



**Study Session Agenda
City of Council Bluffs, Iowa
February 8, 2021, 3:45 PM
Council Chambers, 2nd Floor, City Hall
209 Pearl Street**

STUDY SESSION AGENDA

- A. Paula Hazlewood - Advanced Southwest Iowa Update
- B. Parks & Rec - CIP Project Update - Vincent Martorello
- C. Review Agenda
- D. City Council Rules Discussion



**Council Agenda, City of Council Bluffs, Iowa
Regular Meeting February 8, 2021, 7:00 PM
Council Chambers, 2nd Floor, City Hall
209 Pearl Street**

AGENDA

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER

3. CONSENT AGENDA

- A. Approval of Agenda and tape recordings of these proceedings to be incorporated into the official minutes.
- B. Resolution 21-26
Resolution setting a public hearing for February 22, 2021 at 7:00 pm for the North Broadway Bridge over Indian Creek. Project #PW21-13
- C. Resolution 21-27
Resolution setting a public hearing for February 22, 2021 at 7:00p.m on the City of Council Bluffs proposed tax levy for the fiscal year ending June 30, 2022.
- D. Resolution 21-29
Resolution authorizing transfers between funds under Iowa Code 545-2 for FY21.
- E. Resolution 21-30
Resolution of intent to dispose of City-owned property legally described as Lot 5, Block 1, Curtis and Ramsey's Addition. Location: Property formerly addressed as 1009 6th Avenue. OTB-21-001
- F. Resolution 21-31
Resolution of intent to dispose of City-owned property legally described as Lot 4, Block 12, Bayliss 2nd Addition. Location: Property formerly addressed as 921 1st Avenue. OTB-21-002
- G. November FY21 Financial Reports
- H. Mayor's Appointments
- I. Claims

4. PUBLIC HEARINGS

- A. Resolution 21-32
Resolution approving the plans and specifications for the Mid-America Center Roof Replacement Project, Phase I. BM21-02

- B. Resolution 21-33
Resolution instituting proceedings to take additional action for the issuance of not to exceed \$4,400,000 General Obligation Bonds, Series 2021 (Essential Corporate Purpose).
- C. Resolution 21-34
Resolution instituting proceedings to take additional action for the issuance of not to exceed \$700,000 General Obligation Bonds, Series 2021 (General Corporate Purpose).
- D. Resolution 21-35
Resolution instituting proceedings to take additional action for the issuance of not to exceed \$700,000 General Obligation Bonds, Series 2021 (General Corporate Purpose).
- E. Resolution 21-36
Resolution instituting proceedings to take additional action for the issuance of not to exceed \$700,000 General Obligation Bonds, Series 2021 (General Corporate Purpose).
- F. Resolution 21-37
Resolution instituting proceedings to take additional action for the issuance of not to exceed \$700,000 General Obligation Bonds, Series 2021 (General Corporate Purpose).
- G. Resolution 21-38
Resolution instituting proceedings to take additional action for the issuance of not to exceed \$700,000 General Obligation Bonds, Series 2021 (General Corporate Purpose).
- H. Resolution 21-39
Resolution approving for the plans, specifications, form of contract, and cost estimate for the new 100-Yard Outdoor Range Project.

5. ORDINANCES ON 3RD READING

- A. Ordinance 6435
Ordinance to amend the zoning map as adopted by reference in Section 15.02.070 by rezoning property legally described as Lots 6 through 11, Baughn's Subdivision of Lot 8, Original Plat of Council Bluffs, except East Kanesville Boulevard right-of-way, from R-3/Low Density Multifamily Residential District to A-P/Administrative-Professional District as defined in Chapter 15.13. Location: West of 235 Harmony Street. ZC-20-012

6. RESOLUTIONS

- A. Resolution 21-28
Resolution accepting the bid of RPL Utility LLC in the amount of \$8,984,777.88 for the West Broadway Reconstruction, Segment 5. Project # PW21-20

- B. Resolution 21-40
Resolution declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified projects.
- C. Resolution 21-41
Resolution authorizing the Mayor to execute a Council Bluffs Water Works Reimbursement Agreement for the West Broadway Reconstruction, Segment 5. Project # PW21-20
- D. Resolution 21-42
Resolution abolishing a Division Secretary position in Vice/Narcotics Division and adding a Police Officer position effective upon approval of this resolution.
- E. Resolution 21-43
Resolution abolishing a Police Captain position, adding a Police Lieutenant position, and adding a Police Officer position effective December 1, 2021.
- F. Resolution 21-44
Resolution approving and authorizing execution of a memorandum of understanding between the City of Council Bluffs and SINC.
- G. Resolution 21-45
Resolution authorizing the Mayor to execute an agreement with the Pottawattamie County Development Corporation, D/B/A The 712 Initiative, for the use of HOME Investment Partnership (HOME) Program funds for a multi-family project located at 530 West Broadway.

7. APPLICATIONS FOR PERMITS AND CANCELLATIONS

- A. Liquor Licenses A
 - 1. Kwik Shop #527, 3632 Avenue G
 - 2. St. Patrick's Catholic Church, 4 Valley View Drive
 - 3. Sugar's Restaurant & Lounge, 2725 Kanessville Blvd
- B. Liquor Licenses B
 - 1. The Dock Bar & Grill, 401 Veterans Memorial Hwy

8. CITIZENS REQUEST TO BE HEARD

9. OTHER BUSINESS

10. ADJOURNMENT

DISCLAIMER:

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

Council Communication

Department: Public Works Admin
Case/Project No.: PW21-13
Submitted by: Matthew Cox, Public
Works Director

Resolution 21-26
ITEM 3.B.

Council Action: 2/8/2021

Description

Resolution setting a public hearing for February 22, 2021 at 7:00 pm for the North Broadway Bridge over Indian Creek. Project #PW21-13

Background/Discussion

The Competitive Highway Bridge Program (CHBP) funding was made available by Division L of the Consolidated Appropriations Act of 2018 by the federal government. The North Broadway Bridge over Indian Creek was selected to receive the CHBP funds.

The North Broadway Bridge over Indian Creek (FHWA Structure 043960) ranked high enough among other bridges in the state to qualify for participation in the program.

The CHBP funds allow for funding of 55% of the construction cost of the bridge up to a maximum of \$1,256,260. The estimated construction cost of the North Broadway Bridge over Indian Creek is \$1,783,000. The remaining construction costs will be paid using Federal-Aid SWAP funds per agreement No. 4-19-HBP-SWAP-10. The engineering costs associated with the project will be paid by the City.

The existing bridge will be replaced with a box culvert section along Indian Creek. A new three-lane roadway with a trail on the east side and sidewalk on the west side will be constructed over the box culvert. Use of the CHBP funds requires the project to be bundled with two Montgomery County bridges and let as one project through the Iowa DOT.

The project was included in the FY21 CIP with a budget of \$2,300,000 in Federal and State funding with a local contribution of \$437,000 in Road Use funds.

The project schedule is as follows:	Set Public Hearing	February 8, 2021
	Hold Public Hearing	February 22, 2021
	Bid Letting	March 16, 2021
	Award	April 12, 2021
	Construction Start	Summer or Late Fall 2021

Recommendation

Approval of this resolution. This project will replace the existing structurally deficient North Broadway Bridge over Indian Creek.

ATTACHMENTS:

Description	Type	Upload Date
Notice of Public Hearing	Other	1/28/2021
Resolution 21-26	Resolution	2/3/2021

Notice of Public Hearing
on the
Plans, Specifications, Form of Contract and Cost Estimate
for the
North Broadway Bridge
Project #PW21-13

A public hearing will be held on February 22, 2021, at 7:00 p.m. in the council chambers of City Hall, 209 Pearl Street, Council Bluffs, Iowa, on the proposed plans, specifications, form of contract and cost estimate for the North Broadway Bridge project. The project will include construction of 1,201 square yards of concrete pavement, 575 cubic yards of structural concrete, 143,714 pounds of reinforcing steel, 242 lineal feet of storm sewer and 321 lineal feet of sanitary sewer. At said hearing, any interested person may appear and file objections to such plans and specifications.

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

**RESOLUTION
NO. 21-26**

**RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE
AND SETTING A PUBLIC HEARING ON THE
PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND COST ESTIMATE FOR THE
NORTH BROADWAY BRIDGE
PROJECT #PW21-13**

WHEREAS, the City wishes to make improvements known as the North Broadway Bridge within the City, as therein described; and

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

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

That the City Clerk is hereby ordered to set a public hearing on the plans, specifications, form of contract and cost estimate for the North Broadway Bridge.

ADOPTED
AND
APPROVED

February 8, 2021

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

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

Resolution 21-27
ITEM 3.C.

Council Action: 2/8/2021

Description

Resolution setting a public hearing for February 22, 2021 at 7:00p.m on the City of Council Bluffs proposed tax levy for the fiscal year ending June 30, 2022.

Background/Discussion

It is requested the Council set a public hearing for persons to comment and discuss the proposed tax levy for the City of Council Bluffs for the fiscal year ending June 30th, 2022.

At your regular meeting on February 8, 2021, please establish Monday February 22, 2021 at 7:00 p.m. as the date, time and place for public input in the Council Chambers at City Hall.

Staff will be requesting approval of the proposed tax levy at the February 22, 2021 meeting.

Recommendation

Approval of the Resolution to set a public hearing. This is a required step in the budget approval process.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 21-27	Resolution	2/3/2021

RESOLUTION NO. 21-27

Resolution setting a public hearing for February 22, 2021 on the City of Council Bluffs proposed tax levy for the fiscal year ending June 30, 2022.

WHEREAS, The City of Council Bluffs has a requirement to conduct a public hearing on the proposed tax levy for the fiscal year ending June 30, 2022, and;

WHEREAS, The City is required to publish and post the proposed tax levy at least ten and no more than twenty days from the public hearing,

NOW, THEREFORE, BE IT RESOLVED

BY THE CITY COUNCIL

OF THE

CITY OF COUNCIL BLUFFS, IOWA

That a Public Hearing on the Proposed Tax Levy for the fiscal year ending June 30, 2022 is established for Monday, February 22, 2021 at 7:00 p.m. in Council Chambers at City Hall, 209 Pearl Street in Council Bluffs, Iowa.

ADOPTED
AND
APPROVED:

February 8, 2021

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush City Clerk

Council Communication

Department: Finance

Case/Project No.:

Submitted by: Finance Department /
Kathy Knott

Resolution 21-29
ITEM 3.D.

Council Action: 2/8/2021

Description

Resolution authorizing transfers between funds under Iowa Code 545-2 for FY21.

Background/Discussion

Effective April 17, 2019, the Administrative Code for the State of Iowa was changed as it relates to interfund transfers. The Code now requires all interfund transfers must be approved by Council. A fund transfer log must be completed for all transfers between funds and must include the purpose for the transfer, the name of the fund from which the transfer is originating, the name of the fund into which the transfer is to be received and the dollar amount of the transfer.

This resolution is brought forward for approval of FY21 actual interfund transfer to date.

Recommendation

Approve the transfer of funds from Special Revenue, Capital Projects and General Funds.

ATTACHMENTS:

Description	Type	Upload Date
Fund Transfer FY21	Other	2/3/2021
Resolution 21-29	Resolution	2/3/2021

**Fund Transfers
Council Meeting: 02/08/21**

Transfer From			Transfer To			Effective FY
Fund Category	Fund Name	Fund Category	Fund Name	Amount	Purpose	Effective FY
Special Revenue	Employee Benefits Levy	General	General - Employee Benefits	8,769,486	Reverse previous approved and transferred gaming funds to close CIP BM19-01 Entertainment District Parking Lot Ph 1. Available TIF funds will be the funding source in FY22.	FY21
Capital Projects	Capital Projects	General	Gaming	851,078		FY21
General	Gaming	Capital Projects	Capital Projects	335,137	Final Funding for CIP BM20-03 MAC Renovations-HVAC	FY21

Resolution 21-29

Resolution authorizing transfers between funds under Iowa Code 545-2 for FY21.

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: February 08, 2021

Matthew J. Walsh, Mayor

Jodi Quakenbush, City Clerk

Council Communication

Department: Community
Development
Case/Project No.: OTB-21-001
Submitted by: Christopher N.
Gibbons, AICP, Planning Manager

Resolution 21-30
ITEM 3.E.

