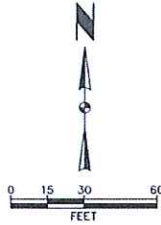
EXCESS RIGHT-OF-WAY

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOT 9 AND LOT 10, SOUTHLAND GARDENS, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 10 IN SAID SOUTHLAND GARDENS; THENCE ON THE NORTH LINE OF SAID SOUTHLAND GARDENS, SOUTH 88 DEGREES 00 MINUTES 23 SECONDS EAST, 89.20 FEET; THENCE SOUTH 01 DEGREE 09 MINUTES 13 SECONDS WEST, 0.86 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE NORTHERLY TO WHICH POINT A RADIAL LINE BEARS SOUTH 26 DEGREES 34 MINUTES 38 SECONDS EAST, 1890.05 FEET; THENCE WESTERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 03 DEGREES 01 MINUTE 54 SECONDS, 100.01 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHLAND GARDENS; THENCE ON SAID WEST LINE, NORTH 01 DEGREE 47 MINUTES 58 SECONDS EAST, 46.35 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 2,150 SQUARE FEET (0.049 ACRE), MORE OR LESS.



CONTRACT DATED _____
 CONSIDERATION \$ _____
 RANGE _____
 TOWNSHIP _____
 SECTION _____
 TEMPORARY EASEMENT 0 s.f. ACQUIRED BY _____
 EXCESS RIGHT-OF-WAY 2,150 s.f.

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

Jonathan M. Leisinger
 JONATHAN M. LEISINGER DATE September 10, 2019
 LICENSE NUMBER 14415
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2020
 PAGES OR SHEETS COVERED BY THIS SEAL:
 SHEET 1 OF 1

POTTAWATTAMIE COUNTY

PROJECT NO. 150717

ATTACHMENT D

RECORDER'S INDEX
LOT: 3
BLOCK:
SUBDIVISION: MARIAN PRICE ADDITION
ALIQUOT PART:
SECTION: / TOWNSHIP: / RANGE:
CITY: COUNCIL BLUFFS
COUNTY: POTTAWATTAMIE
PROPRIETOR: CITY OF COUNCIL BLUFFS
REQUESTED BY: CITY OF COUNCIL BLUFFS
DATE OF FIELD SURVEY:

RETURN TO: DAVE VERMILLION CITY OF COUNCIL BLUFFS PUBLIC WORKS 209 PEARL ST. COUNCIL BLUFFS, IA 51503
 PREPARED BY: JONATHAN M. LEISINGER, P.L.S., HGM ASSOCIATES INC., P.O. BOX 919, COUNCIL BLUFFS, IOWA 51502 (712)323-0530

PROJECT
29TH AVENUE

EXHIBIT "A"

PAGE 1 OF 1
PARCEL NO. 5

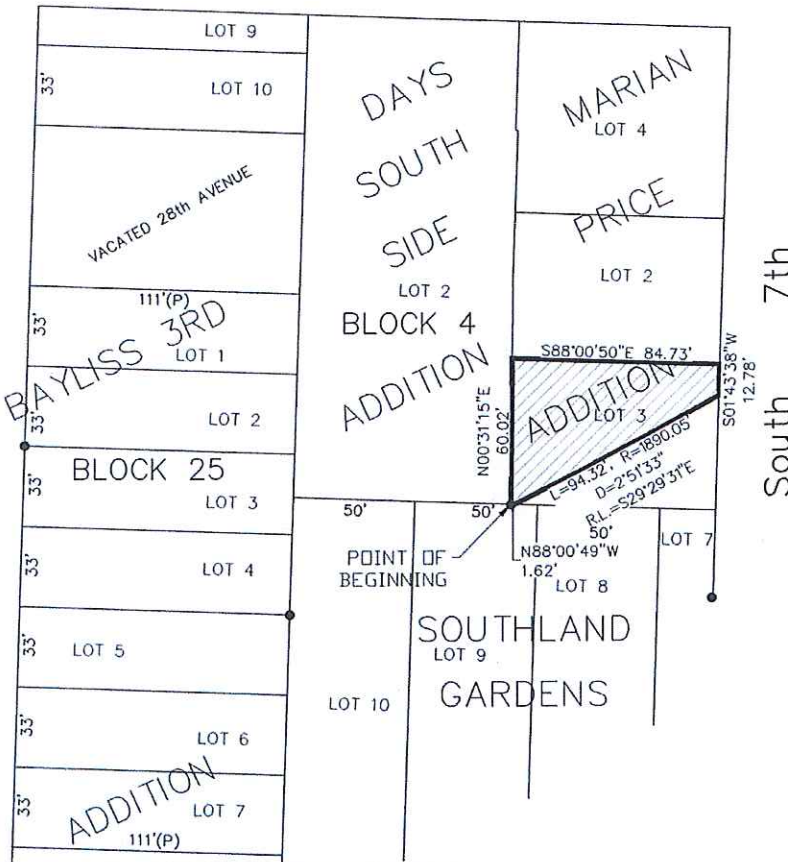
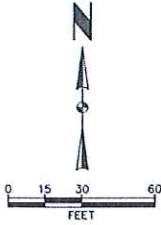
EXCESS RIGHT-OF-WAY

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOT 3, MARIAN PRICE ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 3; THENCE ON THE WEST LINE OF SAID LOT 3, NORTH 00 DEGREES 31 MINUTES 15 SECONDS EAST, 60.02 FEET TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE ON THE NORTH LINE OF SAID LOT 3, SOUTH 88 DEGREES 00 MINUTES 50 SECONDS EAST, 84.73 FEET TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE ON THE EAST LINE OF SAID LOT 3, SOUTH 01 DEGREE 43 MINUTES 38 SECONDS WEST, 12.78 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE NORTHERLY TO WHICH POINT A RADIAL LINE BEARS SOUTH 29 DEGREES 29 MINUTES 31 SECONDS EAST, 1890.05 FEET; THENCE WESTERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 02 DEGREES 51 MINUTES 33 SECONDS, 94.32 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 3; THENCE ON SAID SOUTH LINE, NORTH 88 DEGREES 00 MINUTES 49 SECONDS WEST, 1.62 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 3,150 SQUARE FEET (0.072 ACRE), MORE OR LESS.



CONTRACT DATED _____
 CONSIDERATION \$ _____
 TEMPORARY EASEMENT 0 s.f. ACQUIRED BY _____
 RANGE _____
 TOWNSHIP _____
 SECTION _____
 EXCESS RIGHT-OF-WAY 3,150 s.f.



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.
 JONATHAN M. LEISINGER
 LICENSE NUMBER 14415
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2020
 PAGES OR SHEETS COVERED BY THIS SEAL:
 SHEET 1 OF 1

POTTAWATTAMIE COUNTY

PROJECT NO. 150717

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

RESOLUTION NO. 19-230

A RESOLUTION TO DISPOSE OF CITY PROPERTY GENERALLY DESCRIBED AS BEING A PORTION OF LOT 3, MARIAN PRICE ADDITION; A PORTION OF LOTS 9 AND 10, SOUTHLAND GARDENS; AND A PORTION OF LOTS 5 AND 6, BLOCK 25, BAYLISS 3RD ADDITION, ALL IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the City has previously expressed its intent to dispose of city-owned property generally described as being a portion of Lot 3, Marian Price Addition; a portion of Lots 9 and 10, Southland Gardens; and a portion of Lots 5 and 6, Block 25, Bayliss 3rd Addition, all in the City of Council Bluffs, Pottawattamie County, Iowa, and being more particularly described in Attachments B, C and D, attached hereto; and

WHEREAS, a public hearing has been held in this matter on October 7, 2019 at 7:00 p.m.

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

That the Mayor and City Clerk be and are hereby authorized, empowered and directed to execute a quit claim deed conveying the City's interest in the above-described property as follows:

Edward M. and Sheri L. Hotz, and all successors in interest: The property generally described as a portion of Lots 5 and 6, Block 25, Bayliss 3rd Addition, City of Council Bluffs, Pottawattamie County, Iowa (as shown on Attachment B) for a total purchase price of \$412.35; and

Michael P. and Nancy Brooks, and all successors in interest: the property generally described as a portion of Lots 9 and 10, Southland Gardens, City of Council Bluffs, Pottawattamie County, Iowa (as shown on Attachment C) for a total purchase price of \$352.50; and

Travis B. and Ashley Gulick, and all successors in interest: the property generally described as a Portion of Lot 3, Marian Price Addition, City of Council Bluffs, Pottawattamie County, Iowa (as shown on Attachment D) for a total purchase price of \$502.50; and

BE IT FURTHER RESOLVED

Property closing must occur within 60 days of the date of approval. The remaining balance for each property (beyond the 10% down payment) will be forgiven after two years of satisfactory maintenance.

BE IT FURTHER RESOLVED

Property owners shall sign an agreement not to sell the newly acquired properties separately from the properties they currently own without prior approval from the Community Development Department of the City of Council Bluffs.

ADOPTED
AND
APPROVED: October 7, 2019.

Matthew J. Walsh Mayor

ATTEST: _____
Jodi Quakenbush City Clerk

Council Communication

Department: Community
Development
Case/Project No.: OTB-19-025
Submitted by: Chris Meeks,
Planner

Resolution 19-231
ITEM 5.B.

Council Action: 10/7/2019

Description

Resolution to dispose of City property described as the portion of Lot 3, Block 35, Everett's Addition lying southeasterly of the Union Avenue right-of-way. Location: formerly addressed as 812 S. 17th Street. OTB-19-025

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
OTB-19-025 Staff Report	Other	9/27/2019
OTB-19-025 Attachment A - Case Map	Map	9/27/2019
Resolution 19-231	Resolution	10/2/2019

Council Communication

Department: Community Development CASE #OTB-19-025 Applicant: Stacey Gunter 1700 9 th Avenue Council Bluffs, IA 51501	Resolution to Dispose No. _____	Public Hearing: 10/7/2019		
Subject/Title				
<p>Request of Stacey Gunter to purchase the City-owned property legally described as the portion of Lot 3, Block 35, Everett’s Addition lying Southeasterly of the Union Avenue Right-of-Way, City of Council Bluffs, Pottawattamie County, Iowa. The property was formerly addressed as 812 S. 17th Street.</p>				
Background/Discussion				
<p>The City has received an offer to purchase the property described above. The property is classified as ‘transitional dispose’ and ‘buildable-restrictions’. The applicant owns the property addressed as 1700 9th Avenue, which is directly South of the subject lot, and has requested to purchase the property to use as additional greenspace and to construct a garage in the future. The property has very limited building potential due to its configuration, however, based on I-2 District setback requirements a building up to 400 square feet could be constructed upon it. If the subject property were to be sold and combined with the Applicant’s property there would be a significantly greater buildable area, as setback would be based upon the entirety of the premise. The last assessed value of this parcel was \$6,736.00, though using the Street, Alley, and Public Ground Vacation fee schedules for non-buildable parcels, the value established for this parcel would be \$435.00.</p>				
<p>The applicant has offered \$435.00 to purchase the parcel, and has submitted a \$43.50 down payment. The applicant has requested that the remaining value of the property be forgiven using a forgivable mortgage. As is stated in the adopted Inventory and Disposal Policy for Surplus City Policy, any property that has been listed on the Disposal list for greater than 24 months is eligible for a forgivable mortgage. Because this property was only acquired by the City of Council Bluffs on March 24, 2015, approximately 4.5 years ago, it is eligible for a forgivable mortgage.</p>				
<p>The following costs have been incurred on this property:</p> <ul style="list-style-type: none"> Permits and Inspections Division: \$ 9,940.00- Demolition Permits and Inspections Division: \$ 150.00- Title Work Permits and Inspections Division: \$ 140.00- Costs to Pottawattamie County Permits and Inspections Division: \$ 500.00- Environmental Cleanup 				
<table border="0" style="width: 100%;"> <tr> <td style="width: 30%;">Total</td> <td style="text-align: right;">\$10,730.00</td> </tr> </table>			Total	\$10,730.00
Total	\$10,730.00			

Recommendation

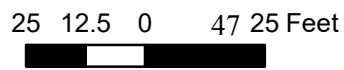
The Community Development Department recommends disposing of the property described above to Stacey Gunter subject to the following conditions:

1. The purchase price shall be \$435.00, with the remaining balance beyond the \$43.50 down payment being forgiven after 2 years of satisfactory maintenance of the property.
2. The applicant shall have 60 days from the date of Council approval to close on the subject property.
3. The applicant must sign an agreement not to sell the property separately from the property they currently own to the South, legally described as Lots 5 and 6, Block 4, Fleming and Davis Addition.

Attachment A: Case map

Prepared By: Chris Meeks, Planner, Community Development Department

CASE #OTB-19-025



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

RESOLUTION NO. 19-231

A RESOLUTION TO DISPOSE OF CITY PROPERTY DESCRIBED AS THE PORTION OF LOT 3, BLOCK 35, EVERETT’S ADDITION LYING SOUTHEASTERLY OF THE UNION AVENUE RIGHT-OF-WAY, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the City has previously expressed its intent to dispose of City owned property legally described as the portion of Lot 3, Block 35, Everett’s Addition lying Southeasterly of the Union Avenue Right-of-Way, City of Council Bluffs, Pottawattamie County, Iowa; and

WHEREAS, a public hearing has been held in this matter on October 7, 2019 at 7:00 p.m.

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

That the Mayor and City Clerk be and are hereby authorized, empowered and directed to execute a quit claim deed conveying the City’s interest in the above-described property as follows:

Stacey Gunter, and all successors in interest: the portion of Lot 3, Block 35, Everett’s Addition lying Southeasterly of the Union Avenue Right-of-Way, City of Council Bluffs, Pottawattamie County, Iowa; and

BE IT FURTHER RESOLVED

That the purchase price be \$435.00, with costs beyond the \$43.50 down payment being forgiven by the City of Council Bluffs after two years of satisfactory maintenance. Closing and the property closing must occur within 60 days of the date of approval.

BE IT FURTHER RESOLVED

The applicant must sign an agreement not to sell the property separately from the property they currently own to the South, legally described as Lots 5 and 6, Block 4, Fleming and Davis Addition.

ADOPTED
AND
APPROVED:

October 7, 2019.

Matthew J. Walsh Mayor

ATTEST: _____
Jodi Quakenbush City Clerk

Council Communication

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

Ordinance 6402 (Continued from 9-
23-19)
ITEM 6.A.

Council Action: 10/7/2019

Description

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

Background/Discussion

This ordinance will repeal Chapter 3.58 (Street Sales) and replace/rename it “Mobile Food Vendors.”

With mobile food vendors becoming more common in today’s marketplace, it made sense to update our code to reflect this growing trend. City legal met with Directors of various departments to address their individual concerns relating to the regulation of mobile food vendors, and we determined it would be best to follow the current code used in Omaha to promote continuity throughout the metro area. This allows vendors on both sides of the river to operate their businesses without too much differentiation and focus primarily on providing quality food service to citizens.

Recommendation

It is our recommendation that this ordinance be passed.

ATTACHMENTS:

Description	Type	Upload Date
Ordinance 6402	Ordinance	10/2/2019

ORDINANCE NO. 6402

AN ORDINANCE TO AMEND TITLE 3 BUSINESS REGULATIONS AND LICENSES OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REPEALING EXISTING CHAPTER 3.58 “STREET SALES” AND REPLACING IT WITH A NEW CHAPTER 3.58 ENTITLED “MOBILE FOOD VENDORS”.

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

SECTION 1. That Title 3 Business Regulations and Licenses of the 2015 Municipal Code of Council Bluffs, Iowa, is hereby amended by repealing existing Chapter 3.58 “Street Sales” and replacing it with a new Chapter 3.58 entitled “Mobile Food Vendors” to read as follows:

Chapter 3.58 – Mobile Food Vendors.

3.58.010-Adoption; Scope.

This ordinance shall be known as the Council Bluffs Mobile Food Vendor Code and shall apply to Mobile Food Vendors within the city limits of Council Bluffs, Iowa.

3.58.020-Definitions.

For the purpose of this chapter the following terms shall have the meanings respectively ascribed to them:

- (1) “City” means the City of Council Bluffs, Iowa.
- (2) “Director” means the director of the Parks and Recreation Department or his/her authorized designee.
- (3) “Food” means any raw, cooked, or processed edible substance, beverage, ingredient, ice, or water used or intended for use or for sale in whole or in part for human consumption.
- (4) “Mobile Food Vendor” shall mean a person who by traveling from place to place upon the public ways sells or offers for sale food from public or private property to consumers for immediate delivery and consumption upon purchase.
- (5) “Permanent Food Establishment” means a fixed building which a person occupies on a continual basis and from which such person sells or offers to sell food for immediate delivery and consumption upon purchase. Such term shall not include a location where a mobile food vendor sells or offers to sell food.
- (6) “Private Property” means a lot or defined area of land which is not in the ownership of a local, state, or federal government entity.

- (7) “Public Property” means a lot or defined area of land owned by a local, state or federal government entity, including, but not limited to, city parks, the public right-of-way and service area at the rear or side of buildings, generally more narrow than the street, and any land reserved for transportation purposes including public roadways, parking, sidewalks, and alleys.

3.58.030-License Required; Exemptions.

It shall be unlawful for any person to sell or offer for sale food as a Mobile Food Vendor or operate as a Mobile Food Vendor within the City unless such person complies with the requirements and regulations of this article, including holding a valid and active Mobile Food Vendor license issued by the director under this article.

The following activities are excluded from such definition, and, alone, do not subject a Mobile Food Vendor to being covered by such definition:

- (1) Farm Stands-the sale or offer for sale of farm products produced or raised by such a vendor from land occupied and cultivated by him/her, or food that is being sold or attempted to be sold on the same parcel or group of parcels under common ownership on which said food is grown.
- (2) Non-Profit Organizations-Sales activities by a charitable, educational, or religious organization which is exempt from taxation under section 501(c)(3) of the United States Internal Revenue Code when the proceeds thereof shall be applied to the payment of the expenses thereof and the charitable or religious object for which the charitable or religious society exists, provided that such sales are not conducted by such organization in excess of three (3) consecutive days in any seven-day period at the same location.
- (3) Mobile Food Vending Ancillary to a Permanent Food Establishment-A Mobile Food Vendor license shall not be required if the mobile food vending is ancillary to an existing Permanent food Establishment on the same parcel if all of the following conditions are met:
 - (a) There is a primary land use in a building, which is constructed or which is being constructed, on the parcel in which the mobile food vending unit would be located.
 - (b) Sales of food, associated with the Permanent Food Establishment on the parcel would be allowed, or is lawfully occurring on said parcel.
 - (c) The Mobile Food Vendor is the owner of the Permanent Food Establishment on the parcel where the mobile food vending unit or food stand would be located.

3.58.040-Application.

An applicant for a license pursuant to this article shall file with the Director a signed application on a form to be furnished by the Director, which shall contain the following information:

- (1) The applicant's business name, address, and phone number; and e-mail address, if any.
- (2) If the applicant is a corporation, partnership, or other entity, the names of all officers and managers of such entity.
- (3) If food is to be sold from any motor vehicle, the vehicle license numbers and descriptions of all vehicles from which the applicant proposes to sell food, and the names of all persons expected to drive such vehicles.
- (4) The description of the general type of food items to be sold.
- (5) Documentation from the Pottawattamie County Health Department showing its approval of the applicant's sale of food, if required.
- (6) A copy of the State of Iowa sales tax permit, or proof of an applicable sales tax exemption, for the applicant.
- (7) A copy of all certification required by any applicable local, state or federal fire, safety and/or hazardous guidelines related to the sale of food, and the preparation, storage or cooking process thereof.
- (8) A general description of the types of locations the applicant anticipates selling from;
- (9) All necessary written consent from property owners, Permanent food Establishment owners or any other written consent required under this Code.
- (10) Proof of general liability insurance, including products liability coverage, in the amount of \$1,000,000 or more per occurrence and \$1,000,000 for property damage.
- (11) Such other information as the Director may require and as requested in the said application form.

3.58.050-Issuance; Denial.

Upon receipt of a complete application for a license pursuant to this article, the Director shall make or cause to be made any inquiry or investigation that may be necessary to determine whether the applicant is in compliance with the provisions of all applicable laws and this Code. The Director may request and take into consideration the recommendations of other affected departments of the City.

After receipt of the completed application and application fee, the Director shall either approve or deny the application. Grounds for denial may include, but are not limited to, the following:

- (1) A finding that the application is incomplete.
- (2) The nonpayment of applicable fees.
- (3) A finding that the application is not in conformance with any applicable laws or this Code.
- (4) A finding that the applicant has been convicted of three or more separate violations of the provisions of this article within the 12 months preceding the submission of a complete application.

3.58.060-License Fee.

An application for a license under this article shall be accompanied by a nonrefundable processing fee of \$100.00. An additional nonrefundable processing fee of \$100.00 shall be paid by a Mobile Food Vendor who will be primarily doing business within the boundaries of any business improvement district located in whole or in part within the area zoned C-4/Commercial District under the Council Bluffs Municipal Code. If such additional fee is paid, such fact shall be noted on the Mobile Food Vendor's license. A Mobile Food Vendor may primarily do business within such area only upon exhibiting a license showing payment of the additional fee. The additional fees paid under this section shall be forwarded by the City over to the said business improvement district, to offset expenses incurred by the district for cleaning, security, sanitation, and other Mobile Food Vendor-associated maintenance expenses within the boundaries of the said district.

3.58.070-Renewal.

A license issued under this article shall expire on December 31 of each year, unless renewed for the following year by the permittee. The permittee shall renew the license for the following year by filing with the Director, by December 31, a registration updating or confirming the information provided in the immediately preceding license application or registration. The registration shall be on a form provided by the Director. At the time of registration, the permittee shall pay a renewal fee of \$100.00 per year for each motor vehicle, trailer, cart, or other piece of mobile equipment to be utilized in the business. An additional renewal fee of \$100.00 shall be paid by a Mobile Food Vendor who will be primarily doing business within the boundaries of any business improvement district located in whole or in part within the area zoned C-4/Commercial District under the Council Bluffs Municipal Code. If such additional fee is paid, such fact shall be noted on the receipt or other documentation of renewal issued to the Mobile Food Vendor. A Mobile Food Vendor may primarily do business within such area only upon exhibiting a receipt or other documentation showing payment of the additional fee for that year. The additional fees paid under this section shall be forwarded by the City over to the said business improvement district, to offset expenses incurred by the district for cleaning, security, sanitation, and other Mobile Food Vendor -associated maintenance expenses within the boundaries of the said district.

3.58.080-Sales Regulations.

- (1) A Mobile Food Vendor shall not sell nor offer to sell food from a location within 200 feet of a public entrance used by customers to enter or exit a Permanent food Establishment during the hours food is sold within such Permanent food Establishment, unless each such Permanent food Establishment within such area has provided written consent.

- (2) A motor vehicle from which a Mobile Food Vendor sells or offers to sell food shall not exceed 40 feet in length and 96 inches in width. A Mobile Food Vendor selling or offering the sale of food from or using a trailer or other auxiliary equipment shall, during such operations, keep the trailer or auxiliary equipment hitched to an operable motor vehicle towing it, unless otherwise permitted by the City in association with an authorized street show, festival, parade, block party, or similar event. An attached trailer or other auxiliary equipment shall not exceed 96 inches in width, and the combined length of the motor vehicle and trailer or auxiliary equipment shall not exceed 60 feet.
- (3) The maximum dimensions in this subsection may be exceeded by a particular motor vehicle, trailer, or piece of equipment, if approved by the Director upon a Mobile Food Vendor's application for a waiver. If the proposed site of the Mobile Food Vendor shall be in an area designated as City right-of-way, such application for a waiver under this subsection shall also require approval of the Public Works Department, Right-of-Way Division.
- (4) A Mobile Food Vendor may sell or offer to sell food from a motor vehicle at a location in a City right-of-way open to traffic or parking, but only from a motor vehicle parked in a location where a motor vehicle is authorized to park by law, signage, or city permit. Such a motor vehicle and auxiliary equipment shall not be parked at a diagonal parking space. Such a motor vehicle and auxiliary equipment shall not be parked in a parking space adjacent to the corner of a street intersection.
- (5) A Mobile Food Vendor who sells or offers to sell food from a vehicle parked at a metered parking space shall pay the metered parking rate required, at such meter. When parking at a parking space with a meter limited to two hours, a mobile food vendor may park at such space for no longer than four consecutive hours.
- (6) A Mobile Food Vendor shall not sell or offer to sell food from a location which would involve customers to be waited on or served while standing in a portion of a street being traversed by motor vehicle traffic.
- (7) A Mobile Food Vendor shall not sell nor offer to sell food from City park property unless he/she possesses the specific written consent of the Director. Mobile Food Vendors shall be limited to hard-surfaced areas of the park, but this shall not mean within any roadway or parking lot drive aisle, and shall be limited to the park hours of operation set by the City.
- (8) A Mobile Food Vendor shall not sell nor offer to sell food from a school property unless he/she possesses the written consent of an authorized representative of the school and presents such written permission at the time of application.
- (9) A Mobile Food Vendor shall not sell nor offer to sell food from a location within an area authorized for a street show, festival, parade, block party, or similar event, or within 200 feet of any boundary of such authorized area, unless the mobile food vendor is in possession of the written consent of the event permittee to sell or offer to sell food from that location and has provided such written consent as part of the application.

- (10) A Mobile Food Vendor shall possess and be able to exhibit his/her license under this article, all required Pottawattamie County Health Department permits, a State of Iowa sales tax permit or proof of sales tax exemption, and any other written consents or documentation required under this article, at all times during which the mobile food vendor is selling or offering to sell food.
- (11) An authorized employee of the City's Public Works or Police Departments may order a Mobile Food Vendor to move from or leave a specific location, if the operation of the Mobile Food Vendor at that location causes an obstruction to vehicular or pedestrian traffic or otherwise endangers the health, safety, or welfare of the public. The City may tow or otherwise move a Mobile Food Vendor's vehicle or other auxiliary equipment to another location if the vehicle or equipment presents a danger to public safety and the Mobile Food Vendor fails to move the same. The City shall provide to the Mobile Food Vendor a written explanation for any such order, upon written request by the mobile food vendor to the City.
- (12) An individual representative of the Mobile Food Vendor shall be present with the motor vehicle and other auxiliary equipment operated by the Mobile Food Vendor at all times that it is parked in City right-of-way or on City property, and at all times that it is parked on private property at a location where food is or will be offered for sale.
- (13) A Mobile Food Vendor may sell or offer to sell food seven days a week, but only from 6:00 a.m. to 2:30 a.m. It shall be unlawful for a Mobile Food Vendor to sell or offer to sell food at any other times. Notwithstanding this subsection, upon evidence of endangerment of public safety, the chief of police or his/her designee may further limit hours of operation for all mobile food trucks as needed for the protection of public safety.
- (14) A Mobile Food Vendor using a motor vehicle shall maintain a motor vehicle liability insurance policy for such motor vehicle as required by state law, and shall exhibit proof of such policy when requested.
- (15) A Mobile Food Vendor shall maintain in operable condition all fire suppression equipment or devices as required by local, state or federal law.
- (16) It shall be unlawful for a Mobile Food Vendor to sell or offer to sell alcoholic drinks or food.
- (17) A Mobile Food Vendor shall visibly display his/her business name on his/her motor vehicle or auxiliary equipment.
- (18) A Mobile Food Vendor shall provide trash receptacles for the collection of trash and recyclable materials, in sizes sufficient to serve his/her customers. Prior to leaving a location, the Mobile Food Vendor shall pick up and properly dispose of any trash, litter, or recyclable materials within 20 feet of the location. Receptacles and their contents shall be removed from the location for proper disposal or recycling, and contents shall not be deposited in public trash or recycling containers on City right-of-way or City property.

- (19) A Mobile Food Vendor shall not place on City right-of-way or City property any freestanding sign, table, chair, umbrella, electric generator, or other fixture or equipment; provided, that a mobile food vendor may place one identification or menu sign and one table (not for seating customers) on the sidewalk or other area directly adjacent to his/her parked motor vehicle or other equipment.
- (20) A Mobile Food Vendor shall comply with all City ordinances regulating noise.

3.58.090-Revocation; Suspension.

- (1) A license issued under this article may be revoked or suspended by the director for any of the following reasons:
 - (a) Any fraud, misrepresentation, or false statement contained in the application for license;
 - (b) Any fraud, misrepresentation, or false statement made in connection with the selling of food;
 - (c) Any violation of this article or any applicable laws or provisions of this Code.
 - (d) Conducting the business licensed under this article in an unlawful manner or in such a manner as to constitute a breach of the peace or a menace to the health, safety, or general welfare of the public.
- (2) The Director shall revoke a license issued under this article for any Mobile Food Vendor who is convicted of three or more separate violations of the provisions of this article within any consecutive 12-month period. For purposes of this section conviction shall mean any finding of guilt or liability on the part of the Mobile Food Vendor by a court of competent jurisdiction, and shall include any conviction that has previously been set aside.
- (3) To revoke or suspend a license, the Director shall provide written notice to the license holder stating the revocation or suspension action taken, the grounds for such action, and the availability of an appeal under this section. Such notice shall be served personally upon the license holder or sent by regular U.S. mail to the license holder's address as stated in his/her application.

- (4) A license holder aggrieved by either suspension or revocation of his/her license under this Code may appeal such decision to the Council Bluffs City Council by filing, in writing, a written request of appeal to the Director within ten (10) days of receiving written notice. Such appeal hearing shall occur at the next regularly scheduled City Council meeting, and such notice of the hearing shall be mailed to the licensee at the last known address at least five (5) days prior to the date set for the hearing. At the hearing the licensee shall be afforded the opportunity to present evidence and argument. Formal rules of evidence and procedure shall not apply. Within twenty (20) days after the conclusion of a hearing held pursuant to this section, the City Council shall make written findings which shall be based on a preponderance of the evidence as the standard of proof. Any decision rendered pursuant to this section shall be deemed a final action of the City and subject to appeal in accordance with Iowa law. Until an appeal is heard and determined by the City Council, the mobile food vendor shall cease all mobile food vending operations.
- (5) A person whose license has been revoked under this article may not re-apply for a new license for a period of one-year after the effective date of the revocation.

3.58.090-Penalty.

Any person, firm, partnership, corporation or other legal entity found guilty of a civil violation of this chapter shall be subject to the penalties provided in Section 1.95.020 of the Council Bluffs Municipal Code.

3.58.100-Special Districts.

- (1) The City finds that the City's various and diverse neighborhoods and business districts have differing characteristics, and will be affected in varying ways by the operations of Mobile Food Vendors. Thus, it is appropriate to provide for the creation of special districts subject to special rules governing mobile food vendors.
- (2) The City Council may, by Resolution, establish a special district with defined geographic boundaries, and adopt special rules governing Mobile Food Vendors to be applied, based on a reasonable showing of public health and/or public safety concerns demonstrating the need for different operation of Mobile Food Vendor, within such special district. "Special rules" shall mean rules governing Mobile Food Vendors that modify the general rules stated in section 3.58.080, within that special district only. If adopted, such special rules shall take precedence over any conflicting general rules in section 3.58.080. The special rules shall not prevent Mobile Food Vendors from operating within the special district. The general rules in section 3.58.080 shall continue to apply in a special district, unless specifically modified by the special rules.

- (3) An application for the establishment of a special district may be submitted to the Director by a neighborhood association that is registered as such with the planning department, or by a business improvement district. The proposed special district must lie within the geographic boundaries of such neighborhood association or business improvement district. An application by a neighborhood association or business improvement district shall contain:
 - (a) A map indicating the boundaries of the proposed special district.
 - (b) The name of the proposed special district.
 - (c) The text of the proposed special rules to be applicable in the special district.
- (4) A copy of the signed resolution of the governing body of the business improvement district or neighborhood association approving the proposed special district and special rules.
- (5) Documentation showing that an official of the business improvement district or neighborhood association discussed the proposed special district and special rules with Mobile Food Vendors who primarily operate in the proposed special district.
- (6) Enumeration of the specific reason(s) for expansion or limitation of Mobile Food Vendor activity based upon public health and/or public safety concerns.

Upon the filing of such an application, the mayor or any City councilmember may request that a Resolution establishing such a special district and special rules be forwarded to the City Council for consideration and final action.

3.58.110-Periodic Review.

The mayor and/or Director may, in conjunction with the Public Works and Police Departments, a representative from the City Council, a representative of the Mobile Food Vendor industry, and/or other stakeholders as necessary, perform an annual review of Mobile Food Vendor operations, the general rules in this article, and any special rules adopted under this article, and make recommendations as needed to the City Council for amendment of this article.

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

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

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

PASSED
AND
APPROVED

October 21, 2019.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

First Consideration: 9-23-19 continued

First Consideration: 10-7-19

Second Consideration: 10-21-19

Public Hearing: N/A

Third Consideration: _____

Council Communication

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

Resolution 19-232
ITEM 7.A.

Council Action: 10/7/2019

Description

Resolution officially designating the City Council meeting dates for the City of Council Bluffs during the 2020 calendar year.

Background/Discussion

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Calendar	Other	9/25/2019
Resolution 19-232	Resolution	10/2/2019

RESOLUTION NO. 19-232

A RESOLUTION OFFICIALLY DESIGNATING THE CITY COUNCIL MEETING DATES FOR THE CITY OF COUNCIL BLUFFS DURING THE 2020 CALENDAR YEAR.

WHEREAS, City Council meetings are held on the second and fourth Monday of each month; and

WHEARAS, due to the Memorial Day holiday, the meetings in April and May have been scheduled for the first and third Mondays of the month, to avoid back to back meetings; due to the Christmas holiday, there is only one meeting held in December and has been scheduled for the second Monday of the month; and

WHEREAS, the meeting dates are scheduled and listed below; and

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

That approval of this resolution sets the official schedule for the 2020 City Council meeting dates.

January 13 th & 27 th	May 4 th & 18 th	September 14 th & 28 th
February 10 th & 24 th	June 8 th & 22 nd	October 12 th & 26 th
March 9 th & 23 rd	July 13 th & 27 th	November 9 th & 23 rd
April 6 th & 20 th	August 10 th & 24 th	December 14 th

ADOPTED
AND
APPROVED:

October 7, 2019

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Public Works Admin
Case/Project No.: PW17-15
Submitted by: Matthew Cox, Public
Works Director

Resolution 19-233
ITEM 7.B.

Council Action: 10/7/2019

Description

Resolution authorizing the Mayor to execute Iowa Department of Transportation Agreement No. 4-19-STBG-SWAP-014 in connection with the CBIS Segment 4 Sewer Relocations. Project # PW17-15

Background/Discussion

This agreement is in reference to Segment 4 of the Iowa DOT's Council Bluffs Interstate System Improvements.

The Iowa DOT will be reconstructing the I-29\I-480 interchange in Council Bluffs. The reconstruction starts just north of the Union Pacific Railroad Bridge over I-29 and extends north to approximately 32nd Street. Within this corridor, the City has both sanitary and storm sewers that will need to be relocated.

The sewer relocation projects required for the Iowa DOT's Council Bluffs Interstate System Improvements are programmed and funded with STP Federal-aid Funds and local Sales Tax Funds.

This agreement changes the STP Federal-aid Funds to a Surface Transportation Block Grant Program (STBG) Federal-aid SWAP Fund.

The benefit of changing the funding to STBG Federal-aid SWAP funds are less federal project development, oversight, and administrative requirements.

This project was included in the FY17 CIP.

Recommendation

Approval of this resolution.

ATTACHMENTS:

Description	Type	Upload Date
Agreement	Agreement	9/27/2019
Resolution 19-233	Resolution	10/2/2019

IOWA DEPARTMENT OF TRANSPORTATION
Agreement for a Surface Transportation Block Grant Program Federal-aid Swap Project

Recipient: City of Council Bluffs

Project No.: STBG-SWAP-1642(684)—SG-78

Iowa DOT Agreement No.: 4-19-STBG-SWAP-014

CFDA No. and Title: 20.205 Highway Planning and Construction

This is an agreement between the City of Council Bluffs, Iowa (hereinafter referred to as the Recipient) and the Iowa Department of Transportation (hereinafter referred to as the Department) for Surface Transportation Block Grant (STBG) Program Federal-aid Swap funds under 761 Iowa Administrative Code (IAC) Chapter 162. Iowa Code Section 306A.7 provides for the Recipient and the Department to enter into agreements with each other for the purpose of financing transportation improvement projects on streets and highways in Iowa.

Pursuant to the terms of this agreement, applicable statutes, and administrative rules, the Department agrees to provide STBG Federal-aid Swap funding to the Recipient for the authorized and approved costs for eligible items associated with the project.