Council Action: 2/8/2021

Description

Resolution of intent to dispose of City-owned property legally described as Lot 5, Block 1, Curtis and Ramsey's Addition. Location: Property formerly addressed as 1009 6th Avenue. OTB-21-001

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	1/29/2021
Attachment A - Location and Zoning Map	Map	1/29/2021
Attachment B - Letter of Intent	Letter	1/29/2021
Attachment C - Proposed Home Rendering and Floor Plan	Other	1/29/2021
Public Hearing Notice	Other	1/29/2021
Resolution 21-30	Resolution	2/3/2021

Council Communication

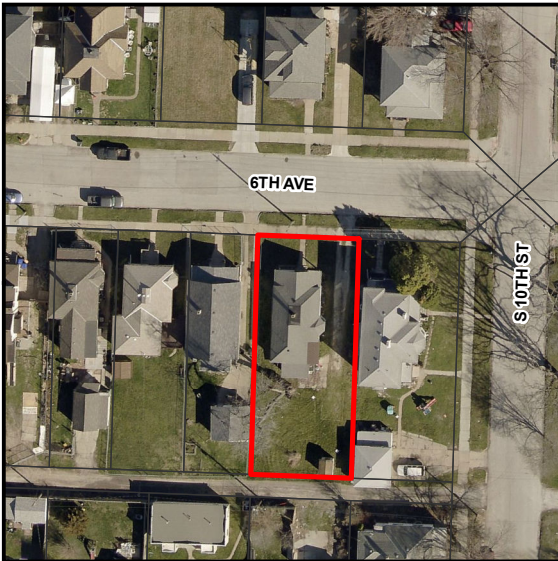
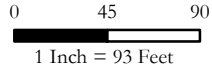
Department: Community Development CASE #OTB-21-001 Applicant: NeighborWorks Home Solutions Attn: David Hazelwood 222 S. 6 th Street Council Bluffs, IA 51501	Resolution of Intent No. _____ Resolution to Dispose No. _____	Set Public Hearing: 02/08/21 Public Hearing: 02/22/21
Subject/Title		
Request of NeighborWorks Home Solutions, represented by David Hazelwood, to purchase property legally described as Lot 5, Block I, Curtis and Ramsey’s Addition, City of Council Bluffs, Pottawattamie County, Iowa. Location: Property formerly addressed as 1009 6 th Avenue.		
Background/Discussion		
<p>The Community Development Department has received an offer from NeighborWorks Home Solutions to purchase surplus city-owned property legally described as being Lot 5, Block I, Curtis and Ramsey’s Addition. The subject property is zoned R-3/Multi-Family Residential District and is classified as ‘transitional dispose’ and ‘buildable’. The applicant proposes to acquire the property and build a new affordable single-family dwelling in the next 4 months that would be sold to a homebuyer in the community. According to the adopted Inventory and Disposal Policy for Surplus City Property (“the Policy”), dated April 23, 2018, the subject property should be priced at its most recent assessed land value which is \$10,517.00.</p> <p>The applicant has submitted the required 10% down payment (\$1,051.70) along with a \$50.00 application fee. They have requested the remaining land value beyond the 10% down payment (\$9,465.30) be waived using a forgivable mortgage. According to the adopted Policy any property that has been placed on the Disposal list greater than 12 months is eligible to be sold to a non-profit homebuilder using a forgivable mortgage. This property was acquired by the City of Council Bluffs on October 15, 2019 via 657A and is eligible for a forgivable mortgage.</p> <p>The City has incurred a total of \$11,061.00 in board-up, demolition, and legal costs for this property.</p> <p>The subject property measures 55’x 130’ (7,150 square feet), which exceeds the minimum R-3 District lot size requirements, and has conforming lot dimensions to accommodate the proposed residential dwelling.</p>		
Recommendation		
The Community Development Department recommends setting a public hearing on the disposal of the property legally described as Lot 5, Block I, Curtis and Ramsey’s Addition, City of Council Bluffs, Pottawattamie County, Iowa on the February 22, 2021 City Council Meeting.		
Attachment A: Location map Attachment B: Letter of Intent Attachment C: Proposed Home Rendering and Floor Plan		
Prepared By: Christopher N. Gibbons, Planning Manager, Community Development Department		

CITY OF COUNCIL BLUFFS - CITY-OWNED PROPERTY GROUP CASE #OTB-21-001 - LOCATION/ZONING MAP

ATTACHMENT A

Legend

- OTB-21-001 Subject Property
- Parcels



Last Amended: 1/20/2021



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

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



January 14, 2021

Community Development Department
City of Council Bluffs
209 Pearl Street
Council Bluffs, IA 51503

Community Development Department:

NeighborWorks® Home Solutions is submitting an Application to Purchase City Property for Parcel 7544 36 157 006; 1009 6th Avenue; Curtis & Ramsey Addition; Lot 5; Block 1. We are requesting a "Forgivable Mortgage" for the property listed.

NeighborWorks® Home Solutions recognizes the property listed as 1009 6th Avenue has met the requirements for a "Forgivable Mortgage" consideration. NeighborWorks® Home Solutions would respectfully request the Community Development Department and the Council Bluffs City Council approve and provide a "forgivable mortgage" to NWHS as the affordable housing developer and non-profit.

Granting NeighborWorks® Home Solutions this property would allow us to construct one single family dwelling in a 4-month timeline. Development of our single family project would provide a profound social impact by contributing an energy efficient and sustainable affordable house for a homebuyer in our community. This project in collaboration with other dwellings in the neighborhood would allowed us to engage in the positive evolution of the neighborhood and its vitality. Housing construction is its own economic engine that simultaneously enhances a communities' ability to attract new business, generate local income by construction, create & support existing jobs, stimulate wages and increase local taxes base. Our project would have a long term impact to our community on many different levels.

Sincerely,

A handwritten signature in blue ink that reads "David Hazlewood".

David Hazlewood
Chief Operating Officer

Enclosed:
Application
Administrative Fee
Down Payment
Conceptual Plan

PO Box 111578
3520 Lake Street
Omaha, NE 68111

402.451.2939
www.nwhomesolutions.org

222 South 6th Street
Council Bluffs, IA 51501



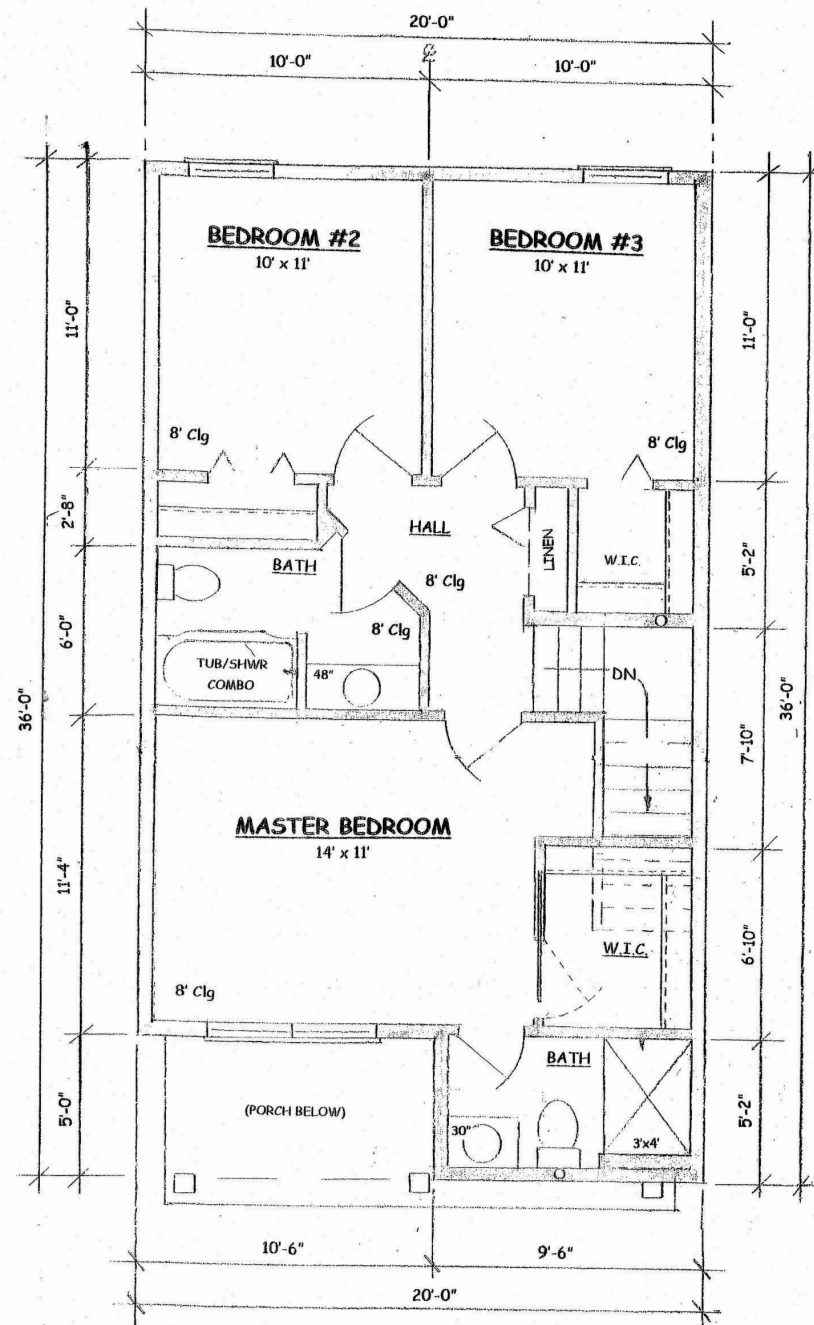
DRAWN FROM
PRELIMINARY
DTD: 4-11-2016
PLAN DATE: 4-18-2016

OVERVIEW

All Conditioned Spaces
have 2x6 Exterior Walls
w/Studs @ 24" o.c.

Garage and Other
Interior Walls
have 2x4 Studs
@ 16" o.c.

2x6 Interior Walls
Used to Conceal
3" Soil Pipes

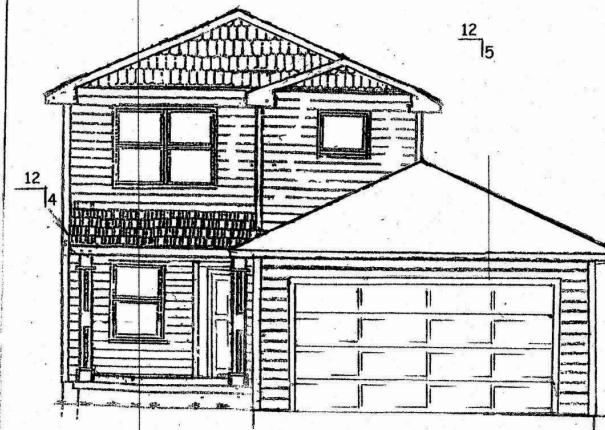


UPPER LEVEL

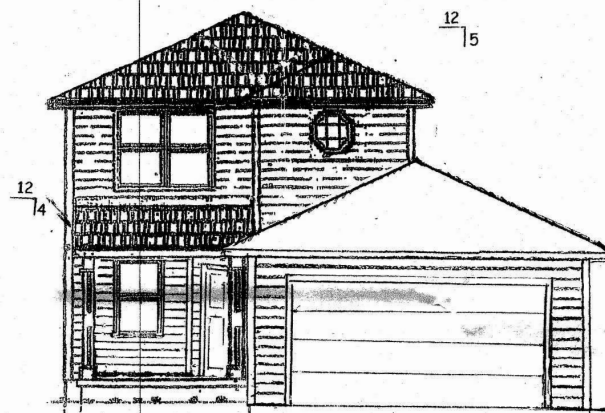
PAGE KEY:

- PAGE #1: PLAN OVERVIEW w/3
FRONT ELEVATIONS
- PAGE #2: FRAMING w/ELECTRICAL
- PAGE #3: FOUNDATION & 3 SIDE
ELEVATIONS
- PAGE #4: GENERAL INFO PRINT

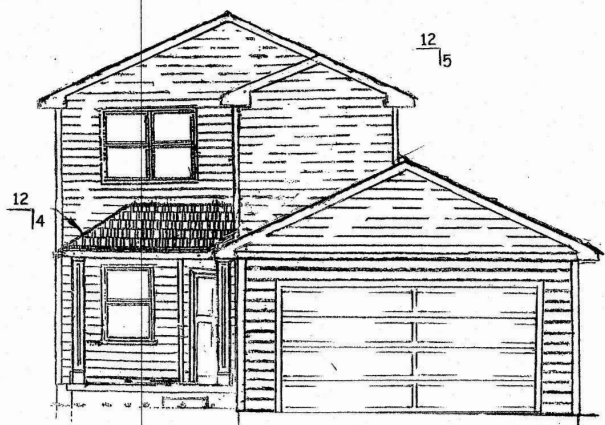
ATTACHMENT C



FRONT ELEVATION 'A'

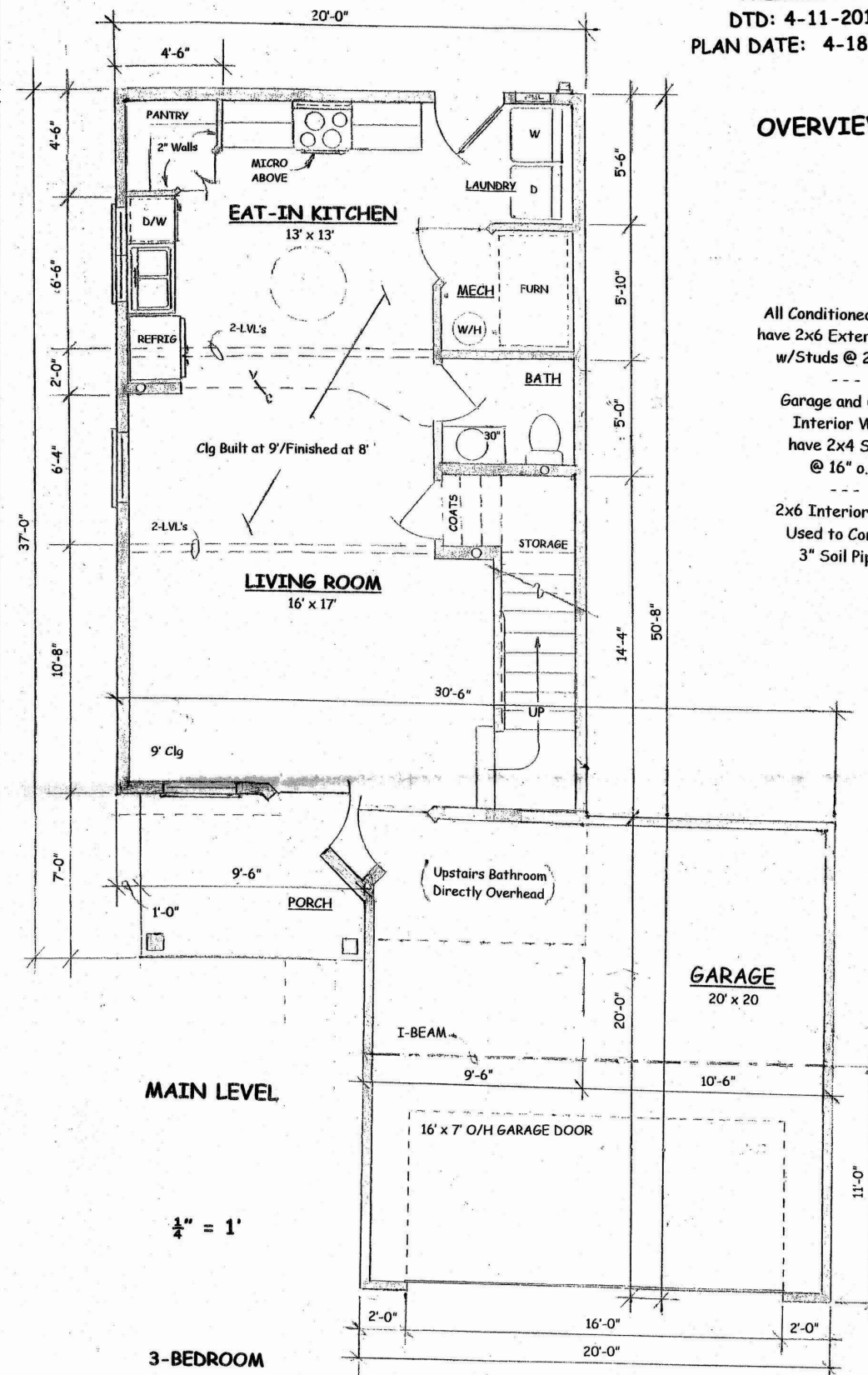


FRONT ELEVATION 'B'