Under this agreement, the parties further agree as follows:

1. The Recipient shall be the lead local governmental agency for carrying out the provisions of this agreement.
2. All notices required under this agreement shall be made in writing to the appropriate contact person. The Department's contact person will be the Western Region Local Systems Field Engineer. The Recipient's contact person shall be the City of Council Bluffs Public Works Director.
3. The Recipient shall be responsible for the development and completion of the following described STBG project:

In the City of Council Bluffs, sanitary sewer relocations along 9th Avenue from the intersection of Harrah's Blvd and 9th Avenue to the intersection of Service Road B and 9th Avenue, from approximately 60 feet east of Service Road B from 9th Avenue to 2nd Avenue, and from 2nd Avenue at Service Road B to approximately . 400 feet north. A total of approximately 3,100 linear feet of sanitary sewer will be relocated.

4. Eligible project activities will be limited to the following: construction, engineering, inspection, and right-of-way acquisition. Under certain circumstances, eligible activities may also include utility relocation or railroad work that is required for construction of the project.
5. The Recipient shall receive reimbursement for costs of authorized and approved eligible project activities from STBG Federal-aid Swap funds. The portion of the project costs reimbursed by STBG Federal-aid Swap funds shall be up to \$(1,144,000) for the following phases of work as stipulated by the MAPA Transportation Planning Affiliation:

x Construction
6. The Recipient shall pay for all project costs not reimbursed with STBG Federal-aid Swap funds.
7. If the project described in Section 3 drops out of the MAPA Transportation Planning Affiliation current TIP or the approved current STIP prior to obligation of funds, and the Recipient fails to reprogram the project in the appropriate TIP and STIP within 3 years, this agreement shall become null and void.
8. The Recipient shall let the project for bids through the Department.

- 9. If any part of this agreement is found to be void and unenforceable, the remaining provisions of this agreement shall remain in effect.
- 10. It is the intent of both parties that no third party beneficiaries be created by this agreement.
- 11. This agreement shall be executed and delivered in two or more copies, each of which so executed and delivered shall be deemed to be an original and shall constitute but one and the same agreement.
- 12. This agreement and the attached Exhibit 1 constitute the entire agreement between the Department and the Recipient concerning this project. Representations made before the signing of this agreement are not binding, and neither party has relied upon conflicting representations in entering into this agreement. Any change or alteration to the terms of this agreement shall be made in the form of an addendum to this agreement. The addendum shall become effective only upon written acceptance of the Department and the Recipient.

IN WITNESS WHEREOF, each of the parties hereto has executed this agreement as of the date shown opposite its signature below.

City Signature Block (City Projects Only)

By _____ Date _____, 20____

Title of city official

I, _____, certify that I am the City Clerk of City of Council Bluffs, and that _____, who signed said Agreement for and on behalf of the city was duly authorized to execute the same by virtue of a formal resolution duly passed and adopted by the city on the _____ day of _____, 20____.

Signed _____ Date _____, 20____

City Clerk of City of Council Bluffs, Iowa

County Signature Block (County Projects Only)

This agreement was approved by official action of the ---- County Board of Supervisors in official session on the _____ day of _____, 20____.

County Auditor

Chair, County Board of Supervisors

**IOWA DEPARTMENT OF TRANSPORTATION
Highway Division**

By _____ Date _____, 20____

Vincent L. Ehlert, P.E.
Western Region Local Systems Field Engineer

EXHIBIT 1

General Agreement Provisions for use of Federal-aid Swap Funds on Non-primary Projects

Unless otherwise specified in this agreement, the Recipient shall be responsible for the following:

1. General Requirements.

- a. The Recipient shall take the necessary actions to comply with applicable State and Federal laws and regulations. To assist the Recipient, the Department has provided guidance in the Instructional Memorandums to Local Public Agencies (I.M.s), available on-line at: https://iowadot.gov/local_systems/publications/im/lpa-ims. The Recipient shall follow the applicable procedures and guidelines contained in the I.M.s in effect at the time project activities are conducted.
- b. In accordance with Iowa Code Chapter 216 and associated subsequent nondiscrimination laws and regulations, the Recipient shall not discriminate against any person on the basis of race, color, creed, age, sex, sexual orientation, gender identity, national origin, religion, pregnancy, or disability.
- c. The Recipient shall comply with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973 (Section 504), the associated Code of Federal Regulations (CFR) that implement these laws, and the guidance provided in I.M. 1.080, ADA Requirements. When pedestrian facilities are constructed, reconstructed, or altered, the Recipient shall make such facilities compliant with the ADA and Section 504.
- d. The Recipient agrees to indemnify, defend, and hold the Department harmless from any action or liability arising out of the design, construction, maintenance, placement of traffic control devices, inspection, or use of this project. This agreement to indemnify, defend, and hold harmless applies to all aspects of the Department's application review and acceptance process, plan and construction reviews, and funding participation.
- e. Termination of funds. Notwithstanding anything in this agreement to the contrary, and subject to the limitations set forth below, the Department shall have the right to terminate this agreement without penalty and without any advance notice as a result of any of the following: 1) The Federal government, legislature or governor fail in the sole opinion of the Department to appropriate funds sufficient to allow the Department to either meet its obligations under this agreement or to operate as required and to fulfill its obligations under this agreement; or 2) If funds are de-appropriated, reduced, not allocated, or receipt of funds is delayed, or if any funds or revenues needed by the Department to make any payment hereunder are insufficient or unavailable for any other reason as determined by the Department in its sole discretion; or 3) If the Department's authorization to conduct its business or engage in activities or operations related to the subject matter of this agreement is withdrawn or materially altered or modified. The Department shall provide the Recipient with written notice of termination pursuant to this section.

2. Programming

- a. The Recipient shall be responsible for including the project in the appropriate Regional Planning Affiliation (RPA) or Metropolitan Planning Organization (MPO) Transportation Improvement Program (TIP). The Recipient shall also ensure that the appropriate RPA or MPO, through their TIP submittal to the Department, includes the project in the Statewide Transportation Improvement Program (STIP). If the project is not included in the appropriate fiscal year of the STIP, funds cannot be obligated.
- b. Before beginning any work for which funding reimbursement will be requested, the Recipient shall submit a written request for acceptance to the Department. The Department will notify the Recipient when acceptance is granted. The cost of work performed prior to acceptance will not be reimbursed. The turning in of plans for letting by the Department's administering office shall be considered acceptance for construction. The Department will notify the Recipient when acceptance is granted.

3. Design and Consultant Services

- a. The Recipient shall be responsible for the design of the project, including all necessary plans, specifications, and estimates (PS&E). The project shall be designed in accordance with the design guidelines provided or referenced by the Department in the Guide and applicable I.M.s.

4. Environmental Requirements and other Agreements or Permits.

- a. The Recipient shall obtain project permits and approvals, when necessary, from the Iowa Department of Cultural Affairs (State Historical Society of Iowa; State Historic Preservation Officer), Iowa Department of Natural Resources, U.S. Coast Guard, U.S. Army Corps of Engineers, the Department, or other agencies as required. The Recipient shall follow the applicable procedures in the Instructional Memorandums to Local Public Agencies Table of Contents, Section 3.1 -- Environmental Reviews and Permits.

5. Right-of-Way, Railroads, and Utilities.

- a. The Recipient shall acquire the project right-of-way, whether by lease, easement, or fee title, and shall provide relocation assistance benefits and payments in accordance with the procedures set forth in I.M. 3.600, Right-of-Way Acquisition, and the Department's Office of Right of Way Local Public Agency Manual. The Recipient shall contact the Department for assistance, as necessary, to ensure compliance with the required procedures.
- b. If a railroad crossing or railroad tracks are within or adjacent to the project limits, the Recipient shall obtain agreements, easements, or permits as needed from the railroad. The Recipient shall follow the procedures in I.M. 3.670, Work on Railroad Right-of-Way.
- c. The Recipient shall obtain agreements from utility companies as needed. The Recipient shall comply with the "Policy for Accommodating Utilities on the County and City a Non-Primary Federal-aid Road System" for projects on non-primary Federal-aid highways. For projects connecting to or involving some work inside the right-of-way for a primary highway, the Recipient shall follow the Department's "Policy for Accommodating and Adjustment of Utilities on the Primary Road System" The Recipient should also use the procedures outlined in I.M. 3.640, Utility Accommodation and Coordination, as a guide to coordinating with utilities.

6. Contract Procurement.

- a. The following provisions apply only to projects involving physical construction or improvements to transportation facilities:
- b. The project plans, specifications, and cost estimate (PS&E) shall be prepared and certified by a professional engineer or architect, as applicable, licensed in the State of Iowa.
- c. The Recipient shall be responsible for the following:
 - i. Prepare and submit the PS&E and other contract documents to the Department for review and acceptance in accordance with I.M. 3.700, Check and Final Plans and I.M. 3.500, Bridge or Culvert Plans, as applicable.
 - ii. The contract documents shall use the Department's Standard Specifications for Highway and Bridge Construction. Prior to their use in the PS&E, specifications developed by the Recipient for individual construction items shall be approved by the Department.
 - iii. Follow the procedures in I.M. 5.030, Iowa DOT Letting Process, to analyze the bids received; make a decision to either award a contract to the lowest responsive bidder or reject all bids; and if a contract is awarded, execute the contract documents and return to Department.

Note: The Department may not be able to allow a project to be let in the scheduled letting due to possible issues with cash flow availability.

- d. The Recipient shall forward a completed Project Development Certification (Form 730002) to the Department in accordance with I.M. 5.050, Project Development Certification Instructions. The project will not be turned in for bid letting until the Department has reviewed and approved the Project Development Certification.
- e. If the Recipient is a city, the Recipient shall comply with the public hearing requirements of the Iowa Code section 26.12.

- f. The Recipient shall not provide the contractor with notice to proceed until after receiving written notice that the Department has concurred in the contract award.

7. Construction.

- a. The Recipient shall follow the procedures in I.M. 6.000, Construction Inspection, and the Department's Construction Manual, as applicable, for conducting construction inspection activities. The Recipient's engineer shall at all times be responsible for inspection of the project.
- b. A full-time employee of the Recipient shall serve as the person in responsible charge of the construction project. For cities that do not have any full time employees, the mayor or city clerk will serve as the person in responsible charge, with assistance from the Department.
- c. Traffic control devices, signing, or pavement markings installed within the limits of this project shall conform to the "Manual on Uniform Traffic Control Devices for Streets and Highways" per 761 IAC Chapter 130. Proper protective measures and devices such as fences, barricades, signs, flood lighting, and warning lights as needed.
- d. The project shall be constructed under the Department's Standard Specifications for Highway and Bridge Construction and the Recipient shall comply with the procedures and responsibilities for materials testing according to the Department's Materials I.M.s. Available on-line at: <https://www.iowadot.gov/erl/index.html>.
- e. If the Department provides any materials testing services to the Recipient, the Department will bill the Recipient for such testing services according to its normal policy as per Materials I.M. 103.

8. Reimbursements.

- a. The Recipient will be initially responsible for all project costs. After costs have been incurred, the Recipient shall submit to the Department periodic itemized claims for reimbursement for eligible project costs. Requests for reimbursement shall be made at least semi-annually but not more than bi-weekly.
- b. To ensure proper accounting of costs, reimbursement requests for costs incurred prior to June 30 shall be submitted to the Department by August 1, if possible, but no later than August 15.
- c. Reimbursement claims shall include a certification that all eligible project costs, for which reimbursement is requested, have been reviewed by an official or governing board of the Recipient, are reasonable and proper, have been paid in full, and were completed in substantial compliance with the terms of this agreement.
- d. The Department will reimburse the Recipient for properly documented and certified claims for eligible project costs. The Department may withhold up to 5% of the total funds available for the project. Reimbursement will be made either by State warrant or by crediting other accounts from which payment was initially made. If, upon final review or audit selected by the Administering Office, the Department determines the Recipient has been overpaid, the Recipient shall reimburse the overpaid amount to the Department. After the final review is complete and after the Recipient has provided all required paperwork, the Department will release the funds withheld.
- e. The total funds collected by the Recipient for this project shall not exceed the total project costs. The total funds collected shall include any funds received; for example, Federal funds not received through FHWA, any special assessments made by the Recipient (exclusive of any associated interest or penalties) pursuant to Iowa Code Chapter 384 (cities) or Chapter 311 (counties), proceeds from the sale of excess right-of-way, and any other revenues generated by the project. The total project costs shall include all costs that can be directly attributed to the project. In the event that the total funds collected by the Recipient do exceed the total project costs, the Recipient shall either:
 - i. in the case of special assessments, refund to the assessed property owners the excess special assessments collected (including interest and penalties associated with the amount of the excess), or
 - ii. refund to the Department all funds collected in excess of the total project costs (including interest and penalties associated with the amount of the excess) within 60 days of the receipt of any excess funds.

9. Project Close-out.

- a. Acceptance of the completed construction shall be with the concurrence of the Department. Within 30 days of completion of construction or other activities authorized by this agreement, the Recipient shall provide written notification to the Department. The Recipient shall follow and request a final review, in accordance with the procedures in I.M. 6.110, Final Review, Audit, and Close-out Procedures for Federal-aid Projects. Failure to comply with the procedures may result in loss of funds and the ability to let future projects through the Department; reimbursed funds shall be returned and a possible suspension may be placed on the Recipient from receiving funds from the Department on future projects until the Recipient has demonstrated responsible management of funds on roadway projects.
- b. For construction projects, the Recipient shall provide a certification by a professional engineer, architect, or landscape architect as applicable, licensed in the State of Iowa, indicating the construction was completed in substantial compliance with the project plans and specifications.
- c. Final reimbursement of funds shall be made only after the Department accepts the project as complete.
- d. The Recipient shall maintain all books, documents, papers, accounting records, reports, and other evidence pertaining to costs incurred for the project. The Recipient shall also make this documentation available at all reasonable times for review by the Department. Copies of this documentation shall be furnished by the Recipient if requested. Such documentation shall be retained for at least 3 years from the date of the Department's signature of the Department's Statement of Completion and Final Acceptance of Work (Form 830435) or the Certificate of Completion and Final Acceptance of Agreement Work (Form 640003).
- e. The Recipient shall maintain, or cause to be maintained, the completed improvement in a manner acceptable to the Department.

**RESOLUTION
NO 19-233**

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK
TO EXECUTE IOWA DEPARTMENT OF TRANSPORTATION
AGREEMENT NO. 4-19-STBG-SWAP-014
IN CONNECTION WITH
CBIS SEGMENT 4 SEWER RELOCATIONS
PW17-15**

- WHEREAS, the Iowa Department of Transportation wishes to make improvements known as the I-29 Interstate Improvements, within the city, which require the relocation of City sewers, as therein described; and
- WHEREAS, Iowa Department of Transportation has submitted a funding agreement for said sewer relocations; and
- WHEREAS, the city council deems approval of said agreement to be in the best interest of the City of Council Bluffs.

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

That the Mayor and City Clerk are hereby authorized and directed to execute an agreement with Iowa Department of Transportation in connection with the CBIS Segment 4 Sewer Relocations.

ADOPTED
AND
APPROVED

October 7, 2019

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Community
Development

Case/Project No.:

Submitted by: Courtney Harter,
Community Development Project
Coordinator

Resolution 19-234
ITEM 7.C.

Council Action: 10/7/2019

Description

Resolution approving the use of 2020 Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) program funds and directing the Mayor to submit the 2020 Annual Plan to the City of Omaha and the U.S. Department of Housing and Urban Development (HUD.)

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Other	9/27/2019
2020 Community Development Block Grant	Other	9/27/2019
2020 Home Investment Partnership Program	Other	9/27/2019
Resolution 19-234	Resolution	10/2/2019

Council Communication

Department: Community Development	Resolution No.: 19 -	City Council: October 7, 2019
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Subject/Title
2020 Annual Plan for Community Development Block (CDBG) funds and HOME Investment Partnership Program (HOME) funds.

Background/Discussion

Background

The City of Council Bluffs is an entitlement community under the Community Development Block Grant (CDBG) program, which results in annual funding from the U.S. Department of Housing and Urban Development (HUD). The City has 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). In order to receive these funds, the City is required to submit to HUD an Annual Plan.

The Annual Plan details the City’s objectives, revenues, expenditures and other actions. This document is prepared by the Community Development Department with input from the Community Development Advisory Committee (CDAC). In FY2020, the City anticipates receiving approximately \$950,000 in CDBG funding for the period of January 1, 2020 through December 31, 2020. Eligible projects must meet the following national objectives: benefit to persons of low-to-moderate income, elimination of slum and blight and urgent need. The total CDBG program budget is \$3,269,994 and includes the following sources of revenue:

2020 CDBG Grant	950,000
Carryover	1,303,994
Misc Fees	1,000
Program Income	1,015,000
Total	3,269,994

In FY2020, the City anticipates receiving approximately \$200,000 in HOME funding for the period of January 1, 2020 through December 31, 2020. Eligible projects for HOME funding exclusively benefit persons of low-to-moderate income. Funds will be used to support a multi-family housing project to be determined.

Discussion

Of the available funding, a significant amount is recommended for ongoing programs. However, a portion of the available funds were allocated to various projects using a request for proposal (RFP) process. This included advertising the availability of funding in the *The Daily Nonpareil*, posting the availability of funding at the Council Bluffs Public Library and City Hall and notifying others who expressed an interest. Upon the receipt of proposals, public hearings were held and recommendations formulated. The Community Development Department and Community Development Advisory Committee (CDAC) are now recommending the allocation of the 2020 CDBG and HOME program funds. A listing of the programs and projects recommended for 2020 CDBG funds is outlined in “Attachment A” and the 2020 HOME funds is outlined in “Attachment B” for your review.

Upon City Council approval, the Community Development Department will forward the 2020 Annual Plan to the City of Omaha and to HUD.

Staff Recommendation

The Community Development Department recommends that City Council adopt a resolution approving the use of the 2020 CDBG and HOME program funds as outlined in the attached budgets; direct the Mayor to submit the 2020 Annual Plan to the City of Omaha and to HUD; and direct the Mayor to execute contracts with HUD for the use of the CDBG funds and with the City of Omaha for the use of the HOME funds.

Community Development Advisory Committee

On September 25, 2019, CDAC met to review the 2020 CDBG and HOME program funds and recommend their

Council Communication

approval. CDAC recommends the following for approval:

1. Allocating 2020 CDBG funds to Housing Development projects as outlined in “Attachment A.” Motion carried by unanimous voice vote of those present. VOTE: AYE: Madsen, Schlott; NAY – None; ABSTAIN – Heininger; ABSENT – Brunow, Lastrup.
2. Allocating 2020 CDBG funds to, Public Facilities and Improvement projects, Planning/Administration/Project Supervision, Neighborhood Development, Slum and Blight and Community Development projects, and approving project revenues as outlined in “Attachment A;” and authorizing the Mayor to execute the contract with HUD for the use of CDBG funds. Motion carried by unanimous voice vote of those present. VOTE: AYE: Heininger, Madsen, Schlott; NAY – None; ABSTAIN – None; ABSENT – Brunow, Lastrup.
3. Allocating the 2020 HOME funds as outlined in “Attachment B” and directing the Mayor to submit a 2020 Annual Plan to Omaha and authorizing the Mayor to execute the contract with City of Omaha for the use of the HOME funds. Motion carried by unanimous voice vote of those present. VOTE: AYE: Heininger, Madsen, Schlott; NAY – None; ABSTAIN – None; ABSENT – Brunow, Lastrup.

2020 Community Development Block Grant

Expenditures

HUD Category	2019 Allocation	2020 Request	Staff Recommendation	Projected Income	CDAC & Staff Recommendation	Notes
Administration						
CD Administration	210,000.00	190,000.00	190,000.00	-		20% of estimated \$950,000 allocation
CD Project Delivery	90,000.00	50,000.00	50,000.00	-		
Rehab Administration	95,600.00	95,600.00	95,600.00	-		
Subtotal	395,600.00	335,600.00	375,600.00	-	-	
Public Services						
MICAH House	37,000.00	50,000.00	37,000.00			
Catholic Charities	11,500.00	20,000.00	11,500.00			
HFS - Heartland Homes	11,550.00	15,000.00	11,550.00			Limited to 15% of annual allocation
HFS - PCHO	15,750.00	20,000.00	15,750.00			\$142,500 with estimated \$950,000
New Visions - MOHM's Place	17,000.00	17,000.00	17,000.00			allocation. Staff recommendation total
New Visions - Joshua House	20,000.00	35,000.00	20,000.00			\$112,800.
Family Housing Advisory Services	30,000.00	50,000.00	30,000.00			Housing counseling is not subject to
Subtotal	142,800.00	207,000.00	142,800.00	-	-	15% public service cap
Public Facilities						
HFS - Iowa Family Works Renovations	50,000.00	-	-	-		
New Visions - Hot Box A/E	-	28,000.00	28,000.00	-		
Catholic Charities - Drainage and Deck	-	8,700.00	40,000.00	-		
Subtotal	50,000.00	36,700.00	68,000.00	-	-	
Housing Development						
A. New Housing Development						
Infil-Down Payment Assistance	150,000.00	126,000.00	126,000.00	-		\$120,000 DPA
Habitat for Humanity	45,000.00	45,000.00	45,000.00	-		\$6,000 project admin
Blight (NWHs)	-	16,500.00	15,000.00	-		Site Cleanup for new housing
B. Housing Rehabilitation						
Emergency Repair Program	25,000.00	25,000.00	25,000.00	-		
Housing Rehabilitation Program	209,400.00		209,400.00	15,000.00		Loan Payments - \$15,000
Lead Hazard Reduction & Healthy Homes	170,666.00	170,666.00	170,666.00	800,000.00		Year 2: Lead Hazard Control
League of Human Dignity	25,000.00	-	-	-		CDBG: \$512,000/3yrs
Subtotal	625,066.00	383,166.00	591,066.00	815,000.00	-	Grant: \$2,300,000/3yrs
Neighborhood Development						
1st Avenue Construction	-	-	-	-		
South 19th Street	500,000.00	200,000.00	200,000.00	100,000.00		CDBG '19 - \$400,000
South 13th Street (Sunset Park)	350,000.00	-	-	-		CIP CD20-02 - \$100,000
South End Opportunities	-	400,000.00	400,000.00	-		
Neighborhood Development (Opportunities)	250,000.00		300,000.00			
Neighborhood Development (TBD)	250,000.00		177,528.00	-		
Subtotal	1,350,000.00	600,000.00	1,077,528.00	100,000.00	-	
Slum & Blight						
Mid-City Cleanup and Acquisitions	1,000,000.00	-	-	100,000.00		Gen Fund CD19-02 - \$50,000
Blighted Program (22nd Ave and S 6th St)	-	-	-	-		Gen Fund CD20-03 - \$50,000
Blighted Program (South End-1218 22nd Ave)	-	-	-	-		CDBG '18 - \$50,000
Subtotal	1,000,000.00	-	-	100,000.00	-	CDBG '19 - \$850,000
TOTAL Expenditures	3,563,466.00	1,562,466.00	2,254,994.00	1,015,000.00	-	
Revenues						
CDBG Grants and Carryover						
CDBG 2020 Entitlement				950,000.00		
Obligated Carryover				1,303,994.00		
Unobligated Carryover				-		
Miscellaneous Fees or Refunds				1,000.00		
Subtotal				2,254,994.00		
CDBG Obligated Program Income						
Home Improvement Program (Loan Payments)				15,000.00		
South 19th Street Neighborhood Development				100,000.00		
Lead Hazard Control Rehab				800,000.00		
Mid-City				100,000.00		
Subtotal				1,015,000.00		
TOTAL Revenue				3,269,994.00		
Remaining Balance				\$	-	

2020 Home Investment Partnership Program (HOME) - Council Bluffs

<u>Program</u>	<u>Description</u>	<u>Unit Goals</u>	<u>2020 HOME Budget</u>	<u>Low and Moderate Income Benefit</u>	<u>Other Public Funds</u>	<u>Private Funds</u>	<u>Total Project Costs</u>
Multi-Family Housing Development Project	Construction related costs for 1 multi-family housing development project.	1	\$200,000	\$200,000	\$0	\$0	\$200,000
		1	\$200,000	\$200,000	\$0	\$0	\$200,000

Revised 9-23-2019

RESOLUTION NO. 19-234

A RESOLUTION APPROVING THE USE OF 2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM FUNDS AND DIRECTING THE MAYOR TO SUBMIT THE 2020 ANNUAL PLAN TO THE CITY OF OMAHA AND THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).

- WHEREAS, the City of Council Bluffs, an entitlement community, annually receives CDBG funds from HUD; and
- WHEREAS, the City of Council Bluffs also receives HOME funds through the Omaha-Council Bluffs HOME Consortium; and
- WHEREAS, on August 15, 2019, the Community Development Advisory Committee held a public hearing to obtain the views of citizens on housing and community development needs; and
- WHEREAS, the Community Development Department and the Community Development Advisory Committee received requests from the public for CDBG and HOME funding; and
- WHEREAS, the Community Development Advisory Committee held an additional public hearing on September 18, 2019 on said funding requests to ensure that citizens have had an opportunity to present project proposals and comments; and
- WHEREAS, on September 25, 2019, the Community Development Advisory Committee prepared recommendations on said funding requests; and
- WHEREAS, it is the opinion of the City Council that it would be in the best interest of the City to allocate 2020 CDBG funds as outlined in Attachment A and to allocate 2020 HOME funds as outlined in Attachment B.

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

That the projects listed in Attachment A with the corresponding 2020 CDBG amounts are hereby approved; and the projects listed in Attachment B with the corresponding 2020 HOME amounts are hereby approved.

BE IT FURTHER RESOLVED

That the Mayor is hereby directed to cause the preparation of a 2020 Annual Plan which outlines the proposed use of funds as required by the U.S. Department of Housing and Urban Development (HUD) and authorized to execute contracts with HUD for the use of the CDBG funds and with the City of Omaha for the use of the HOME funds.

ADOPTED
AND
APPROVED:

October 7, 2019

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Community
Development

Case/Project No.: MIS-19-003

Submitted by: Christopher N.

Gibbons, AICP, Planning

Coordinator

Resolution 19-235

ITEM 7.D.

Council Action: 10/7/2019

Description

Resolution authorizing the release of a perpetual and permanent sanitary sewer easement across a portion of Parcel 'A' in the southeast quarter of Section 4-74-44, and being more particularly described on Attachment B. Location: Lying West of Interstate 29, East of River Road, and South of Nebraska Avenue. MIS-19-003

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Other	10/2/2019
MIS-19-003 Attachments A and B	Other	9/27/2019
Resolution 19-235	Resolution	10/2/2019

City Council Communication

Department: Community Development Department CASE #MIS-19-003	Resolution No. _____	City Council: 10/07/2019
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Subject/Title

Request for the release of perpetual and permanent sanitary sewer easement across a parcel of land legally described as a portion of Parcel ‘A’ in the SE ¼ of Section 4-74-44, City of Council Bluffs, Pottawattamie County, Iowa, and being more particularly described on Attachment ‘B’.

Location: Lying West of Interstate 29, East of River Road, and South of Nebraska Avenue.

Background/Discussion

On August 26, 2019, the Council Bluffs City Council approved Resolution No. 19-203, which granted final plat approval for a two-lot industrial subdivision known as River Road Subdivision (see Attachment A). After Council approved the final plat, the Community Development Department became aware that a 48-inch capped and abandoned sanitary sewer line exists beneath portions of subdivision, and is protected by an exclusive 20 foot-wide easement (as shown on Attachment B). The sewer line functioned as an outfall that ran from the City’s original wastewater treatment plant (formerly located at the intersection of 23rd Avenue/South 35th Street) to the Missouri River. The line has been inoperable since 1999 when the City relocated sanitary sewer across Interstate 29. In 1994, the City Council approved Resolution No. 94-290 which released an easement over a section of said sewer line that extended west of River Road to the Missouri River. This request is similar to the approval granted by Council in 1994.

Lots 1 and 2, River Road Subdivision are planned to be sold to private entities (Warren Distribution and OPUS) for new industrial development. The diagonal alignment of this sewer line easement creates a challenge for placing buildings on said lots, and should be released in order to provide better site design flexibly. The new property owners will need to conduct their own assessment to determine whether any buildings and/or parking lots can be constructed on top of the abandoned sewer line. Any cost to remove the sewer line will be the responsibility of the developer, and not the City of Council Bluffs.

Recommendation

The Community Development Department recommends approval to release a perpetual and permanent sanitary sewer easement across a parcel of land legally described as a being a portion of Parcel ‘A’ in the SE ¼ of Section 4-74-44, City of Council Bluffs, Pottawattamie County, Iowa, and being more particularly described on Attachment ‘B’, based on reasons stated above.

Attachments

Attachment A – River Road Subdivision final plat
Attachment B - Sanitary sewer line easement exhibit

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

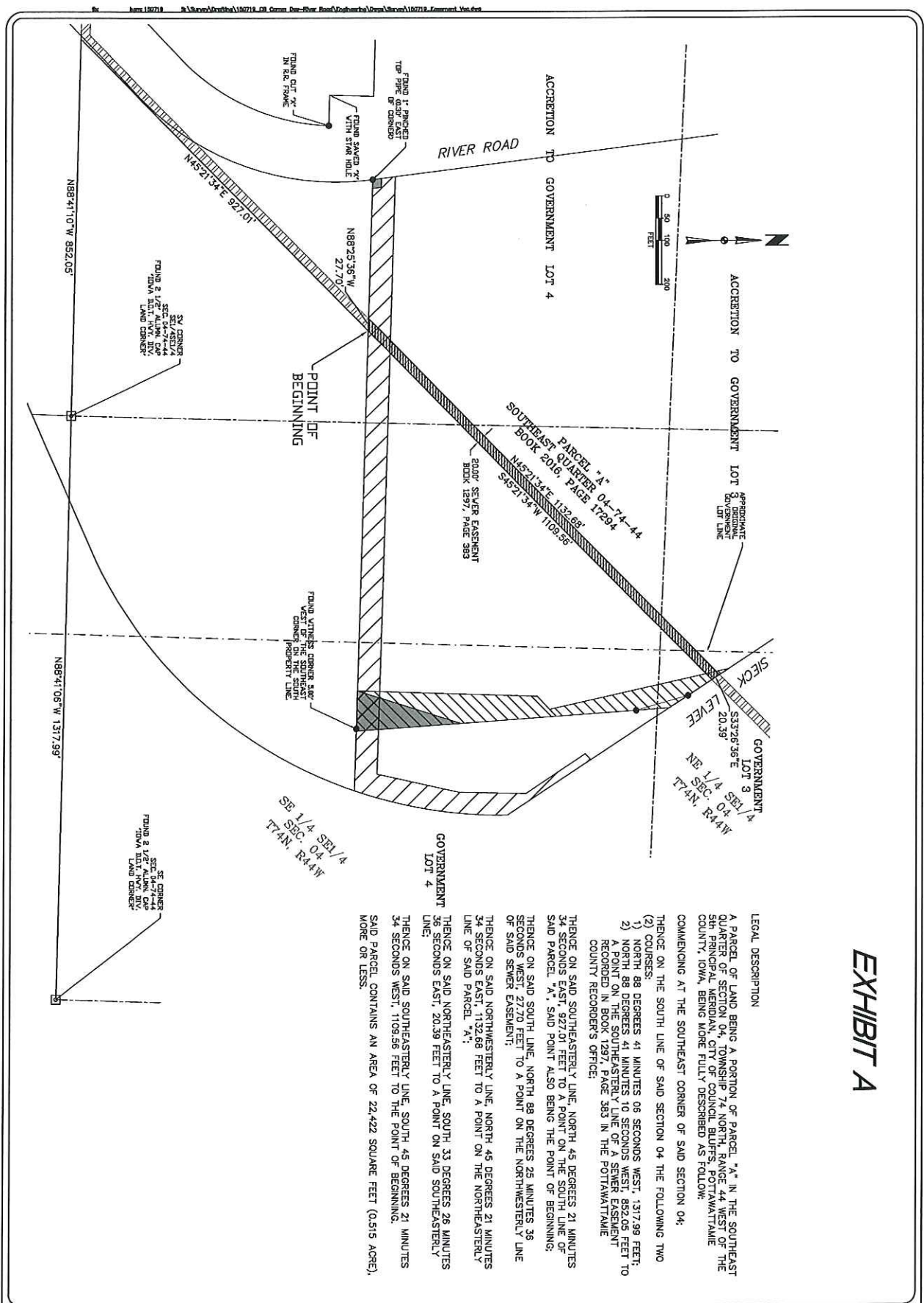


EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF PARCEL "A" IN THE SOUTHEAST QUARTER OF SECTION 04, TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5th PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

- COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 04;
- THENCE ON THE SOUTH LINE OF SAID SECTION 04 THE FOLLOWING TWO (2) COURSES:
- 1) NORTH 88 DEGREES 41 MINUTES 08 SECONDS WEST 1317.99 FEET;
 - 2) NORTH 88 DEGREES 41 MINUTES 10 SECONDS WEST 832.05 FEET TO SAID SOUTHWEST CORNER OF SAID SECTION 04;
- RECORDED IN BOOK 1297, PAGE 383 IN THE POTTAWATTAMIE COUNTY RECORDER'S OFFICE.

THENCE ON SAID SOUTHEASTERLY LINE, NORTH 45 DEGREES 21 MINUTES 34 SECONDS EAST, 927.01 FEET TO A POINT ON THE SOUTH LINE OF SAID PARCEL "A"; SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE ON SAID SOUTH LINE, NORTH 89 DEGREES 25 MINUTES 35 SECONDS WEST, 27.70 FEET TO A POINT ON THE NORTHWESTERLY LINE OF SAID SEWER EASEMENT;

THENCE ON SAID NORTHWESTERLY LINE, NORTH 45 DEGREES 21 MINUTES 34 SECONDS EAST, 1132.69 FEET TO A POINT ON THE NORTHEASTERLY LINE OF SAID PARCEL "A";

THENCE ON SAID NORTHEASTERLY LINE, SOUTH 33 DEGREES 26 MINUTES 36 SECONDS EAST, 20.39 FEET TO A POINT ON SAID SOUTHEASTERLY LINE;

THENCE ON SAID SOUTHEASTERLY LINE, SOUTH 45 DEGREES 21 MINUTES 34 SECONDS WEST, 1109.26 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 22.422 SQUARE FEET (0.515 ACRE), MORE OR LESS.

PROJECT NO. 150719
 SHEET 1 OF 1

PROJECT: RIVER ROAD SUBDIVISION
 PARCEL "A", SE1/4 SECTION 04-74-44

CLIENT: CITY OF COUNCIL BLUFFS
 209 PEARL STREET, COUNCIL BLUFFS, IOWA 51503

SHEET: VACATE EASEMENT EXHIBIT

DEF	_____	DATE
BY	_____	
APP	_____	
CHK	_____	
DATE	_____	

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

This drawing is being made available for your review and use for the purpose of providing information only. It is not intended to be used for any other purpose without the express written consent of the drafter. The drafter shall not be held liable for any use of this drawing or the information contained therein without the express written consent of the drafter.

RESOLUTION NO. 19-235

A RESOLUTION AUTHORIZING THE RELEASE OF A PERPETUAL AND PERMANENT SANITARY SEWER EASEMENT ACROSS A PORTION OF PARCEL ‘A’ OF THE SOUTHEAST QUARTER OF SECTION 4-74-44, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, LYING WEST OF INTERSTATE 29, EAST OF RIVER ROAD, AND SOUTH OF NEBRASKA AVENUE.

WHEREAS, Resolution No. 19-203 adopted and approved on August 26, 2019, approved a final plat for a two-lot industrial subdivision known as River Road Subdivision as shown on Attachment ‘A’; and

WHEREAS, a perpetual and permanent sanitary sewer easement was granted and reserved in the City of Council Bluffs for the maintenance of sewer lines; and

WHEREAS, the easement runs across a parcel of land legally described as a portion of Parcel ‘A’ in the SE ¼ of Section 4-74-44, City of Council Bluffs, Pottawattamie County, Iowa, and being more particularly described on Attachment ‘B’; and

WHEREAS, Lots 1 and 2, River Road Subdivision are planned to be sold to private entities for new industrial development and the diagonal alignment of this sewer line easement creates a challenge for placing buildings on said lots; and

WHEREAS, after study and consideration, it is the opinion of this City Council that the release of the perpetual and permanent sanitary sewer easement be released; and

WHEREAS, any cost to remove the existing sanitary sewer line within said vacated easement shall be the responsibility of the developer, and not the City of Council Bluffs.

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

That this City Council does hereby release the perpetual and permanent sanitary sewer easement on the above-described property.

ADOPTED
AND
APPROVED

October 7, 2019.

MATTHEW J. WALSH

Mayor

Attest: _____

JODI QUAKENBUSH

City Clerk

Council Communication

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

Resolution 19-236
ITEM 7.E.