FRONT ELEVATION 'C'

PREPARED FOR:
FLAT-IRON, INC
LLOYD BANKS, OWNER



MAIN LEVEL

1/4" = 1'

**3-BEDROOM
3-BATH
GARAGE FRONT
NO BSMT
2-STORY**

ALL IN-ROOM DIMENSIONS
HAVE BEEN ROUNDED OFF

UPPER LEVEL: 657 SQ FT
MAIN LEVEL: 609 SQ FT
TOTAL = 1266 SQ FT

**PLAN
1015-3BGF**

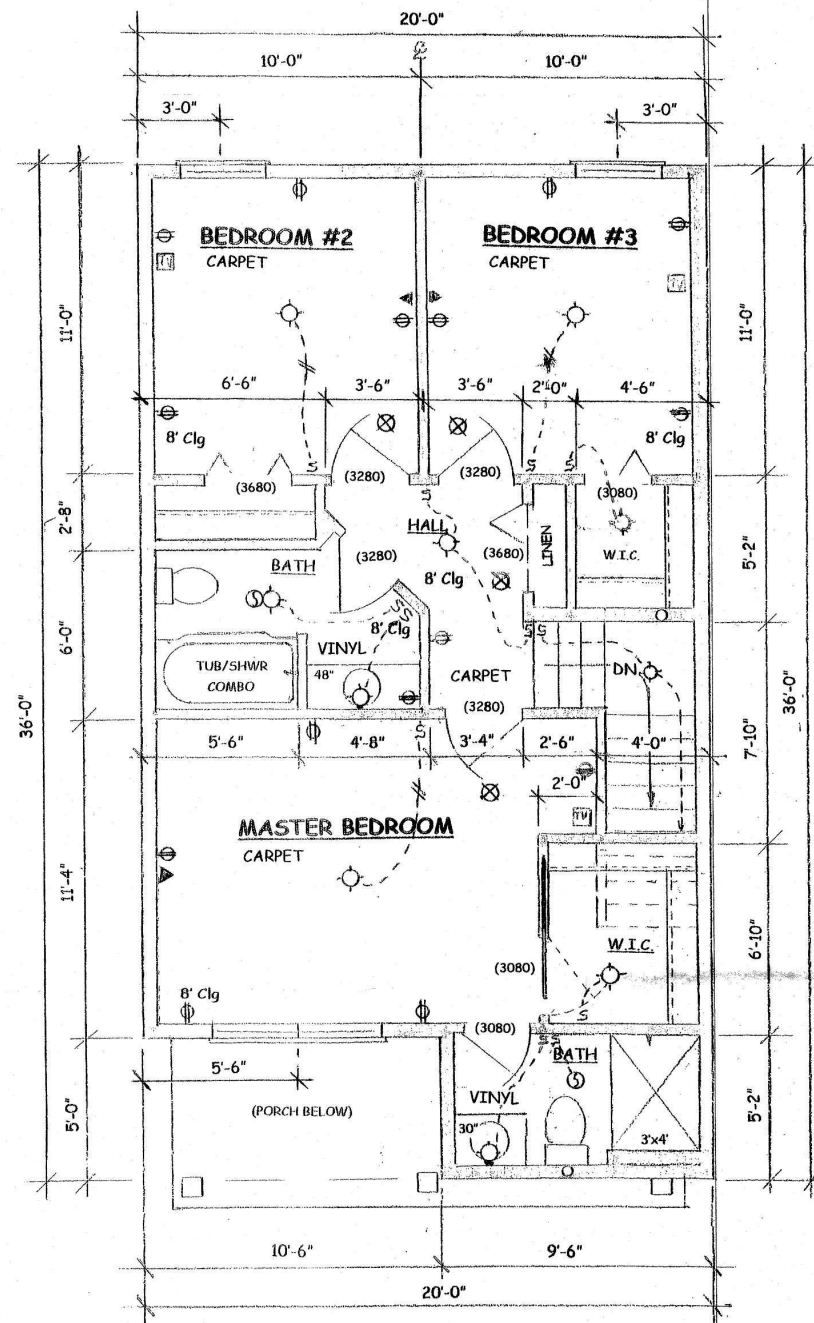
PAGE #1
of 4

**FRAMING &
ELECTRICAL**

All Conditioned Spaces
have 2x6 Exterior Walls
w/Studs @ 24" o.c.

Garage and Other
Interior Walls
have 2x4 Studs
@ 16" o.c.

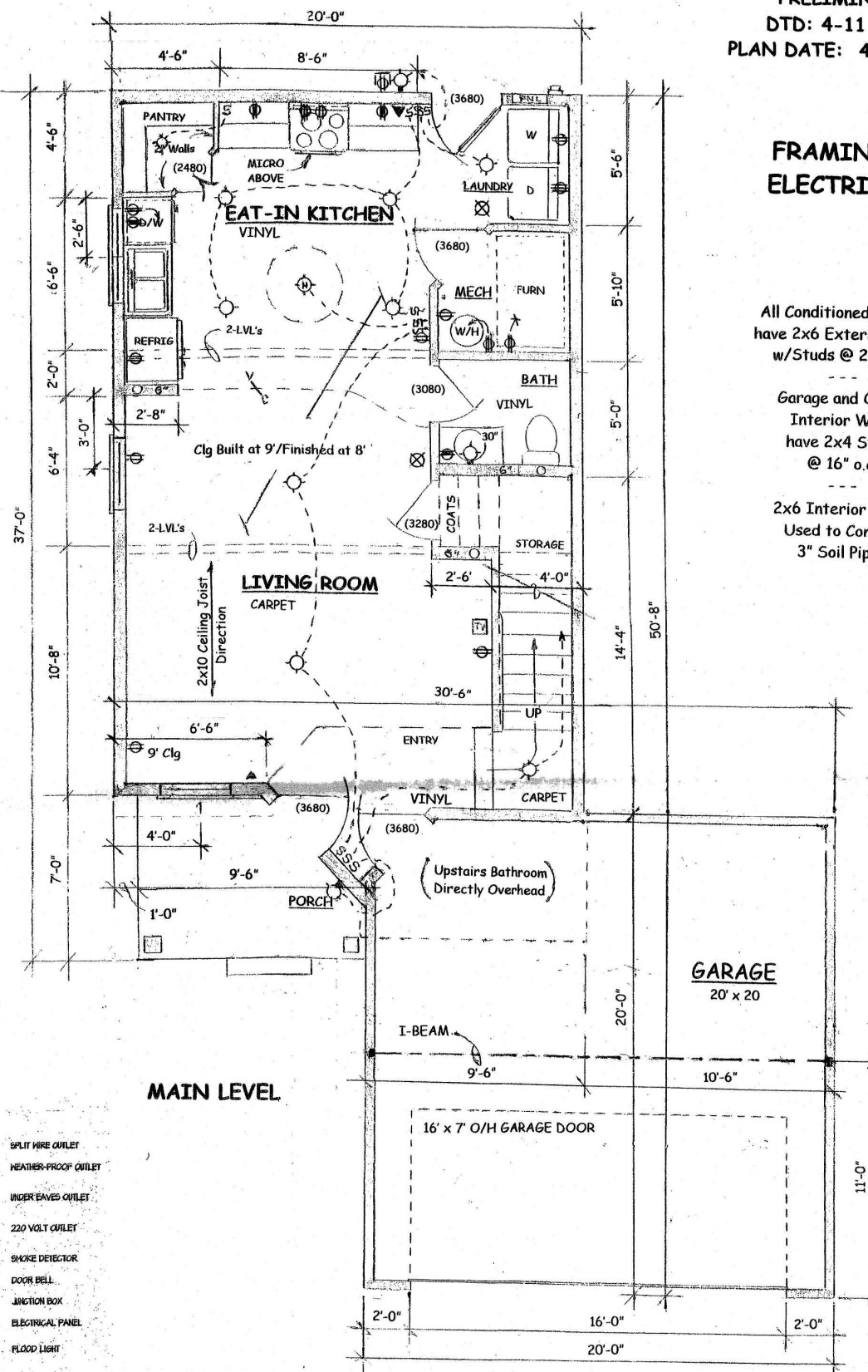
2x6 Interior Walls
Used to Conceal
3" Soil Pipes



UPPER LEVEL

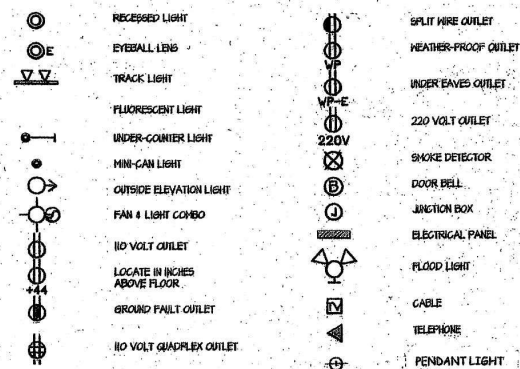
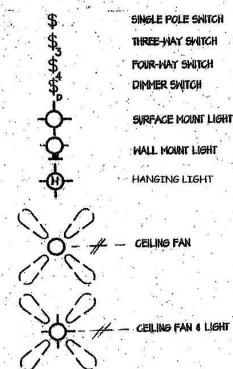
**3-BEDROOM
3-BATH
GARAGE FRONT
NO BSMT
2-STORY**

1/4" = 1'



MAIN LEVEL

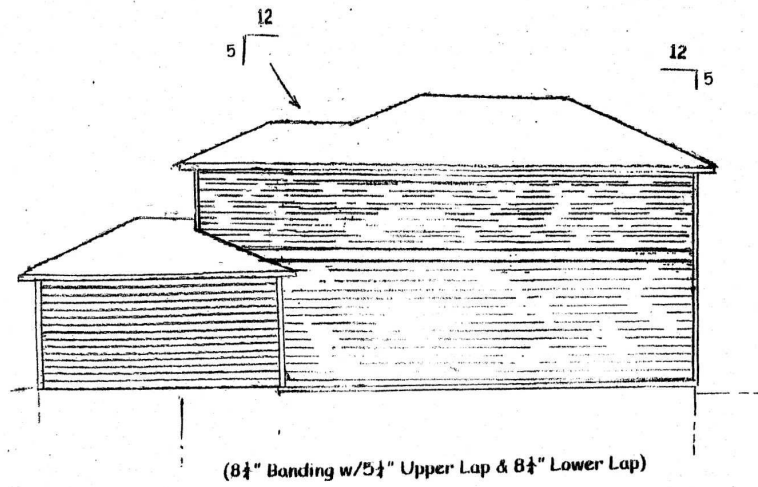
ELECTRICAL KEY



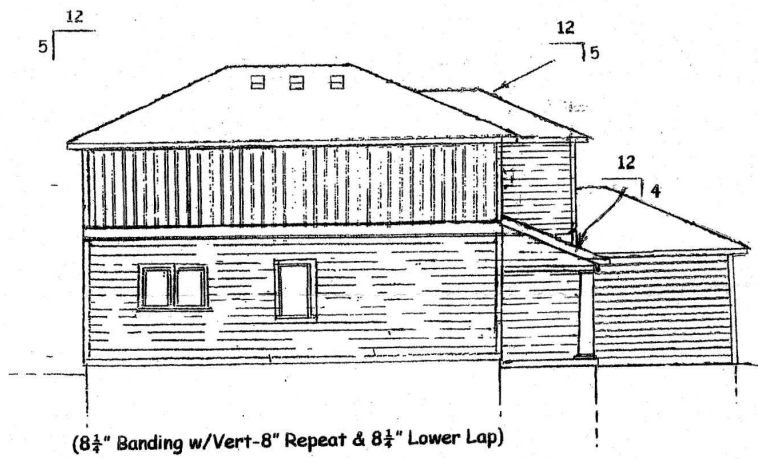
UPPER LEVEL: 657 SQ FT
MAIN LEVEL: 609 SQ FT
TOTAL = 1266 SQ FT

**PLAN
1015-3BGF**

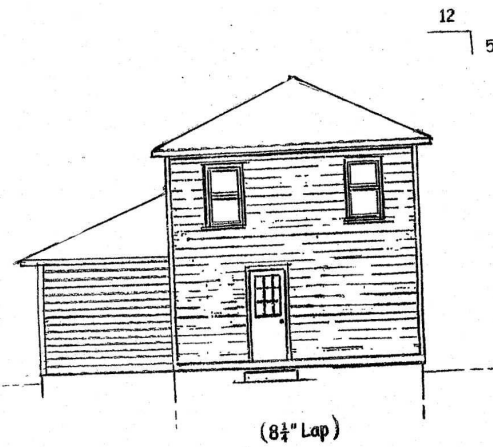
PAGE #2
of 4



RIGHT ELEVATION



LEFT ELEVATION

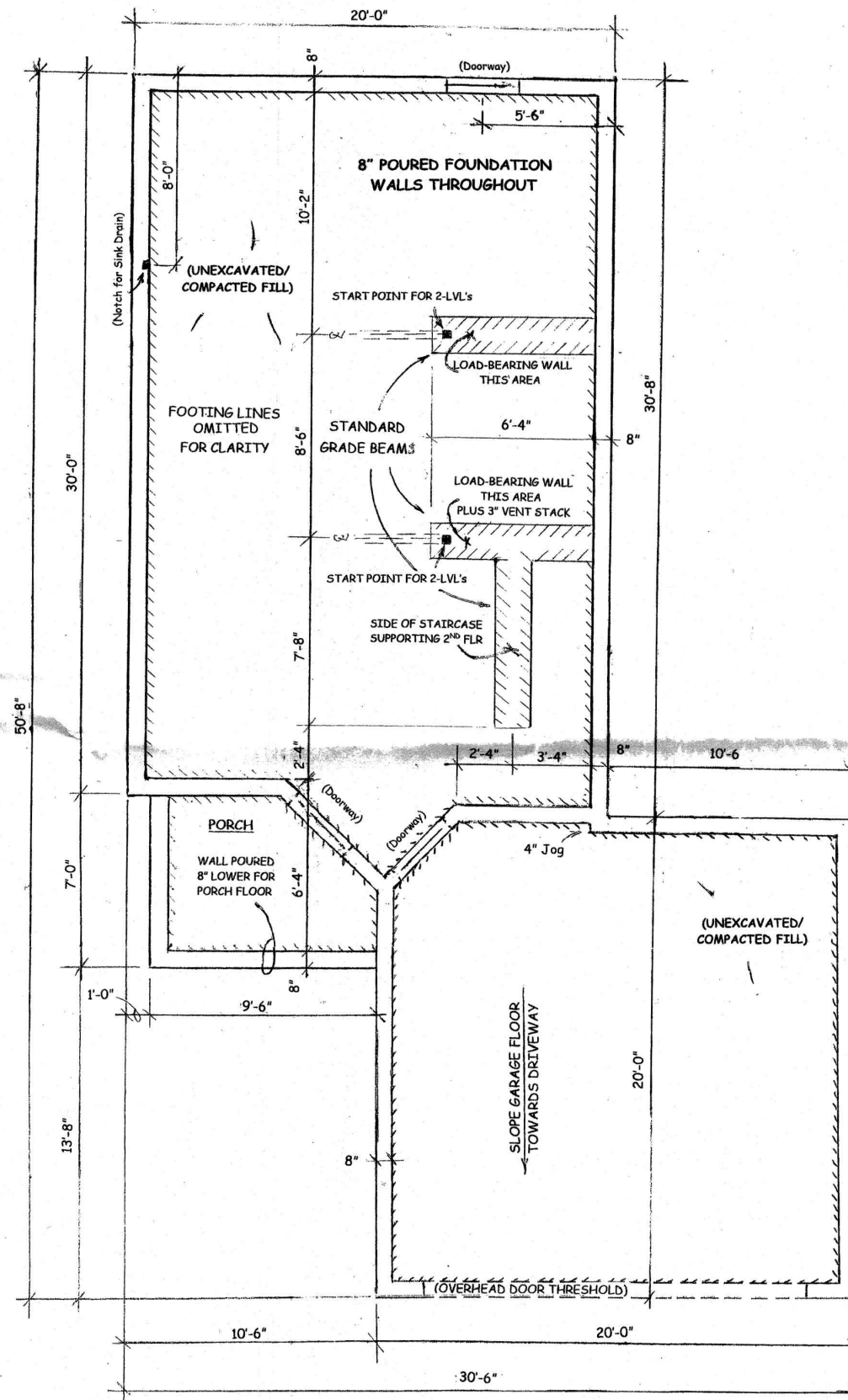


REAR ELEVATION

PREPARED FOR:
FLAT-IRON, INC
 LLOYD BANKS, OWNER

DRAWN FROM
 PRELIMINARY
 DTD: 4-11-2016
 PLAN DATE: 4-18-2016

**FOUNDATION
 +3 SIDE ELEVATIONS**



PROVIDE BRICK LEDGE
 TO SUPPORT BACK SIDE
 OF PORCH FLOOR

DO NOT PLACE ANCHOR
 BOLTS IN DESIGNATED
 DOORWAYS

FOUNDATION AND FLOOR TO
 BE CONSTRUCTED FOLLOWING
 ENERGY STAR PROCEDURES
 WITH PLACEMENT OF FOAM
 SHEATHING & STRIPS

ANCHOR BOLT SPACING MUST
 FOLLOW CURRENT GUIDELINES

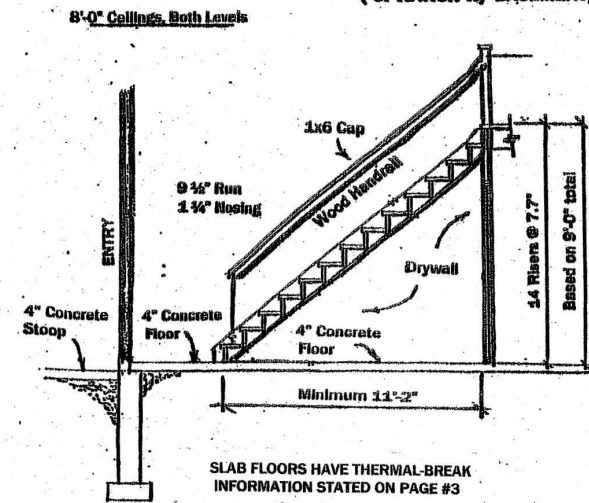
1/4" = 1'

**PLAN
 1015-3BGF**

PAGE #3
 of 4

STAIRWAY DETAIL

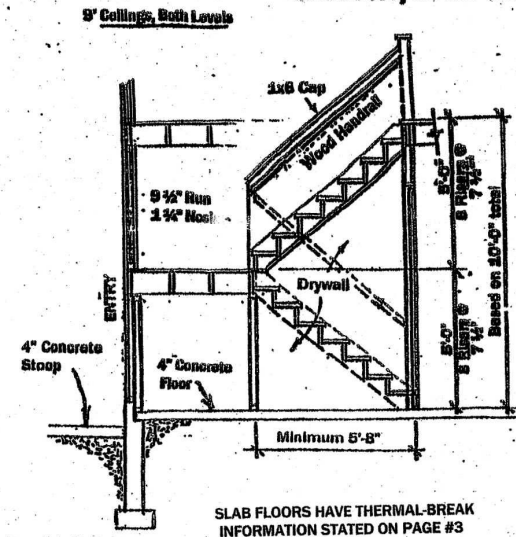
**2-STORY/SINGLE STAIRS
(or RANCH W/ BASEMENT)**



SLAB FLOORS HAVE THERMAL-BREAK INFORMATION STATED ON PAGE #3

FIG #1

2-STORY/SPLIT STAIRS



SLAB FLOORS HAVE THERMAL-BREAK INFORMATION STATED ON PAGE #3

FIG #2

TYPICAL SECTION DETAIL

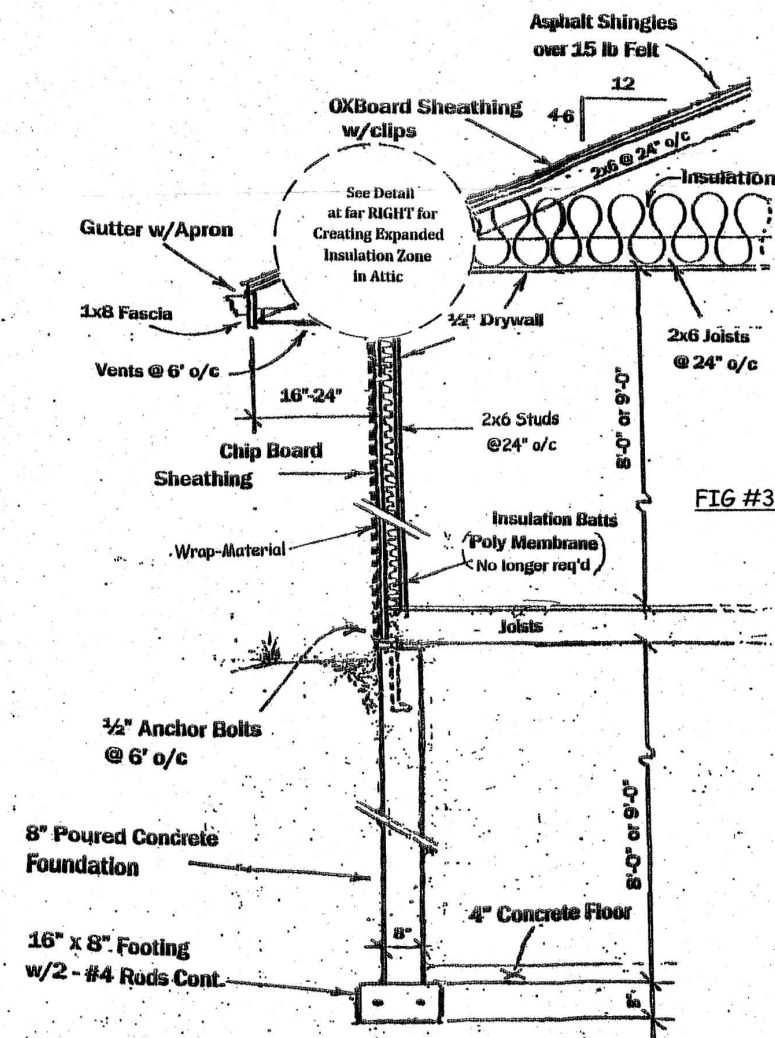


FIG #3

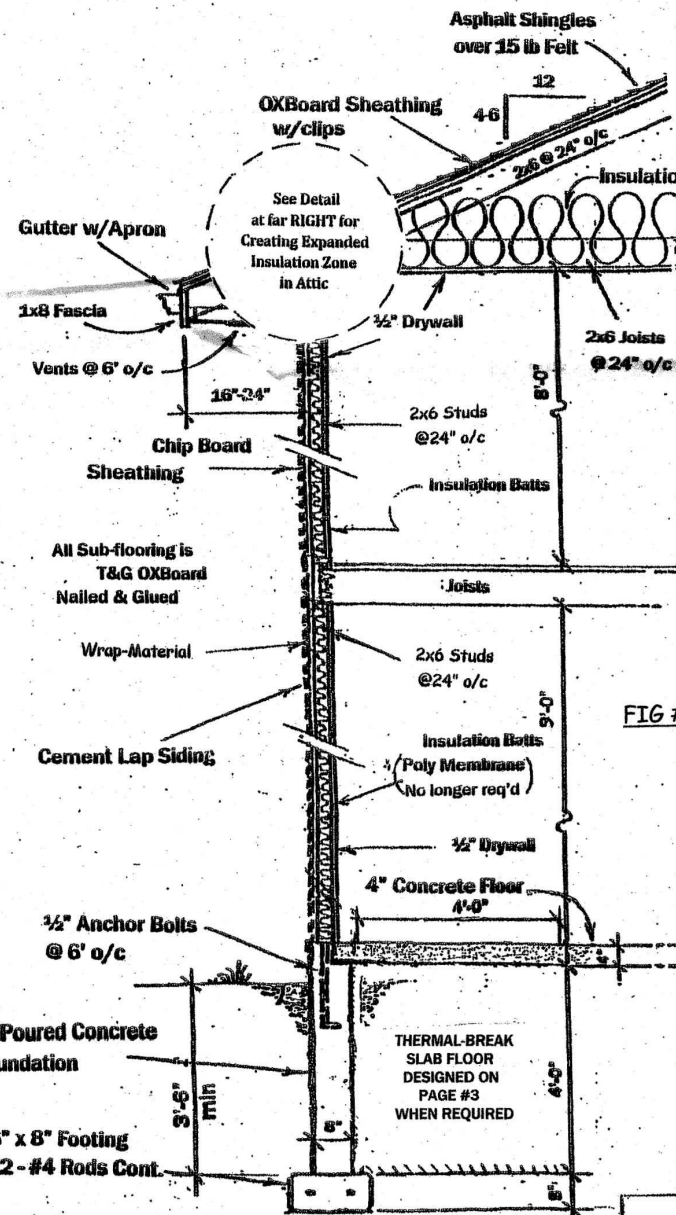


FIG #4

ATTIC INSULATION SCHEDULE:
ELECTRIC HEATING REQUIRES R-38
GAS HEATING REQUIRES R-49

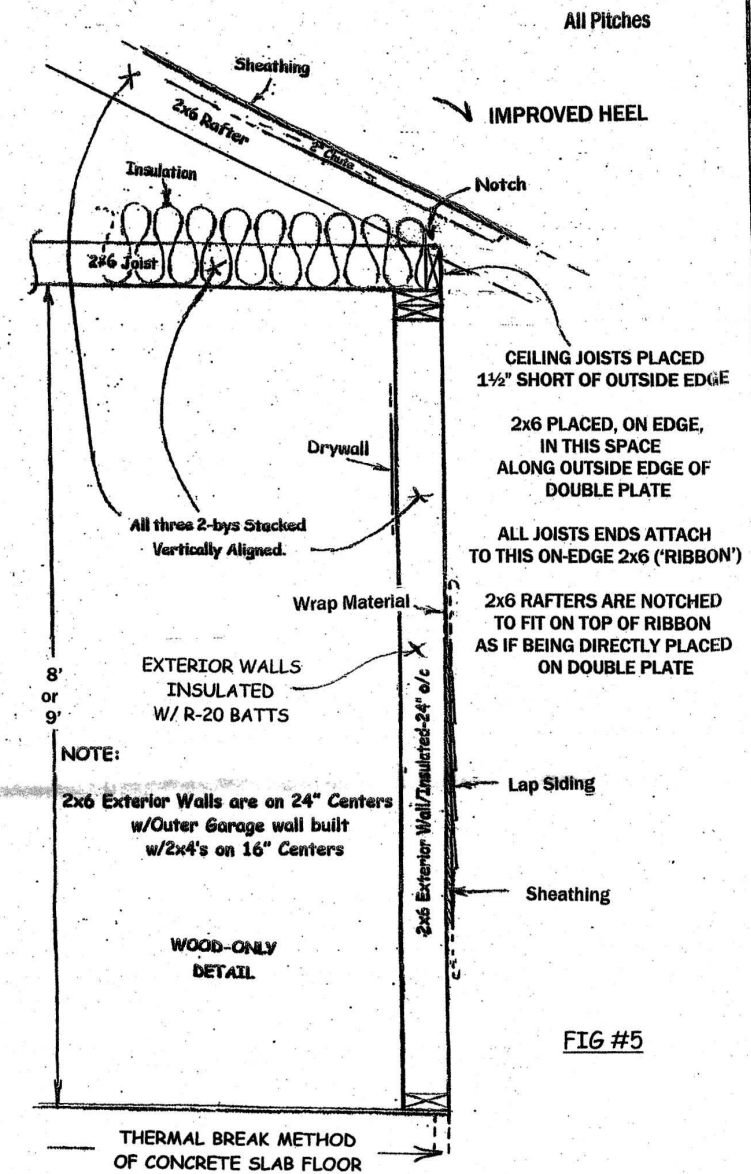


FIG #5

THIS PLAN SPECIFICALLY INVOLVES ONLY THE ITEMS CHECKED BELOW:

- FIGURE #1
- FIGURE #2
- FIGURE #3
- FIGURE #4
- FIGURE #5

FLAT-IRON, INC
LLOYD BANKS
402-968-4137

INFORMATION PAGE

**NOTICE OF PUBLIC HEARING
ON INTENT TO DISPOSE AND CONVEY CITY PROPERTY**

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on the request of NeighborWorks Home Solutions to dispose of property described as Lot 5, Block I, Curtis and Ramsey's Addition, City of Council Bluffs, Pottawattamie County, Iowa.