Council Action: 10/7/2019

Description

Resolution selecting Knudson Companies as the preferred developer for approximately 8.5 acres of City-owned land at South 34th Street and 1st Avenue and to enter into a purchase, sale, and development agreement.

Background/Discussion

See attachments

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Other	10/2/2019
Lockwood Development Proposal	Other	10/1/2019
White Lotus Group Proposal	Other	10/1/2019
Knudson Companies Proposal 1 of 4	Other	10/1/2019
Knudson Companies Proposal 2 of 4	Other	10/1/2019
Knudson Companies Proposal 3 of 4	Other	10/1/2019
Knudson Companies Proposal 4 of 4	Other	10/1/2019
Resolution 19-236	Resolution	10/2/2019

Council Communication

Department: Community Development	Resolution No.: 19 -	City Council: October 7, 2019
Subject/Title		
Resolution selecting Knudson Companies as the preferred developer for approximately 8.5 acres of City-owned land at South 34 th Street and 1 st Avenue and to enter into a purchase, sale, and development agreement.		
Background/ Discussion		
<p><u>Background</u></p> <p>Starting in 2012, the City began acquiring property in the west end, specifically between West Broadway and 2nd Avenue from 28th Street to 35th Street. Demolition of structures and site grading have occurred and developers have expressed interest in redeveloping some of the property. Because the property is located in the West Broadway Urban Renewal Area, the process for land disposition is dictated by urban renewal law. It is in the best interest of the City to request proposals for the redevelopment of the sites through a RFP process, beginning with the property located between 32nd and 34th Streets from West Broadway to 2nd Avenue. The minimum development requirements, competitive criteria and procedures for disposition were approved by City Council on August 26, 2019.</p> <p>As part of the disposition of property, state statutes require the city ensure a reasonable competitive bidding procedure and 30 days to respond. This also 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. The RFP was published August 29, 2019 and proposals were due September 30, 2019.</p> <p>Developers were required to submit proposals that demonstrate their capacity to satisfy the requirements of the RFP including:</p> <ol style="list-style-type: none"> 1. Application 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. 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 10-year project proforma. 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. 		

Council Communication

Each proposal was reviewed by staff of the Community Development Department and was scored using the following criteria, which was detailed in the RFP ensuring developers knew how they would be evaluated.

1. Design, Aesthetics and Quality of Construction Materials and Landscaping (40%): As the first redevelopment project along the corridor, the quality of design and materials is essential. A combination of durable materials and transparency with an urban appearance must be utilized. The residential building facades shall be constructed with 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. Residential building facades that are blank and/or void of architectural detailing shall not be permitted. An exception to these standards may be granted by the Community Development Director for those areas of a building facade that are not visible from a public/private street, or a residential use, and shall be identified prior to development plan approval. A list of materials and visual renderings of the site layout, units and exterior design must be provided as a part of this submittal. Building materials for the commercial and residential project components shall be complementary in nature and compatible in appearance.

2. Developer's Experience and Capacity (30%): The makeup/description of the developer's project team. The preferred developer will have significant experience in the construction of urban-style, multi-family complexes (representative examples were provided). 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. Number of Units Proposed and Unit Sizes (15%): Preference will be given to developers who maximize the number of units. Provide a target resident type (senior, family, etc.) if applicable. Proposals will also be scored on the length of time it will take to construct and occupy the project.

4. Funding Sources (15%): Preference will be given to Developers not utilizing either 4% or 9% Low Income Housing Tax Credits (LIHTC). No income restrictions are applicable to the property. Preference will be given to developers who propose projects with 80% or more market rate housing. A list of proposed funding sources and when the funds are expected to be awarded/confirmed is required.

A website was developed for the 1st Avenue electronic content making material more accessible and easier to find. Adopted plans, presentations, zoning codes, development opportunities, media coverage and other information related to the project area were posted. The RFP and resulting Q & A was also posted. Additionally, a regional and metropolitan list of developers (approximately 50 total) were directly mailed the RFP at the beginning of the process and were emailed several updates and reminders throughout the open RFP process.

An appraisal was conducted on the property in January of 2019 and the value was estimated at \$1,870,000.

Discussion

Three firms responded to the RFP: Lockwood Development, White Lotus Group and Knudson Companies. Below is a brief summary of each project:

The Lockwood Development proposal narrative says they will construct up to 220 residential units in two four-story buildings. However, their site plan shows 150 residential units located in two 48-unit apartment buildings and six smaller buildings. Approximately 31,000 square feet of commercial space will be constructed on the property north of 1st Avenue at the corner of West Broadway and South 34th

Council Communication

Street. A site plan and building rendering was submitted but detailed information on building materials was not provided. Lockwood offered \$1,200,000 for the land and said if they were chosen as the developer of the project, they would provide a detailed proforma. Building materials were not specified in their proposal. Lockwood Development has partnered with Olsson Associates to provide engineering services and ASD Stanley J. How to provide architectural services.

The White Lotus Group proposal shows a five story residential apartment building with 250 units along with a single story 10,000 square foot commercial building. The residential building will have indoor covered parking on the first floor with the upper four stories containing the individual residential units. The residential component has a mixture of one, two and three bedroom units. Additionally, of the 250 units, 225 are proposed to be low income housing tax credit units renting to persons at or below 60% of the area median family income and 25 are proposed to be market rate. Rents will range from \$967 up to \$1,400. Building materials were not specified; however, the proposal indicated they will use “high quality, durable materials.” White Lotus has offered full appraised value for the land, has not asked for any local incentives and does not have any project contingencies. Their total project investment is expected to exceed \$51.3 million. The submitted site plan shows direct vehicular access to 1st Avenue which was prohibited per the RFP requirements. White Lotus has partnered with DLR Group for architectural services and E & A Consulting for engineering services.

Knudson Companies proposes a 224 apartment units and 40 townhomes, located both north and south of 1st Avenue (264 total units). They also have proposed 20,000 square feet of commercial space at the corner of West Broadway and South 34th Street. The project will be constructed in four phases with the commercial component being constructed last. All residential units are proposed to be market rate with a mixture of one and two bedroom units, studios and micro units with rents ranging from \$600-\$1,500 per month. The project is designed with an occupant and wellness component and incorporates all-inclusive, health-focused strategies into the project. Site amenities include rooftop entertainment patios, outdoor playgrounds, gathering spaces, outdoor plazas and arboretum. Building materials are comprised of brick, stucco, fiber cement and incorporates many Green Building Requirements. The total project investment is expected to exceed \$40.7 million. Incentives requested include \$3,000,000 in tax increment financing, plus a lower land acquisition price of \$100,000. State law requires the land to be disposed of for fair market value and the land value consideration can be structured as a forgivable loan with project milestones being achieved by certain performance targets. Any incentive considerations will be negotiated between City staff, our urban renewal legal counsel and Knudson Companies. All recommendations will be brought to City Council for final review and approval.

The Knudson Companies proposal meets the vision and objectives of the Bluffs Tomorrow: 2030 Plan and the West Broadway Corridor Plan by:

- Maximizing the use of public and private resources by locating higher density and mixed use developments within the area, which has existing infrastructure, access to public transportation, employment, commercial/retail establishments, schools and other supportive services.
- Creating a higher density development with a minimum of 40 units per acre on the south portion of the subject property (MCR/Mixed Commercial Residential District).
- Constructing an aesthetically pleasing development that provides opportunities for human interactions on adjacent rights-of-way, limits the placement of parking lots to the sides and rears of buildings and creates additional opportunities for multiple modes of transportation (i.e. transit, automobiles and bicycles).

Council Communication

The full proposal shows the project plans, including a concept which meets and exceeds the minimum requirements listed in the RFP. Knudson Companies has partnered with Schemmer to design and engineer the project.

Staff reviewed the proposals and believes the Knudson Companies project fully complies with the requirements of the RFP and the development proposal achieves the City's long-range vision for 1st Avenue and the West Broadway corridors. Staff will have discussions with the selected firm regarding additional goals and design ideas. Once this is complete, contracts for the project with the firm will be brought back to City Council for approval including a purchase agreement and development agreement (including incentives) with the selected developer.

Recommendation

Staff recommends selecting Knudson Companies as the preferred developer for approximately 8.5 acres of City-owned land at South 34th Street and 1st Avenue and to enter into a purchase, sale, and development agreement.

Attachments

The submitted proposals are provided with this report.

Submitted by Brenda Carrico, Program Coordinator, Community Development Department

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

City of Council Bluffs, Iowa
Request for Proposals Cover Page

Project Information

Project Name West Broadway

Organization Information

Name of Developer Lockwood Development

Mailing Address 12910 Pierce Street, Suite 110, Omaha, NE 68144

Contact Person(s) Chip James and Bob Begley

Telephone 402-933-3663 Fax 402-933-3664

Email Address chip@lockwooddev.com or bob@lockwooddev.com

Partners

Type	Name and Address	Contact Person
Project Development	Lockwood Development, Inc.	Chip James
Architectural Firm	ASD Stanley J. How	Stan How
Engineering Firm	Olsson	Kellen Heideman and Doug Halvorson
Other (specify)		
Other (specify)		
Other (specify)		

Council Bluffs Request for Proposal

34th Street and 1st Avenue

Project Summary

Lockwood Development would develop up to 220 multi-family living units in two four story buildings and develop the commercial lots on Broadway.

Project Plans

Please see attached conceptual site plan of the proposed project.

Developer Experience

Lockwood Development was formed in 2002 as a full-service commercial/residential and mixed-use development company. Please see attached Lockwood Development Portfolio.

Project Timeline

Lockwood Development would need approximately 120-180 days for due diligence and to coordinate with the city on platting, zoning and preparing an approved Development Agreement with the City of Council Bluffs. We would anticipate having construction drawings approximately 120-150 days following closing on the property with construction to commence upon receiving a building permit.

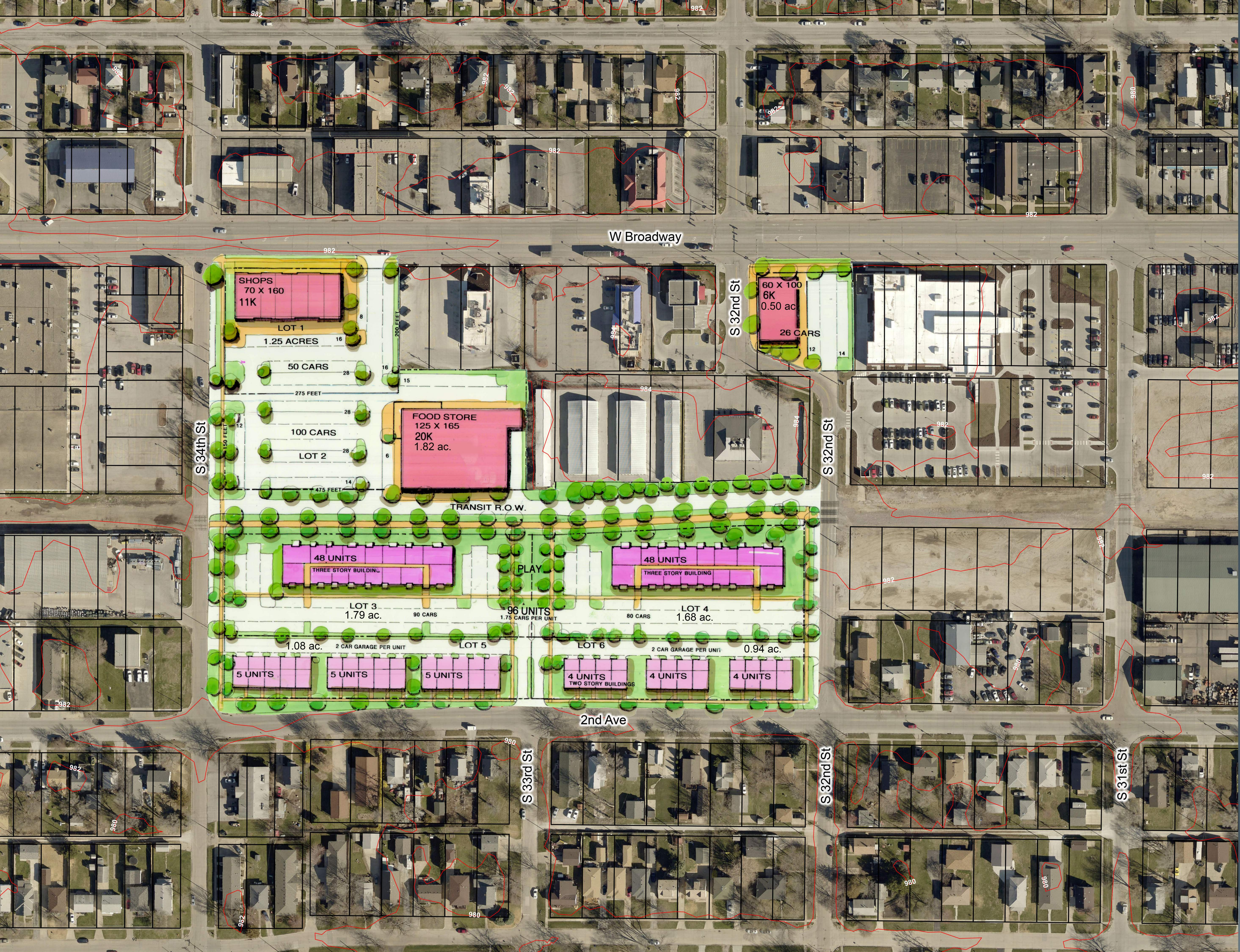
Financial Forecast

Lockwood Development or it's affiliate is offering \$1,200,000 for the property. We will complete a detailed pro forma if chosen as the developer of the project.

Project Contingencies

Lockwood Development would be looking for assistance from the City and State to implement to project, including but not limited to;

- Tax Increment Financing and;
- Brownfield/Grayfield Tax Credits







LOCKWOOD DEVELOPMENT PORTFOLIO



ABOUT LOCKWOOD DEVELOPMENT

In 2002, Lockwood Development was established in Omaha, Nebraska as a full-service commercial real estate development company. Lockwood's core focus is the development of land, office buildings and retail centers primarily in the Midwest. Since its inception, Lockwood has grown to develop over 1,000,000 square feet of commercial properties in Nebraska and Arkansas. In 2005, Lockwood Development formed Lockwood Construction, LLC to perform general contracting services. As a long term holder of the real estate Lockwood develops, Lockwood wanted to control the building process and ensure the buildings were built to the highest standard and quality.



Services

Development

Our development process includes the following:

INITIAL PLANNING & LAND ACQUISITION:

- Meeting to review details of general & specific project requirements
- Site selection & analysis
- Analyze project feasibility
- Estimate total project cost
- Prepare & negotiate option/purchase agreement
- Determine building requirements; consider highest and best land use
- Obtain topographical report, environmental reports, survey report
- Selection of engineer
- Selection of architect
- Selection of contractor
- Work with architect on building design and overall project concept
- Review of title commitment
- Zoning Entitlements - if required
- Consider & analyze all possible financial options, including TIF & other city incentives
- Assist in lender negotiations
- Preparation of closing documents
- Closing of purchase and loan

ABOUT LOCKWOOD DEVELOPMENT

Services, Continued.

ORGANIZATION:

- Prepare projections to include summary of project, cost analysis, proposed operating budget and financial analysis for investors
- Negotiate terms for construction contract and construction financing
- Review and analyze various project costs
- Review plans and specifications with architect and contractor
- Develop tax and financing alternatives
- Select and prepare appropriate form of organization
- Review and finalize construction contract
- Draft and assemble loan package for submission to lending institutions
- Obtain construction financing commitment

CONSTRUCTION::

- Prepare final construction contract
- Assist in negotiations with construction lender
- Review of construction lien documents
- Review architect's agreement, if necessary
- Review of commitment for permanent financing
- Review of permanent loan documents
- Check process of construction and payouts to contractors
- Check all change orders from contractor
- Obtain and check lien waivers to insure payment of bills by subcontractors
- Check final payment to contractor and review 'punch-list' on final inspection

LEASE-UP:

- Develop occupancy strategy
- Market property to prospective tenants
- Negotiate letter of intent (LOI) proposals
- Prepare and review final lease documents

FINAL CLOSE-OUT:

- Activate permanent loan
- Advise investors of final project cost and prepare any new projections
- Assist in set-up of book keeping system for manager

ABOUT LOCKWOOD DEVELOPMENT

Services, Continued.

Property Management

Our commitment to our projects doesn't end once the property is completed. Lockwood Development stays involved by professionally managing our entire portfolio with a strong dedication to our tenants as well as our partners. Lockwood strives for detail and quality of our developments and feels the management of these properties needs to be the same. Our philosophy remains consistent whether we are managing for our portfolio or 3rd Party Owners.

Our management expertise ranges from Class A and B office properties to retail, flex space and residential. Today, we manage over 1,000,000 square feet. Our primary focus is to maintain a high tenant retention rate through our commitment to our valued tenants. Our services include:

MANAGEMENT SERVICES:

- Regular communication with the owners
- Strong tenant relations
- Preparation of annual budgets
- Financial reporting
- Maintenance and repairs
- Rent collection
- Administration of real estate taxes
- Capital forecasting and cash management
- Year-end reconciliations and billing
- Vendor services bidding and selection
- Rent valuations and negotiations
- Capital project & value enhancements
- Inspection audits
- Proactive/predictive maintenance
- Maintenance services
- Vendor management
- Vendor contract negotiation
- On-Call Maintenance -- 24 Hours a Day



LOCKWOOD TEAM RESUMES



Lawrence 'Chip' James, II, President of Lockwood Development

Chip attended Drake University where he earned his Bachelor's degree in English. After graduating in 1992, Chip began his real estate career working at a company specializing in real estate development, brokerage and management in Omaha, Nebraska.

In 2002, Chip founded Lockwood Development, a full-service commercial real estate company. Lockwood primarily focuses on the development of land, office, retail and multi-family residences as well as brokerage and property management. The company has completed or is in the development phase of completing over \$400 million worth of commercial projects.

In 2005, Chip formed Lockwood Construction to build most of the development projects for the company. The formation of Lockwood Construction allows him to maintain control of each project and make sure that it is constructed to our high standards. This gave Chip more control over the quality of work, the cost of supplies and return on investment. Lockwood Construction specializes in land infrastructure, building core & shells and tenant finishes.

Building his own custom home in 2006 inspired Chip to become more involved in the residential custom home market. Discovering his passion for home building, he continued to expand his residential portfolio which resulted in the creation of Bloomfield Custom Homes in 2011. Bloomfield has built over \$23 million of custom homes in the Omaha area.

Chip is very passionate about the Omaha community. He is currently involved in the following charitable and civic organizations in Omaha:

- Salvation Army Advisory Board
- Brownell Talbot School Board of Trustees
- Bemis Center for Contemporary Arts Board Member
- Creighton Athletic Department Advisory Board

Philanthropy is a major part of Chip's values. Giving back to the community in which he was born and raised has carried over into his career. When creating a new development, it is not always about the bottom line, it is about making sure the product he develops is creating value and is an added benefit to the City of Omaha.

Chip is a member of the International Council of Shopping Centers (ICSC) and holds a real estate license in Nebraska.

LOCKWOOD TEAM RESUMES



Robert Begley, JR, Executive Vice President of Lockwood Development

Bob began his real estate career with The Lund Company in 1996 as an associate broker. He specialized in representing national and regional clients as well as investment sales and leasing office & retail space.

In 2005 Bob joined Lockwood Development as the company's Vice President. His role as Vice President includes: all aspects of the company's development projects site selection, due diligence, market research, entitlements, budgeting, financing and sale and lease negotiations. Bob is also responsible for the company's brokerage services.

Since joining Lockwood Development, he has overseen the development of approximately 500,000 square feet of various office and retail developments. His years of commercial brokerage experience combined with a strong history of development have led to several large scale commercial projects across the Midwest.

Bob has also been an ardent supporter of JDRF after his step-daughter, Shelby, was diagnosed with Type 1 Diabetes (T1D) in 2010. He served as a member of the JDRF board of directors from 2011 through 2018 and was the Chair of the 2018 JDRF One Walk which raised over \$650,000 towards T1D research. Lockwood Development has consistently been a top corporate walk team during his tenure with JDRF and in 2018, Lockwood Development was elected to the JDRF Walk Team Hall of Fame for cumulatively raising over \$100,000 for JDRF.

Bob is a member of the International Council of Shopping Centers (ICSC) and holds real estate licenses in Nebraska, Iowa, Kansas and Arkansas.

EDUCATION

Bob earned a Bachelors Degree in Business Administration from the University of Nebraska at Omaha, with an emphasis on Finance and Real Estate and Land Use Economics.

LOCKWOOD TEAM RESUMES



Emily J. O'Connor, Vice President of Lockwood Development

Emily joined Lockwood Development in 2005 as an Assistant Property Manager. She quickly became more involved in all aspects of the company focusing on Asset/Property Management, Sales and Leasing as well as involvement in Real Estate Development. In 2006, Emily took over all the Property Management for Lockwood. During this time, Emily was responsible for managing over 500,000 square feet of office and retail properties.

In 2011, Emily transitioned out of Property Management to be more focused on Development. In 2015, Emily was promoted to Vice President of Lockwood Development and continues her involvement with all aspects of the company including Development, Sales and Leasing, Management, Construction and Human Resources. Emily also played a vital role in the formation and launch of Lockwood Development's sister company, Bloomfield Custom Homes (BCH), which focuses on high-end custom home building throughout the Omaha area. Emily is heavily involved with BCH working with the clients throughout their home building experience.

Emily holds her brokers real estate license in the state of Nebraska. She is a member of the Building Owners Management Association (BOMA) and the International Council of Shopping Centers (ICSC). Emily has been a member of CREW (Commercial Real Estate Women) for five (5) years and in 2018 was elected onto the CREW Board as the Community Outreach leader. Emily has also been involved with Lutheran Family Services (LFS) for over six (6) years. She plays an integral role in advocating and supporting LFS. Emily has partnered LFS and CREW together so that the impact to LFS can be greater. She organizes multiple drives with CREW for LFS every year, is on her second year furnishing a home for a refugee family and is instrumental in buying Christmas presents for over 25 people in LFS's care every year. Emily is also active with JDRF raising over \$3000 every year for the cause. Emily is a member of the BrewHaha Committee which is an annual event that benefits Habitat for Humanity. The event raises enough funds every year to build two (2) houses for Habitat.

EDUCATION

Emily earned her Bachelor's Degree in Business Administration from the University of Nebraska at Omaha, specializing in Real Estate and Land Use Economics.

LOCKWOOD TEAM RESUMES



Kristin Ellenberger, Director of Property Management

Kristin joined the Lockwood Development team in 2011 with almost ten years of experience in Property Management. Prior to Lockwood her duties were oversight and management in multiple markets, financial reporting, budgeting, mentoring, and managing daily maintenance and repairs.

Kristin is responsible for all facets of property operations at Lockwood Development. This includes, asset management, tenant relations, building and facility operations and maintenance, budget development, fiscal performance, contract negotiation, project management and new business development. Kristin also supervises progress of mixed-use developments throughout various stages of construction, establishes and maintains home and land owners' associations, implements, hires and trains a team of property management personnel.

To date, Kristin manages over 1 million square feet of office, retail & large land developments with the help of her management team. Her attention to detail, desire for top quality management and vast knowledge make her an excellent asset to Lockwood Development.

Kristin is an active member of the Real Estate community across the Omaha metro. She is a member of ICSC (International Council of Shopping Centers) and serves as the President for BOMA Omaha. As President, she leads monthly meetings, & holds education and special events. In addition to BOMA, Kristin was elected as secretary and a board member for CREW Omaha Metro. CREW is an all-women commercial real estate group. Kristin's duties in her role include: annual strategic planning, community outreach and committee/leadership tasks.

Her community outreach has been rooted in Lutheran Family Services (LFS) for the past six years. She plays an integral role in advocating and supporting their mission through volunteer work, organizing multiple drives and assisting in community partnerships. Kristin also supports the JDRF-Omaha Chapter every year through raising money and awareness by participating in the JDRF OneWalk and other corporate events.

EDUCATION

Kristin earned her Bachelor's Degree in Business Education from the University of Nebraska - Lincoln. She currently holds a Nebraska Real Estate License and is working towards an accreditation from BOMI International (expected 2019).

STERLING RIDGE

132ND & PACIFIC | OMAHA, NEBRASKA



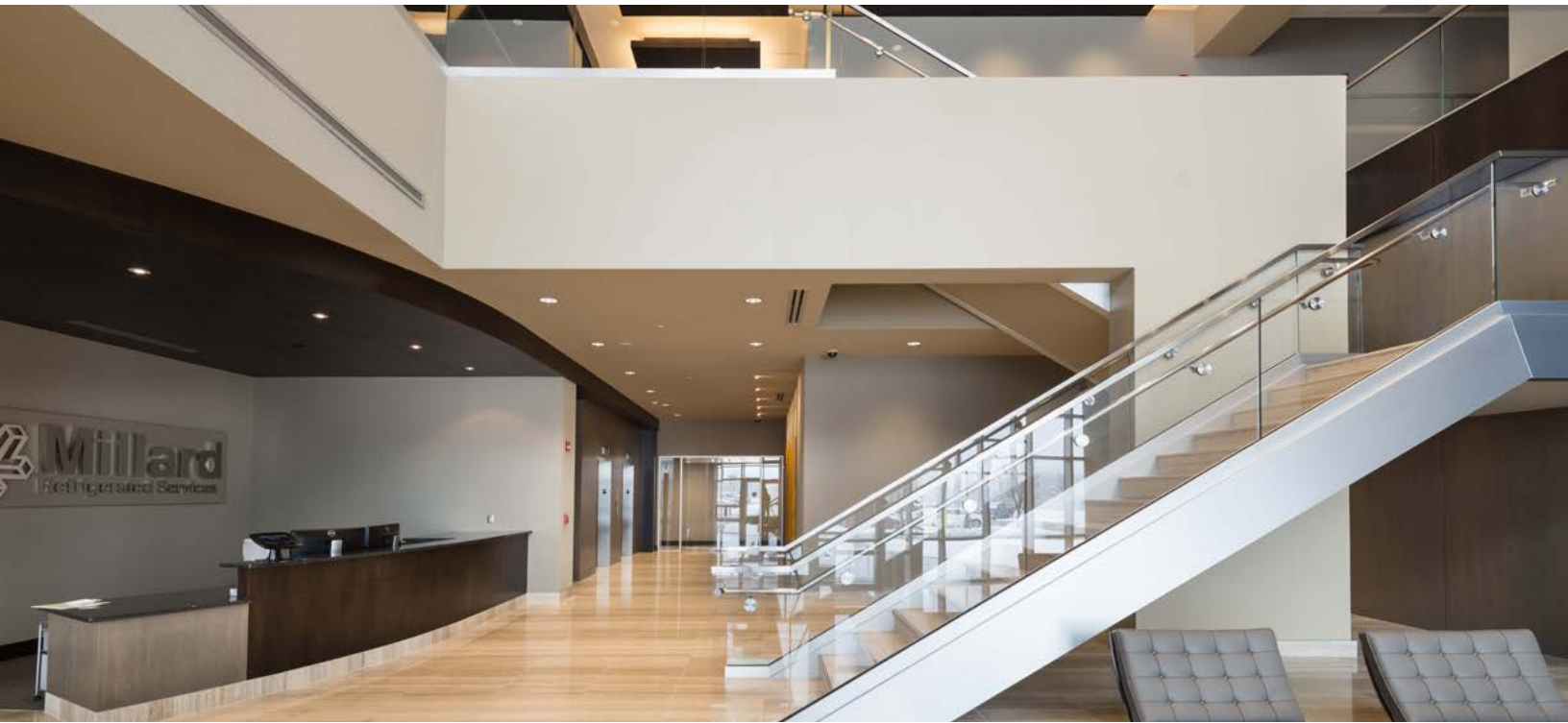


STERLING RIDGE - BUILDING A

(MULTI-TENANT)

13030 PIERCE STREET | OMAHA, NEBRASKA

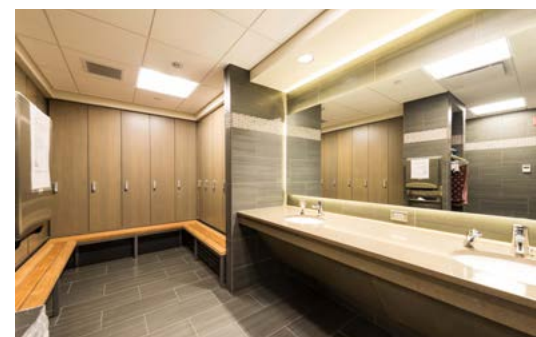
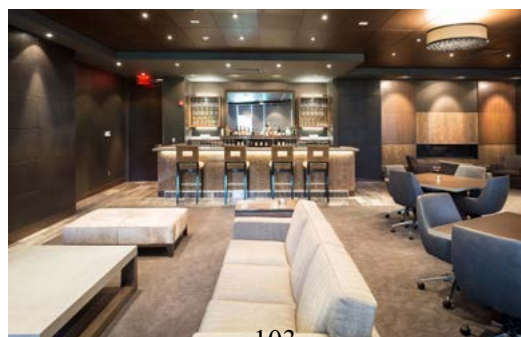
STERLING RIDGE - BUILDING A



Sterling Ridge - Building A was originally built for a corporate headquarters. Millard Refrigerated Services built the building from the ground up in 2013. Millard occupied the entire building for approximately 2 years. In 2015, Lineage Logistics purchased Millard and occupied the building. Sterling Ridge-Building A boasts exquisite tenant finishes and a third floor balcony overlooking the development.

YEAR BUILT
SQUARE FEET
SITE
ARCHITECT
TENANTS
BUILDER
AMENITIES

2013
90,000 SQUARE FEET
4.33 ACRES
HOLLAND BASHAM ARCHITECTS
LINEAGE LOGISTICS, JETLINX, MILLARD HOLDINGS, PANORAMA POINTE
LOCKWOOD CONSTRUCTION
HEATED UNDERGROUND PARKING, LARGE EXERCISE ROOM WITH LOCKER ROOM, 100-PERSON LOWER LEVEL TRAINING AUDITORIUM





STERLING RIDGE - OFFICE B

(MULTI-TENANT)

12910 PIERCE STREET | OMAHA, NEBRASKA

STERLING RIDGE - OFFICE B



Adjacent to the Building A, this multi-tenant office building was completed in 2014. The three story building features high end Class 'A' tenant finishes, excellent visibility from Pacific Street, a short walking distance to retail and trails within the development,

YEAR BUILT
SQUARE FEET
SITE
ARCHITECT
TENANTS

2014
60,000 SQUARE FEET
2.78 ACRES
HOLLAND BASHAM ARCHITECTS
RBC WEALTH MANAGEMENT, LOCKWOOD DEVELOPMENT, ADVANCED DERMATOLOGY, WAVE INTERACTIVE, MAMMEL FOUNDATION AND CLINE, WILLIAMS, WRIGHT, JOHNSON & OLDFATHER, CHARTWELL CAPITAL & AGMAN

BUILDER
AMENITIES

LOCKWOOD CONSTRUCTION
HEATED UNDERGROUND PARKING, EXTENSIVE GLASS ALLOWING FOR NATURAL LIGHT AND FIRST & THIRD FLOOR DECKS





STERLING RIDGE - OFFICE E

12801 PIERCE STREET | OMAHA, NEBRASKA

STERLING RIDGE - OFFICE E



YEAR BUILT
SQUARE FEET
ARCHITECT
TENANTS
BUILDER
AMENITIES

2018
60,000 SQUARE FEET
HOLLAND BASHAM ARCHITECTS
RENAISSANCE FINANCIAL, SILVERLEAF WEALTH MANAGEMENT
LOCKWOOD CONSTRUCTION

- HEATED UNDERGROUND PARKING,
- EXTENSIVE GLASS ALLOWING FOR NATURAL LIGHT,
- MAIN ENTRANCES ON NORTH & SOUTH SIDE OF BUILDING
- CLASS 'A', HIGH-END FINISHES THROUGHOUT ENTIRE BUILDING





LINKEDIN - FUTURE HEADQUARTER SITE

STERLING RIDGE - OFFICES C & D

132ND & PACIFIC STREET | OMAHA, NEBRASKA

OFFICE BUILDINGS C & D



YEAR BUILT
SQUARE FEET
ARCHITECT
BUILDER
AMENITIES

ESTIMATED COMPLETION DATE: FALL 2020

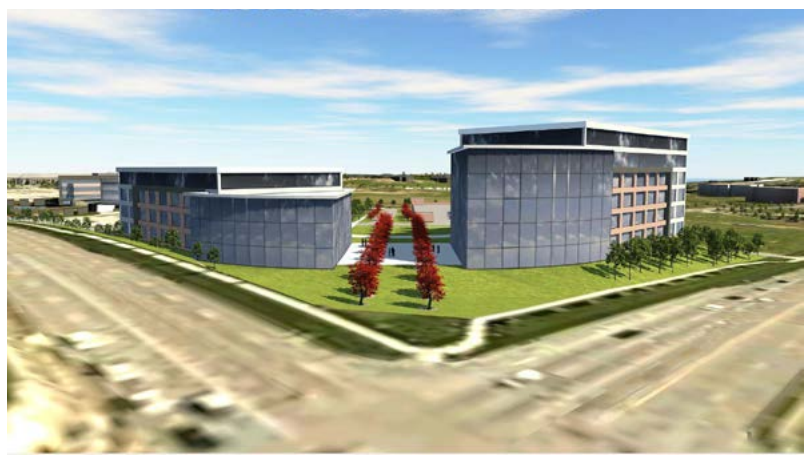
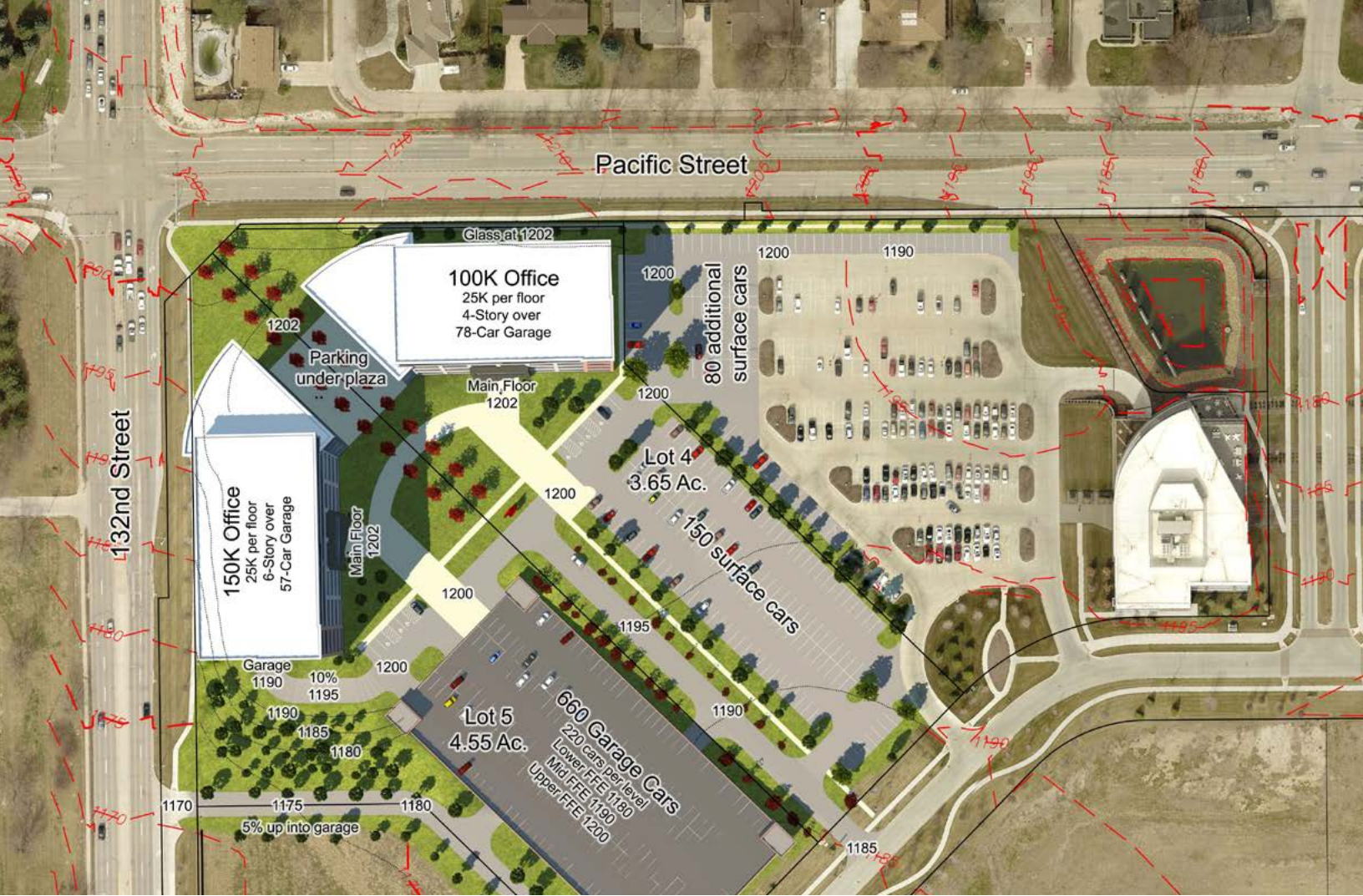
TWO (2) 100,000 SQUARE FOOT, 5-STORY OFFICE BUILDINGS