You are further notified that a public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 22nd day of February, 2021 in the City Council Chambers, 2nd Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

Jodi Quakenbush

City Clerk

CNG

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. 21-30

A RESOLUTION OF INTENT TO DISPOSE OF CITY-OWNED PROPERTY LEGALLY DESCRIBED AS LOT 5, BLOCK I, CURTIS AND RAMSEY’S ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the City has received an offer from NeighborWorks Home Solutions, represented by David Hazelwood, to purchase the City-owned property legally described as Lot 5, Block I, Curtis and Ramsey’s Addition, 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 legally described as Lot 5, Block I, Curtis and Ramsey’s Addition, City of Council Bluffs, Pottawattamie County, Iowa; and

BE IT FURTHER RESOLVED

That a public hearing be scheduled for February 22, 2021.

ADOPTED
AND
APPROVED: February 8, 2021

Matthew J. Walsh Mayor

ATTEST: _____
Jodi Quakenbush City Clerk

(Case #OTB-21-001)

Council Communication

Department: Community
Development
Case/Project No.: OTB-21-002
Submitted by: Christopher N.
Gibbons, AICP, Planning Manager

Resolution 21-31
ITEM 3.F.

Council Action: 2/8/2021

Description

Resolution of intent to dispose of City-owned property legally described as Lot 4, Block 12, Bayliss 2nd Addition. Location: Property formerly addressed as 921 1st Avenue. OTB-21-002

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

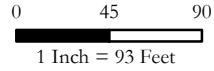
Description	Type	Upload Date
Attachment A - Location and Zoning Map	Map	1/29/2021
Staff Report	Staff Report	1/29/2021
Attachment B - Letter of Intent	Letter	1/29/2021
Attachment C - Proposed Home Rendering and Floor Plan	Other	1/29/2021
Public Hearing Notice	Other	1/29/2021
Resolution 21-31	Resolution	2/3/2021

CITY OF COUNCIL BLUFFS - CITY-OWNED PROPERTY GROUP CASE #OTB-21-002 - LOCATION/ZONING MAP

ATTACHMENT A

Legend

- OTB-21-002 Subject Property
- Parcels



Last Amended: 1/20/2021



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

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



Council Communication

Department: Community Development CASE #OTB-21-002 Applicant: NeighborWorks Home Solutions Attn: David Hazelwood 222 S. 6 th Street Council Bluffs, IA 51501	Resolution of Intent No. _____ Resolution to Dispose No. _____	Set Public Hearing: 02/08/21 Public Hearing: 02/22/21
Subject/Title		
Request of NeighborWorks Home Solutions, represented by David Hazelwood, to purchase property legally described as Lot 4, Block 12, Bayliss 2 nd Addition, City of Council Bluffs, Pottawattamie County, Iowa. Location: Property formerly addressed as 921 1 st Avenue.		
Background/Discussion		
<p>The Community Development Department has received an offer from NeighborWorks Home Solutions to purchase surplus city-owned property legally described as being Lot 4, Block 12, Bayliss 2nd Addition. The subject property is zoned R-3/Multi-Family Residential District and is classified as ‘transitional dispose’ and ‘buildable’. The applicant proposes to acquire the property and build a new affordable single-family dwelling in the next 4 months that would be sold to a homebuyer in the community. According to the adopted Inventory and Disposal Policy for Surplus City Property (“the Policy”), dated April 23, 2018, the subject property should be priced at its most recent assessed land value which is \$11,995.00.</p> <p>The applicant has submitted the required 10% down payment (\$1,199.50) along with a \$50.00 application fee. They have requested the remaining land value beyond the 10% down payment (\$10,795.50) be waived using a forgivable mortgage. According to the adopted Policy any property that has been placed on the Disposal list greater than 12 months is eligible to be sold to a non-profit homebuilder using a forgivable mortgage. This property was acquired by the City of Council Bluffs on November 18, 2015 via 657A and is eligible for a forgivable mortgage.</p> <p>The City has incurred a total of \$14,946.00 in board-up, demolition, and legal costs for this property.</p> <p>The subject property measures 66’x 130’ (8,580 square feet), which exceeds the minimum R-3 District lot size requirements, and has conforming lot dimensions to accommodate the proposed residential dwelling.</p>		
Recommendation		
The Community Development Department recommends setting a public hearing on the disposal of the property legally described as Lot 4, Block 12, Bayliss 2 nd Addition, City of Council Bluffs, Pottawattamie County, Iowa on the February 22, 2021 City Council Meeting.		
Attachment A: Location map Attachment B: Letter of Intent Attachment C: Proposed Home Rendering and Floor Plan		
Prepared By: Christopher N. Gibbons, Planning Manager, Community Development Department		



January 14, 2021

Community Development Department
 City of Council Bluffs
 209 Pearl Street
 Council Bluffs, IA 51503

Community Development Department:

NeighborWorks® Home Solutions is submitting an Application to Purchase City Property for Parcel 7544 36 105 006; 921 1st Avenue; Bayliss 2nd Addition; Lot 4; Block 12. We are requesting a "Forgivable Mortgage" for the property listed.

NeighborWorks® Home Solutions recognizes the property listed as 912 1st Avenue has met the requirements for a "Forgivable Mortgage" consideration. NeighborWorks® Home Solutions would respectfully request the Community Development Department and the Council Bluffs City Council approve and provide a "forgivable mortgage" to NWHS as the affordable housing developer and non-profit.

Granting NeighborWorks® Home Solutions this property would allow us to construct one single family dwelling in a 4-month timeline. Development of our single family project would provide a profound social impact by contributing an energy efficient and sustainable affordable house for a homebuyer in our community. This project in collaboration with other dwellings in the neighborhood would allowed us to engage in the positive evolution of the neighborhood and its vitality. Housing construction is its own economic engine that simultaneously enhances a communities' ability to attract new business, generate local income by construction, create & support existing jobs, stimulate wages and increase local taxes base. Our project would have a long term impact to our community on many different levels.

Sincerely,

A handwritten signature in blue ink that reads "David Hazlewood".

David Hazlewood
 Chief Operating Officer

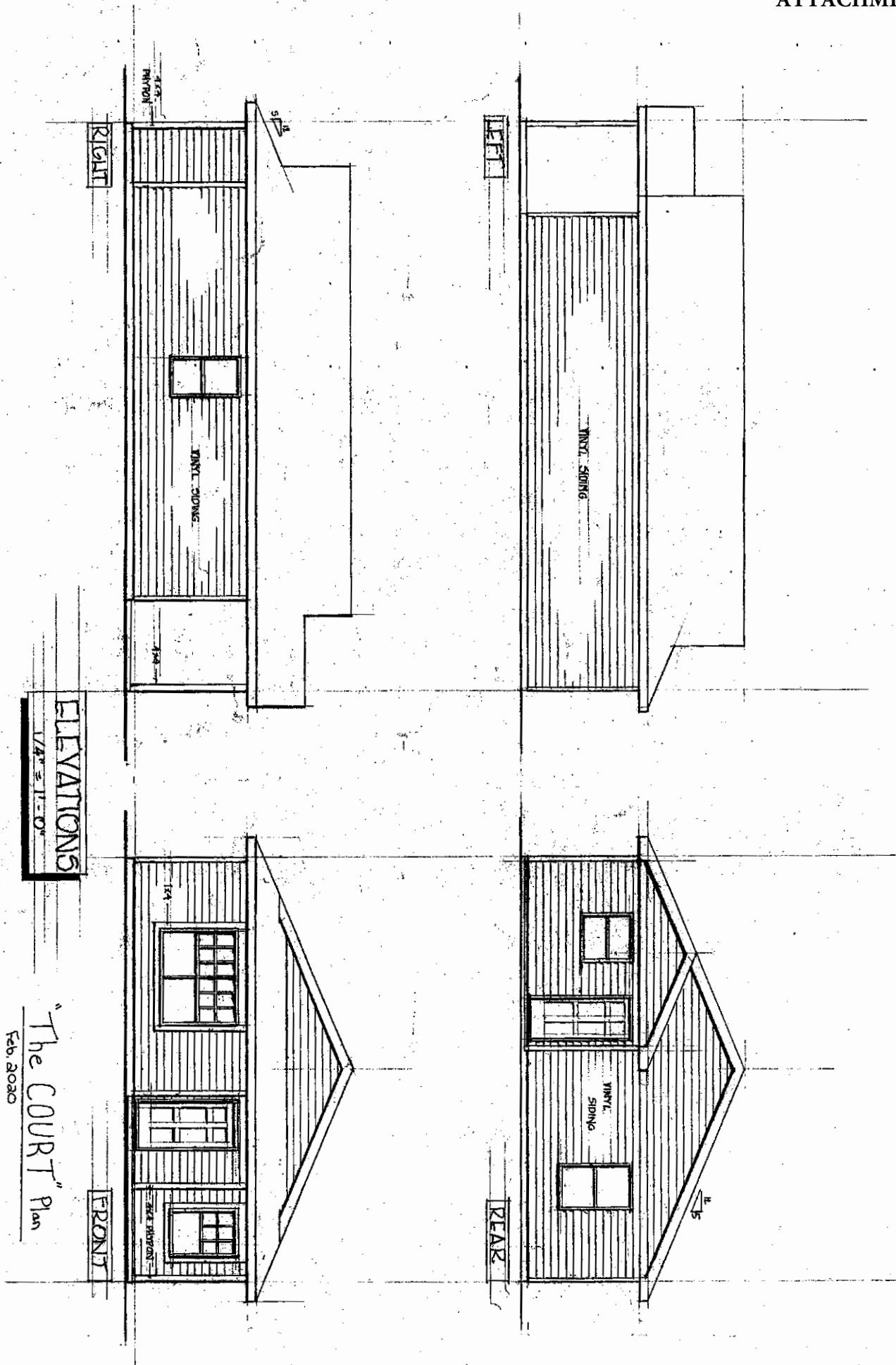
Enclosed:
 Application
 Administrative Fee
 Down Payment
 Conceptual Plan

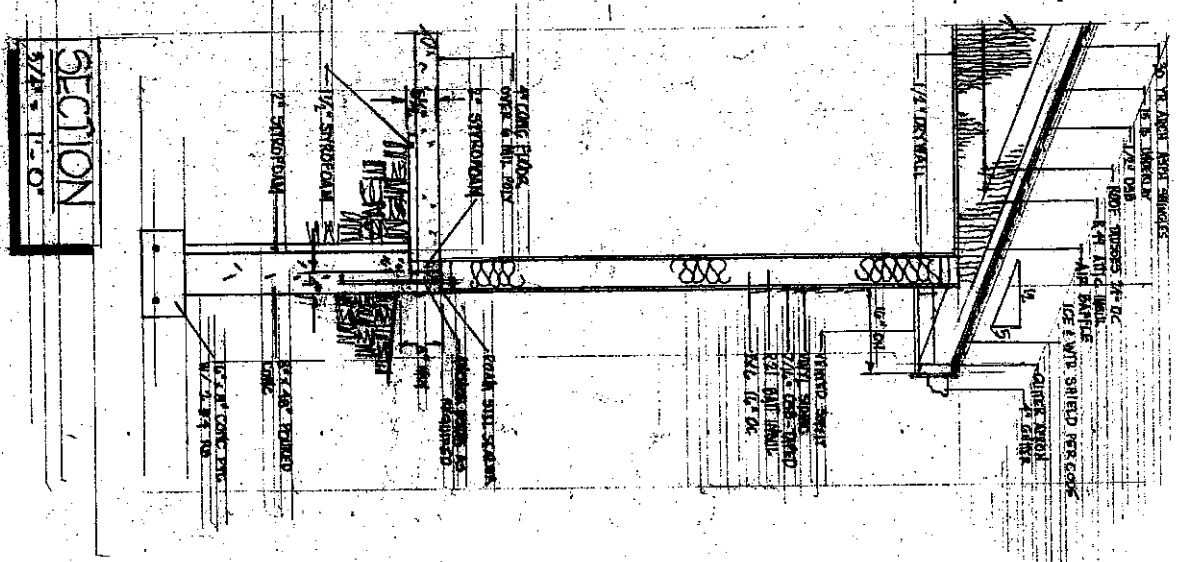
PO Box 111578
 3520 Lake Street
 Omaha, NE 68111

402.451.2939
www.nwhomesolutions.org

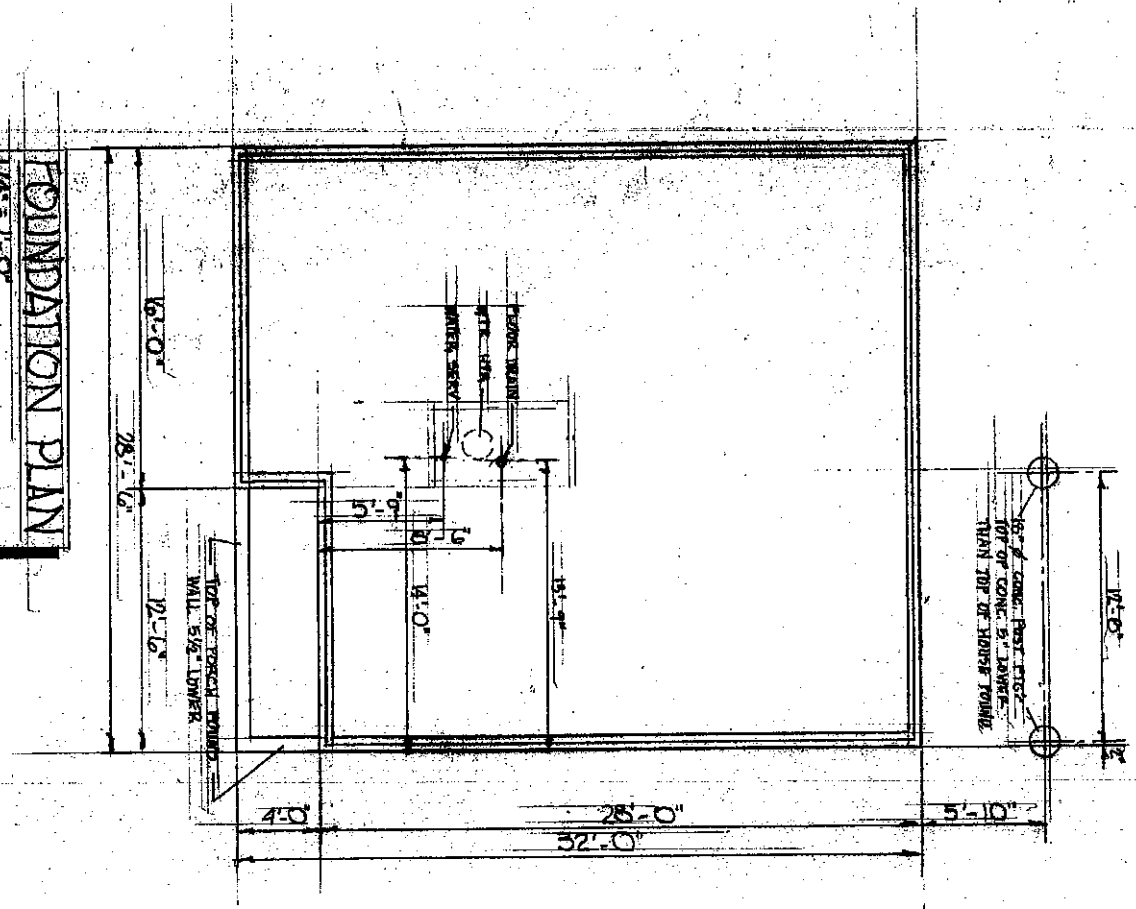
222 South 6th Street
 Council Bluffs, IA 51501



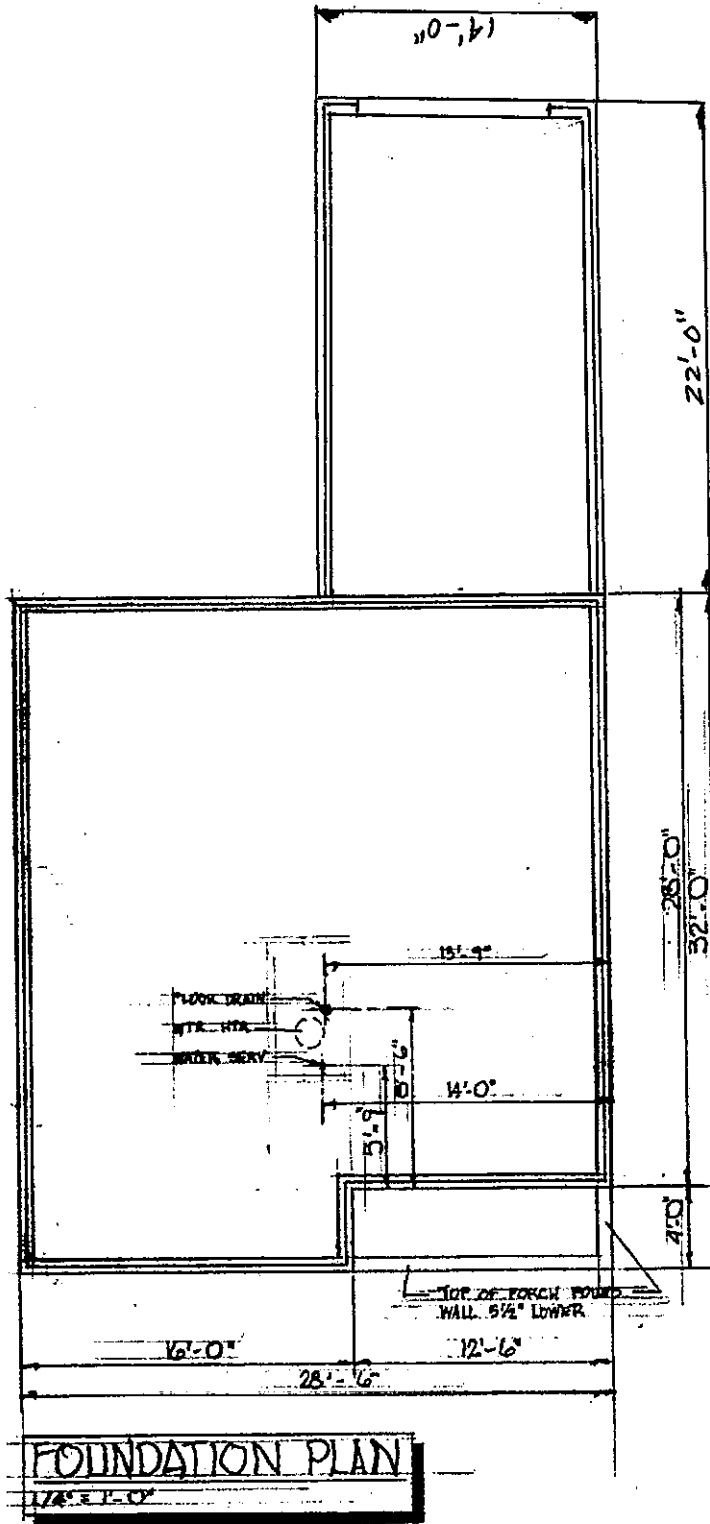




SECTION
SCALE 1/4" = 1'-0"

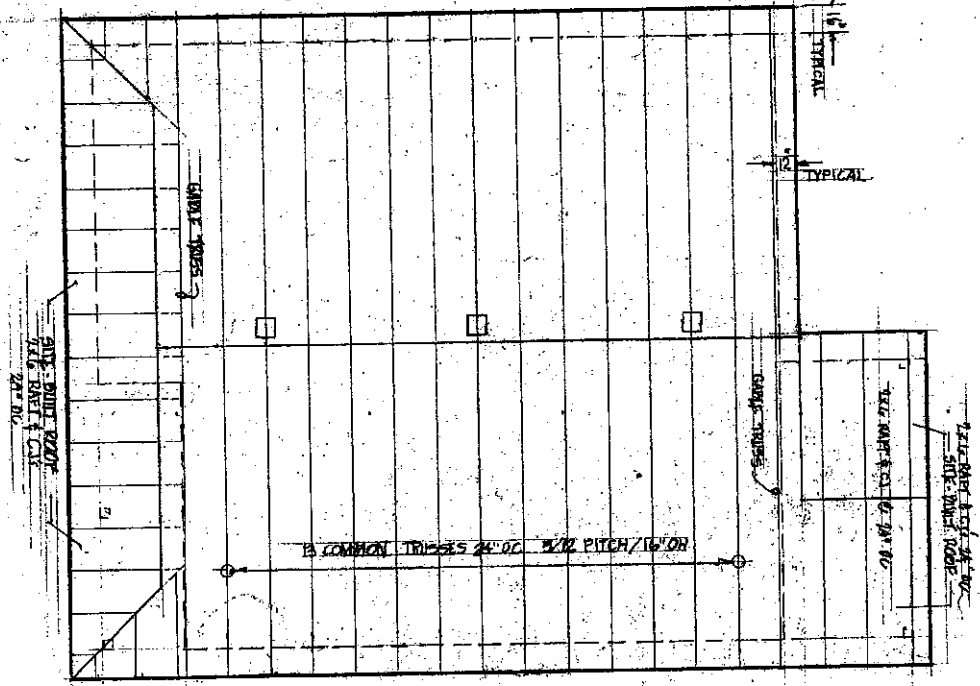


FOUNDATION PLAN
SCALE 1/4" = 1'-0"

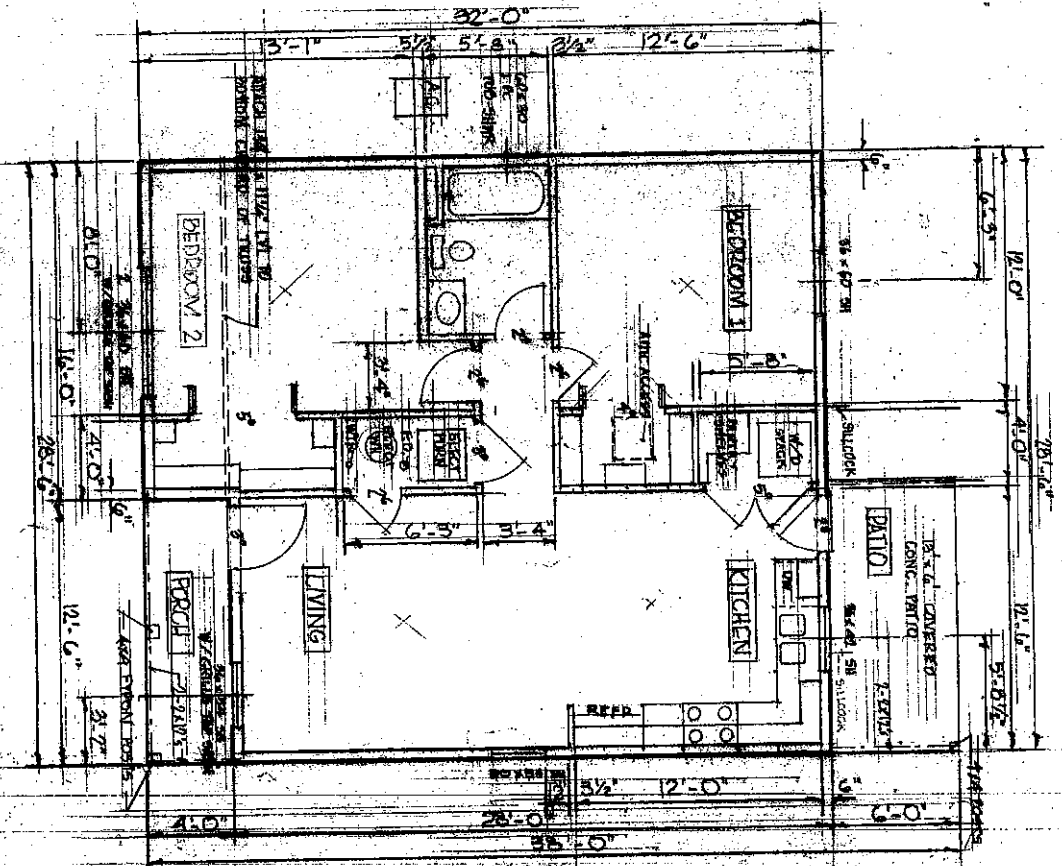


FOUNDATION PLAN ADDENDUM
 14'-0" x 22'-0" ATTACHED GARAGE

ROOF PLAN
1/4" = 1'-0"



FLOOR PLAN
1/4" = 1'-0"



862 SF

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. 21-31

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BE IT FURTHER RESOLVED

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ADOPTED
AND
APPROVED:

February 8, 2021

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

(Case #OTB-21-002)

Council Communication

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

November FY21 Financial Reports
ITEM 3.G.

Council Action: 2/8/2021

Description

Background/Discussion

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Expenditures by Vendor	Resolution	1/29/2021
Expenditures by Amount	Resolution	1/29/2021
Receipts and Expenditures by Fund	Resolution	1/29/2021

**CITY OF COUNCIL BLUFFS
EXPENDITURES
NOVEMBER FY21
(\$'S)**

VENDOR	AMOUNT	DESCRIPTION
2ND WIND EXERCISE EQUIPMENT INC	\$420.00	EQUIPMENT/PARTS
ABLE LOCKSMITHS	\$2,290.70	PROFESSIONAL SVCS
ABM	\$2,485.75	JANITORIAL SERVICE
ACUSHNET COMPANY	1,431.80	DODGE OPERATING EXPENSE
AGRILAND F S INC	\$3,681.13	SUPPLIES
AHLERS & COONEY P.C	\$2,183.50	LEGAL SERVICES
ALEGENT CREIGHTON HEALTH	\$1,764.63	PROFESSIONAL SVCS
ALLIED ELECTRONICS INCORPORATED	\$297.83	SUPPLIES
ALVARADO UPHOLSTERING	\$770.00	REPAIRS & MAINTENANCE
AMERICAN NATIONAL BANK	\$49.00	BANK SERVICES
AMERICAN RESPONSE VEHICLES INC	\$232,351.00	EQUIPMENT/PARTS
ANB SERVICE CHARGE	95.34	RE PARKING GARAGE EXPENSE
APPLIED INDUSTRIAL TECHNOLOGIES INC	\$271.70	EQUIPMENT/PARTS
AQUA-CHEM INCORPORATED	\$240.00	SUPPLIES
ARNOLD MOTOR SUPPLY, LLP	\$5,766.80	EQUIPMENT/PARTS
ARROW TOWING	\$8,090.00	TOWING/STORAGE/AUCTION
ATHLETICO EXCEL NEBRASKA LLC	\$500.00	PROFESSIONAL SVCS
BAKER & TAYLOR INC	\$5,085.20	BOOKS/PERIODICALS/SUB
BARCO MUNICIPAL PRODUCTS INC	\$714.98	SUPPLIES
BARRACUDA NETWORKS INC	\$6,687.84	HARDWARE/SOFTWARE
BGNE INC.	\$806.16	SUPPLIES
BILL'S WATER CONDITIONING	\$100.00	SUPPLIES
BLACK HILLS UTILITY HOLDINGS, INC.	\$8,510.83	NATURAL GAS
BLACKSTONE AUDIO INC	\$334.05	BOOKS/PERIODICALS/SUB
BLUFFS ELECTRIC INC	\$14,136.72	ELECTRICAL REPAIR
BLUFFS PAVING & UTILITY INC	\$423,574.18	CONSTRUCTION
BLUFFS TAXI & COURIER	\$671.50	TRANSIT SERVICES
BMC SOFTWARE INC	\$2,352.19	HARDWARE/SOFTWARE
BOBCAT OF OMAHA	\$4,037.27	EQUIPMENT/PARTS
BOMGAARS SUPPLY INC	\$91.96	SUPPLIES
BOUND TO STAY BOUND BOOKS INC	\$1,286.33	BOOKS/PERIODICALS/SUB
BOUND TREE MEDICAL LLC	\$2,686.64	MEDICAL SUPPLIES
BROOMERS INC	450.00	RE PARKING GARAGE EXPENSE
BUCK'S INC.	\$437.03	VEHICLE WASH
BURLINGTON PUBLIC LIBRARY	\$45.00	BOOKS/PERIODICALS/SUB
BURTON PLUMBING	\$4,845.67	PLUMBING NEW OR REPAIR
C & J INDUSTRIAL SUPPLY	\$346.00	JANITORIAL SERVICE
CALLAWAY	2,999.79	DODGE OPERATING EXPENSE
CANON SOLUTIONS AMERICA INC	\$141.49	COPY/PRINTER MAINTANCE
CARLEY CONSTRUCTION LLC	\$584,870.34	CONSTRUCTION
CARPENTER, NOAH P-BELINDA G	\$535.00	REFUND
CARTTRAC LLC	3,550.00	DODGE OPERATING EXPENSE
CAVENDISH SQUARE PUBLISHING LLC	\$355.86	BOOKS/PERIODICALS/SUB
CENGAGE LEARNING INC	\$26.39	BOOKS/PERIODICALS/SUB
CENTER POINT LARGE PRINT	\$22.17	BOOKS/PERIODICALS/SUB
CENTURYLINK	\$735.19	TELEPHONE
CERTIFIED POWER INC	\$422.85	EQUIPMENT/PARTS