HOLLAND BASHAM ARCHITECTS

LOCKWOOD CONSTRUCTION

- SKYWALK CONNECTOR ON 3RD FLOOR
- LARGE OUTDOOR PLAZA SPACE BETWEEN BUILDINGS
- HEATED UNDERGROUND PARKING GARAGE WITH 128 PARKING STALLS
- 5:1,000 PARKING RATIO
- SUBSTANTIAL PERIMETER GLASS
- HIGH-END, CLASS 'A' FINISHES WITH SCENIC VIEWS ACROSS PROFESSIONALLY MANICURED LANDSCAPES
- LOCATED WITHIN WALKING DISTANCE TO SHOPS, RESTAURANTS, LUXURY RESIDENCES & TRAILS





(PROPOSED)

STERLING RIDGE - OFFICES G & H

132ND & PACIFIC STREET | OMAHA, NEBRASKA

OFFICE BUILDINGS G & H



YEAR BUILT
SQUARE FEET

ARCHITECT
BUILDER

AMENITIES

PROPOSED

BUILDING G: 150,000 SF - 6-STORY, CLASS A+ BUILDING

BUILDING H: 100,000 SF - 4-STORY, CLASS A+ BUILDING

HOLLAND BASHAM ARCHITECTS

LOCKWOOD CONSTRUCTION

- PROMINENT BUILDINGS ON THE CORNER OF 132ND & PACIFIC STREET
- SIGNAGE OPPORTUNITIES FOR GREAT VISIBILITY THROUGHOUT THE DEVELOPMENT
- HEATED UNDERGROUND PARKING GARAGE
- EXTENSIVE GLASS TO ALLOW FOR NATURAL LIGHT
- 4.5:1,000 PARKING RATIO
- HIGH-END, CLASS 'A+' FINISHES WITH SCENIC VIEWS ACROSS MANICURED LANDSCAPES
- LOCATED WITHIN WALKING DISTANCE TO SHOPS, RESTAURANTS, LUXURY RESIDENCES & TRAILS



CENTRIS FEDERAL CREDIT UNION - FUTURE HEADQUARTER SITE
STERLING RIDGE - OFFICE F

132ND & PACIFIC STREET | OMAHA, NEBRASKA

STERLING RIDGE - BUILDING F



YEAR BUILT
SQUARE FEET
ARCHITECT
BUILDER
AMENITIES

SPRING 2019
90,000 SQUARE FEET
HOLLAND BASHAM ARCHITECTS
MCL CONSTRUCTION

- 4-STORY OFFICE BUILDING
- HEATED UNDERGROUND PARKING GARAGE
- LARGE OUTDOOR DECK LOCATED ON THE THIRD FLOOR
- SCENIC VIEW OVERLOOKING MANICURED LANDSCAPING
- HIGH-END, CLASS A FINISHES





(PROPOSED)
FINANCIAL PLAZA
9140 WEST DODGE ROAD | OMAHA, NEBRASKA

FINANCIAL PLAZA



YEAR BUILT

ORIGINALLY BUILT: 1982, LOCKWOOD PURCHASED IN 2018

SQUARE FEET

85,000 SQUARE FEET

SITE

3.58 ACRES

ORIGINAL ARCHITECT

ASD STANLEY J. HOW

RENOVATION ARCHITECT

TACK ARCHITECTS

TENANTS

TRAVELEX, TITLECORE, HUGO, VERIZON, CFM REALTY, SWARTZBAUGH-FARBER & ASSOCIATES AND MANY MORE

AMENITIES

- LARGE 3-STORY ATRIUM
- HEATED UNDERGROUND PARKING GARAGE
- EXCELLENT DODGE EXPOSURE



(PROPOSED)
CANDLEWOOD HILLS

125TH & WEST DODGE ROAD | OMAHA, NEBRASKA

CANDLEWOOD HILLS



YEAR BUILT
SQUARE FEET
SITE
ARCHITECT
AMENITIES

PROPOSED
80,000 SQUARE FEET
3.58 ACRES
TACK ARCHITECTS

- BUILDING SIGNAGE FOR FULL FLOOR TENANTS
- HEATED UNDERGROUND PARKING GARAGE
- EXCELLENT DODGE EXPRESSWAY EXPOSURE
- SURROUNDED BY OMAHA'S LARGEST BUSINESS PARKS
- LOCATED NEXT TO COSTCO & CHICK-FIL-A





NORTHSTAR FINANCIAL

PHASE I & PHASE II

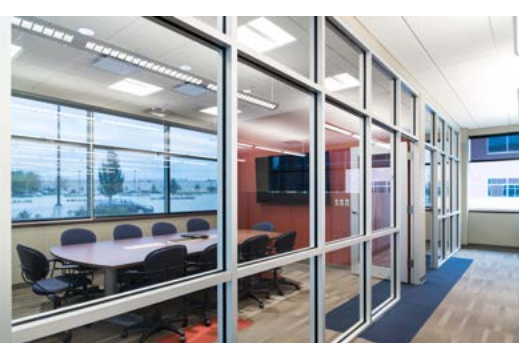
17605 WRIGHT STREET | OMAHA, NEBRASKA

NORTHSTAR FINANCIAL



Northstar Financial Building is a build-to-suit office building located in Legacy Business Park in West Omaha. Phase I was completed in 2012 and Phase II was completed in summer of 2016. Both office buildings occupy approximately 250 employees.

YEAR BUILT	PHASE I - 2012, PHASE II - 2016
SQUARE FEET	PHASE I - 60,000 SQUARE FEET, PHASE II - 45,000 SQUARE FEET
SITE	PHASE I - 4.86 ACRES, PHASE II - 3.67 ACRES
ARCHITECT	ASD STANLEY J. HOW ARCHITECTS
TENANTS	NORTHSTAR FINANCIAL
BUILDER	LOCKWOOD CONSTRUCTION
AMENITIES	ON-SITE FITNESS FACILITY, FINISHED GARDEN LEVEL WITH EXCELLENT VIEWS, COURTYARD AREA & TRAINING CENTER





BLACK HILLS ENERGY

1102 E. FIRST STREET | PAPERILLION, NEBRASKA

BLACK HILLS ENERGY



Black Hills Energy is a single-story office building located in Papillion Business Technology Park. Originally structured as a build-to-suit office, Black Hills purchased the property from the Lockwood Development upon completion.

YEAR BUILT	2011
SQUARE FEET	36,000 SQUARE FEET
SITE	5.58 ACRES
ARCHITECT	ASD STANLEY J. HOW ARCHITECTS
TENANTS	BLACK HILLS ENERGY
BUILDER	LOCKWOOD CONSTRUCTION
AMENITIES	ENERGY EFFICIENT BUILDING, 6.5:1,000 PARKING RATIO, ADDITIONAL LAND FOR FUTURE GROWTH EXPANSION





LINDSAY CORPORATION

110TH & BLONDO STREET | OMAHA, NEBRASKA

LINDSAY CORPORATION



Lindsay Corporation is a three-story building located in Blondo 108 Business Park. The building features an ideal facility for training with state-of-the-art communication and audio visual package. Lindsay Corporation is just minutes away from the interstate and major retail corridors.

YEAR BUILT
SQUARE FEET
SITE
ARCHITECT
TENANTS
BUILDER
AMENITIES

2009
36,000 SQUARE FEET
3 ACRES
ASD STANLEY J. HOW ARCHITECTS
LINDSAY CORPORATION
LOCKWOOD CONSTRUCTION
ENERGY EFFICIENT BUILDING, UNDERGROUND HEATED PARKING,
60-PERSON LOWER LEVEL TRAINING AUDITORIUM





ONE CALIFORNIA

13625 CALIFORNIA STREET | OMAHA, NEBRASKA

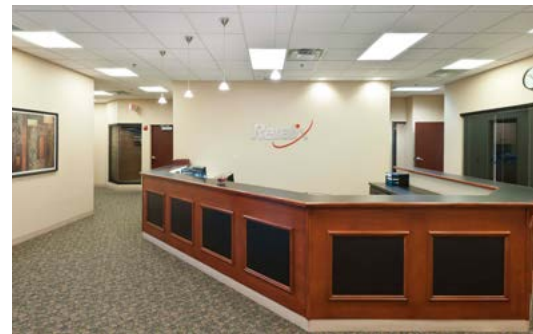
ONE CALIFORNIA



One California is a Class "A" multi-tenant office building located at Bank of the West Business Park. The location gives great exposure to West Dodge Road, which runs east-to-west through the city. This 66,000 square foot building includes a marble entry way, heated underground parking and great views. The building was completed in May 2005.

YEAR BUILT	2005
SQUARE FEET	67,000 SQUARE FEET
SITE	2.18 ACRES
ARCHITECT	REED DESIGN
TENANTS	MORGAN STANLEY, NOBLE, WELLS FARGO, AMERICAN INTERSTATE BANK CORPORATION, INNOVATIVE DENTAL, JRM INVESTMENTS
BUILDER	DARLAND CONSTRUCTION
AMENITIES	MARBLE ENTRY WAY, HEATED COVERED PARKING, FLOOR TO CEILING WINDOWS





LAKESIDE PLAZA

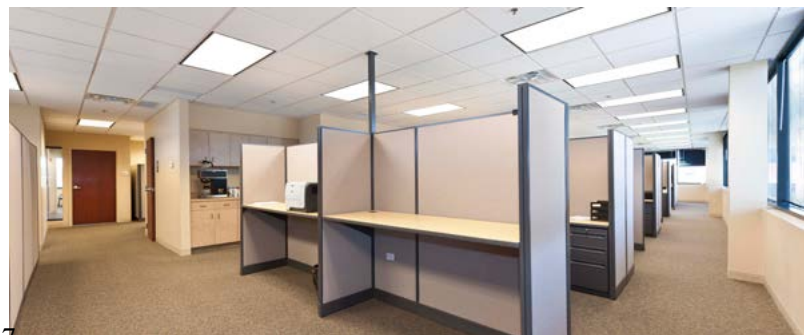
169TH & WEST CENTER ROAD | OMAHA, NEBRASKA

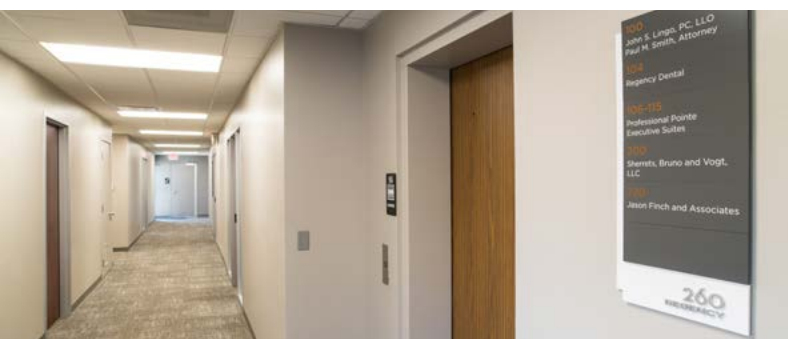
LAKE SIDE PLAZA



Lakeside Plaza is a two-story, multi-tenant office building with a prominent location in the Lakeside Hills Park. The building is within walking distance to Lakeside Hospital, restaurants and shopping.

YEAR BUILT	2003
SQUARE FEET	26,000 SQUARE FEET
SITE	2.13 ACRES
ARCHITECT	FRED MICKEY ASSOCIATES
TENANTS	NCR & TITAN MEDICAL
BUILDER	G&S CONSTRUCTION
AMENITIES	HEATED UNDERGROUND PARKING, OUTDOOR WATER FEATURE





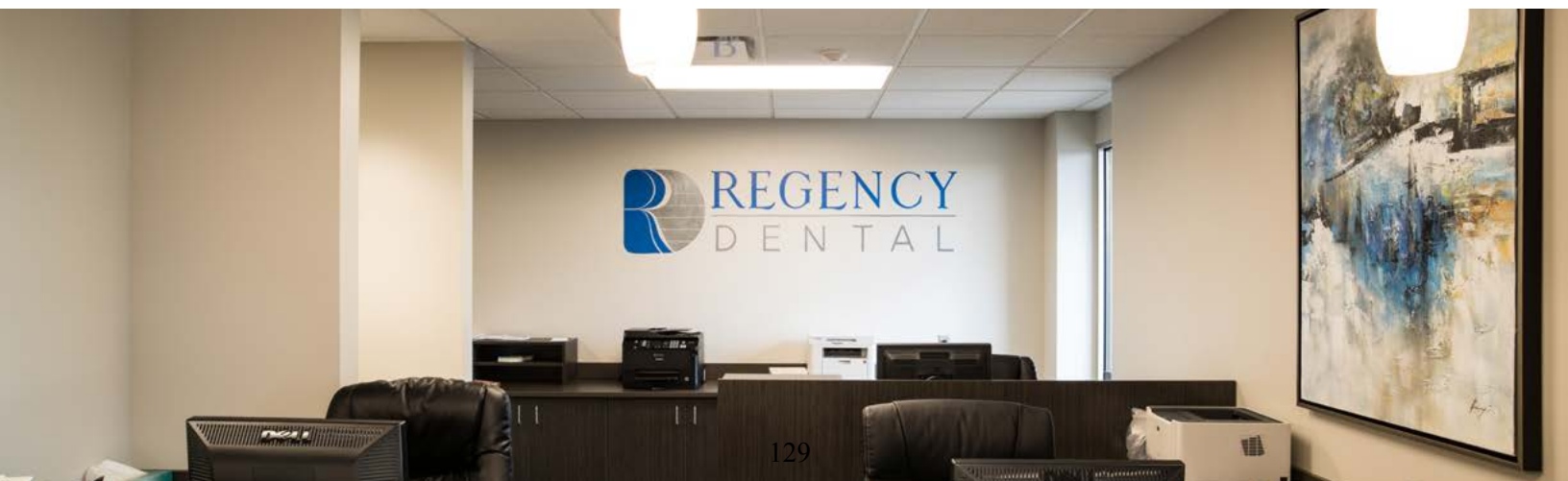
REGENCY PROFESSIONAL BUILDING

260 REGENCY PARKWAY | OMAHA, NEBRASKA

REGENCY PROFESSIONAL BUILDING



YEAR BUILT	1972, LOCKWOOD PURCHASED: 2015
SQUARE FEET	18,600 SQUARE FEET
SITE	1.02 ACRES
RENOVATION ARCHITECT	ASP STANLEY J. HOW
TENANTS	REGENCY DENTAL, SMITH & LINGO LAW, PROFESSIONAL POINTE EXECUTIVE SUITES & SHERRETS BRUNO & VOGT, LLC
RENOVATION BUILDER	LOCKWOOD CONSTRUCTION
AMENITIES	PRIME LOCATION IN REGENCY, BUILDING SIGNAGE & UPDATED COMMON AREAS





SOUTHWESTERN PLAZA

144TH & 'L' STREET | OMAHA, NEBRASKA

SOUTHWESTERN PLAZA



YEAR BUILT	2002
SQUARE FEET	13,500 SQUARE FEET
SITE	1.1 ACRES
ARCHITECT	REED DESIGN
BUILDER	G&S CONSTRUCTION
AMENITIES	GREAT END-USER BUILDING, CLOSE PROXIMITY TO I-80, LOCATED IN SOUTHWESTERN PLAZA





STERLING RIDGE-RETAIL

132ND & PACIFIC STREET | OMAHA, NEBRASKA

STERLING RIDGE - RETAIL



Located off Pacific Street in Sterling Ridge, the two retail buildings offer a nice blend of local restaurants and clothiers all within close proximity to the office, residential and walk trails in the development.

YEAR BUILT
SQUARE FEET
ARCHITECT
TENANTS
BUILDER
AMENITIES

2015
24,000 SQUARE FEET
HOLLAND BASHAM ARCHITECTS
SUMMER KITCHEN & SCOOTERS, SHE.LA, GRAE CLOTHING, FASHION CLEANERS, CHARRED BURGER+BAR, KONTEMPO, ARC BRIDAL
LOCKWOOD CONSTRUCTION
FRONTAGE TO PACIFIC STREET, OUTDOOR PATIO & SEATING AREAS, WELL MAINTAINED LANDSCAPING, CUSTOM ART SCULPTURE





AMERICAN INTERSTATE PLACE

156TH & WEST MAPLE ROAD | OMAHA, NEBRASKA

AMERICAN INTERSTATE PLACE



American Interstate Place is a Class 'A' grocery-anchored shopping center that blends national retailers with regional and local tenants. American Interstate Place is the first phase of a 47-acre suburban shopping center with the second phase to the west.

YEAR BUILT	2004
SQUARE FEET	130,000 SQUARE FEET
SITE	30 ACRES
ARCHITECT	REED DESIGN
TENANTS	HY-VEE, UNION PIZZERIA, AMERICAN INTERSTATE BANK, MAX I WALKER, DICKEY'S BBQ, PEAK PERFORMANCE,, LA MESA, SCOOTERS, STOKIN' GOAT & MANY MORE
BUILDER	HY-VEE/WEITZ CONSTRUCTION
AMENITIES	PEDESTRIAN ACCESS, LUSH LANDSCAPING AND A DISTINCTIVE WATER FEATURE





CANDLEWOOD HILLS

125TH & WEST DODGE ROAD | OMAHA, NEBRASKA

CANDLEWOOD HILLS



YEAR BUILT
SQUARE FEET
ARCHITECT
TENANTS
AMENITIES

2018

11,000 SQUARE FEET

TACK ARCHITECTS

TMOBILE, BLAZE PIZZA, PANERA BREAD, FREEZING ROLL ROLLING ICE CREAM

- EXCELLENT VISIBILITY FROM WEST DODGE ROAD
- LOCATED NEXT TO COSTCO AND CHICK-FIL-A
- TRAFFIC COUNTS: 60,686 VPD
- SURROUNDED BY OMAHA'S LARGEST BUSINESS PARKS





WEST GRAYHAWK

147TH & WEST MAPLE ROAD | OMAHA, NEBRASKA

WEST GRAYHAWK



West Grayhawk is the newest retail power center on the West Maple Corridor. Fresh Thyme opened their first store in Omaha in this development. In addition to the large anchor tenants, a retail building sits directly in front of the center, as well as, an Amigo's restaurant to the East and Veridian Credit Union to the west.

YEAR BUILT
SQUARE FEET
ARCHITECT
TENANTS
BUILDER
AMENITIES

2016
100,000 SQUARE FEET
ASD STANLEY HOW ARCHITECTS
FRESH THYME FARMERS MARKET, ULTA, SHOE CARNIVAL, GORDMANS & HUSKER HOUNDS
LOCKWOOD CONSTRUCTION
GOOD PARKING RATIO, STRONG NATIONAL AND LOCAL TENANT MIX





THE SHOPPES AT GRAYHAWK

13625 CALIFORNIA STREET | OMAHA, NEBRASKA

THE SHOPPES AT GRAYHAWK



The Shoppes at West Grayhawk is a small shop retail building placed strategically in front of the West Grayhawk anchors. These Class 'A' shops brought fresh retail to the West Maple Corridor. This location is R Taco's first store to come to Omaha, Nebraska.

YEAR BUILT
SQUARE FEET
SITE
ARCHITECT
TENANTS
BUILDER
AMENITIES

2016
10,000 SQUARE FEET
0.9814 ACRES
ASD STANLEY J. HOW ARCHITECTS
R TACO, SPRINT, EAT FIT GO & FIREHOUSE SUBS
LOCKWOOD CONSTRUCTION
EXCELLENT VISIBILITY FROM WEST MAPLE ROAD, OUTDOOR SEATING AREA, PARKING LOCATED AROUND ALL AREAS OF THE BUILDING





LEGACY VILLAGE

175TH & WEST CENTER ROAD | OMAHA, NEBRASKA

LEGACY VILLAGE



Legacy Village is a neighborhood shopping center located in a well established West Omaha retail corridor. Property features include a water feature, patio areas, ample parking and a 25-foot tenant monument sign with message center. This center has a great tenant mix with excellent visibility to West Center Road.

YEAR BUILT	2005
SQUARE FEET	38,000 SQUARE FEET
SITE	5.7 ACRES
ARCHITECT	REED DESIGN
TENANTS	NATURAL GROCERS BY VITAMIN COTTAGE, SUITE ENVY, LITTLE WAVES SWIM SCHOOL & SPIN! PIZZA
BUILDER	DARLAND CONSTRUCTION
AMENITIES	WATER FEATURE, OUTDOOR SEATING AREA, 25-FOOT MONUMENT SIGN WITH MESSAGE CENTER & CHICK-FIL-A ON CORNER OF DEVELOPMENT





AMERICAN INTERSTATE PLACE II

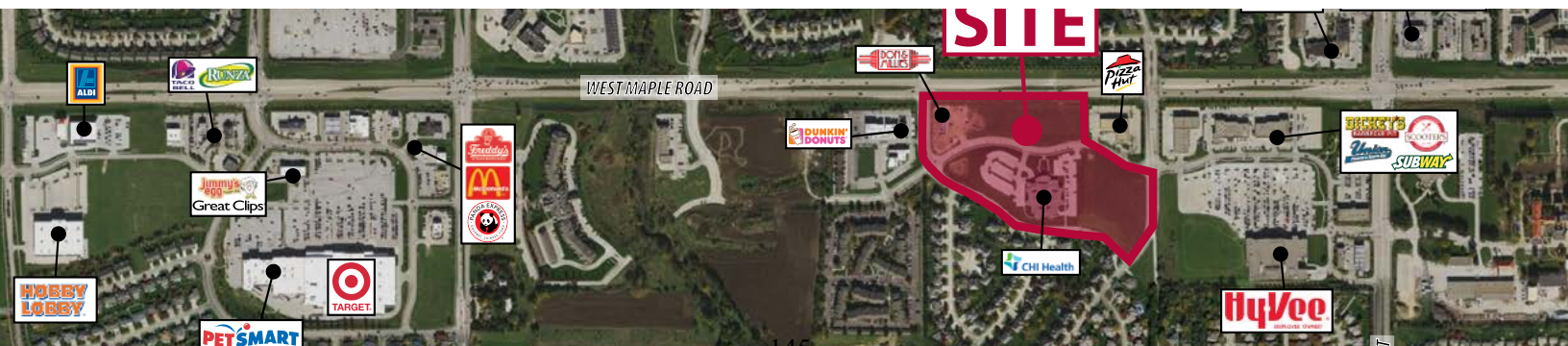
160TH & WEST MAPLE ROAD | OMAHA, NEBRASKA

AMERICAN INTERSTATE PLACE II



American Interstate Place - Phase II is an extension of American Interstate Place and is located on I 60th & West Maple Road. The retail shopping center provides excellent visibility to West Maple Road and a wonderful tenant mix to the corridor.

YEAR BUILT	2008
SQUARE FEET	15,502 SQUARE FEET
SITE	1.97 ACRES
ARCHITECT	REED DESIGN
TENANTS	AUSTADS, MALBAR VISION,AAA & PIZZA HUT
BUILDER	LOCKWOOD CONSTRUCTION, LLC
AMENITIES	GROUND TO LEASE PARCELS AVAILABLE, LOCATED AT AN SIGNALIZED INTERSECTION





SHOPPES AT STEELE CROSSING

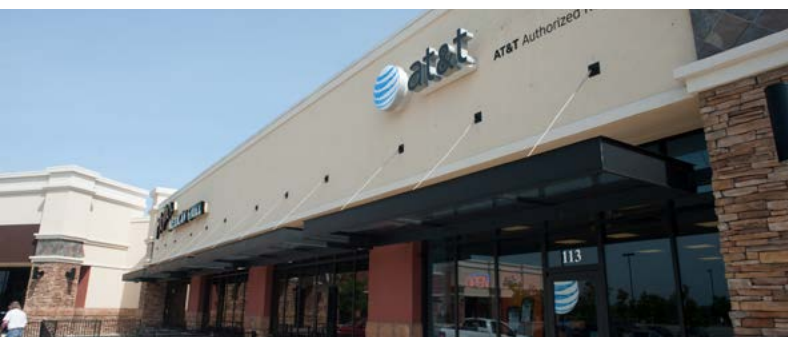
100 E. JOYCE BOULEVARD | FAYETTEVILLE, ARKANSAS

SHOPPES AT STEELE CROSSING



The Shoppes at Steele Crossing is located in the heart of the retail, restaurant & entertainment district in Fayetteville, Arkansas. The site is conveniently located at the corner of Joyce Boulevard and Steele Boulevard, adjacent to the Northwest Arkansas Mall. This retail strip center was completed in 2007 and was sold in 2015.

YEAR BUILT	2007
SQUARE FEET	43,253 SQUARE FEET
SITE	6.18 ACRES
ARCHITECT	T.J. MCGUIRE & ASSOCIATES
TENANTS	GUITAR CENTER, COLD STONE CREAMERY, THE GARAGE, I.O METRO & MANY MORE
BUILDER	VAN TASSEL PROCTOR
AMENITIES	PEDESTRIAN ACCESS, FULL LANDSCAPING, CONVENIENT LOCATIONS & GREAT TENANT MIX



City of Council Bluffs, Iowa
Request for Proposals Cover Page

Project Information

Project Name 34th Street and 1st Avenue, Council Bluffs IA

Organization Information

Name of Developer White Lotus Group

Mailing Address 10404 Essex Court, Suite 101 Omaha NE 68114

Contact Person(s) Delaney Nelson and/or Scott Henry

Telephone 402.408.0005 Fax 402.334.2861

Email Address dnelson@whitelotusgroup.com or shenry@whitelotusgroup.com

Partners

Type	Name and Address	Contact Person
Project Development	Construction - Ronco Construction	Zak Olsen
Architectural Firm	DLR Group	Daniel Siedhoff
Engineering Firm	E&A Consulting	Doug Walter
Other (specify)		
Other (specify)		
Other (specify)		

RESPONSE TO PROPOSAL

City of Council Bluffs, IA

34th Street & 1st Avenue
Council Bluffs, IA

Mr. Brandon Garrett and team
City of Council Bluffs
209 Pearl Street
Council Bluffs, IA 51503

September 30, 2019

Attn: 34th Street and 1st
Avenue, Council Bluffs IA

Dear Mr. Garrett,

We thank you for the opportunity to respond to your request for proposal for the redevelopment of 34th Street and 1st Avenue, in Council Bluffs.

Based upon your requested criteria, we feel that we meet and/or address each of the points requested. In fact, many of the sample projects you noted, we were part of. We believe that our team's extensive experience in multi-family and commercial properties will allow us to execute this project efficiently and with strong architectural design integrity.

We look forward to your response and hope to have the opportunity to make an oral presentation to you and your team. Please feel free to contact me should you have questions: 402-510-3000 or via email at aagarwal@whitelotusgroup.com.

Sincerely,



Arun Agarwal
CEO - White Lotus Group



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Sample Multi-Family Interiors

Sample Multi-Family Floor Plans

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Our Team

Project Case Studies

Project Timeline

Financial Summary

Project Contingencies



Project Summary

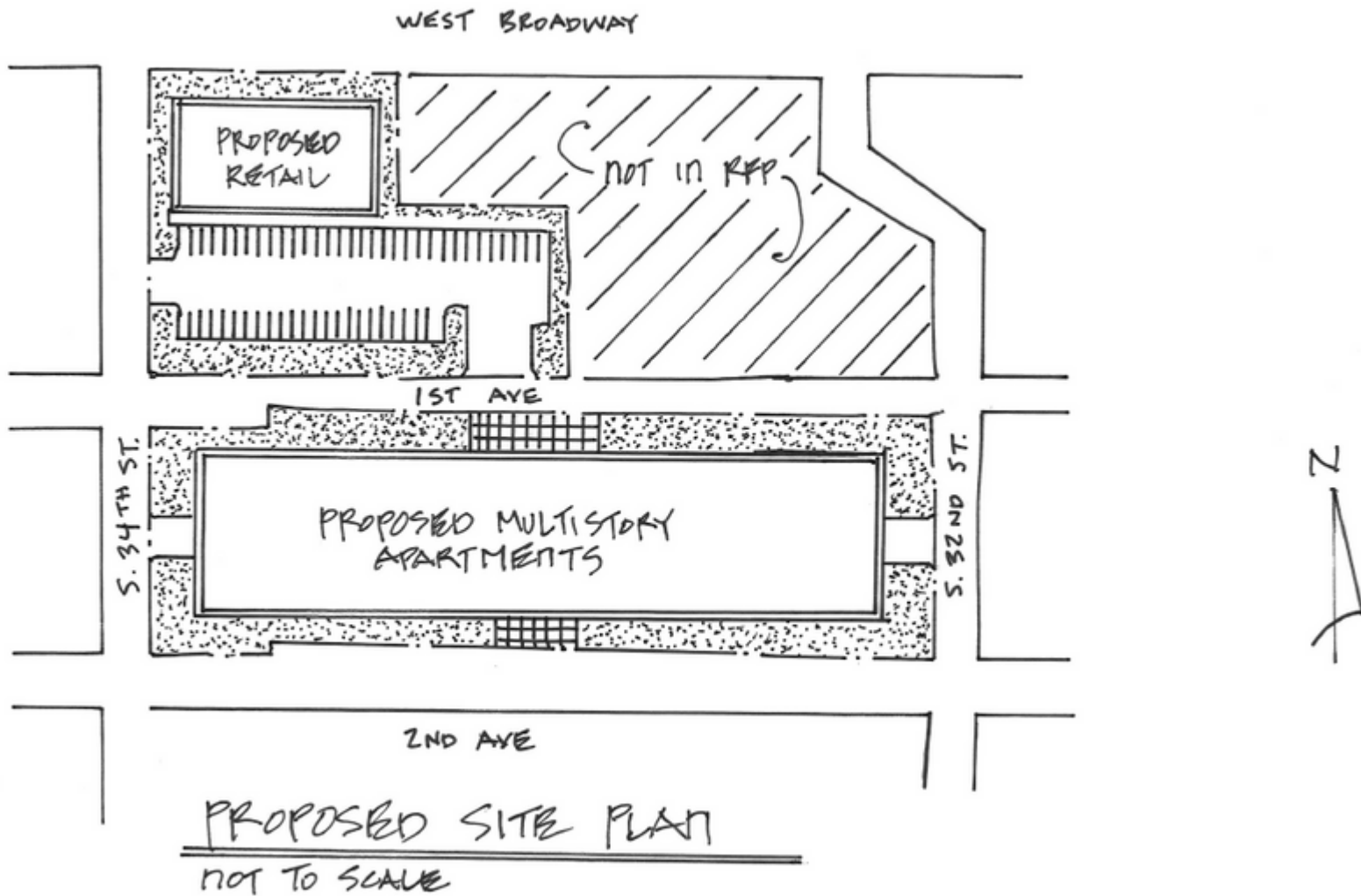
As the first redevelopment project along the corridor, we envision this project being a development that the City of Council Bluffs can be proud of. Our proposal includes a beautiful new single-story, 10,000 square foot commercial retail space with parking, on the land up against West Broadway Street. This building would welcome any tenants that provide complementary services to the residents of the new multi-family apartment complex behind it (i.e. affordable health care options, a gym, etc.).

Our proposed development for the land at 1st Street and 34th Avenue, is a 5-story, 375,000 square foot, 250 unit residential building with ample podium covered parking. The apartments would be a mix of market and 60% AMI rents and would include:

- 45 one-bedroom/one-bath units at 60% AMI
- 5 one-bedroom/one-bath units at Market
- 99 two-bedroom/two-bathroom units at 60% AMI
- 11 two-bedroom/two-bathroom units at Market
- 81 three-bedroom/two-bathroom units at 60% AMI
- 9 three-bedroom/two-bathroom units at Market

With our team's extensive experience in both multi-family and commercial buildings, we will create a high-quality product with durable materials and an urban appearance. Design integrity is very important to us, and will be at the forefront of this entire process. Please also note that we are offering to pay the City of Council Bluffs the appraised value of the land in order to develop this project.

Project Plans - Site Plan



Project Plans - Multi-Family Sample Elevations

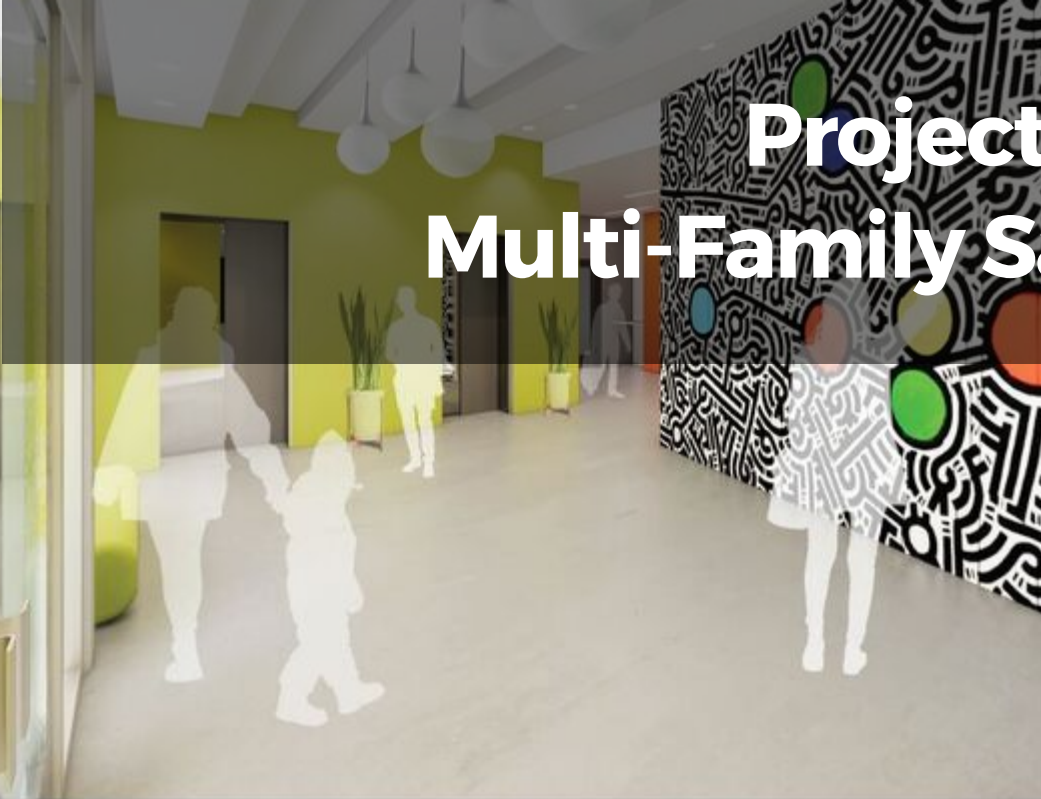


Please note that these renderings are only conceptual in nature and can be revised based on collective feedback and overall clarity on the City's desired design.