CFI TIRE SERVICE	\$1,244.00	TIRE REPLACEMENT/REPAIR
CHAD LEWIS	\$200.00	PROFESSIONAL SVCS
CHAMPLIN TIRE RECYCLING INC	\$1,852.50	TIRE DISPOSAL
CHEMSEARCH FE	\$528.39	SUPPLIES
CHILD SUPPORT SERVICES DIVISION	\$514.32	PAYROLL RELATED
CHRISTINE D ANDERSON	\$31.63	REIMB EMPLOYEE EXPENSE
CHRISTINE STEELE MAKE ART STUD	535.00	DODGE OPERATING EXPENSE
CITY EMPLOYEE PAYROLL	\$1,918,925.80	EMPLOYEE PAYROLL
CITY OF COUNCIL BLUFFS	2,146.56	DODGE OPERATING EXPENSE
CITY OF COUNCIL BLUFFS-DEPENDENT	\$4,715.61	PAYROLL RELATED
CITY OF COUNCIL BLUFFS-FLEX	\$8,309.28	PAYROLL RELATED
CITY TREASURER	680.91	DODGE OPERATING EXPENSE
CIVICPLUS	\$63.79	HARDWARE/SOFTWARE
CLARK EQUIPMENT COMPANY	\$60,894.40	EQUIPMENT/PARTS
COLLECTION SERVICES CENTER	\$7,975.10	PAYROLL RELATED
CONSOLIDATED ELECTRICAL DISTR, INC	\$4,130.47	SUPPLIES
CONTINENTAL FIRE SPRINKLER CO	\$241.95	PROFESSIONAL SVCS
CORNHUSKER INTERNATIONAL TRUCKS	\$4,004.84	EQUIPMENT/PARTS
CORRPRO COMPANIES, INC.	\$4,750.00	REPAIRS & MAINTENANCE
COUNCIL BLUFFS AIRPORT AUTHORITY	\$42,903.31	AIRPORT AUTH TAX
COUNCIL BLUFFS TREES FOREVER	\$300.00	MOWING/GROUNDS MAINT
COUNCIL BLUFFS WATER WORKS	\$12,207.94	WATER
COUNCIL BLUFFS WINSUPPLY	\$2,111.32	SUPPLIES
COX BUSINESS	123.68	DODGE OPERATING EXPENSE
COX COMMUNICATION INC	\$16,105.87	PHONE/INTERNET SVC
CREDIT MANAGEMENT, LP	\$797.30	COLLECTION FEE
CUBIC CORPORATION AND SUBSIDIARIES	\$48,300.00	HARDWARE/SOFTWARE
CUMMINS SALES & SERVICE	\$1,520.00	EQUIPMENT/PARTS
CURT STRUTZ	\$395.00	PROFESSIONAL SVCS
D & K PRODUCTS	\$6,189.00	SUPPLIES
DAILY NONPAREIL	\$3,757.29	ADVERTISEMENT
DALES TRASH SERVICE INC	\$3,799.00	RENTAL EXPS
DANKO EMERGENCY EQUIPMENT CO	\$8,884.19	SUPPLIES
DATASHIELD CORPORATION	\$80.00	SERVICE LABOR
DAVID C ANDERSEN	\$710.00	CONSTRUCTION
DAVID W WOODY	\$439.27	SUPPLIES
DEMCO INC	\$1,084.84	SUPPLIES
DIAMOND MOWERS INC	\$247.64	REPAIRS & MAINTENANCE
DLE FOUR WAY LC	\$558.00	PROPERTY ACQUISITION
DMG INC	\$1,600.00	ELECTRICAL REPAIR
DODGE BANK & CR CARD FEES	1,567.30	DODGE OPERATING EXPENSE
DODGE RIVERSIDE PAYROLL	43,779.73	DODGE OPERATING EXPENSE
DODGE RIVERSIDE SALES TAX	5,200.00	DODGE OPERATING EXPENSE
DONALD F ALDREDGE	\$87.87	REFUND
DONALD W MATHEWS	\$4,258.54	VEHICLE REPAIR
DULTMEIER SALES LLC	\$553.00	SUPPLIES
DYLAN ROHDE	\$200.00	PROFESSIONAL SVCS
ECHO GROUP	\$613.00	SUPPLIES
EDWARD JAMES BREWSTER JR	\$120.00	PROFESSIONAL SVCS
EDWARDS CHEVROLET-CADILLAC INC	\$4,454.35	EQUIPMENT/PARTS
EFTPS	\$542,390.77	PAYROLL RELATED
EHRHART GRIFFIN & ASSOCIATES INC	\$11,288.75	CONSULTANT
ELAVON INC	\$7,604.00	FEES

EMPLOYERS MUTUAL CASUALTY COMPANY	\$71,727.09	INSURANCE
ENTERPRISE FM TRUST	\$699.88	RENTAL EXPS
ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE	\$3,500.00	HARDWARE/SOFTWARE
EOR IOWA LLC	\$3,000.00	CONTRACT AGREEMENT
ERRIN GUNDERSON	\$1,175.00	MOWING/GROUNDS MAINT
FACTORY MOTOR PARTS	\$1,109.00	EQUIPMENT/PARTS
FASTENAL COMPANY	\$77.99	SUPPLIES
FELD FIRE	\$460.10	EQUIPMENT/PARTS
FELSBURG HOLT & ULLEVIG INC	\$3,327.08	PROFESSIONAL SVCS
FIRE DEPARTMENT TRAINING NETWORK	\$300.00	DUES/MEMBERSHIP
FIREGUARD INC	609.31	RE PARKING GARAGE EXPENSE
FIREGUARD, INC.	\$314.50	EQUIPMENT/PARTS
FIRESRING PRINT INC	\$305.08	PRINTING/BINDING
FIRST NATIONAL BANK PCARDS ACH	2,628.02	DODGE OPERATING EXPENSE
FIRST WIRELESS INC	\$1,824.00	EQUIPMENT/PARTS
FORSTA FILTERS INC	\$3,185.00	EQUIPMENT/PARTS
FOSTER COACH SALES	\$72.06	EQUIPMENT/PARTS
GALLS PARENT HOLDING, LLC	\$4,201.20	EQUIPMENT/PARTS
GARY K SHRUM	\$739.00	REFUND
GBWH OMAHA, LLC	\$5,000.00	TRAINING
GENERAL FIRE & SAFETY EQUIPMENT COMPANY OF	\$149.20	EQUIPMENT/PARTS
GENERAL TRAFFIC CONTROLS INC	\$11,413.96	CONTRACT AGREEMENT
GENIE PEST CONTROL	180.00	DODGE OPERATING EXPENSE
GENIE SERVICES LLC	\$110.00	PEST CONTROL
GRAYBAR ELECTRIC	\$320.93	SUPPLIES
GREAT AMERICA FINANCIAL SERVICE	143.42	DODGE OPERATING EXPENSE
GREATAMERICA FINANCIAL SERVICES CORP	\$312.93	LEASE
GRP & ASSOCIATES	\$197.00	SUPPLIES
HAWKINS CONSTRUCTION COMPANY	\$916,453.31	CONSTRUCTION
HDR ENGINEERING INC	\$45,801.61	PROFESSIONAL SVCS
HEARTLAND BUSINESS SYSTEMS LLC	\$14,273.89	HARDWARE/SOFTWARE
HEARTLAND CO-OP	\$350.00	FUEL
HEARTLAND DOCUMENT SERVICES INC.	\$1,289.00	JANITORIAL SERVICE
HEARTLAND TIRES & TREADS INC	\$1,228.41	TIRE REPLACEMENT/REPAIR
HEARTLAND TOXICOLOGY	\$390.00	PROFESSIONAL SVCS
HENDERSON PRODUCTS, INC	\$61.03	EQUIPMENT/PARTS
HENNINGSEN CONSTRUCTION INC	\$3,192.55	CONSTRUCTION
HGM ASSOCIATES INC	\$237,349.41	CONSULTANT
HISTORICAL GENERAL DODGE HOUSE FOUNDATION	\$18,750.00	QUARTERLY CONTRACT PAYMENT
HOTSY EQUIPMENT COMPANY	\$450.84	REPAIRS & MAINTENANCE
I-80 LIQUOR & TOBACCO	308.96	DODGE OPERATING EXPENSE
ICMA RETIREMENT TRUST - 457	\$13,736.48	PAYROLL RELATED
IMPACT7G INC	\$4,575.00	PROFESSIONAL SVCS
INSIGHT PUBLIC SECTOR INC	\$71,533.94	HARDWARE/SOFTWARE
ION WAVE TECHNOLOGIES INC	\$825.00	HARDWARE/SOFTWARE
IOWA DEPARTMENT OF REVENUE	\$520.85	PAYROLL RELATED
IOWA DEPT OF AGRICULTURE & LAND STEWARDSHIP	\$45.00	CONTRACT AGREEMENT
IOWA DEPT OF REVENUE	\$121,082.00	PAYROLL RELATED
IOWA DEPT OF REVENUE	355.00	MAC OPERATING EXPENSE
IOWA DEPT OF TRANSPORTATION	\$964.50	CONSULTANT
IOWA LAW ENFORCEMENT ACADEMY	\$125.00	TRAINING
IOWA PRISON INDUSTRIES	\$10,773.95	SUPPLIES
IOWA WASTE SERVICES HOLDINGS INC	\$23,834.55	SOLID WASTE DISPOSAL

IPERS	\$210,818.73	PAYROLL RELATED
J&M GOLF	348.63	DODGE OPERATING EXPENSE
JACK A FRASER	\$477.00	PROPERTY ACQUISITION
JAIME FRANCISQUEZ	\$208.00	REFUND
JANICE MCELROY	\$151.01	REFUND
JEBRO INCORPORATED	\$30.00	EQUIPMENT/PARTS
JEFFREY T KOUBA	\$35.00	PROFESSIONAL SVCS
JEFFS CAR WASH	\$100.00	BUSINESS ASSISTANCE PROGRAM
JEO CONSULTING GROUP INC	\$31,738.25	CONSULTANT
JEREMY RYAN SMITH	\$112.50	PROFESSIONAL SVCS
JERRY KENNEDY	\$600.00	RENTAL EXPS
JESSIE KITE	\$56.00	REFUND
JODI R QUAKENBUSH	\$154.10	REIMB EMPLOYEE EXPENSE
JOHNSON CONTROLS INC.	\$5,640.00	EQUIPMENT/PARTS
JOLENE JANDREAU	\$713.00	REFUND
JONES AUTOMOTIVE	\$1,819.11	EQUIPMENT/PARTS
JONES BARRELL CO.	\$549.75	SUPPLIES
JOY DRYDEN INC.	\$1,008.00	SUPPLIES
JUDDS BROS CONSTRUCTION CO	\$279,225.49	CONSTRUCTION
KAY H TURNER	\$770.00	HARDWARE/SOFTWARE
KAYLA THOMPSON	\$250.00	REFUND
KELSEY BOCKEN	\$77.17	REIMB EMPLOYEE EXPENSE
KELSIE FORRISTALL	\$43.74	REIMB EMPLOYEE EXPENSE
KELTEK, INCORPORATED	\$458.35	EQUIPMENT/PARTS
KEY IMPACT SALES & SYSTEMS INC	\$14,969.90	DEVLPMNT CONTRACT
KMC PROPERTIES	\$575.00	RENTAL EXPS
KONICA MINOLTA BUSINESS SOLUTIONS USA	\$812.00	LEASE
KRONOS INCORPORATED	\$2,000.00	HARDWARE/SOFTWARE
LANDSCAPE FORMS INC	\$5,750.00	EQUIPMENT/PARTS
LANDSCAPES GOLD MANAGEMENT LLC	12,469.45	DODGE OPERATING EXPENSE
LANOHA NURSERIES INC	3,486.16	RE PARKING GARAGE EXPENSE
LAWSON PRODUCTS INC	\$1,380.59	SUPPLIES
LEAGUE OF HUMAN DIGNITY INC	\$1,834.20	PROFESSIONAL SVCS
LIFE ASSIST INC	\$526.80	MEDICAL SUPPLIES
LINCOLN NATIONAL LIFE INS CO	40.07	DODGE OPERATING EXPENSE
LOCKTON CO, LLC - KC SERIES	3,610.00	DODGE OPERATING EXPENSE
LOGAN CONTRACTORS SUPPLY INC	\$134.64	SUPPLIES
LOGMEIN USA INC	\$1,299.00	HARDWARE/SOFTWARE
LORETTA GOESCHEL	\$105.23	REIMB EMPLOYEE EXPENSE
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$3,700.00	PAYROLL RELATED
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$280.00	PAYROLL RELATED
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$4,450.00	PAYROLL RELATED
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$1,250.00	PAYROLL RELATED
LYMAN RICHEY CORPORATION	\$48,232.76	STREET MAINTENANCE SUPLS
LYNN HAMMERMEISTER	\$300.00	REIMB EMPLOYEE EXPENSE
M & R WELDING	\$100.00	WELDING SUPPLIES/SERVICE
MACQUEEN EQUIPMENT, INC.	\$454.71	EQUIPMENT/PARTS
MARCO HOLDINGS, LLC	\$9,197.02	COPY/PRINTER MAINTANCE
MARK A WARNEKE	\$4,075.00	REPAIRS & MAINTENANCE
MATHESON TRI GAS INC.	\$221.42	SUPPLIES
MATTHEW PECKHAM	\$10,399.00	CONSTRUCTION
MAX I WALKER UNIFORM & APPAREL	\$680.24	UNIFORMS
MCMULLEN FORD INC	\$676.26	EQUIPMENT/PARTS