Project Plans - Multi-Family Sample Elevations

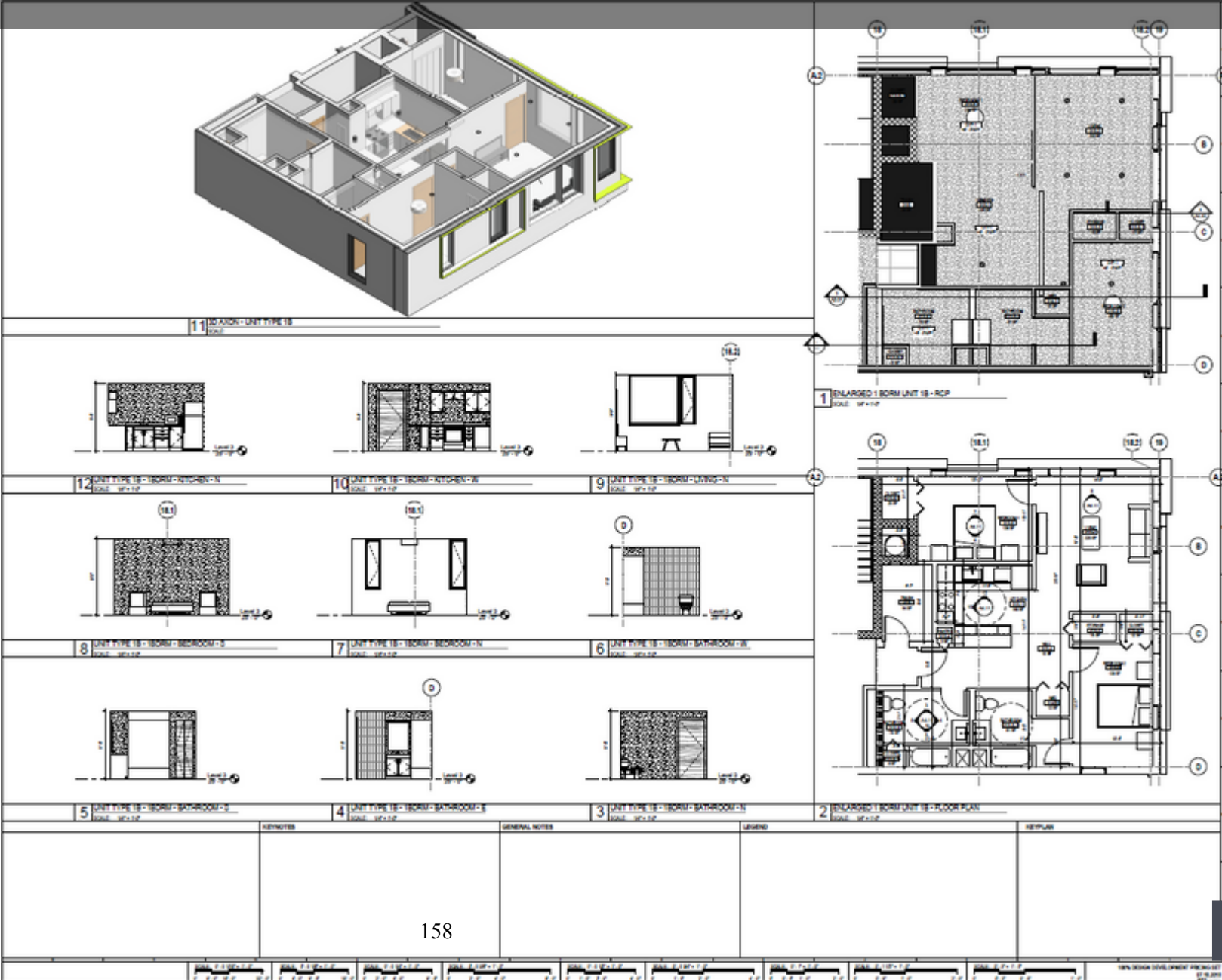
Please note that these renderings are only conceptual in nature and can be revised based on collective feedback and overall clarity on the City's desired design.

Project Plans - Multi-Family Sample Interiors

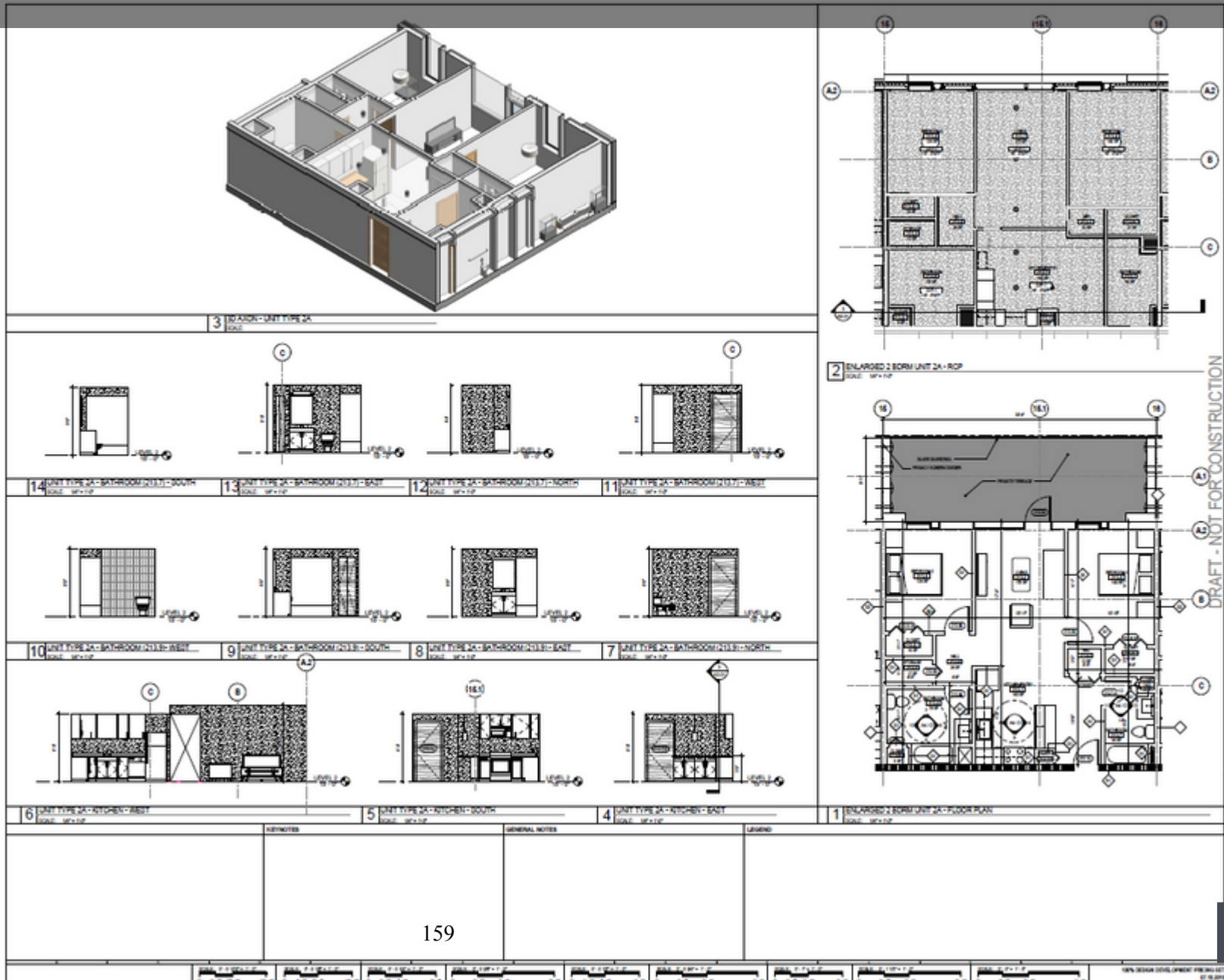


Please note that these renderings are only conceptual in nature and can be revised based on collective feedback and overall clarity on the City's desired design.

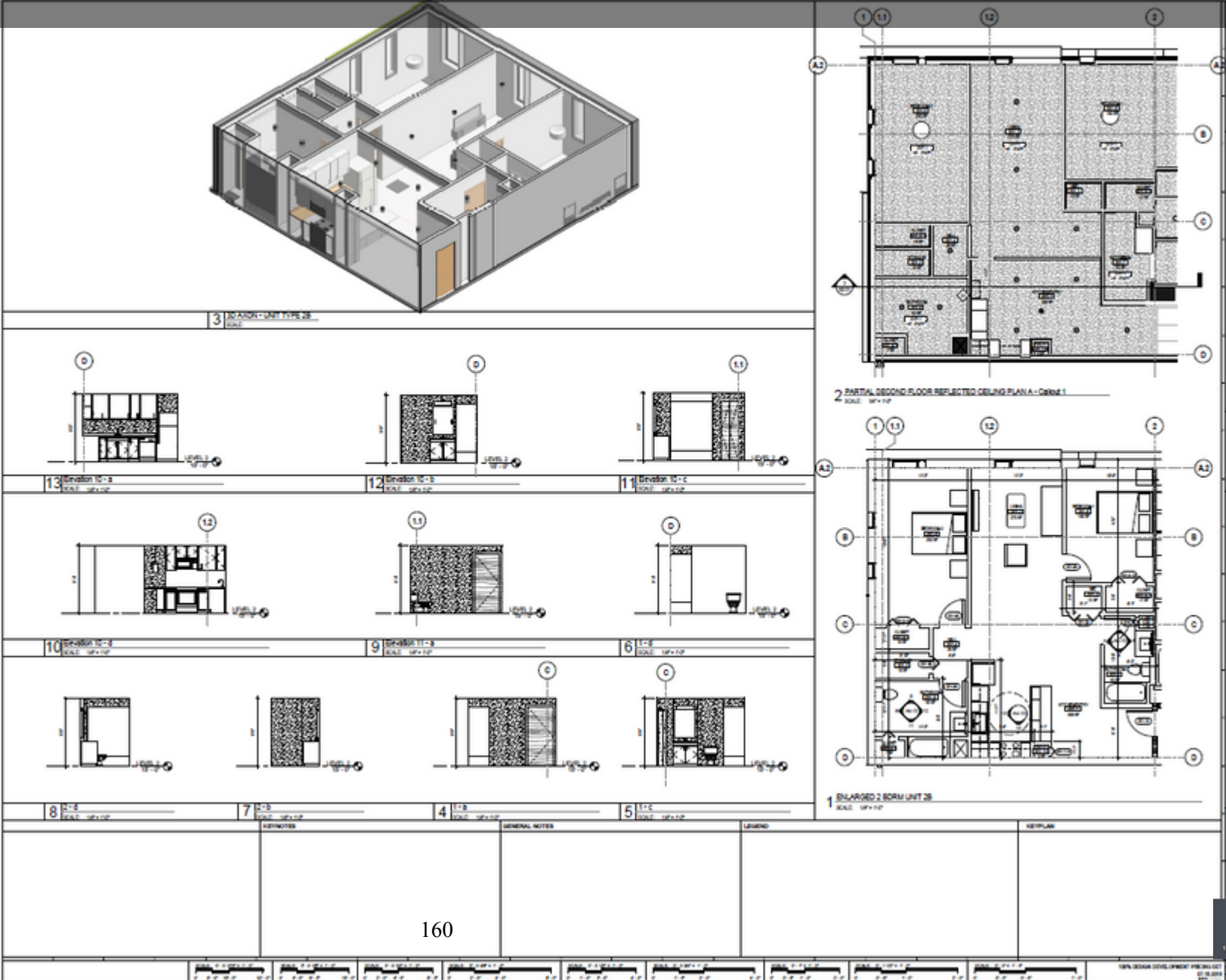
Project Plans - Multi-Family Sample Floor Plans



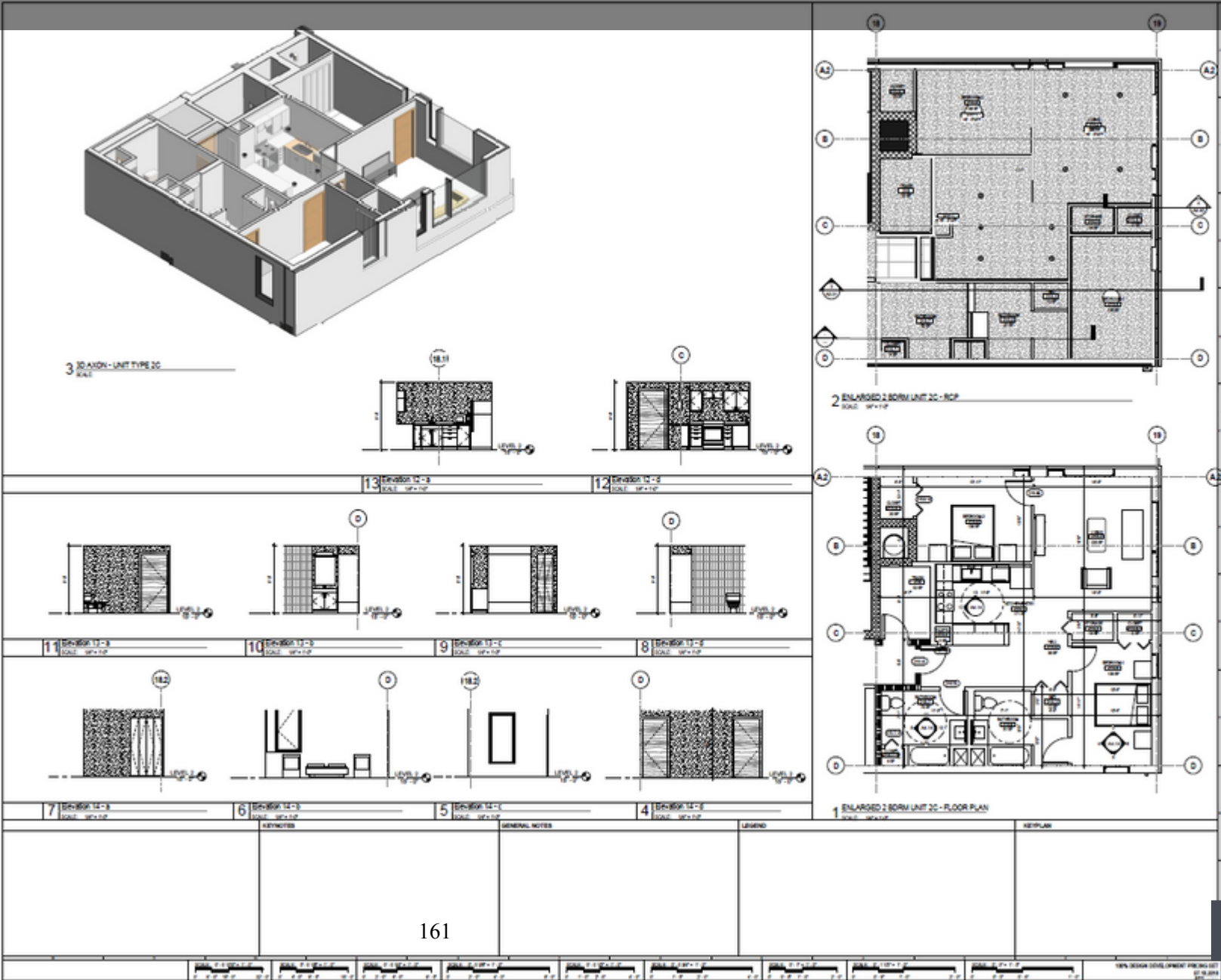
Project Plans - Multi-Family Sample Floor Plans



Project Plans - Multi-Family Sample Floor Plans



Project Plans - Multi-Family Sample Floor Plans



Project Plans - Commercial Sample Elevations



Please note that these renderings are only conceptual in nature and can be revised based on collective feedback and overall clarity on the City's desired design.

White Lotus Group

White Lotus Group is a vertically integrated real estate development firm. We are the leader in maximizing complex real estate development and specialize in turn-key projects from concept to delivery through a creative management process.

We believe in:

- **Optimal performance** by maximizing results and providing the most efficient solutions
- **Commitment** through intense focus on delivering our promises with passion and dedication
- **Vision** in inspired strategies for the future by anticipating opportunities
- **Creativity** through utilizing our dynamic approach to deliver imaginative possibilities through relentless exploration
- **Trust** by building confidence in our authentic relationships through transparency and collaboration

Our integrated services:

- Development
- Design
- Construction
- Management
- Finance
- Owner's Representation

Our Development Strategy

Opportunities

Predictable Returns | Mitigated Exposure/Risk | Relationship Building

B2B Sales

- Owners Representative | Development: Specific Engage

High Risk/High Reward | Incentive Opportunity on Redevelopment

Land Investment

Purchase Raw Land | Build for Redevelopment

Assuming Feasibility: Development can move quicker | No Requirement for User's Pre-Commitments | Easier Investment

B2C Development

Multi-Family Projects | Self-Storage Facilities | Hotels

Challenges

Investment in Human Capital | Slower process/Sales Cycle

Higher At-Risk Capital | Capital Intensive | Increased Stakeholders Slows Overall Process

Capital Intensive | Generally Requires Asset Operation Post-Development | Asset Class May Lack Internal Leadership

Our Team

Each unique team member contributes to our collaborative work environment. We cater to a variety of clients with specific needs, and the multidisciplinary expertise within our staff allows for us to individualize our services based on each project at hand.

Arun Agarwal



CEO/Owner

Arun is a former Wall Street investment banker at Prudential Securities who has primarily focused on healthcare and real estate initiatives. Arun began his own private equity firm in 2003, returning to Omaha, Nebraska to set up a home base for White Lotus Group. White Lotus Group, under the management of Arun, continues to facilitate projects within the real estate and healthcare markets. The team also completed a hotel acquisition and development in Winter Park, Colorado, in 2003; a hotel acquisition and renovation in Omaha, Nebraska, in 2011; and a variety of other projects including condominiums, self-storage facilities, office space, retail space, and multi-family housing. Arun is a graduate from the Wharton School of Finance at the University of Pennsylvania of 1998, where he was awarded the Wharton Award for Academic Achievement. He serves on Metro Community College's Foundation Board as well as the Library Foundation board, and he chairs the Greater Omaha YMCA board.

Lynn Gorman



Chief Financial Officer

Lynn graduated from the University of Nebraska at Kearney and began her accounting career in 2001 as part of a small Certified Public Accounting firm in Colorado Springs. After 5 years, she and her family relocated to Denver, where she worked her way up to the Director of Finance position for a technology start-up. In November 2015, Lynn joined the White Lotus team as the Financial Controller and managed the financial activity for our entire portfolio. Lynn is now White Lotus Group's CFO and still oversees all finance, but is also responsible for the company's commercial and residential property management, hospitality division, risk management and HR functions. Lynn's passions include her family (husband, Jeff and two children, Olive and Miles), fitness, music and crocheting.

Delaney Nelson



PR/Marketing

Delaney joined the White Lotus team in November 2017, but began her marketing and public relations career at an advertising agency in Omaha, NE as an Account Manager. After her time there, she was a brand marketing specialist at Hayneedle where she established the brand both locally and nationally through key brand partnerships and strategic public relations efforts. She is a graduate of the University of South Dakota where she earned a B.A. in strategic communications with an emphasis in public relations and advertising. She was also a member of the women's swim team. Delaney is a Big Sister mentor and board member of the Greater Omaha YMCA Armbrust branch. She is married to Jay Nelson and they have two dogs together - Mylee and Maverick.

Jay Kline



VP of Business Development

Jay is a graduate of the University of Nebraska at Omaha, earning his BA in International Studies with a concentration in International Business and Leadership. After graduation, for nearly a decade, Jay was a member of LEO A DALY'S business development team initially focusing on reinforcing the success of the company's Federal Program. In 2011, he began overseeing the company's business interests in the Kingdom of Saudi Arabia, and after a successful three years overseas, Jay came home and became the Small Business Program Manager. Parallel to his time at the company, he co-founded 'House of Loom' - a place where the community could gather for music, art and educational events while promoting social progress. Jay is now the vice president of business development at White Lotus Group and will maintain and manage the company's relationships while identifying opportunities locally and regionally for the company to grow. Jay is an active SAME member and is currently the Young Members Chair for the Omaha Post Board. He also sits on both Benson High School's Design Academy's Advisory Board and UNO's International Community Advisory Board. He has two children, Vesper and Arytin, with his wife Holly.

Scott Henry



EVP of Development

Scott earned a Professional Degree in Architecture at the Illinois Institute of Technology, and quickly started working with a number of firms developing commercial real estate. In 2000, he joined JPMorgan's Low-Income Housing Tax Credit (LIHTC) investment group where he earned a CCIM designation and expertise in multi-family finance. Scott was promoted to Executive Director and was part of the Senior Management team that helped grow the line of business into a \$4 billion portfolio with more than 800 properties accounting for 75,000 apartment units across the country. In 2008, Scott formed Celadon Holdings, an affordable housing developer. Scott has been designated as a pre-qualified developer through the NSP program, the Cook County Housing Authority, and the Chicago Housing Authority, and has completed affordable housing redevelopments and Low Income Housing Tax Credit (LIHTC) syndications within and outside Illinois totaling over 1500 units. As the EVP of Development at White Lotus Group, Scott is responsible for the identification, financing, and development of all of the firm's multifamily development activities.

Ethan Bondelid



Lifestyle/Brands

Ethan is the epitome of the word 'entrepreneur'. A well-known and respected force in the Omaha community, Ethan is responsible for starting up some truly creative businesses that run the gamut from hair salons to speak-easies. His creativity and vision can be seen in The Berry & Rye, Via Farina, Wicked Rabbit, Laka Lono, Victor Victoria Salon and Monarch Prime & Bar located in the historic Hotel Deco. As the Lifestyle Brands Manager at White Lotus Group, Ethan focuses on creating truly unique guest experiences within every project, while promoting creativity within the Greater Omaha Community.

Bob Johnson



Project Manager

As a project manager at White Lotus Group, Bob brings over 35 years of experience building a wide variety of projects across the United States. Early in his career, he was part of the team that built the Sunshine Skyway bridge over Tampa Bay in St. Petersburg, Florida and the Washington State Trade and Convention Center in Seattle, WA. In 2014, he successfully completed a high-tech, design-build pharmaceutical grade chicken egg layer complex in Taneytown, Maryland for VALO Bio-Media, a German firm. His Midwest building resume includes schools, multi-family, residential, churches, automotive dealerships, healthcare facilities, historical renovations, civil and wastewater treatment plants, U.S. Army projects at Ft. Riley, Kansas and corporate agricultural buildings.

Zak Olsen



Construction

As the president of Ronco Construction, Zak has over 16 years of experience constructing and delivering projects of remarkable scope and complexity. Since 1976, the Ronco team has worked on over a thousand projects and millions of square feet of commercial and industrial space. Their clients depend on them to quantify their vision and make it real, often from the first moments of conception and design. Some recent projects include the redevelopment of the Blackstone District and newly constructed UNMC Hotel. Zak is a member of the Associated General Contractors of America, National Safety Council, YPO International and the United States Green Building Council. He also has his Occupational Safety & Health Administration thirty-hour certification

Mike Houston



Project Manager

Mike joined the White Lotus Group team in June 2018 and brought over fifteen years of experience in the construction project management world with him. Mike grew up in Ralston, NE and graduated from the University of Nebraska at Lincoln with a bachelor of science in construction management. After graduation he spent five years with an Atlanta-based construction firm focusing on the construction of corporate headquarters, tenant buildouts, and data centers. Mike decided it was time to come back home to Nebraska and spent the next seven years with a local non-profit managing the construction of their new HUD 811 multi-family housing projects, corporate office facilities management, and capital asset master planning for their nationwide housing portfolio. In Mike's most current previous role, he worked on local restaurant remodels, a fortune 500's corporate Omaha campus and the Greater Omaha Chamber of Commerce's relocation. Mike volunteers weekly at the Nebraska Humane Society and when he has free time, he can be found outdoors enjoying lake life.

Clint Feldhacker



Construction Manager

Clint joined White Lotus Group in 2016. Previously, Clint established his own custom home building company beginning in 2000 giving him extensive experience in all aspects of the residential market. Clint is now moving forward and expanding into the commercial market. He has been in the construction business since 1993. Born and raised in Omaha, Clint is always looking for a new challenge.

Our Projects

We provide an integrated approach that allows all the project components to seamlessly work together. Our collaboration across the market sectors provides a cross pollination approach. White Lotus Group believes that the success of a project comes when all the component parts are truly integrated.



Hospitality

Hotel Deco,
Omaha NE



Mixed-Use

30 Metro,
Omaha NE



Industrial

I-80 Logistics HUB,
Omaha NE



Office

West Dodge Pointe,
Omaha NE



Retail

Family Dollar,
Omaha NE



Healthcare

Burr Ridge Medical,
Burr Ridge, IL

General Contractor: TBD
Architect: LEO A DALY
Total Project Cost: \$23mm



Fletcher School Redevelopment

This \$23 mm project will consist of a three-story building with 100 affordable apartment units and a four-story YMCA on 9 acres in Milwaukee, Wisconsin.

Once a vacant and blighted elementary school, this project will turn the building into a productive and thriving community. The YMCA is thrilled to have a built-in customer base with the residents of the apartments not even having to walk outside to access the facility.

As owner of the land, White Lotus Group will provide the coordination of the turn-key development services leading financial, planning and zoning efforts, selection of the design and construction consultants and managing the design and construction efforts.

The building is scheduled for completion in January 2021.

General Contractor: Ledcor Construction
Architect: Archamerica
Total Project Cost: \$60mm



New City Supportive Living

This former Goldblatts department store, which is on the National Register of Historic Places, was renovated into a Senior Supportive Facility providing extensive services to the residents whose average age is expected to be 78 to 85 years. This \$60 mm 110,000 square foot, five-story building consists of 101 adaptive re-use units (70 studios, 15 one-bedroom and 16 two-bedrooms). There are over 5,000 seniors within the immediate market area that would qualify to live in this type of facility. Residents are provided three meals a day, onsite nursing staff, an exercise room, a beauty salon, daily activities and on-site 24-hour a day staff services. The services are funded under Illinois law allowing Supportive Living Facilities to receive an ongoing stream of Medicaid relating funding.

White Lotus Group's Executive Vice President of Development, Scott Henry, provided turn-key development services leading financial, planning and zoning efforts, selection of the design and construction consultants and managing the design and construction efforts.

The building was completed in 2015 utilizing 4% LIHTC equity, historic tax credit equity, DCEO grant, TE bonds, HOME, TIF and donation tax credit equity.

General Contractor: White Lotus Group/
Ronco Construction
Architect: BVH Architecture
Total Project Cost: \$20mm



30 Metro

The \$20 million development on the former site of a beloved Omaha eatery, Mister C's, serves the Metropolitan Community College Fort Omaha campus. The five-story, 113,000-square-foot mixed-use 30 Metro features 110 affordable apartment units, a Charles Drew health clinic, a T-Mobile and the Department of Health and Human Services.

The design and aesthetic are consistent with the college. The rectangle box structure pops with the prominent exterior rainfall system panels that have been installed. The multi-colored fiber cement panels are a forward thinking product and are meant to be a very complimentary look to what the college is doing.

As owner of the land, White Lotus Group provided turn-key development services leading planning and zoning efforts, selection of the design and construction consultants and managing the design and construction efforts.

General Contractor: Brown and Momen
Architect: Urban Works
Total Project Cost: \$18mm



West Pullman

This \$18 mm adaptive re-use project aims to interlace the building's past history as a school for children, with its new beginnings as a home for seniors, honoring the continuum of life. The 80,000 square foot, three-story building will consist of 60 units (50 one bedroom/one bath and 10 two bedroom/two bath) and also contain lower level support spaces.

White Lotus Group's Executive Vice President of Development, Scott Henry, will provide the coordination of the turn-key development services leading financial, planning and zoning efforts, selection of the design and construction consultants and managing the design and construction efforts.

The building is scheduled for completion in 2020.

General Contractor: White Lotus Group/
Ronco Construction
Architect: Alley Poyner Macchietto
Total Project Cost: \$20mm



Opportunity Zone Project

New North Makerhood

This area in downtown Omaha, north of TD Ameritrade Park, was once a railroad center and a manufacturing hub. However, as the railroad industry experienced consolidation, most of these buildings were vacant or under-utilized until a group of community leaders came together around a creative idea to bring people and businesses back to the neighborhood. To begin exploring the possibilities, the Kiewit Foundation led the formation of an investor group called Future Forward, LLC- unlike a typical development focused on driving profits for investors, Future Forward is focused on community impact. Starting in 2009, and continuing over the next six years, Future Forward purchased 29 acres of land, 16 buildings and 175,000 square feet of building space.

Today, the neighborhood is home to the Fashion Institute Midwest, the Omaha Land Bank, Bench, and Reclaimed Enterprises. Other signs of success are the recent announcements of nearby developments – the Builder’s District surrounding Kiewit Corporation’s new headquarters, and Millwork Commons, a collaborative neighborhood focused on innovation and design where fast-growing tech company Flywheel announced it will move into in 2020.

Our property in the district is a key spot for redevelopment. Our \$20mm project will aim to expand the district into an active, vibrant, unique “Makerhood” where arts, crafts, and trades are nurtured, celebrated, and supported by a walkable network of public spaces connecting a healthy mix of residential, industrial, commercial and public activities.

General Contractor: White Lotus Group/
Ronco Construction
Architect: Stan How Architecture
Total Project Cost: \$20mm



Opportunity Zone Project

75 North

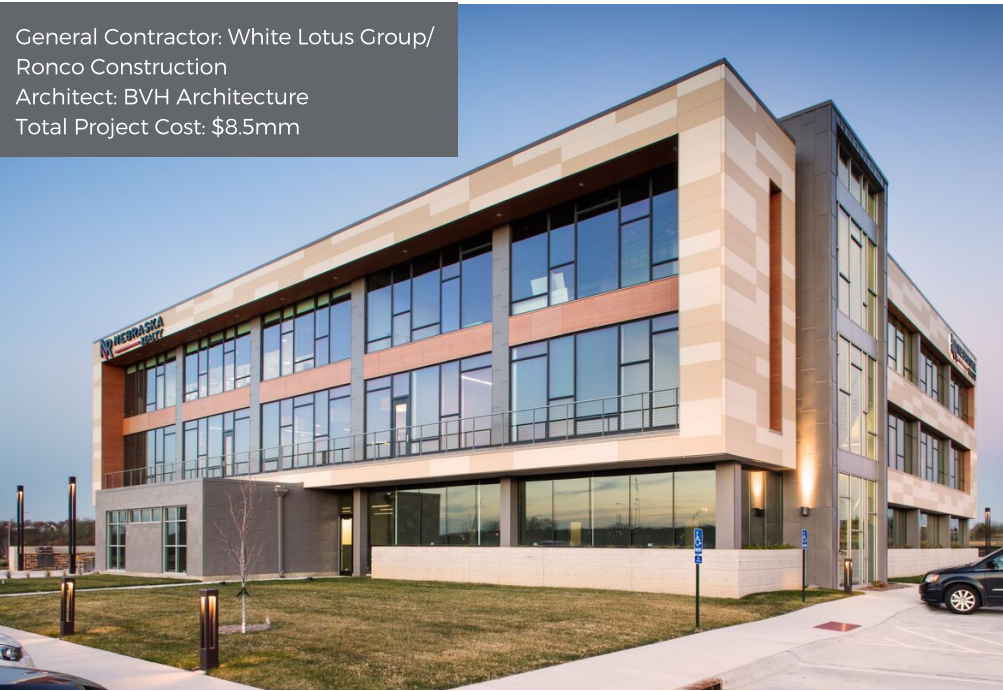
75 North is a 501(c)(3) organization designed to drive the redevelopment of the Highlander neighborhood on the near north side of Omaha, Nebraska. Their mission is to break the cycle of poverty and community deterioration by facilitating the creation of a healthy, sustainable, mixed-income community complete with high-quality housing, thriving schools and recreational facilities.

With the financial support of the Sherwood Foundation, 75 North has created the a \$100mm development – the ‘Highlander’: a new and architecturally trendy rental housing mixed-income development and a 65,000-square-foot commercial and community center called the ‘Accelerator’.

They came to White Lotus Group and asked for us to develop the site directly across the street from their Accelerator building because they still have a need for affordable and market rate housing, and are looking for other partners to play the development role so they can focus on the overall community.

Our project will provide 50 one bedroom, one bathroom units and 50 two bedroom, two bathroom units, for a total of 100 units. There will also be commercial space available within the first floor of the project that will bring other needed services to the area. 75 North expressed the need for a fitness component within the area and the YMCA of Greater Omaha has expressed deep interest.

General Contractor: White Lotus Group/
Ronco Construction
Architect: BVH Architecture
Total Project Cost: \$8.5mm



West Dodge Pointe Office A

West Dodge Pointe has always been an ideal location for a corporate business looking to establish a West Omaha presence so when Nebraska Realty came to us with goals to grow in stride, we couldn't think of a better home for their corporate headquarters.

As owner of the land, White Lotus Group was also selected to provide turn-key development services leading planning and zoning efforts, selection of the design and construction consultants, managing the design and construction efforts and now provides property management services since occupancy.

This \$8.5mm, three-story, 45,000 square foot office building is made of steel post and beam construction and precast stone veneer panels. While Nebraska Realty anchors the building occupying 30,000 square feet, Continuum Financial Group and Vantage Finance occupy the additional space, so a beautiful three-story atrium services interior entrances to all tenants. When building this space for our tenants we created private offices, conference rooms, a training center, open offices, a lounge, break-out spaces and IT departments. All windows and openings were given special consideration with relation to heat gain by recessing the windows deep into the facade and supplying louver systems to deflect warm sunlight. This project was completed in April 2015, on time and on budget.

General Contractor: White Lotus Group/
Ronco Construction
Architect: Carlson West Povandra
Total Project Cost: \$20mm



West Dodge Pointe Office B

West Dodge Pointe Office B is an 85,000 square foot class A office space, that was developed following the inability to satisfy the leasing interest in our neighboring West Dodge Pointe development – home to Nebraska Realty. Office B will house the new corporate headquarters for Baxter Auto, arguably one of the fastest growing companies in the Midwest. The company will lease half of the building, leaving room for company growth or an additional tenant.

This \$20mm project will have both on and off-street parking, underground parking and a full presentation view along Dodge Street. Tenants will have their office sign showcased to over 100,000 daily traffickers and have immediate access to eastbound West Dodge. Employees will also be within close proximity to Village Pointe, Lakeside and Methodist.

As the land-owner and chosen developer, White Lotus Group will provide turn-key development services to Baxter Auto and any future tenants by leading planning and zoning efforts, selection of the design and construction consultants, managing the design and construction efforts, and ultimately providing property management services after occupancy. This project is set to be completed in the second quarter of 2019.

General Contractor: White Lotus Group/
Ronco Construction
Architect: Studio 951
Total Project Cost: \$7mm



Ames Innovation Center

This building was once the old Ames Bowling Alley in North Omaha, but the 44,000 square foot building has deteriorated over the years, making this an amazing opportunity for redevelopment.

We are calling this project the Ames Innovation Center and we aim to create a cutting-edge tech and data-driven environment in North Omaha that would foster collaboration among various businesses and organizations, as well as become a home for local networking events. We envision like-minded companies with similar sized teams calling the Ames Innovation Center their 'home base' and sharing in overhead to create a higher-paying work environment for the local community. These companies could be local companies looking to expand, or national businesses looking to open a new Omaha-based operation. The center will be built to allow for 250-300 total employees.

We are currently updating the core and shell of the building and have completed a 3,800 square foot space for the Nebraska Department of Motor vehicles, as well as a 15,800 square foot space for ResCare. There is still roughly 25,000 square feet available for an additional tenant or two that are the right fit for the space.

General Contractor: White Lotus Group/
Ronco Construction
Architect: B2Lab
Total Project Cost: \$10mm



Ames Plaza

Ames Plaza was a structure that was condemned by the City of Omaha, and at White Lotus Group we saw this as an exciting challenge and opportunity. We worked closely with the city and negotiated the acquisition of this 1950 retail mall. The goal of the project was to revitalize and re-purpose the space using Tax Increment Financing (TIF) into a 100% occupied mixed use building with 40K square feet of self-storage, 20K square feet of a nationally anchored fitness center - Planet Fitness; and a 23K square feet workforce training center - Heartland Workforce Solution. The newly created excess land has now been developed into twelve three-bedroom senior affordable town homes.

General Contractor: White Lotus Group/
Ronco Construction
Architect: Fakler Architecture
Total Project Cost: \$21mm



Sorensen Residences

The \$21 million development will soon be completed with 8 buildings and approximately 120 affordable housing apartments with preference for seniors and veterans. Amenities will include a pool, clubhouse, ponds, and walking trails.

As owner of the land, White Lotus Group has provided turn-key development services leading planning and zoning efforts, selection of the design and construction consultants and managing the design and construction efforts.

The apartments are set to be completed by Winter 2019.

General Contractor: White Lotus Group/
Ronco Construction
Architect: DLR Architecture
Total Project Cost: \$16mm



RTG Medical Headquarters

Gallery 23 East will be a 115-acre, mixed-use residential, retail and commercial park. Aligning with its commitment to the community of Fremont, Nebraska, as well as its continued growth projections, RTG Medical is developing a new 52,000-SF building on that land to be exclusively occupied by their organization.

There are multiple goals in designing this \$16mm sustainable, amenity-rich, progressive Class A workplace. RTG Medical envisions a space that will promote and create energy, encouraging their employees and guests to balance their overall personal wellness, nurture and enhance the firm's relationship with the City of Fremont and Dodge County and enhance their recruitment process.

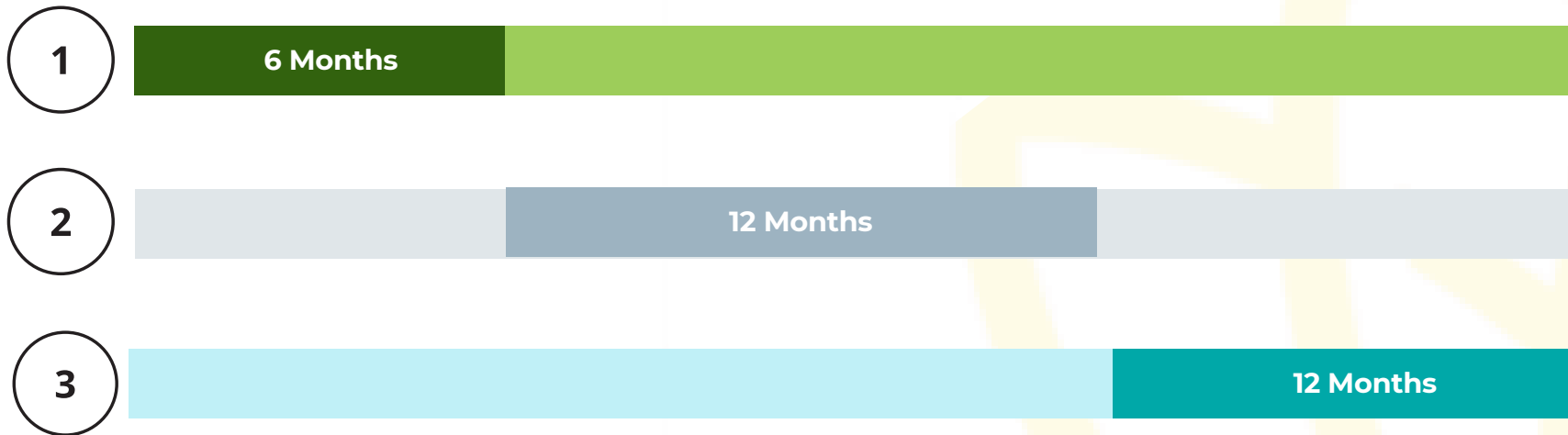
White Lotus Group will provide turn-key development services leading financial, planning and zoning efforts, selection of the design and construction consultants and managing the design and construction efforts.

Project Timeline: Multi-Family

➔ BIDDING/DESIGN

➔ CONSTRUCTION

➔ LEASE-UP



*Please note that more detailed dates can and will be provided based upon the City's awardal date.

Financial Summary

15-Year Pro Forma

assumptions	
Income assumptions:	
Gross potential rents	\$3,309,780
Other income	75,000
Total gross potential rental income	\$3,384,780
Vacancy for residential units	(169,239)
Commercial gross potential rents	\$200,000
Vacancy for commercial units	(40,000)
Effective Gross Income (EGI)	\$3,375,541
Revenue Growth - residential	2.0%
Revenue Growth - commercial	0.0%
Inflation Income Growth	2.0%
Vacancy - residential units	5.0%
Vacancy - commercial units	20.0%
Total # of units	250
Operating expense detail	
	Proforma
Gross Potential Rent (GPR)	\$3,309,780
Other Income	75,000
Total Gross Potential Income	\$3,384,780
Vacancy	(169,239)
Commercial gross potential rents	200,000
Vacancy for commercial units	(40,000)
Effective Gross Income (EGI)	\$3,375,541
	250
Operating Expenses:	
	Annual
	PUPY
G&A:	
Supplies (office)	\$12,500
Advertising	12,500
Telephone	12,500
Legal & Audit	18,000
LHMC monitoring fee	7,500
Asset Management	6,250
Office Expenses	2,000
Miscellaneous Administrative	11,500
Total G&A	\$74,750
Payroll:	
Other Salaries (leasing agent, maint., security)	275,000
Resident Manager Salary	50,000
Security	0
Maintenance Supervisor Salary	50,000
Total Payroll	\$375,000
Repair & Maintenance	
Trash Removal	30,000
Snow Removal	15,000
Pest Control	18,000
Building Maintenance & Repair (incl Maint supplies)	48,000
Interior & Exterior Decorating	0
Cleaning/Turnover	18,000
Total Repair & Maintenance	\$109,000
Utilities	
Electricity	48,000
Water & Sewer	80,000
Fuel	0
Gas	48,000
Total Utilities	\$176,000
Insurance	
	200,000
Real Estate Taxes	
Real Estate Taxes	300,000
Other Taxes or Assessments	0
Total Real Estate Taxes	\$300,000
Management Fee	
	5.0%
Total operating expenses before RR	\$1,389,527
Replacement Reserves	\$300
Total Expenses	\$1,474,327
Net Operating Income	\$1,901,014
Net Service	\$1,653,056
Fee Cash After Debt Service	247,958
Debt Coverage Ratio	
	1.15x

Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
\$3,375,976	\$3,443,495	\$3,512,365	\$3,582,612	\$3,654,265	\$3,727,350	\$3,801,897	\$3,877,935	\$3,955,493
76,500	78,030	79,591	81,182	82,806	84,462	86,151	87,874	89,632
\$3,452,476	\$3,521,525	\$3,591,956	\$3,663,795	\$3,737,071	\$3,811,812	\$3,888,048	\$3,965,809	\$4,045,125
(172,624)	(176,076)	(179,598)	(183,190)	(186,854)	(190,591)	(194,402)	(198,290)	(202,256)
200,000	204,000	208,080	212,242	216,486	220,816	225,232	229,737	234,332
(40,000)	(40,800)	0	0	0	0	0	0	0
\$3,439,852	\$3,508,649	\$3,620,438	\$3,692,647	\$3,766,704	\$3,842,038	\$3,918,878	\$3,997,256	\$4,077,201
\$12,875	\$13,261	\$13,659	\$14,069	\$14,491	\$14,926	\$15,373	\$15,835	\$16,310
\$12,875	\$13,261	\$13,659	\$14,069	\$14,491	\$14,926	\$15,373	\$15,835	\$16,310
\$12,875	\$13,261	\$13,659	\$14,069	\$14,491	\$14,926	\$15,373	\$15,835	\$16,310
\$10,300	\$10,609	\$10,927	\$11,256	\$11,593	\$11,941	\$12,299	\$12,668	\$13,048
\$7,725	\$7,957	\$8,195	\$8,441	\$8,695	\$8,955	\$9,224	\$9,501	\$9,786
\$6,438	\$6,631	\$6,830	\$7,034	\$7,245	\$7,463	\$7,689	\$7,923	\$8,165
\$2,000	\$2,122	\$2,185	\$2,251	\$2,319	\$2,388	\$2,460	\$2,534	\$2,610
\$11,845	\$12,200	\$12,568	\$12,943	\$13,322	\$13,703	\$14,144	\$14,568	\$15,005
\$78,993	\$79,302	\$81,681	\$84,132	\$86,656	\$89,255	\$91,933	\$94,691	\$97,532
\$283,250	\$291,748	\$300,500	\$309,515	\$318,800	\$328,364	\$338,215	\$348,362	\$358,813
\$51,500	\$53,045	\$54,638	\$56,275	\$57,964	\$59,703	\$61,494	\$63,339	\$65,239
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$51,500	\$53,045	\$54,638	\$56,275	\$57,964	\$59,703	\$61,494	\$63,339	\$65,239
\$386,250	\$397,838	\$409,773	\$422,066	\$434,728	\$447,770	\$461,203	\$475,039	\$489,290
\$30,900	\$31,827	\$32,782	\$33,765	\$34,778	\$35,822	\$36,896	\$38,000	\$39,143
\$15,450	\$15,914	\$16,391	\$16,883	\$17,389	\$17,911	\$18,448	\$19,002	\$19,572
\$10,300	\$10,609	\$10,927	\$11,256	\$11,593	\$11,941	\$12,299	\$12,668	\$13,048
\$41,200	\$42,436	\$43,709	\$45,020	\$46,371	\$47,762	\$49,195	\$50,671	\$52,191
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$10,300	\$10,609	\$10,927	\$11,256	\$11,593	\$11,941	\$12,299	\$12,668	\$13,048
\$108,150	\$111,395	\$114,736	\$118,178	\$121,724	\$125,375	\$129,137	\$133,011	\$137,001
\$49,440	\$50,923	\$52,451	\$54,024	\$55,645	\$57,315	\$59,034	\$60,805	\$62,629
\$82,400	\$84,872	\$87,418	\$90,041	\$92,742	\$95,524	\$98,390	\$101,342	\$104,382
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$49,440	\$50,923	\$52,451	\$54,024	\$55,645	\$57,315	\$59,034	\$60,805	\$62,629
\$181,280	\$186,718	\$192,320	\$198,096	\$204,032	\$210,153	\$216,458	\$222,952	\$229,640
\$206,000	\$212,180	\$218,545	\$225,102	\$231,855	\$238,810	\$245,975	\$253,354	\$260,955
\$309,000	\$318,270	\$327,818	\$337,653	\$347,782	\$358,216	\$368,962	\$380,031	\$391,432
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$309,000	\$318,270	\$327,818	\$337,653	\$347,782	\$358,216	\$368,962	\$380,031	\$391,432
\$173,840	\$179,056	\$184,427	\$189,960	\$195,659	\$201,529	\$207,574	\$213,802	\$220,216
\$1,441,513	\$1,484,758	\$1,529,301	\$1,575,180	\$1,622,435	\$1,671,108	\$1,721,242	\$1,772,879	\$1,826,065
\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000
\$1,516,513	\$1,559,758	\$1,604,301	\$1,650,180	\$1,697,435	\$1,746,108	\$1,796,242	\$1,847,879	\$1,901,065
\$1,923,339	\$1,946,891	\$2,016,137	\$2,042,667	\$2,099,268	\$2,095,829	\$2,122,637	\$2,149,377	\$2,176,136
\$1,653,056	\$1,653,056	\$1,653,056	\$1,653,056	\$1,653,056	\$1,653,056	\$1,653,056	\$1,653,056	\$1,653,056
\$270,283	\$295,835	\$363,981	\$389,611	\$416,212	\$442,873	\$469,581	\$496,321	\$523,080
1.15x	1.18x	1.22x	1.24x	1.25x	1.27x	1.28x	1.30x	1.32x

Financial Summary

Pro Forma NOI

Pro Forma Rents and Unit Mix							
BRs / BAs	Units	AMI	Gross rents	Utilities	Pro forma rent	% unit mix	
1BR/1BA	45	60%	967	90	\$877	18.0%	
1BR/1BA	5	Market	1,050	0	\$1,050	2.0%	
2BR/2BA	99	60%	1,161	100	\$1,061	39.6%	
2BR/2BA	11	Market	1,250	0	\$1,250	4.4%	
3BR/2BA	81	60%	1,341	110	\$1,231	32.4%	
3BR/2BA	9	Market	1,400	0	\$1,400	3.6%	
Total (annualized)	250				\$3,309,780	100.0%	
Average rent					\$1,103.26		

Pro Forma NOI Summary			
		PUPM	Annual
Income:			
Revenues		\$1,103.26	\$3,309,780
Ancillary Income		\$25.00	75,000
Operating Subsidy			0
Vacancy			(169,239)
Commercial:			
Revenues			\$200,000
Vacancy		20%	(40,000)
Effective Gross Income (EGI)			\$3,375,541
Operating expenses:			
		Per unit/yr	Annual
Property Mgmt		810	202,532
Reserves		300	75,000
Total expenses (incl. RRs)		\$5,898	\$1,474,527
NOI (after RR)			\$1,901,014
Debt Service:			
Permanent Mortgage			1,653,056
DCR (perm mortgage only)			1.15x
Minimum Cash Flow Test:			
Cash Flow after Perm Debt Service		Per unit	Annual
		\$992	\$247,958

Financial Summary

Sources & Uses

Sources of Funds		
Source	\$	%
Federal Tax Credit Equity	\$15,637,957	30%
Permanent Mortgage	32,960,506	64%
State LIHTC	0	0%
Federal Historic Tax Credits	0	0%
State Historic Tax Credits	0	0%
Deferred Developer Fee	2,797,003	5%
Opportunity Zone	0	0%
City Funding	0	0%
HOME		0%
Total Sources of Funds	\$51,395,465	100%

Metrics:

Debt / Total Capitalization	64.1%
Equity / Total Capitalization	30%
% of total developer fee deferred	73.5%

Uses of Funds		
Use	\$	per unit
Acquisition	\$1,870,000	\$7,480
Construction Costs	39,123,000	156,492
Indirect construction and soft costs	1,569,000	6,276
Financing Costs	908,315	3,633
Reserves and Interest	4,071,782	16,287
Syndication Costs (Upper Tier)	50,000	200
Developer Fees/Overhead	3,803,368	15,213
Other	0	0
Total Uses of Funds	\$51,395,465	\$205,582

Construction Highlights:

Construction start:	10/5/20
Construction end:	12/31/21
Lease up start:	1/15/22
Lease up end:	12/31/22
Operating reserve	\$737,264

Project Contingencies

At this time, the project has no contingencies. We are offering non-competitive tax exempt debt to the project and do not need any public assistance. We are offering to purchase the land at the appraised value,

Thank You

For questions please contact:
Scott Henry
shenry@whitelotusgroup.com
402.408.0005

34TH STREET AND 1ST AVENUE REDEVELOPMENT

9.30.19



I. APPLICATION

City of Council Bluffs, Iowa
Request for Proposals Cover Page

Project Information

Project Name Redevelopment of Land Located at 34th St. and 1st Ave.

Organization Information

Name of Developer Knudson Development, LLC

Mailing Address 29 South Main St., Council Bluffs, IA 51503

Contact Person(s) KC Knudson or Michael R Townsend

Telephone KC: 712-328-2222/Townsend: 702-373-0751 Fax 712-322-8972

Email Address KCKnudson@knudsoncompany.com / MTownsend@knudsoncompany.com

Partners

Type	Name and Address	Contact Person
Project Development	Knudson Development, LLC 29 South Main St., Council Bluffs, IA 51503	Michael R Townsend 702-373-0751
Architectural Firm	Schemmer 1044 North 115th St., #300 Omaha, NE 68154	Patricia Birch 402-493-4800
Engineering Firm	Schemmer 1044 North 115th St., #300 Omaha, NE 68154	Matt Sutton 402-493-4800



II. PROJECT SUMMARY

PROJECT SUMMARY

PROJECT SUMMARY

The 2016 West Broadway Corridor Master Plan provides a vision and clear direction for the rebuilding of West Broadway as a proud urban street over a two-mile stretch in Council Bluffs. As an attractive “front door” to the community, it serves to unite the neighborhoods, provides access and connectivity, and stimulates economic redevelopment and private investment in existing properties. The Western Gateway Project at 34th Street and 1st Avenue will help carry this vision by re-imagining the 8-1/2 acre property into a development that reflects the community’s care for its image, public spaces and quality of life.

BUILDING CONFIGURATION AND RATIONALE

The Bluffs Tomorrow 2030 Comprehensive Plan suggests considerations be made for a multi-modal corridor along 1st Avenue. Recognizing this, an effort will be made to increase density along the 1st Avenue corridor suitable for transit-oriented development. This will be encouraged by lining both sides of 1st Avenue with three and four-story apartment buildings with integrated garages and surface parking lots fed internally. The south property will make use of a segmented row of townhomes facing 2nd Avenue, which is currently lined with single-family homes to the south. This approach acknowledges the existing scale and aesthetics of the original neighborhood in an appropriate and sensitive manner. This mix of new housing creates the market diversity that currently does not exist in the area and locates a larger number of units close to transit, on the multi-purpose trail, and close to commercial uses on West Broadway.

A series of single story commercial buildings woven into the neighborhood fabric will front West Broadway and run south along 34th Street. The commercial tenants will make use of south-facing patios and outdoor spaces that further engage the residential component that shares the block.

Located within the City’s Mixed Commercial Residential District, numerous opportunities are provided for human interactions on various levels, from outdoor plazas and community gardens, to art walks and rooftop entertainment decks. Various modes of transit are anticipated to run through the site, both along 1st and 2nd Avenue, and creating connectivity to those access points within the site will be a key driver to the final site layout.

A Parking Lot Arboretum, consisting of a variety of tree and shrub species, will flow throughout the site and serve as an integral backdrop for the various levels of interaction planned for the development. Pervious and permeable paving will be utilized in low-traffic areas along with bioswales to manage stormwater, prevent runoff and pollution, and replenish the groundwater supply. Marked and textured paving will serve as a visual cue to pathways and connection points within the site.

TARGET MARKET

The development of a high-quality product at the proposed site will be essential to achieving maximum rents, a strong rate of absorption and long-term marketability.



Site Inputs and Analysis



The target market will primarily be renters moving from the greater Council Bluffs area, with another 10-20 percent of the market anticipated to be Omaha area residents.

Based on recently conducted market studies, the following unit breakdown is anticipated for the development:

- Six apartment buildings.
- Two bedroom (1000 – 1100 SF): 90 units total
- One bedroom (700 – 800 SF): 42 units total
- Studio apartments (500 – 600 SF): 12 units total
- Micro Units (300-400 SF): 80 units total
- Townhomes – two bedroom (1300 SF over 700 SF garage): 40 units total

Ideally, the mix of units will be monitored as the buildings are developed and adjustments be made to the mix on an as-needed basis. Three-bedroom units have not been included, but if the market favors them as the phases build-out, they would be brought in and limited at no more than five percent of the mix.

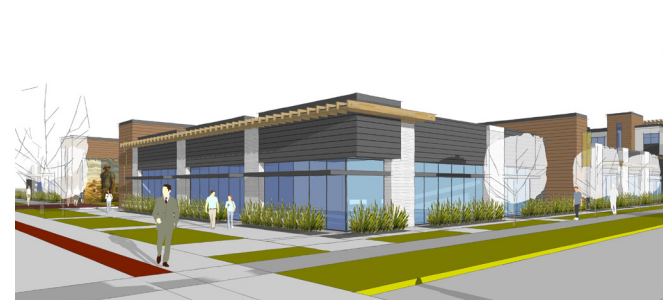
The micro-apartment units are intended to be smaller-than-average studios intended for a single resident. Ultra-efficient designs will pack kitchens, bathrooms and other necessities into a fairly small unit, while high ceilings and large windows will create an illusion of space. Thriving communities, appealing amenities and the prime urban location balance out the unit's small size. Relaxation and socialization space for these units will be accommodated through shared building and site facilities, either at-grade, on the rooftop or



Typical Apartment



Townhomes



Commercial

interspersed throughout the various floors of the buildings. With the building as their living room and the larger community as their backyard, residents need only return to their rooms when it's time to sleep.

This breakdown will provide 222 units south of 1st Avenue and 42 to the north for a total of 264 residential units implemented into the four phases of construction outlined in this proposal. The fourth and final phase will include the build-out of 20,000 SF of commercial space at the corner of West Broadway and 34th Street.

PARKING

Residential parking requirements for the area are one stall per unit. The site south of 1st Avenue with 222 units will require 222 parking stalls. This is accommodated by 40 townhome garages, 20 garages at-grade of the apartments, and 163 surface lot stalls.

At the north site, 42 apartment units will require 42 parking stalls, and 20,000 SF of commercial space will require 80 stalls at one stall per 250 SF of space, for a total of 122 stalls. This is accommodated by placing nine garage stalls at-grade below the apartments and 113 stalls located at surface lots.

OCCUPANT AND WELLNESS COMPONENT

The benefits of a health-focused mind-set and the strong consumer appetite for healthy places suggests that a clear opportunity exists to incorporate all-inclusive, health-focused strategies into the project.

As such, the following healthy housing features

will be investigated and incorporated into the buildings where deemed appropriate and impactful:

- Wide and inviting, prominent staircases, along with signage encouraging their use
- Indoor fitness amenities
- Long-term bike parking and storage
- Common kitchen facilities
- Daylighting and prominent restorative outdoor views

Similarly, healthy housing features incorporated into exterior spaces may include:

- Sidewalks and bike trails
- Public art
- Pedestrian and bike-friendly entrances
- Community gardens
- Rooftop entertainment patios
- Outdoor playgrounds
- Gathering spaces and outdoor plazas
- Public transit connections

Strategies for sustainability and resiliency

- Durable materials (brick, stucco and fiber cement are long-lasting materials that are also fire resistant)
- Solid structure (SIPS, ICFs)
- Stormwater management (pervious and permeable paving in low-traffic and pedestrian areas)
- Storm-proof windows, constructed with impact-resistant glass



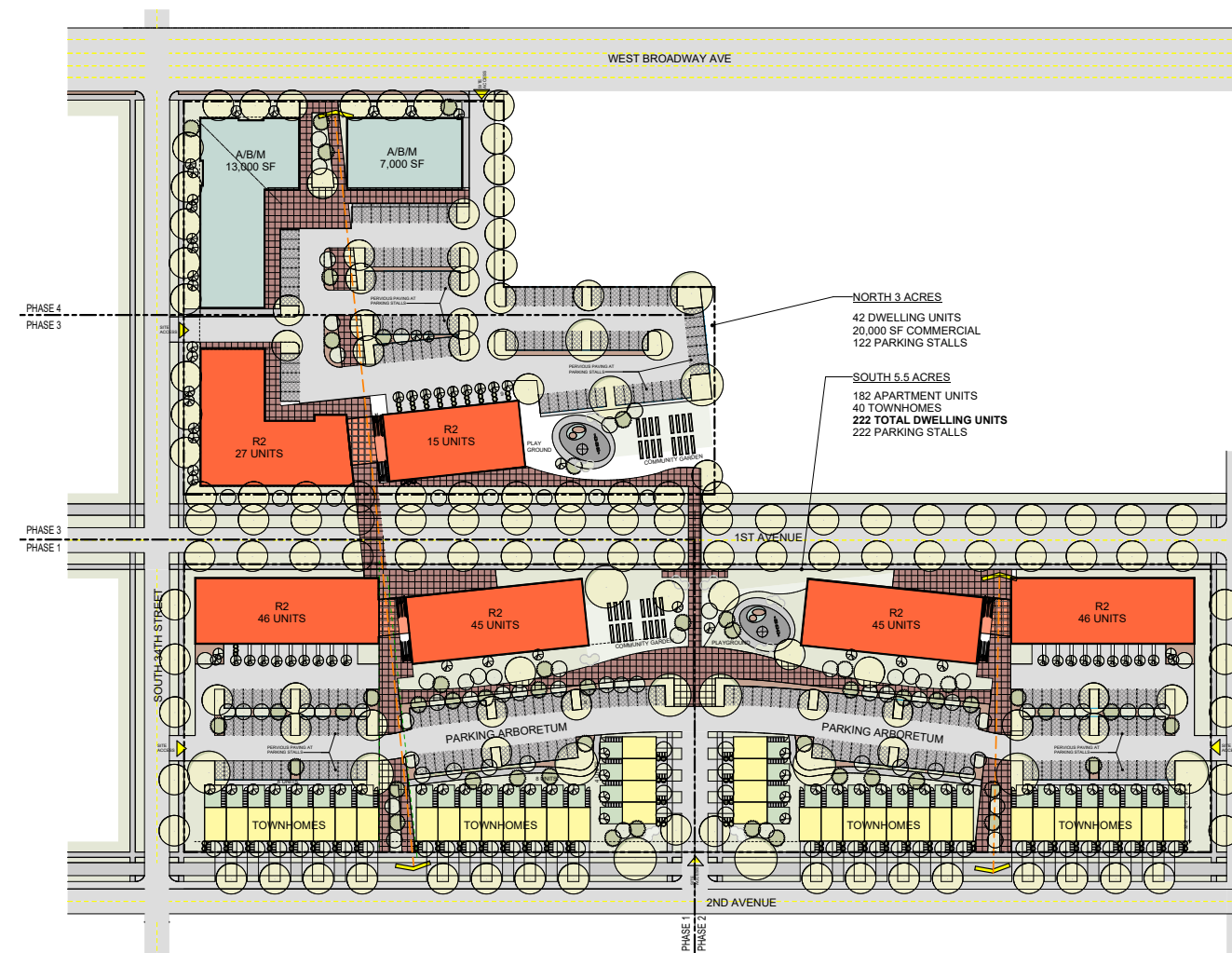
- Incorporation of sourced or on-site renewable energy

POTENTIAL DEVELOPMENT INCENTIVES AVAILABLE

While the site has not yet been officially classified as a brownfield or grayfield, a case could be made for such a classification. As such, tax credits through the Iowa Economic Development Authority may be available.

Meeting specific Green Building Requirements could qualify the project for up to a 30 percent tax credit and should be a stated goal for the project at the outset. Tax Increment Financing (TIF) and City Financing will also be pursued as a potential funding source.

Opportunities will be explored to obtain energy incentives from local utility companies (MidAmerican Energy and Black Hills Energy) through the design and implementation of solar, wind, or customer energy generation strategies.



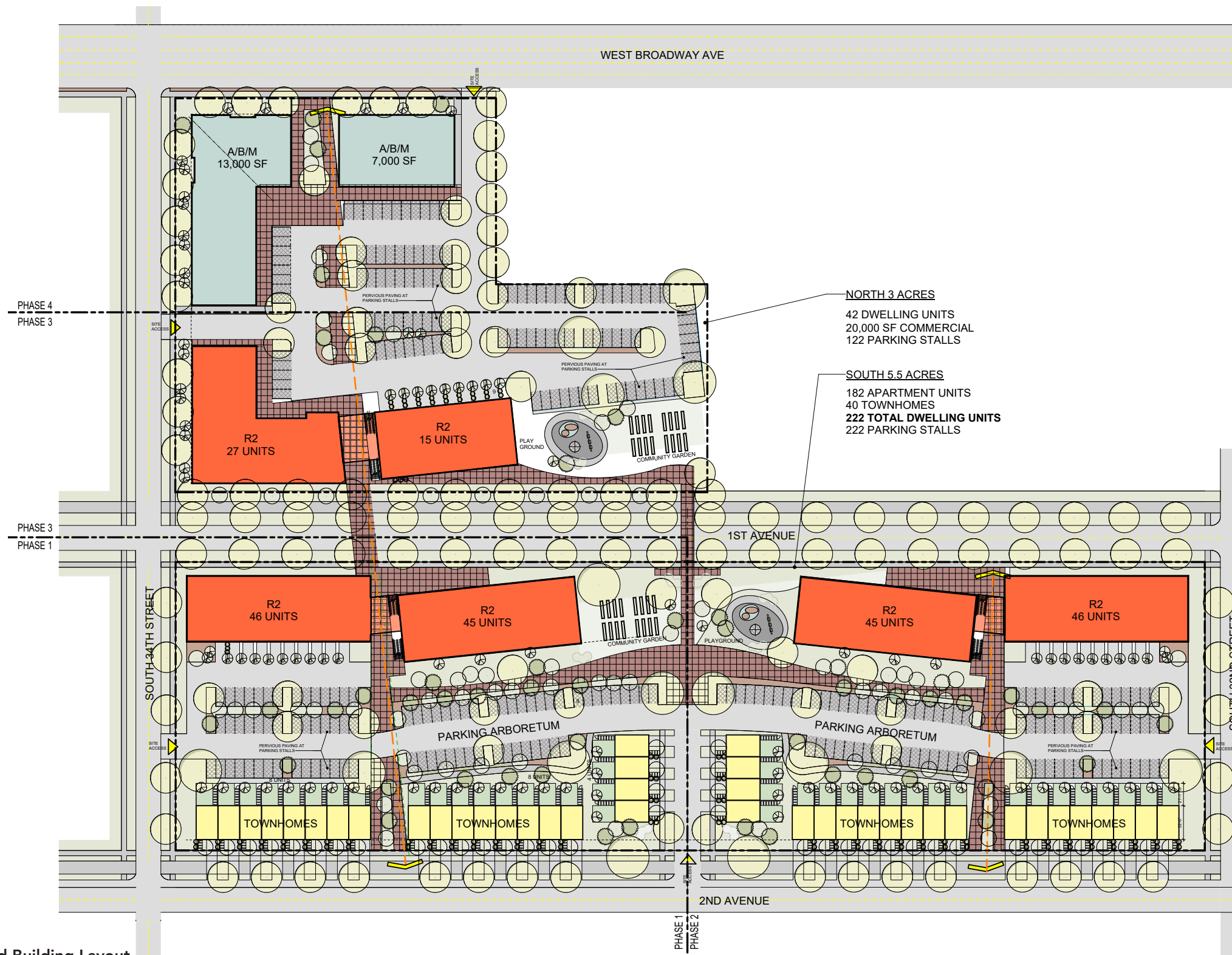
Building Massing and Layout





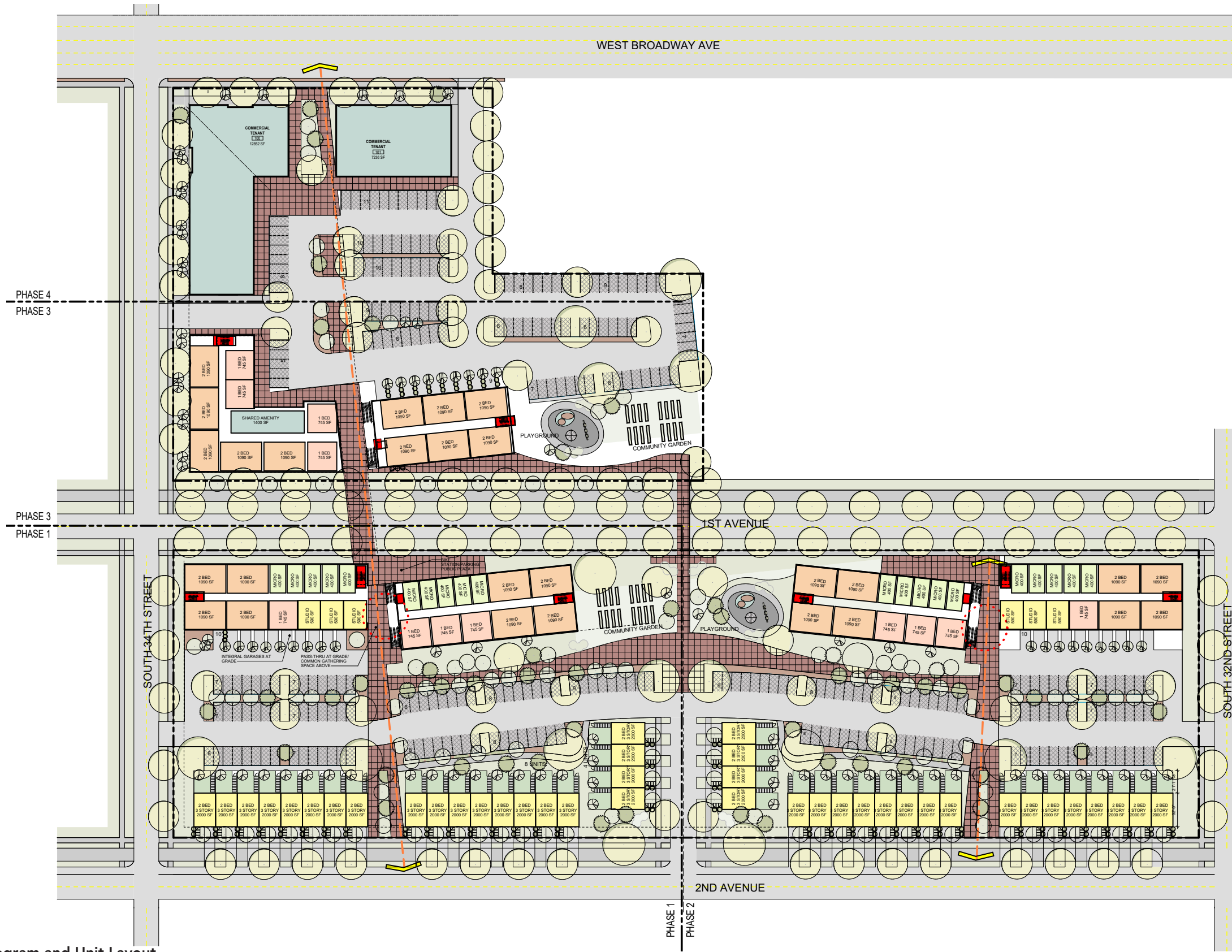
III. PROJECT PLANS

PROJECT PLANS



Site Phasing and Building Layout





Site Program and Unit Layout

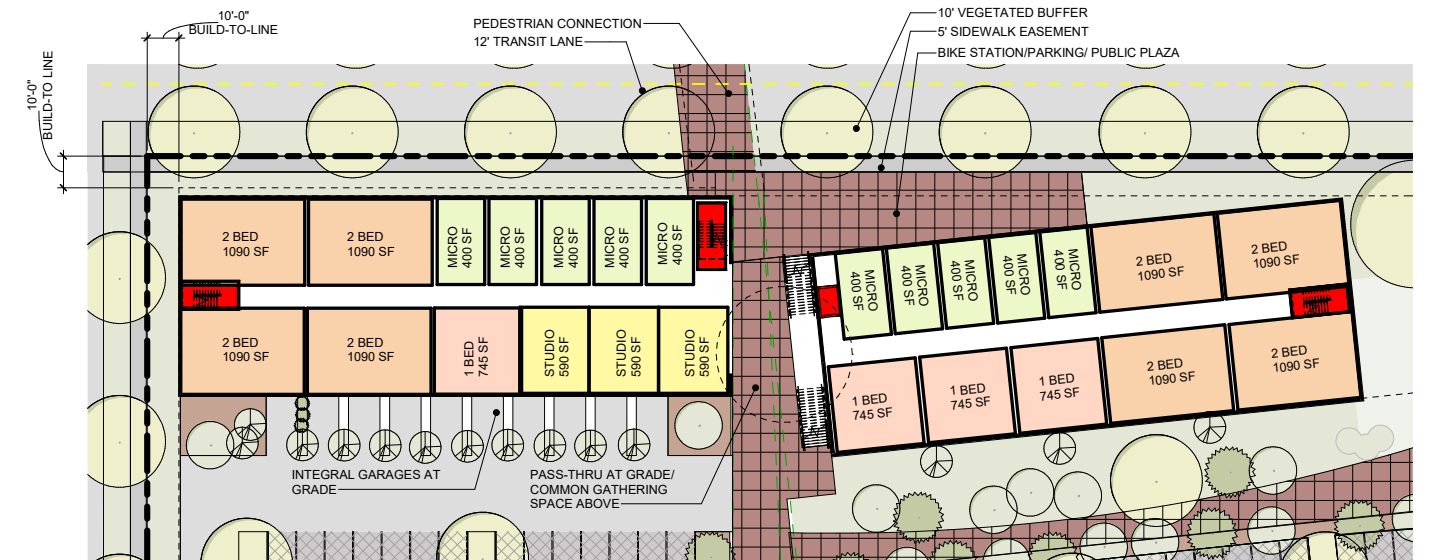




APARTMENT BUILDINGS



Four-Story Apartment



Second Floor Plan



View of Entertainment Roof Deck



Apartment Elevation

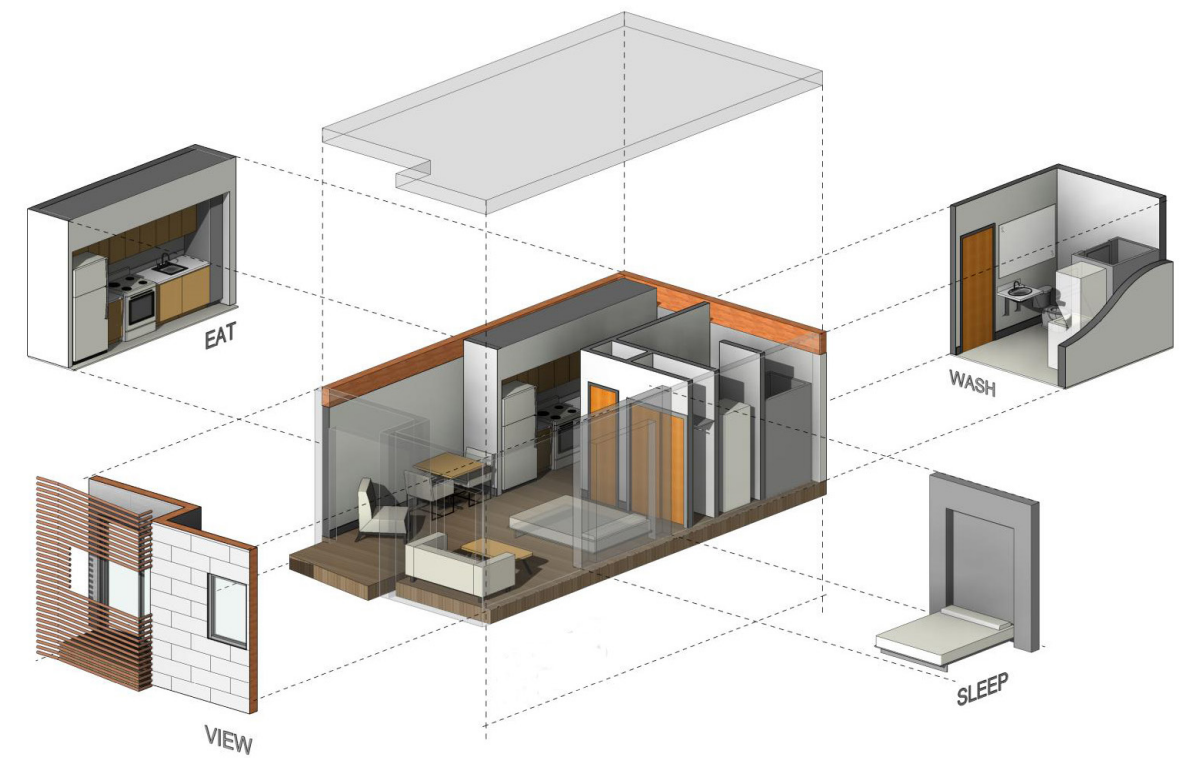


TYPICAL APARTMENT UNIT TYPES



Apartment Unit Mix

					PROGRAMMED	MARKET STUDY
6 APARTMENT BUILDINGS						
2 BEDROOM	1000-1100 SF		90 units		40%	40%
1 BEDROOM	700-800 SF		42 units		19%	50%
STUDIO	500-600 SF		12 units		5%	10%
MICRO	300-400 SF		80 units		36%	
224 Total Apartment Units						



Micro Unit Diagram

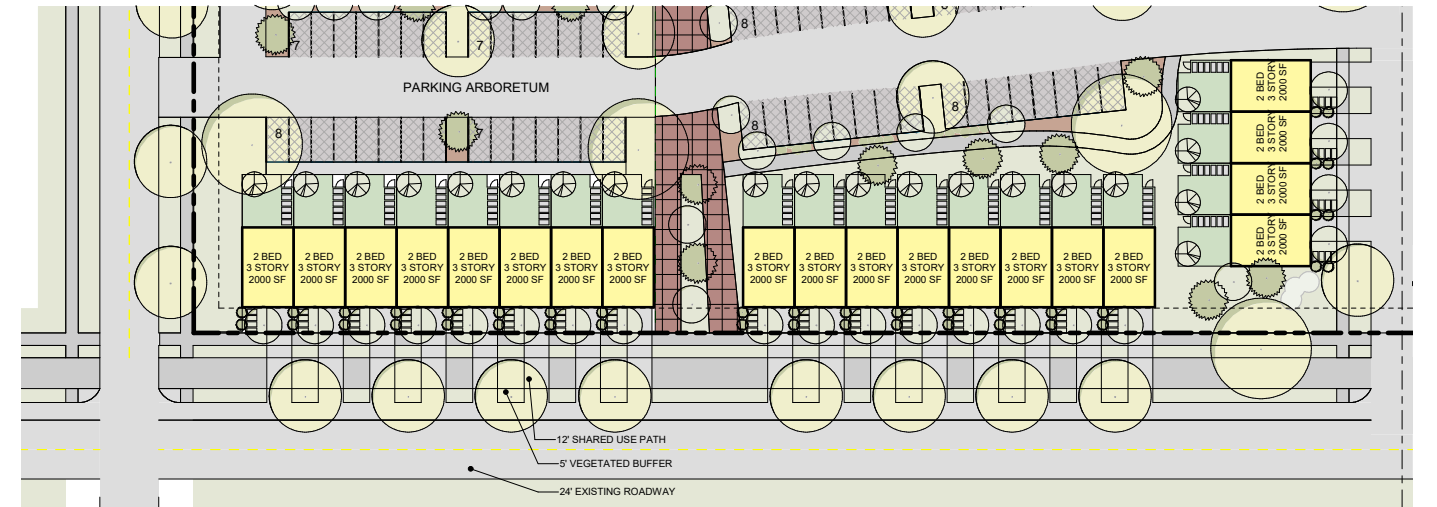


TOWNHOMES



View Along 2nd Avenue

TOWNHOMES		
2-BEDROOM/3-STORY	2000 SF	40 units



Floorplan Layout



Passage into Development



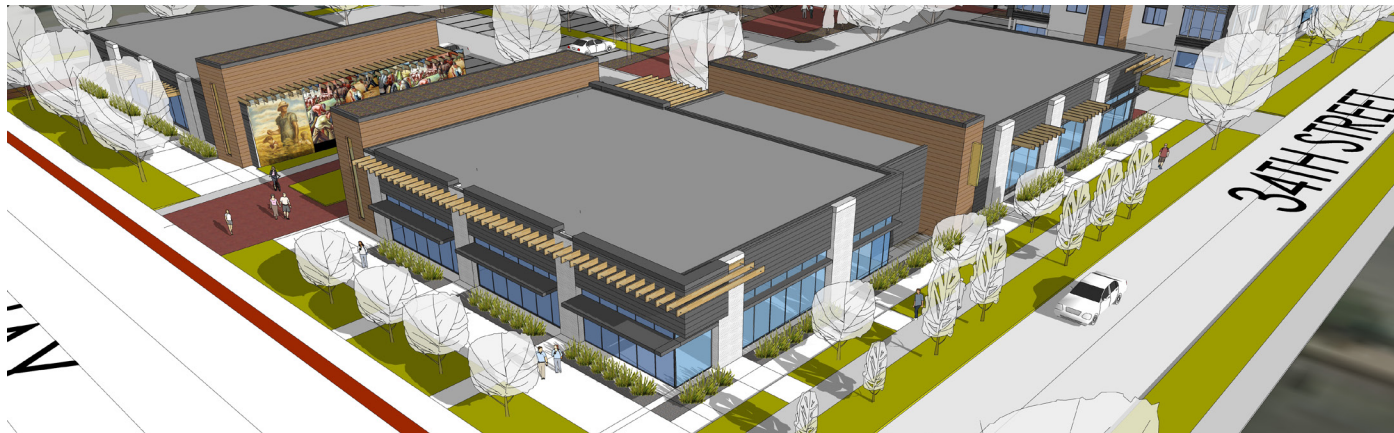
2nd Avenue Elevation



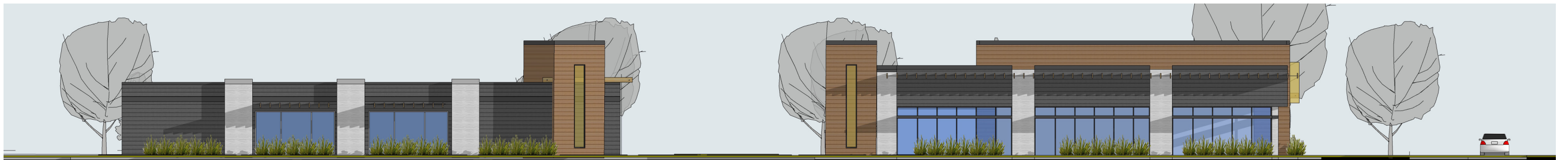
COMMERCIAL



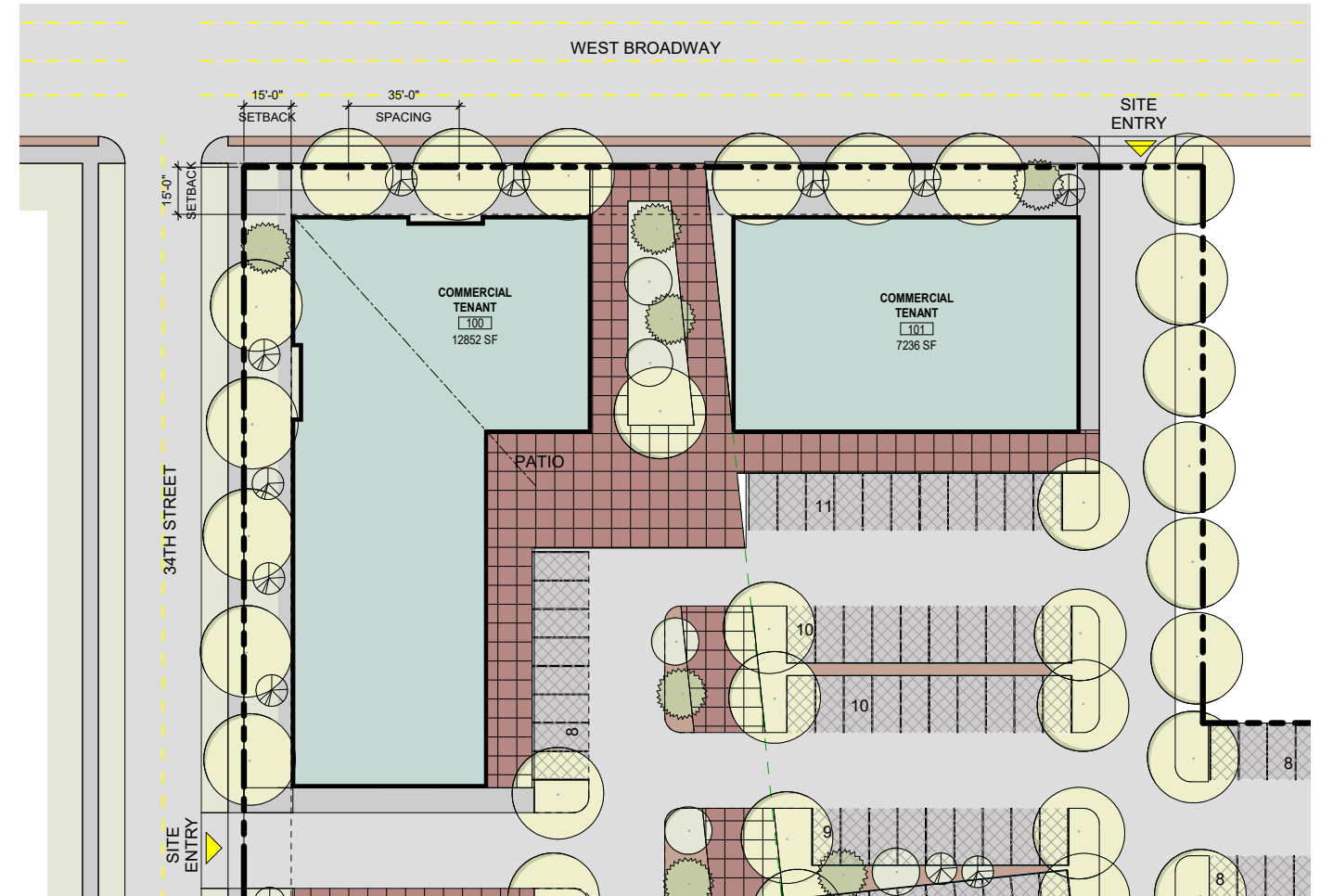
View Along 34th Street



Aerial View from West Broadway



West Broadway Elevation



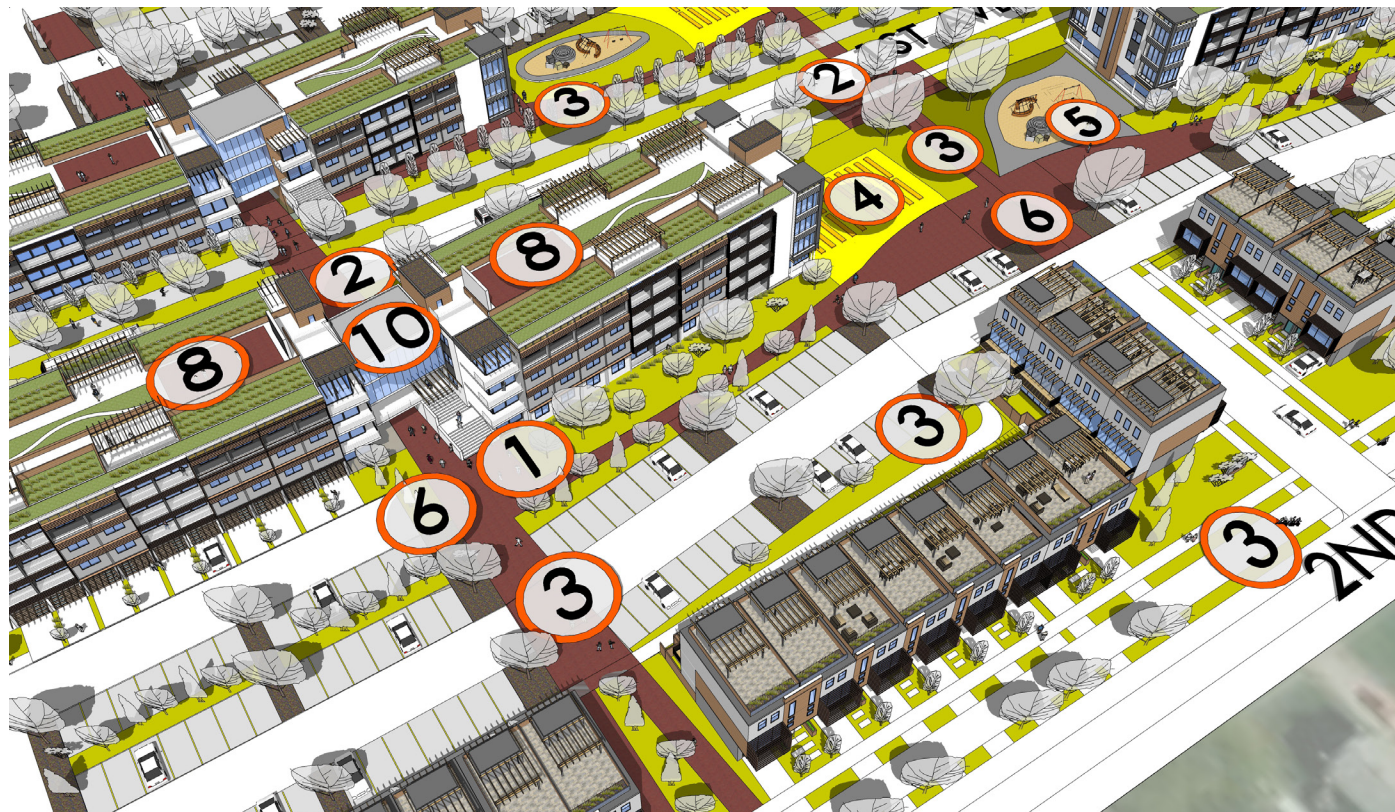
Commercial Site Plan

8



SITE AMENITIES AND WELLNESS FEATURES

At the 34th and 1st Avenue Development, creative placemaking will be used to engage residents on numerous levels through an enhancement of public spaces and corridors. This will result in a healthy and sustainable community, which brings art, culture and well-being to the forefront of design strategies for the project.



1. Inviting and prominent exterior staircase
2. Public transit connections
3. Sidewalks and bike trails
4. Community gardens
5. Outdoor playgrounds
6. Gathering spaces and outdoor plazas
7. Public art
8. Rooftop entertainment patios
9. Long-term bike parking
10. Shared indoor/outdoor cooking and fitness areas





Aerial View Looking Northeast





IV. DEVELOPER TEAM EXPERIENCE

DEVELOPER TEAM EXPERIENCE

KNUDSON PROJECT EXPERIENCE - CURRENT AND PRIOR MANAGEMENT PORTFOLIO

Project	Owner	Location	No. of Units	Subsidized Units
1228 South Main	Knudson Investment Co., Inc.	Council Bluffs, IA	1	0
29 South Main	JD Knudson Investments	Council Bluffs, IA	2	0
Autumnwood	Autumnwood, Ltd.	Seward, NE	18	18
Autumnwood	K W Affordable Housing Ltd., IX	Longview, TX	160	30
Avoca Housing Corp.	Avoca Hsg Corp Inc.	Avoca, IA	8	8
Bedford Comm. Housing	Bedford Comm. Housing	Bedford, IA	24	24
Bluffs Tower	Bluffs Towers L P	Council Bluffs, IA	70	70
Buckner Village	Knudson Housing Partners XXII	Dallas, TX	172	66
Capital Park	Knudson Housing Partners XXVI	Oklahoma City, OK	184	184
Carrollton	Carrollton, Ltd.	Carroll, IA	23	23
Centennial	Centennial, Ltd.	Kearney, NE	50	50
Cheyenne	Cheyenne, Ltd.	Sidney, NE	56	56
Clearfield Manor	Clearfield Manor Corp	Diagonal, IA	8	8
Clearview	Clearview, Ltd.	Creston, IA	17	17
Colonnades	K W Affordable Housing Ltd. VIII	Tucson, AZ	224	152
Colony of Humble	K W Affordable Housing Ltd.	Humble, TX	200	175
Country Estates	K W Affordable Housing Ltd. XI	Corpus Christi, TX	110	42
Country Estates	Knudson Investment Co., Inc.	Blair, NE	116	0
Countryside Village	K W Affordable Housing Ltd. II	Humble, TX	182	182
Courtview Apartments	Knudson Housing Partner Ltd. XXVIII	Carroll, IA	55	0
Duplex	Knudson Investment Co., Inc.	Council Bluffs, IA	2	0
Eagle Apartments	Arlington Centennial Corp.	Arlington, NE	12	12
Emerson	Emerson Place, Ltd.	Kearney, NE	50	50
Fourth Street Garage	Fourth Street Parking Corp	Council Bluffs, IA	262	NA

Gateway Apartments	Knudson Housing Partners Ltd. XXVII	St. Louis, MO	104	104
Golden Crest	K W Affordable Housing Ltd. VI	Odessa, TX	116	21
Hamburg Apartments	HL Kline Associates	Hamburg, IA	16	16
Hawkeye	Hawkeye, Ltd.	Carson, IA	12	12
Heritage Manor	Heritage Manor, Ltd.	Hastings, NE	40	40
High Pointe	Knudson Housing Partners XXIV	Cedar Hill, TX	168	66
Hillside	Hillside, Ltd.	Denison, IA	24	24
Hillside Village	Hillside Village Ltd.	Glenwood, IA	36	36
Houses	Knudson Investment Co., Inc.	Council Bluffs, IA	9	5
Indian Falls	K W Affordable Housing Ltd. V	Wichita Falls, TX	172	63
Inway Village	Knudson Housing Partners XXI	Ft. Worth, TX	145	0
Kearney Plaza	Kearney Plaza, Ltd.	Kearney, NE	50	50
Lake Street Court Apts.	Tekamah Investors	Tekamah, NE	8	8
Lakeview II Apartments	Knudson Housing Partners XXXIII, Ltd.	Kansas City, MO	48	0
Lee Townhomes	Lee Townhomes, Ltd.	Hastings, NE	54	54
Lexington Square	K W Affordable Housing Ltd. III	Angleton, TX	80	80
Lincoln Heights	Lincoln Heights, Ltd.	Hastings, NE	48	48
Longview Terrace	KW Affordable Housing Ltd. V	Kansas City, MO	48	48
Mainview	Mainview, Ltd.	Bloomfield, NE	26	26
Manchester Manor	Manchester Manor Corp	Emerson, IA	4	4
Maplewood	Knudson Housing Partners XXXIII	Rantoul, IL	128	50
Midtown Gardens	61 Investments, LLC	Burlington, IA	60	18
Midtown I	Midtown I, Ltd.	Atlantic, IA	23	0
Midtown II	Midtown II, Ltd.	Atlantic, IA	36	36
Minden Senior Housing	Minden Senior Housing	Minden, IA	12	12
Mink	Mink Apartments, L.C.	Council Bluffs, IA	16	0
New Market Housing	New Market Hsg	New Market, IA	8	8
North Meadows	John Zinnecker Trust	Waverly, NE	24	24
North Park	North Park Apts., Ltd.	Alliance, NE	50	50



North Park	North Park, Ltd.	Gretna, NE	16	16
Northland Waverly	Northland Waverly Apts. LP	Waverly, NE	25	25
Northview Apartments	NSV Ltd.	Wahoo, NE	8	8
Oak Ridge Place	Louisville Housing Authority	Louisville, NE	15	15
Oakcreek	Oakcreek, Ltd.	Red Oak, IA	36	36
Oakway	K W Affordable Housing Ltd. X	Dallas, TX	136	18
Overland	Knudson Investment Co., Inc.	Council Bluffs, IA	103	0
Parkbrook	Knudson Investment Co., Inc.	Griswold, IA	4	0
Parkview	Parkview, Ltd.	Albion, NE	24	24
Pisgah Comm. Housing	Pisgah Comm. Housing	Pisgah, IA	8	8
Plattsmouth Heights	Plattsmouth Heights Ltd.	Plattsmouth, NE	26	26
Progress Corp.	Progress Corp.	Oakland, NE	34	34
Regency Place	Knudson Housing Partners XXV	Cedar Hill, TX	100	21
Ridgefield	Ridgefield, Ltd.	Beatrice, NE	8	8
Riverfront Apartments	Riverfront Apartments, LLC	So. Sioux City, IA	83	0
Royal Ridge	Rock Valley Housing Auth.	Rock Valley, IA	32	32
Shelby Comm. Develop.	Shelby Comm. Develop.	Shelby, IA	12	12
Sherwood Court	Sherwood Court Ltd.	Harlan, IA	24	24
Six-Plex	Arlington Centennial Corp.	Arlington, NE	6	6
Somerset	Knudson Housing Partners XXXII	Columbus, OH	157	0
Somerset	Somerset, Ltd.	West Point, NE	24	24
Southview Apartments	NSV Ltd.	Wahoo, NE	6	6
St. Regis	Knudson Housing Partners XXIII	Kansas City, MO	85	85
St. James Manor	St. James Manor, LP	Omaha, NE	60	60
Summertree	KW Affordable Housing Ltd. IV	Tulsa, OK	160	38
Tabor Develop.	Tabor Develop. Corp.	Tabor, IA	9	9
Tanglewood	K W Affordable Housing Ltd. VII	Tucson, AZ	184	94
Timber Creek Apartments	Knudson Housing Partners XXXIX	Clarinda, IA	48	48

Treynor Senior Citizen Hsg.	Treynor Senior Citizen Hsg.	Treynor, IA	5	5
Underwood	W. Jeanne Knudson	Underwood, IA	8	0
West Park	Knudson Investment Co., Inc.	Council Bluffs, IA	8	0
Woodlake	K W Affordable Housing Ltd. XII	Corpus Christi, TX	96	33
Woodwinds	Woodwinds, Ltd.	Norfolk, NE	50	50

KNUDSON PROJECT EXPERIENCE - COMPLETED PROJECTS

Autumnwood Apartments	Seward, NE
Brady Village	Davenport, IA
Buckner Village Apartments	Dallas, TX
Capital Park Apartments	Oklahoma City, OK
Chalet Apartments	Grand Island, NE
CoHa Village	Council Bluffs, IA
Continental Gardens	Grand Island, NE
Coronado Condominiums	Omaha, NE
Emerson Plaza Apartments	Kearney, NE
Glenbrook Apartments I	Cedar Rapids, IA
Glenbrook Apartments II	Cedar Rapids, IA
High Pointe Apartments	Cedar Hill, TX
Holiday Gardens	Grand Island, NE
Holiday Gardens II	Grand Island, NE
Horizon Condominiums	Omaha, NE
Kearney Plaza Townhomes	Kearney, NE
Kellom Heights Redevelopment	Omaha, NE
Lakefield Apartments	Alliance, NE
Logan Apartments	Fairfield, IA
Mapleleaf Apartments	Mt. Pleasant, IA
Midtown Place II	Atlantic, IA
Mt. Carmel Apartments	Waterloo, IA
North Park Apartments	Alliance, NE



North Park, Ltd.	Gretna, NE
Oak Creek Apartments	Red Oak, IA
Oakway Apartments	Dallas, TX
Park III	Fremont, NE
Parkview Apartments	Albion, NE
Randolph Housing	Randolph, NE
Regency Place Apartments	Cedar Hill, TX
Regency Plaza Apartments	Broken Bow, NE
Seward Corp. Apartments	Council Bluffs, IA
Sheridan Village Apartments	Dubuque, IA
Somerset Apartments	West Point, NE
Somerset Development	Columbus, OH
Somerset Village, Ltd.	Sidney, NE
Southridge Village I	Des Moines, IA
Southridge Village II	Des Moines, IA
St. Regis Apartments	Kansas City, MO
Stanton Tower	Fremont, NE
Steller Woods Village II	Ottumwa, IA
Sunset Park	Council Bluffs, IA
Terra Centre	Denver, CO
The Chateaux	Breckenridge, CO
The Lodge	Breckenridge, CO
Turnberry Tower IV #3801	Las Vegas, NV
Valley Elderly Housing	Valley, NE
Walnut Hills Apartments	Atlantic, IA
West Park Apartments	Council Bluffs, IA
Woodwind Apartments	Norfolk, NE



SCHEMMER EXPERIENCE



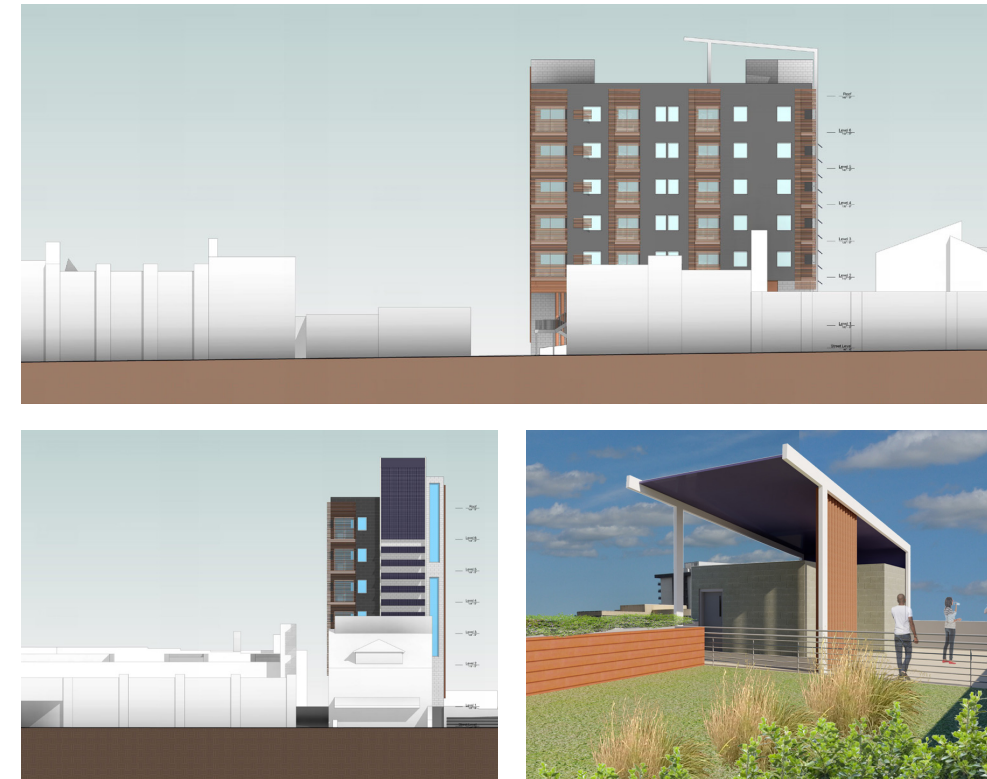
THE CRIB

The Crib is a 20-unit urban micro-housing concept with a mix of studio (375 SF) and one bedroom (500 SF) apartments located in Lincoln, Nebraska. All units are market rate and will help alleviate a critical shortage of efficient and affordable housing options.

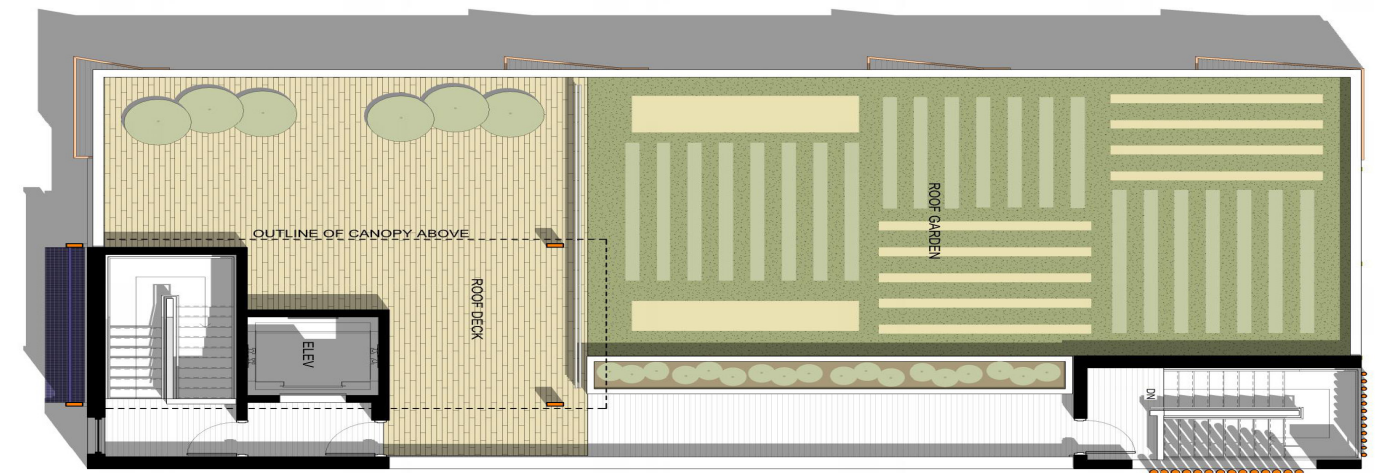
As an urban infill project, balconies provide direct connection to the exterior, while a roof patio promotes social interaction and healthy food production on-site for residents. By elevating the program, existing on-grade parking is preserved along with a mixed-use 1980s building to the south; all on a parcel smaller than the average single-family lot.

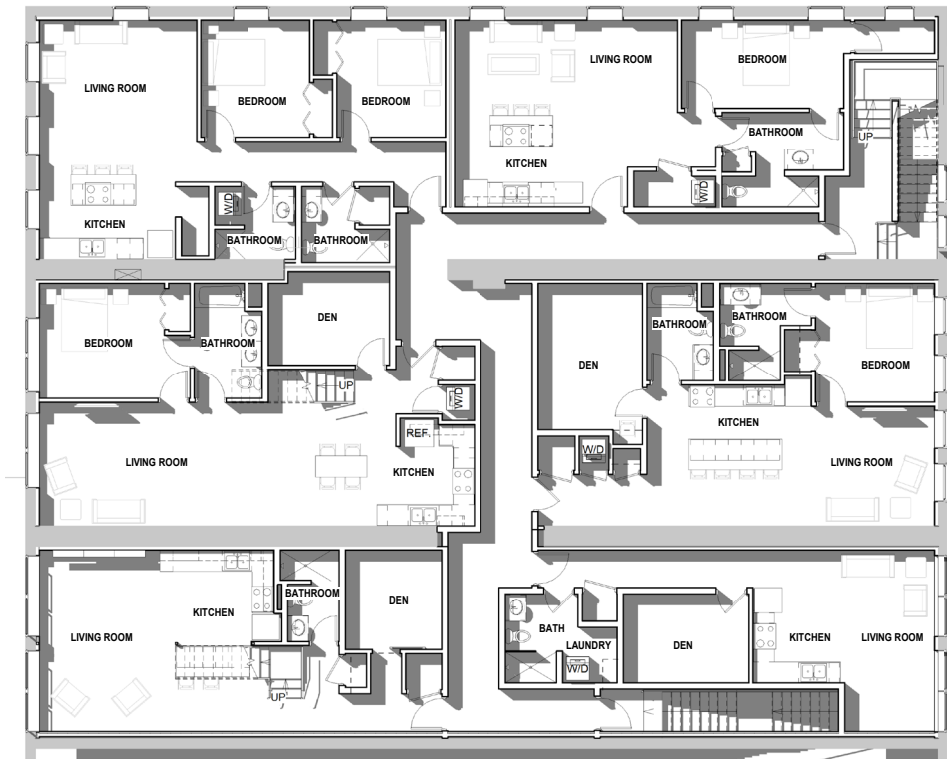
Structurally, cross laminated timber (CLT) rests on a steel and concrete frame. CLT acts as a carbon sink, provides a natural material connection, and an acoustic separation for spaces. An east concrete wall defines the only zero-property line and is punctuated with an array of solid glass cubes to provide a lens for natural light distribution with the circulation spine.

Reused surplus weathering steel piping acts as strategic façade shading, cladding and structural elements. Photovoltaics provide up to 50 percent renewable energy and simultaneously provide shade on the roof deck.



LOCATION | Lincoln, Nebraska
 SIZE | 16,800 SF
 COST OF PROJECT | TBD
 TYPE OF PROJECT | Speculative





LOCATION | Lincoln, Nebraska
 DATE COMPLETED | February 2020
 SIZE | 15,500 SF
 COST OF PROJECT | Not available
 TYPE OF PROJECT | Adaptive re-use

THE POST LOFTS - SUP FAMILY, LLC

The Post Lofts is a mixed-use urban rehabilitation project located at 14th and P Streets in Lincoln. Three early 1900s buildings will be joined together with updated infrastructure, new floor and roof structure, modern utilities, façade restoration, and historically-accurate window replacement.

The street level houses three national and local commercial tenants, inserting new retail within the downtown core. On the upper levels, eight living units will be incorporated into the historic structure, including strategically located loft spaces and a rooftop community deck and garden. Historic murals and materials will be exposed throughout the project both in the public and private spaces.

Schemmer and the design team have provided architectural and engineering services for all aspects of the project including historic preservation and adaptive reuse.

The project is currently under construction.





LOCATION | Lincoln, Nebraska
 DATE COMPLETED | June 2018
 SIZE | 67,900 SF
 TYPE OF PROJECT | New

SIERRA SUITES - KRUEGER DEVELOPMENT

This 67,900 SF, three level, mixed-use building with retail on the ground level and 20 one-bedroom apartments on the second and third levels was completed in 2018. The ground level retail is designed to enable a variety of uses including drive-up service such as a coffee shop. An underground parking garage is provided for resident parking. Schemmer worked in conjunction with the owner's design architect, Keith Dubas, who is responsible for overall project design, as well as civil engineering.

A high density of units was achieved on the site as a result of the underground parking garage, which also means the surface parking can be dedicated to customers of the ground level retail shops. Schemmer provided architectural and structural, mechanical and electrical engineering services.





STONE CREEK AT BLUE SAGE - CEDARWOOD DEVELOPMENT, INC.

Schemmer is designing a multi-family development located on 18 acres in West Omaha. The project includes 268 apartments consisting of one, two and three-bedroom units in 12 three-story buildings which are designed to meet criteria of the National Green Building Standards. The development features a 7,000 SF clubhouse and outdoor pool. The two-level clubhouse provides residents with a variety of amenities including a club room, fitness room and exercise room that also serves as a storm shelter.

Site amenities include outdoor kitchen, outdoor firepits, two dog parks, sand volleyball court and putting green. Some of the grade-level units will enable residents to plant gardens.

The project included the design of a maintenance building with car wash for use by residents, a dog grooming facility and a mail kiosk.



LOCATION | Omaha, Nebraska
 DATE COMPLETED | TBD (Bid Phase)
 TYPE OF PROJECT | New





WILDERNESS CREEK RESIDENCES - ANIMANIACS GROUP, LLC

The project is a three-story, market-rate apartment building with underground parking. It consists of 46 units ranging in size. Efficiency, one-bedroom, two-bedroom and three-bedroom units are provided. The main level common area living space has a fireplace and a balcony overlooking the adjacent creek valley of mature trees. Residents are also provided with an exercise room.



LOCATION | Lincoln, Nebraska
 DATE COMPLETED | June 2019
 SIZE | 65,120 SF
 TYPE OF PROJECT | New





RESIDENTIAL TREATMENT CENTER - CHILDREN'S SQUARE U.S.A.

Schemmer completed a master plan, existing buildings analysis and preliminary designs for improvements to the Children's Square U.S.A. 10-acre campus in Council Bluffs. The 130-year-old institution, which serves the needs of children, youth and families has ever-evolving and expanding needs for the treatment and education of children and adolescents experiencing serious emotional disorders. We also assisted the client with a federal grant which provided seed money for the initial master planning to define and prioritize projects to elicit a response from the community with Better Spaces Brighter Futures Capital Campaign. The campaign raised \$9M.

Phase One of the Master Plan Implementation was design of the Residential Treatment Center. This three-cottage facility provides living and therapy spaces. Each cottage has 11 bedrooms to serve up to 14 children, a kitchen and dining room, TV room, quiet room, laundry room and activity spaces. The common area includes a multipurpose room which also serves as a storm shelter, kitchenette, music room and art room. Each cottage has a front porch to provide a sense of identity and feeling of home.

Phase Two of the Master Plan Implementation, a remodel and addition to the campus's Academic Center, has just been completed.



LOCATION | Council Bluffs, Iowa
 DATE COMPLETED | 2017
 SIZE | 23,899 SF
 COST OF PROJECT | \$4.4M
 TYPE OF PROJECT | New



SCHEMMER PROJECT EXPERIENCE CONTINUED

- Lake Manawa North Shore Concept
- Hampton 70th and Yankee Hill Mixed-Use Development
- Whispering Oaks
- Mercy Housing Northglen
- Mirada Apartments
- Hastings Village Gardens
- Goldbeck Towers
- Millard Manor
- Mercy Housing Crestview
- Mercy Housing Western Manor
- Sisters of Mercy Community
- Immanuel Trinity
- New Visions - Omaha Housing for the Homeless and Christian Worship Center
- Stanton Tower Boiler/Water Heater Replacement
- Dudley Court HVAC and Window Replacement
- Regal Tower Water Heater and Boiler Stack
- Villa St. Benedict Cottages

**TEAM RESUMES****Knudson Development, LLC****K.C. KNUDSON**

CHAIRMAN, CEO, PRESIDENT

Mr. K. C. Knudson, age 67, is Chairman, CEO and President of Knudson Companies. He is also Chairman or President of the following companies: Knudson Investment Co., Inc.; Knudson Management Co., Inc.; and Knudson General Contractors Corp., all headquartered in Council Bluffs, Iowa. He attended Northwest Missouri State University in Maryville, Missouri. Mr. Knudson was selected as the Outstanding Young Iowan in 1980.

K. C. Knudson, or an organization with which he is affiliated, has previously developed, constructed and operated over 6,000 housing units including apartment complexes, high-rise buildings, large residential developments and single-family homes.

MICHAEL R. TOWNSEND

PRESIDENT

Michael has more than 35 years of Commercial and Residential Development/Construction experience including Third Party Management and Development; Redevelopment Projects; Industrial, Office, Retail, Residential and Multi-Family projects. He has developed more than 8.5 million square feet in five states and managed over 25 million square feet of Commercial and Residential Property in nine states. Michael also has extensive Real Estate Finance experience with over \$1 billion in loans created over the past 25 years.

CHRISTIE JOHNSEN

CFO/PRESIDENT

Christie Johnsen is Chief Financial Officer of the Knudson Companies and the President of Knudson Management Co., Inc. She has been employed by the Knudson family of companies for over 44 years. Christie graduated "summa cum laude" from Morningside College in Sioux City, Iowa with a degree in Business Administration, and an emphasis on accounting.

PAT O'DOWD

VICE PRESIDENT OF PROPERTY MANAGEMENT

Pat O'Dowd is Vice President of Property Management and an officer in Knudson Companies, LLC. She has been employed by the Knudson Companies for over 37 years. Pat has been involved in the acquisition, development, marketing and management of apartments units in Arizona, Iowa, Nebraska, Ohio, Missouri, Texas and Hawaii. She completed and managed a homeownership program in Columbus, Ohio of 157 units from rental to home ownership. The success of this homeownership program received national recognition by HUD.

Resumes of the Schemmer Team to follow.



PAT BIRCH AIA, LEED AP
PROJECT MANAGER | 37 YEARS EXPERIENCE

Pat leads the firm's multi-family housing market sector and market rate and affordable housing have been major focuses of her career. Pat is an exceptional project manager and designer. She has 37 years of experience and brings a wealth of knowledge, having led a broad range of projects for both public and private-sector clients. Pat is adept in budget monitoring, resource allocation, team oversight, quality assurance, client consultation and project reporting. She provides leadership to ensure designs meet client's expectations in all respects.

EDUCATION

M. Arch.; B.S. Architectural Studies
University of Nebraska - Lincoln

REGISTRATION

Registered Architect: NE, IA, KS
LEED Accredited Professional

MEMBERSHIPS

American Institute of Architects;
Project Review Board University of
Nebraska; City of Lincoln Building
Codes Task Force; USGBC Flatwater
Chapter

Krueger Development Multi-Family

- Chantaclear Residences, Lincoln, NE
- The Mirada, Lincoln, NE
- The Dakota, Lincoln, NE

Krueger Development Mixed-use

- Sierra Suites

Animaniacs Group LLC Multi-Family

- Wilderness Creek Residences, Lincoln, NE

Cedarwood Development Multi-Family

- Stone Creek at Blue Sage, Omaha, NE

Children's Square Housing

- Residential Treatment Units, Council Bluffs, IA

Hampton Development

- Mixed-use Site Development, Lincoln, NE

Knudson Management Co. Inc

- Lake Manawa North Shore Development, Council Bluffs, IA

Mercy Housing

- Northglen Apartments, Lincoln, NE
- Western Manor Apartments, Lincoln, NE
- Crestview Village Townhouses, La Vista, NE

Good Samaritan Society

- Millard Manor, Omaha, NE
- Village Gardens, Hastings, NE
- Goldbeck Towers, Hastings, NE

Lincoln Housing Authority

- Prairie Crossing*
- Summer Hill Townhouses*

Grainger Building Apartments, Lincoln, NE*

** work completed prior to Schemmer*

MICHAEL SINCLAIR AIA
DESIGN ARCHITECT | 20 YEARS EXPERIENCE

Michael has more than 20 years of diverse experience in new construction and renovation projects from design through construction administration. His experience includes multi-family, educational, mixed-use developments, military, industrial and commercial office projects. Michael is responsible for design and construction documents. He is particularly talented in conceptual design, Building Information Modeling and the critical transFER of that knowledge and information through construction documentation.

Krueger Development Multi-Family

- Chantaclear Residences, Lincoln, NE
- The Mirada, Lincoln, NE
- The Dakota, Lincoln, NE

Krueger Development Mixed-use

- Sierra Suites, Lincoln, NE

Animaniacs Group LLC Multi-Family

- Wilderness Creek Residences, Lincoln, NE

Cedarwood Development Multi-Family

- Stone Creek at Blue Sage, Omaha, NE

Children's Square U.S.A.

- Residential Treatment Units, Council Bluffs, IA

Hampton Development

- Mixed-use Site Development, Lincoln, NE

Knudson Management Co. Inc

- Lake Manawa North Shore Development, Council Bluffs, IA

Sup Family Properties Mixed-use

- The Post, Lincoln, NE

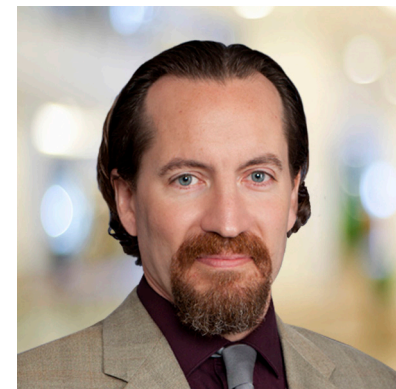
Traction Development Partners - Mixed-use

- Canopy Street Lofts, Lincoln, NE*

City of Lincoln/Urban 38 Mixed-use Development

- Larson Building, Lincoln, NE*

** work completed prior to Schemmer*



EDUCATION

M. Arch.; B.S. Design
University of Nebraska - Lincoln

REGISTRATION

Registered Architect: NE, SD

MEMBERSHIPS

American Institute of Architects,
Lincoln Chapter; Leadership Lincoln
Fellows Program; TeamMates
Mentoring Program; AIAS College
of Architecture Mentor, Junior
Achievement



PETER HIND AIA, LEED AP
DESIGN ARCHITECT | 20 YEARS EXPERIENCE

Peter is a senior architect with 20 years of experience in residential, commercial and multi-family design. Prior to joining Schemmer, he was the principal and founder of an award-winning architecture and construction firm. Peter's expertise lies in pursuing new markets, promoting creative design, strengthening existing business areas, communication and collaborating with team members, contractors and clients. He possesses a high degree of creative problem-solving and management of multiple tasks, issues and individuals.

Knudson Management Co. Inc

- Lake Manawa North Shore Development, Council Bluffs, IA

Sup Family Properties Mixed-use

- The Post, Lincoln, NE

The Crib, Lincoln, NE

Kensington Retail and Master Plan, Lincoln NE*

The Stack, Lincoln NE*

Wes and Willy Headquarters, Omaha NE*

Village Garden's New Urbanist Development, Lincoln NE*

** work completed prior to Schemmer*

EDUCATION

M. Arch.; B.S. Architectural Studies
University of Nebraska - Lincoln

Diploma Studies

The Architectural Association -
London

Psychology

University of Ottawa - Canada

REGISTRATION

Registered Architect: NE, MN
LEED 2.0 Accredited Professional
NCARB Certificate



CHARLY HUDDLESTON PE
CIVIL ENGINEER/PRINCIPAL | 41 YEARS EXPERIENCE

As executive vice president of Schemmer's engineering division, Charly is responsible for project management, design, business development and long-range strategic activities. His specific engineering expertise includes water resources, wastewater, bridges and structures, transportation, construction management and public involvement services. He has extensive experience in planning, preliminary and final designs, specifications, estimating and construction phase services. In addition to design and project management, he has been responsible for QA/QC on numerous infrastructure projects. He first learned quality control procedures while working with the Army Corps of Engineers and has successfully completed DOT Process Improvement and Team Building training with the Iowa Department of Transportation.

Metro Crossing Commercial Development, Council Bluffs, IA

Non-Pareil Commercial Redevelopment, Council Bluffs, IA

McPherson Woods Residential Development, Council Bluffs, IA

Lower Bennett Rehabilitation Phases One through Seven, Council Bluffs, IA

Warren Distribution Warehouse Expansions, Council Bluffs, IA

Eastern Hills Drive - Cedar Lane, Council Bluffs, IA

EDUCATION

B.S. Civil Engineering; Graduate
Studies

University of Nebraska - Lincoln/
Omaha

REGISTRATION

Professional Engineer - NE, IA, ND

MEMBERSHIPS

National Society of Professional
Engineers; Nebraska Society of
Professional Engineers; American
Public Works Association; American
Society of Civil Engineers; American
Council of Engineering Companies;
MAPA Transportation Technical
Advisory Committee





MATT SUTTON PE, LEED AP
CIVIL ENGINEER | 21 YEARS EXPERIENCE

Matt is an experienced leader who specializes in civil/site design for facilities projects, including grading, drainage, utilities, paving, lighting and other site improvements. His project experience includes storm sewer projects, water resource projects, roadway paving, bike trails, utilities, recreation projects and civil site design. Matt was among the firm's first LEED Accredited Professionals and is skilled at applying LEED criteria for site development. He is a civil and site engineer with extensive experience in residential, retirement and institutional facilities. His experience in drainage analyses, stormwater detention and environmental compliance has been invaluable in securing necessary permits to ensure timely execution and completion of construction.

EDUCATION

B.S. Civil Engineering
South Dakota State University

M.B.A.

University of Nebraska - Omaha

REGISTRATION

Professional Engineer - NE (E-10696), IA, ND, TX, SD, AR, MN, ID, KY, MI; LEED Accredited Professional; City Street Superintendent Certification; IMSA Work Zone Safety Certification

MEMBERSHIPS

Omaha Engineers Club; National Society of Professional Engineers; Nebraska Society of Professional Engineers - Eastern Chapter; Society of American Military Engineers (SAME)

Omaha Housing Authority

- Park, Benson, Highland, Florence, Evans and Pine Towers Parking and Site Improvements

Good Samaritan Society

- Skilled Nursing Facilities, Beatrice, NE, Albion, NE and Mandan, ND
- Goldbeck Towers Remodel, Hastings, NE
- Hastings Village Gardens, Hastings, NE

Department of Veterans Affairs

- Community Living Center Cottages, Des Moines, IA

New Cassel Retirement Center

- Assisted Living Addition, Dining Room and Parking Lot Expansion, Omaha, NE

Madonna Manor, Villa Hills, KY

Immanuel

- Lakeside Village, Omaha, NE
- Trinity Affordable Housing, Papillion, NE

Iowa Veterans Home, Marshalltown, IA

Villa St. Benedict and Sacred Heart Monastery, Lisle, IL



KEVIN WENNINGHOFF SE
STRUCTURAL ENGINEER | 11 YEARS EXPERIENCE

Kevin has 11 years of experience in structural engineering providing design for building renovations, additions and new construction. He has substantial experience in projects such as educational facilities, retirement communities, assisted living and industrial projects. On the recent addition and renovation to Bowen Hall, Kevin was able to quickly assess issues and design recommended repairs for exterior precast concrete panel embeds that were failing on the first and ninth levels, and exposed rebar in the cast-in-place concrete structure, keeping the aggressive project schedule on track.

EDUCATION

M. Architectural Engineering;
B.S. Architectural Engineering
University of Nebraska - Lincoln

REGISTRATION

Registered Structural Engineer: NE, OK, VA, IA

MEMBERSHIPS

Structural Engineering Association of Nebraska - Board Member

Krueger Development

- The Mirada, 64-unit and 56-unit Apartment Community, Lincoln, NE
- Chantaclear 7, 57-unit Apartment Building, Lincoln, NE
- Chantaclear 5 North, 64-unit Apartment Building, Lincoln, NE

Cedarwood Development

- Stonecreek at Blue Sage Multi-family Apartment Community, Omaha, NE

Animaniacs Group LLC Multi-Family

- Wilderness Creek Residences, Lincoln, NE

Children's Square U.S.A.

- Residential Treatment Units, Council Bluffs, IA

Department of Veterans Affairs

- Community Living Center Cottage Hospice, Des Moines, IA; Sioux Falls, SD

Omaha Housing for the Homeless

- New Visions 40-unit Housing, Omaha, NE

Immanuel

- Trinity Courtyard Independent Senior Housing Additions,



ANDREW PULLMANN PE, LEED AP BD+C
MECHANICAL ENGINEER | 8 YEARS EXPERIENCE

Andrew has eight years of experience as a mechanical engineer, with specialized experience in multi-family housing, educational facilities, natatoriums, commercial, retail and museums. His experience includes pre-construction services, HVAC and energy studies, schematic design, design development, construction documents, construction administration and close out activities.

Cedarwood Development

- Stonecreek at Blue Sage Multi-family Apartment Community, Omaha, NE

Urban Village Development

- The Triangle Apartments, Multi-family, Mixed-Use, Omaha, NE*

Broadmoor

- Aksarben Village III Multi-family Apartment Community and Parking Structure, Omaha, NE*
- River's Edge, Multi-family Apartment Community, Mixed-Use, Council Bluffs, IA*
- Broadmoor Hills Clubhouse Renovation, Multi-family Apartment Community, Omaha, NE*
- Broadmoor Hills Indoor Pool Addition, Multi-family Apartment Community, Omaha, NE*

Kings 838, Multi-family Apartment Community, West Hollywood, CA*

- Grovewood Park Apartments
• Clubhouse Remodel, Lithonia, GA

Liberty Center, Mixed-use Commercial and Retail Center, Liberty Township, OH*

- Good Samaritan Society
• West Union Resident Room Conversion

Hale Ku'ike Pali Senior Living Memory Care, Honolulu, HI*

Fairfield Inn and Suites by Marriott, Omaha, NE*

** work completed prior to Schemmer*



MATT BROGHAMMER PE
ELECTRICAL ENGINEER | 8 YEARS EXPERIENCE

Matt has eight years of professional experience in electrical engineering. This includes multi-family housing, educational, industrial, healthcare, senior living and commercial projects. He is proficient in AutoCAD, Microsoft Office, Visual Lighting Design, ComCheck, Revit and SKM Powertools.

Cedarwood Development

- Stonecreek at Blue Sage Multi-family Apartment Community, Omaha, NE

Good Samaritan Society

- Mandan 120-bed Skilled Nursing Facility, Mandan, ND
- Le Mars Remodel and Addition, Le Mars, IA
- St. John's Skilled Nursing Remodel and Addition, Kearney, NE
- West Union Resident Room Conversion, West Union, IA

Department of Veterans Affairs

- Des Moines Community Living Cottage, Des Moines, IA
- Sioux Falls Community Living Cottage, Sioux Falls, SD

Pemberly Place, Lincoln, NE

Salem Lutheran Home

- Dining Room Remodel and PT Addition, Elk Horn, IA

Western Nebraska Veterans Home

- Skilled Nursing Conversion, Scottsbluff, NE

Goldenrod Independent Living Community, Kearney NE

Stromsburg Housing Authority ADA Unit Remodel, Stromsburg, NE

Benedictine Sisters of Virginia, Bristow, VA

Bethany Lutheran Home Retirement Community, Council Bluffs, IA



V.
PROJECT TIMELINE

PROJECT TIMELINE

DEVELOPMENT SCHEDULE

Description	Start Date	Number of Days	Completion Date
Close on Property	1.1.2020		
Design and Engineering	1.1.2020	183	7.2.2020
Rezone Site through City of Council Bluffs	2.1.2020	90	5.1.2020
Building at 75 percent Completion of Construction Drawings	5.3.2020	45	6.17.2020
Appoint General Contractor (Negotiations)	6.17.2020	10	6.27.2020
Plan Review and Permitting	7.2.2020	90	9.30.2020
Finalize Contract Price	7.2.2020	15	7.17.2020
On and Off-Site Work	9.30.2020	90	12.29.2020
Foundations Phase I	11.29.2020	60	1.28.2021
Phase I Vertical Construction	1.28.2021	365	1.28.2022
Lease Phase I	1.28.2022	365	1.28.2023
Foundations Phase II	3.29.2021	60	5.28.2021
Phase II Vertical Construction	5.28.2021	365	5.28.2022
Lease Phase II	5.28.2022	365	5.28.2023
Foundations Phase III	7.27.2021	60	9.25.2021
Phase III Vertical Construction	9.25.2021	365	9.25.2022
Lease Phase III	9.25.2022	365	9.25.2023

Foundations Phase IV (Commercial)	11.24.2021	60	1.23.2022
Phase IV Vertical Construction	1.23.2022	335	12.24.2022
Lease Phase IV	12.24.2022	183	6.25.2023





VI. FINANCIAL SUMMARY

FINANCIAL SUMMARY

34th St. & 1st Ave. Council Bluffs, Iowa		
Proforma Budget		
Land Acreage	8.5 Acres	# of Units
Multifamily	168,470 SF	224
Townhomes	80,000 SF	40
Retail	20,000 SF	10
Total Square Footage	268,470 SF	
Sources and Uses of Funds:		
Sources:		Cost
Senior Loan	29,401,265	
Proposed Brownfield Funds	1,000,000	
Proposed TIF/City Financing	3,000,000	
Equity	7,350,316	
Total Sources	\$ 40,751,582	
Uses:		
Land Acquisition	100,000	
Loan Fees, Interest, Reserves & Misc. Costs	1,561,142	
Soft Costs	3,245,000	
Hard Costs	35,245,440	
Contingency	600,000	
Total Development Costs	\$ 40,751,582	

34th St. & 1st Ave. Council Bluffs, Iowa					
10 Year Cashflow					
	<u>Year 1 Stabilized</u>	<u>Year 2 Stabilized</u>	<u>Year 3 Stabilized</u>	<u>Year 4 Stabilized</u>	<u>Year 5 Stabilized</u>
INCOME					
Multifamily	\$ 3,205,800	\$ 3,269,916	\$ 3,335,314	\$ 3,402,021	\$ 3,470,061
Retail	239,000	243,780	248,656	253,629	258,701
Total Rental Income	\$ 3,444,800	\$ 3,513,696	\$ 3,583,970	\$ 3,655,649	\$ 3,728,762
Other Income					
Retail NNN	\$ 60,000	\$ 60,600	\$ 61,206	\$ 61,818	\$ 62,436
Retail Signage	25,000	25,000	25,000	25,000	25,000
Total Other Income	\$ 85,000	\$ 85,600	\$ 86,206	\$ 86,818	\$ 87,436
Total Income	\$ 3,529,800	\$ 3,599,296	\$ 3,670,176	\$ 3,742,467	\$ 3,816,199
Less Vacancy Factor	7.50%	\$ (264,735)	\$ (269,947)	\$ (275,263)	\$ (280,685)
Total Adjusted Income	\$ 3,265,065	\$ 3,329,349	\$ 3,394,913	\$ 3,461,782	\$ 3,529,984
EXPENSES					
Multifamily Operating Expenses	\$ (1,277,496)	\$ (1,303,046)	\$ (1,329,107)	\$ (1,355,689)	\$ (1,382,803)
Replacement Reserves	(79,200)	(79,200)	(79,200)	(79,200)	(79,200)
Retail Operating Expenses	(60,000)	(61,200)	(62,424)	(63,672)	(64,946)
Total Expenses	\$ (1,416,696)	\$ (1,443,446)	\$ (1,470,731)	\$ (1,498,561)	\$ (1,526,949)
NET OPERATING INCOME	\$ 1,848,369	\$ 1,885,903	\$ 1,924,182	\$ 1,963,221	\$ 2,003,035
Less Debt Service	(1,586,126)	(1,586,126)	(1,586,126)	(1,586,126)	(1,586,126)
NET CASHFLOW	\$ 262,243	\$ 299,777	\$ 338,056	\$ 377,095	\$ 416,909



**34th St. & 1st Ave.
Council Bluffs, Iowa**

10 Year Cashflow

	<u>Year 6 Stabilized</u>	<u>Year 7 Stabilized</u>	<u>Year 8 Stabilized</u>	<u>Year 9 Stabilized</u>	<u>Year 10 Stabilized</u>	<u>Totals</u>
INCOME						
Multifamily	\$ 3,539,462	\$ 3,610,251	\$ 3,682,457	\$ 3,756,106	\$ 3,831,228	\$ 35,102,616
Retail	263,875	269,153	274,536	280,027	285,627	2,616,983
Total Rental Income	\$ 3,803,338	\$ 3,879,404	\$ 3,956,992	\$ 4,036,132	\$ 4,116,855	\$ 37,719,599
Other Income						
Retail NNN	\$ 63,061	\$ 63,691	\$ 64,328	\$ 64,971	\$ 65,621	\$ 627,733
Retail Signage	25,500	25,500	25,500	25,500	25,500	252,500
Total Other Income	\$ 88,561	\$ 89,191	\$ 89,828	\$ 90,471	\$ 91,121	\$ 880,233
Total Income	\$ 3,891,898	\$ 3,968,596	\$ 4,046,821	\$ 4,126,604	\$ 4,207,976	\$ 38,599,832
Less Vacancy Factor 7.50%	(291,892)	(297,645)	(303,512)	(309,495)	(315,598)	(2,894,987)
Total Adjusted Income	\$ 3,600,006	\$ 3,670,951	\$ 3,743,309	\$ 3,817,108	\$ 3,892,378	\$ 35,704,844
EXPENSES						
Multifamily Operating Expenses	\$ (1,410,459)	\$ (1,438,668)	\$ (1,467,441)	\$ (1,496,790)	\$ (1,526,726)	\$ (13,988,225)
Replacement Reserves	(70,000)	(70,000)	(70,000)	(70,000)	(70,000)	(746,000)
Retail Operating Expenses	(66,245)	(67,570)	(68,921)	(70,300)	(71,706)	(656,983)
Total Expenses	\$ (1,546,704)	\$ (1,576,238)	\$ (1,606,362)	\$ (1,637,090)	\$ (1,668,432)	\$ (15,391,208)
NET OPERATING INCOME	\$ 2,053,302	\$ 2,094,713	\$ 2,136,946	\$ 2,180,019	\$ 2,223,946	\$ 20,313,636
Less Debt Service	(1,586,126)	(1,586,126)	(1,586,126)	(1,586,126)	(1,586,126)	(15,861,259)
NET CASHFLOW	\$ 467,176	\$ 508,587	\$ 550,821	\$ 593,893	\$ 637,820	\$ 4,452,377





7020

VII. PROJECT CONTINGENCIES

PROJECT CONTINGENCIES

Various sources of additional funding and assistance will be pursued to implement the project. These will include, but may not be limited to, the following:

- Brownfield/grayfield tax credits through the Iowa Economic Development Authority.
- Meeting specific green building requirements could qualify project for tax credits.
- TIF and City funding as noted in the Financial Summary (Section VI).
- Energy incentives from local utility companies.



View East Down 1st Avenue





SCH=EMMER
Design with Purpose. Build with Confidence.

ORIX Real Estate Capital, LLC

10 West Broad Street, 8th Floor
Columbus, OH 43215
Tel: 614-857-1400 800-837-5100

September 30, 2019

K. C. Knudson
Chairman
Knudson Companies, LLC
29 South Main Street
Council Bluffs, IA. 51503

Re: Construction and Permanent Loan Financing for 34th Street & 1st Avenue Redevelopment (the “Project”), a proposed 264-unit market rate multifamily housing project located in Council Bluffs, IA.

Dear Mr. Knudson:

ORIX Real Estate Capital, LLC (“OREC”) is pleased to provide you with this conditional commitment letter to provide construction and permanent financing through FHA’s 221(d)(4) program on the above-referenced project.

The proposed terms shown below are based off of OREC’s review and underwriting of representations and information provided by you with regard to estimates of project costs, project income and expense figures, the limited market area data currently available to us, and the interest rate environment prevailing as of this date:

Construction & Permanent Loan Financing

Lender:	ORIX Real Estate Capital, LLC
Borrower:	To-Be Formed Single Asset Entity
Loan Amount:	\$29,401,300 (estimated)
Loan Term:	Up to Forty years (40) or 480 Month Permanent Period following construction.
Loan Amortization:	Interest only during Construction Period; Interest and Principal during Permanent Period
Interest Rate:	Fixed interest rate currently estimated at 4.20% (subject to market movement). Not including 0.25% MIP
Mortgage Insurance Premium (“MIP”)	0.25% MIP.
Debt Service Coverage:	1.176x Minimum Allowable
Loan to Cost:	85% Maximum Allowable
Financing Fee:	1.00% of the loan amount
Reserves:	<ol style="list-style-type: none">1. Initial Operating Deficit- 9 months of debt service2. Working Capital – 4% of loan amount3. Replacement Reserves - calculated to comply with HUD/CNA requirements.4. Ancillary- Tax & Insurance & MIP reserve

Security: A first mortgage lien on the property and the Project; a first assignment of rents and leases on the property or the Project; a senior security interest in Borrower's furnishings, fixtures, and equipment and Borrower's other tangible and intangible personal property acquired from, used in connection with or arising from the development, construction, use or operating of the property or the Project; an assignment of all construction contracts and contracts for other professional services engaged in or for the project; an assignment to OREC of any distribution rights of the Borrower and the General Partner(s) by way of their respective general partnership interests in the property and the Project.

Prepayment: Mortgages are typically subject to a two (2) year lockout with an 8% prepayment premium in year 3 declining 1% annually thereafter. Alternative structures available.

Standard Conditions:

The Borrower shall pay all costs incident to the processing and closing of the permanent financing including (without limitation) title insurance premiums; recording and settlement costs; costs of survey; fees and expenses of environmental, engineering, architectural, accounting, legal, and other professionals providing services to the Borrower; hazard insurance premiums, and payment of any amounts due to deliver interest rate. The Borrower shall pay such costs regardless of whether or not the permanent financing is closed and funded.

Prior to a loan closing, Borrower and/or Guarantors will be required to comply with and meet OREC's standard pre-closing conditions. Said pre-closing conditions would be contained in a final OREC Commitment letter issued to Borrower at a future date, and would contain, but not be limited to, OREC's review and acceptance of items including the final underwriting, conditions of Borrower, and any other conditions which OREC or its legal counsel shall require.

You understand that the loan amounts and the other terms are only estimates based upon our preliminary analysis of the Project and the borrower, that such loan amounts may increase or decrease, and that such terms may change, depending upon the final underwriting of the property. Issuance of a final commitment subject to internal Credit Committee, and FHA's review and issuance of a Firm Commitment.

The terms and conditions of this letter will expire on September 30, 2020. We appreciate the opportunity to submit our proposal for the construction and permanent financing of your market rate development and look forward to working with you on this transaction.

Very truly yours,

Orix Real Estate Capital, LLC



Tracy Peters
Senior Managing Director

ITEMS TO INCLUDE ON AGENDA

CITY OF COUNCIL BLUFFS, IOWA

October 7, 2019

7:00 P.M.

West Broadway Urban Renewal Plan

- Resolution declaring the intent of the City to accept a proposal received in accordance with the requests for proposals and to enter into a purchase, sale, and development agreement based on the selected proposal

IMPORTANT INFORMATION

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

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

October 7, 2019

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

Absent: _____

Council Member _____ introduced the following proposed Resolution entitled “RESOLUTION DECLARING THE INTENT OF THE CITY TO ACCEPT A PROPOSAL RECEIVED IN ACCORDANCE WITH THE REQUESTS FOR PROPOSALS AND TO ENTER INTO A PURCHASE, SALE, AND DEVELOPMENT AGREEMENT BASED ON THE SELECTED PROPOSAL” and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was:

AYES: _____

NAYS: _____

WHEREUPON, the Mayor declared the resolution duly adopted as follows:

RESOLUTION NO. 19-236

RESOLUTION DECLARING THE INTENT OF THE CITY TO ACCEPT
A PROPOSAL RECEIVED IN ACCORDANCE WITH THE REQUESTS
FOR PROPOSALS AND TO ENTER INTO A PURCHASE, SALE, AND
DEVELOPMENT AGREEMENT BASED ON THE SELECTED
PROPOSAL

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. 87-570 in 1987, approved and adopted the West Broadway Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the West Broadway 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 Plan has been amended five times by amendments adopted in 1988, 2001, 2002, 2014, and 2015; and

WHEREAS, the City owns certain real property located within the Urban Renewal Area consisting of a north portion located at the southeast corner of West Broadway and 34th Street, approximately 3 acres in size, and a south portion located between 32nd and 34th Streets, on the north side of 2nd Avenue, approximately 5.5 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, by Resolutions No. 19-206 and 19-207, both adopted August 26, 2019, this Council approved a Request for Proposals to purchase and develop the Development Property into multi-family or mixed-use housing, which Request for Proposals set forth minimum requirements for proposals to develop the Development Property and evaluation criteria for such proposals; Council determined that the minimum development requirements, competitive criteria, and procedures set forth in the Request for Proposals were "reasonable competitive bidding procedures" in substantial conformance with the provisions of Iowa Code Section 403.8; and directed that notice of the City's intention to accept proposals for the sale and redevelopment of the Development Property in accordance with the procedures set forth in the Request for Proposals be published; and

WHEREAS, notice of the City's intention to accept proposals for the sale and redevelopment of the Development Property in accordance with the procedures set forth in the Request for Proposals was duly published in the NonPareil, a legal newspaper published at least once weekly and having general circulation in said City, in conformance with Iowa Code Section 362.3; and

WHEREAS, following evaluation of the submitted proposals, this Council has selected one proposal that it intends to accept; and

WHEREAS, this Council desires to declare its intent to accept a proposal, subject to the approval of a purchase, sale, and development agreement to be drafted by the City's legal counsel.

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 the Request for Proposals, subject to the approval of a purchase, sale, and development agreement, is legally described as follows:

Lots 1, 2 and 3 of the proposed Main Line Subdivision

2. It is hereby determined that the proposal submitted by Knudson Companies (the "Proposal") satisfies the requirements of the Request for Proposals and, subject to the drafting and execution of a purchase, sale, and development agreement drafted by the City's legal counsel for the sale and redevelopment of the Development Property under the terms of the Proposal, with such modifications as determined appropriate by the City Council, the City intends to accept the Proposal no sooner than thirty (30) days from the date of this resolution and following completion of a public hearing.
3. City staff is hereby authorized and directed to work with the City's legal counsel to draft and negotiate a purchase, sale, and development agreement consistent with the terms of the Proposal, subject to modifications as determined appropriate by the City Council; to set a public hearing to consider the purchase, sale and redevelopment agreement no sooner than thirty (30) days from the date of this resolution; and to publish notice of such public hearing in a manner consistent with Iowa law.

PASSED AND APPROVED this 7th day of October, 2019.

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

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

Liquor Licenses
ITEM 8.A.

Council Action: 10/7/2019

Description

1. Casey's General Store #3050, 510 23rd Ave
2. Fareway Stores, Inc. #073, 310 McKenzie Ave
3. Hy-Vee Clubroom #2, 1745 Madison Ave
4. Mo Fish, 2403 Nash Blvd
5. Rustic Cuts, 501 Veterans Memorial Hwy
6. St. Patrick's Catholic Church, 4 Valley View Dr (new)
7. Spillway Grill and Bar, 1840 Madison Ave, Ste 8 (special event)

Background/Discussion

There were no alcohol related incidents or arrests at any of these businesses this licensing period.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Liquor Licenses 10.7.19	Other	10/2/2019

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>CLM</u>	Local Amt _____	
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ZONING <u>CB</u>	Expires _____	
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Applicant LE0002054, Casey's General Store #3050, Council Bluffs

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

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Corporation Name/Sole Proprietor Name/Partnership Name(s): Casey's Marketing Company (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Casey's General Store #3050

Address of Premise: 510 23rd Ave

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (712) 242-0640

Cell / Home Phone:

Same Address

Mailing Address: PO Box 3001

Mailing Address Line 2:

City: Ankeny

State: Iowa

Zip: 50021-8045

Contact Name: JESSICA FISHER-COMSTOCK, Store Operations

Phone: (515) 446-6404

Email Address: JESSICA.FISHER@caseys.com

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Applicant LE0001591, Fareway Stores, Inc. #073, Council Bluffs

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

Corporation Name/Sole Proprietor Name/Partnership Name(s): Fareway Stores, Inc. (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Fareway Stores, Inc. #073

Address of Premise: 310 McKenzie Avenue

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (712) 328-4176

Cell / Home Phone:

Same Address

Mailing Address: 2300 Industrial Park Road

Mailing Address Line 2: PO Box 70

City: Boone

State: Iowa

Zip: 50036

Contact Name: Tracey Wilson

Phone: (515) 433-5336

Email Address: twilson@farewaystores.com

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Applicant **BW0094345, Hy-Vee #2 Clubroom, Council Bluffs**

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

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

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

Address of Premise: 1745 Madison Ave

Address Line 2: Clubroom Area

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (712) 322-9260

Cell / Home Phone:

Same Address

Mailing Address: 5820 Westown Pkwy

Mailing Address Line 2:

City: West Des Moines

State: Iowa

Zip: 50266

Contact Name: Kelly Palmer

Phone: (515) 267-2874

Email Address: KPalmer@hy-vee.com

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Applicant BB0029805, Mo Fish, Council Bluffs

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

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

Name of Business (D/B/A): Mo Fish

Address of Premise: 2403 Nash Blvd

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (712) 256-4000 **Cell / Home Phone:** (712) 256-8081

Same Address

Mailing Address: 2403 Nash Blvd

Mailing Address Line 2:

City: Council Bluffs **State:** Iowa

Zip: 51501

Contact Name: Roberta Mulvania **Phone:** (712) 256-4000 **Email Address:** cmulvania087@gmail.com

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Applicant BC0030787, Rustic Cuts LLC, Council Bluffs

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

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

Name of Business (D/B/A): Rustic Cuts LLC

Address of Premise: 501 Veterans Memorial Hwy

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (712) 545-3051

Cell / Home Phone: (402) 301-9785

Same Address

Mailing Address: 21795 Mesquite Ave

Mailing Address Line 2:

City: Underwood

State: Iowa

Zip: 51576

Contact Name: Rick Larson

Phone: (712) 545-3051

Email Address: rick@larsonvalley.com

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Applicant LA_V_88825, St. Patrick's Catholic Church, Council Bluffs

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

Corporation Name/Sole Proprietor Name/Partnership Name(s): St Patrick's Catholic Church (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): St. Patrick's Catholic Church

Address of Premise: 4 Valley View Drive

Address Line 2:

City: Council Bluffs

County: Iowa

Zip: 51503

Business Phone: (712) 323-1484

Cell / Home Phone:

Same Address

Mailing Address: 4 Valley View Drive

Mailing Address Line 2:

City: Council Bluffs

State: Iowa

Zip: 51503

Contact Name: Darin Hecker

Phone: (712) 310-3138

Email Address: dhecker@stpatrickscb.org

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- Privilege Outdoor Service
- Applicant Signature
- Dram Cert
- Local Endorse

Outdoor Service Privilege LC0035481, Spillway Grill and Bar, Council Bluffs

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

An Outdoor Service Area is a designated area that is adjacent to the licensed premises. The Application is to be used only if adding Outdoor Service Area Privilege after the original license has been issued. If Outdoor Service Area Privilege is requested at license renewal, mark the appropriate box on the renewal Privileges screen.

After approval the Iowa Alcoholic Beverages Division, an amended license will be mailed to the Local Official.

Outdoor Service area dates (must fall within license period)

From: 10/20/2019 **MM/DD/YYYY**
To: 10/21/2019 **MM/DD/YYYY**

Submit to the Local Authority the Outdoor Service Area Dram Shop Endorsement. Endorsement dates must correspond with the requested outdoor service dates. (Accord certificates are not accepted).

Explain how the boundaries of the Outdoor Service Area are designated (fence, barricades, etc.)

fencing in area in front of bar and parking lot.

Submit a sketch to the Local Authority on 8 1/2 x 11" white paper of the outdoor service area showing its relationship to the licensed premises. If a tapper wagon, beer truck etc. is being used, attach a copy of the rental receipt.

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