MECHANICAL INC	\$11,058.00	REPAIRS & MAINTENANCE
MECHANICAL SALES INC.	\$106.95	SUPPLIES
MENARD INC.	\$173.88	SUPPLIES
MERYL ENGEN	\$250.00	REFUND
METOLIS LLC	1,066.00	DODGE OPERATING EXPENSE
MFPRSI	\$468,748.59	PAYROLL RELATED
MICHAEL M SALES	\$125.00	PRINTING/BINDING
MICHAEL O'BRADOVICH	\$2,400.00	PROFESSIONAL SVCS
MICHAEL TODD AND COMPANY INC	\$258.00	EQUIPMENT/PARTS
MID AMERICAN ENERGY CO	889.84	RE PARKING GARAGE EXPENSE
MID-AMERICA CLEANING SYSTEMS INC	\$490.85	EQUIPMENT/PARTS
MIDAMERICAN ENERGY COMPANY	\$112,692.65	ELECTRICITY
MIDLANDS HUMANE SOCIETY	\$10,328.17	CONTRACT AGREEMENT
MIDSTATES BANK, NA	\$50.00	BANK SERVICES
MIDSTATES BANK, NA	51.54	MAC OPERATING EXPENSE
MIDWEST MEDICAL & SAFETY INC	\$135.85	MEDICAL SUPPLIES
MIDWEST RESEARCH & SETTLEMENT SERVICES, INC.	\$200.00	PROFESSIONAL SVCS
MIDWEST TAPE, LLC	\$5,947.94	DVD/AUDIO/CD
MIDWEST TURF & IRRIGATION	\$85,638.84	EQUIPMENT/PARTS
MILLS COUNTY SHERIFF'S DEPARTMENT	\$4,877.10	GRANT REIMBURSEMENT
MIOVISION TECHNOLOGIES INCORPORATED	\$1,151.76	EQUIPMENT/PARTS
MOBOTREX INC	\$4,044.00	STREET MAINTENANCE SUPLS
MONROE TRUCK EQUIPMENT, INC.	\$93,820.00	EQUIPMENT/PARTS
MOTION INDUSTRIES INCORPORATED	\$3,428.34	SUPPLIES
MULHALLS NURSERY, INC.	\$48,475.00	LANDSCAPING SUPPLIES
MUNICIPAL CODE CORPORATION	\$4,000.00	SUBSCRIPTION
MUNICIPAL PIPE TOOL CO LLC	\$1,187.17	EQUIPMENT/PARTS
MUTUAL OF OMAHA	32.95	DODGE OPERATING EXPENSE
NAPA AUTO PARTS	\$3,037.30	EQUIPMENT/PARTS
NATIONAL CONCRETE CUTTING INC	\$2,260.70	REPAIRS & MAINTENANCE
NATIONWIDE RETIREMENT SOLUTIONS INC	\$64,674.74	PAYROLL RELATED
NEBRASKA AIR FILTER INC	\$912.48	SUPPLIES
NEBRASKA CHILD SUPPORT PAYMENT CTR	\$496.62	PAYROLL RELATED
NEW VISIONS HOMELESS SERVICES	\$11,628.08	GRANT REIMBURSEMENT
NIXON CONSTRUCTION INC	\$87,204.00	CONTRACT AGREEMENT
NMC INC.	\$766.89	EQUIPMENT/PARTS
NOODLE SERVICES LLC	8,184.03	RE PARKING GARAGE EXPENSE
O KEEFE ELEVATOR CO INC	184.04	RE PARKING GARAGE EXPENSE
OCLC INC	\$1,255.86	SUBSCRIPTION
ODEYS INC	\$718.00	EQUIPMENT/PARTS
O'KEEFE ELEVATOR COMPANY INC	\$180.54	PROFESSIONAL SVCS
OMAHA DOOR & WINDOW CO INC	\$253.75	REPAIRS & MAINTENANCE
OMAHA MAGAZINE LTD	\$504.00	ADVERTISEMENT
OMAHA SLINGS INCORPORATED	\$121.08	SUPPLIES
OMAHA TRUCK CENTER COMPANY INC.	\$176.98	EQUIPMENT/PARTS
OMAHA-COUNCIL BLUFFS METROPOLITAN AREA	\$11,440.00	FEES
OMNI ENGINEERING	\$45,436.76	STREET MAINTENANCE SUPLS
ONE SOURCE THE BACKGROUND CHECK COMPANY	\$98.15	CONSULTANT
O'REILLY AUTOMOTIVE INC	\$188.28	EQUIPMENT/PARTS
OSAGE INDUSTRIES INC	\$292.04	EQUIPMENT/PARTS
OVERDRIVE INC	\$2,956.41	BOOKS/PERIODICALS/SUB
PARAMOUNT GAS PRODUCTS LLC	\$1,200.00	SAFETY EQUIP & MAINTENANCE
PARAMOUNT LINEN & UNIFORMS	168.69	DODGE OPERATING EXPENSE

PASSPORT LABS INC	\$630.00	PARKING FEES
PAYROLL	43,283.81	MAC OPERATING EXPENSE
PEERLESS WIPING CLOTH CO	\$900.00	SUPPLIES
POTTAWATTAMIE COUNTY SHERIFF	\$8,840.00	INMATE COST
PROCESS PIPING SPECIALTIES INC	\$651.53	EQUIPMENT/PARTS
PROTECH COMMERCIAL VEHICLE OUTFITTERS INC	\$222.51	EQUIPMENT/PARTS
PROV.16:3 INC	\$128.93	SUPPLIES
PURITAN MANUFACTURING INCORPORATED	\$235.00	SUPPLIES
R K LEWIS LLC	\$100.00	HARDWARE/SOFTWARE
RASMUSSEN MECHANICAL SERVICES INC	\$5,350.06	EQUIPMENT/PARTS
RED BRANCH MEDIA, INC	\$2,750.00	CONSULTANT
REGENT BOOK COMPANY	\$17.09	SUPPLIES
REHRIG PACIFIC COMPANY	\$9,790.00	SUPPLIES
RICOH USA INC	\$30.70	LEASE
RIVERS EDGE MASTER PROPERTY OWNERS ASSOC	2,911.46	RE PARKING GARAGE EXPENSE
RLKM INC	\$277.20	REPAIRS & MAINTENANCE
ROBIN COUNTRYMAN	\$100.00	REFUND
ROLLIN GREEN GRADING & SOD INC	525.00	DODGE OPERATING EXPENSE
ROSE EQUIPMENT, LLC	\$205.26	EQUIPMENT/PARTS
ROTO ROOTER	\$1,542.44	REPAIRS & MAINTENANCE
RSM US LLP	\$14,000.00	AUDIT
RTG BUILDING SERVICES INC	\$16,570.33	JANITORIAL SERVICE
SAFETY KLEEN SYSTEMS, INC	\$779.53	SERVICE LABOR
SAVANT CORPORATION	\$93.00	EQUIPMENT/PARTS
SCALES SALES & SERVICE LLC	\$332.00	EQUIPMENT/PARTS
SCHINDLER ELEVATOR CORPORATION	\$350.00	REPAIRS & MAINTENANCE
SECURITY EQUIPMENT INCORPORATED	\$1,174.00	ALARM SECURITY
SHERWIN WILLIAMS	\$1,005.30	SUPPLIES
SIRSI CORPORATION	\$6,500.00	HARDWARE/SOFTWARE
SJ ELECTRO SYSTEMS INC	\$7,336.47	EQUIPMENT/PARTS
SNYDER & ASSOCIATES INC	\$38,854.20	CONSULTANT
SOIL DYNAMICS COMPOSTING FARM INC	\$507.00	PROFESSIONAL SVCS
SOLARWINDS INC	\$1,058.00	HARDWARE/SOFTWARE
SOUTHWEST IOWA NARCOTICS	\$3,750.00	FEES
SOUTHWEST IOWA PLANNING COUNCIL	\$36,958.67	TRANSIT SERVICES
SPRINT SOLUTIONS INC	\$59.20	CELL PHONE
STERN OIL CO INC	\$6,137.32	SUPPLIES
STEVE E LOVETTE	\$752.00	REFUND
STUDIO 15 COMMERCIAL INTERIORS INC	\$37,470.66	PROFESSIONAL SVCS
SUNBELT RENTALS INC	\$2,238.91	EQUIPMENT/PARTS
SWAGIT PRODUCTIONS LLC	\$1,375.00	PROFESSIONAL SVCS
SYSCO - LINCOLN	859.75	DODGE OPERATING EXPENSE
TAMI JENSON	\$30.00	REIMB EMPLOYEE EXPENSE
TECH INC	\$450.71	SUPPLIES
TED'S MOWER SALES & SERVICE INC	\$30.96	EQUIPMENT/PARTS
THE DAVEY TREE EXPERT COMPANY	\$57,150.00	TREE WORK
THE DURHAM MUSEUM	\$300.00	FEES
THE PLAYERS CLUB	\$1,000.00	RENTAL EXPS
THE SCHEMMER ASSOCIATES INC	\$12,638.50	CONSULTANT
THE SCOTTS MIRACLE-GRO COMPANY	\$4,211.29	SERVICE LABOR
THE WALMAN OPTICAL COMPANY	\$224.00	SAFETY EQUIP & MAINTENANCE
THOMAS RYAN	\$15.53	REIMB EMPLOYEE EXPENSE
TITLECORE NATIONAL LLC	\$30,000.00	CONTRACT AGREEMENT

TJ CABLE & UNDERGROUND SERVICES LLC	\$157,124.68	CONSTRUCTION
TOMASEK MACHINE SHOP INC	\$545.00	REPAIRS & MAINTENANCE
TOMLINSON DANIEL LLC	\$678.00	PROPERTY ACQUISITION
TOYNE INC	\$396.24	EQUIPMENT/PARTS
TRANSIT AUTHORITY OF THE CITY OF OMAHA	\$121,765.00	BUS SERVICE
TREASURER STATE OF IOWA/SALES TAX	\$7,002.00	SALES TAX
TRI MUTUAL AID FIRE FIGHTERS ASSOC	\$300.00	DUES/MEMBERSHIP
TVH PARTS CO	\$327.78	SUPPLIES
TWO RIVERS INSURANCE COMPANY, INC.	\$887,419.28	EMPLOYEE INSURANCE
U.S. VENTURE, INC.	\$3,638.43	EQUIPMENT/PARTS
UMB BANK N.A.	\$957,812.31	BOND PAYMENT
UNDERGROUND LOCATION COMPANY	\$1,132.30	PROFESSIONAL SVCS
UNION BANK & TRUST/OMNIFY	5.50	DODGE OPERATING EXPENSE
UNITED CREDIT UNION	\$546.00	PROPERTY ACQUISITION
UNITED PARCEL SERVICE	\$26.47	FREIGHT/POSTAGE
UNITED STATES POSTAL SERVICE	\$1,908.08	FREIGHT/POSTAGE
UNIVERSITY OF NEBRASKA AT OMAHA	\$405.00	TRAINING
VALLEY CORPORATION	\$290,748.12	CONSTRUCTION
VANDER HAAG'S INCORPORATED	\$110.38	EQUIPMENT/PARTS
VERIZON WIRELESS SERVICES LLC	\$5,990.28	CELL PHONE
VERMEER SALES & SERVICE INC	\$3,381.78	EQUIPMENT/PARTS
VERTIV CORPORATION	\$8,041.38	REPAIRS & MAINTENANCE
VOGEL TRAFFIC SERVICES INC	\$2,308.03	EQUIPMENT/PARTS
VOICE & DATA SYSTEMS INC	\$228.00	TELEPHONE
VOYA RETIREMENT INSURANCE & ANNUITY COMPANY	\$8,090.00	PAYROLL RELATED
W.W. GRAINGER, INC.	\$1,346.65	EQUIPMENT/PARTS
WASTE CONNECTIONS OF IOWA	\$305,170.68	HOUSEHOLD TRASH
WASTE CONNECTIONS OF IOWA	222.50	DODGE OPERATING EXPENSE
WEST PUBLISHING CORPORATION	\$1,035.33	SUBSCRIPTION
WILLIAM E CARPENTER JR	\$108.10	REIMB EMPLOYEE EXPENSE
YMCA OF GREATER OMAHA	\$500.00	DUES/MEMBERSHIP
ZIMCO SUPPLY CO	574.00	DODGE OPERATING EXPENSE
ZIMCO SUPPLY COMPANY	\$2,160.00	SUPPLIES
TOTAL	10,642,987.09	

**CITY OF COUNCIL BLUFFS
EXPENDITURES
NOVEMBER FY21
(\$'S)**

VENDOR	AMOUNT	DESCRIPTION
CITY EMPLOYEE PAYROLL	\$1,918,925.80	EMPLOYEE PAYROLL
UMB BANK N.A.	\$957,812.31	BOND PAYMENT
HAWKINS CONSTRUCTION COMPANY	\$916,453.31	CONSTRUCTION
TWO RIVERS INSURANCE COMPANY, INC.	\$887,419.28	EMPLOYEE INSURANCE
CARLEY CONSTRUCTION LLC	\$584,870.34	CONSTRUCTION
EFTPS	\$542,390.77	PAYROLL RELATED
MFPRSI	\$468,748.59	PAYROLL RELATED
BLUFFS PAVING & UTILITY INC	\$423,574.18	CONSTRUCTION
WASTE CONNECTIONS OF IOWA	\$305,170.68	HOUSEHOLD TRASH
VALLEY CORPORATION	\$290,748.12	CONSTRUCTION
JUDDS BROS CONSTRUCTION CO	\$279,225.49	CONSTRUCTION
HGM ASSOCIATES INC	\$237,349.41	CONSULTANT
AMERICAN RESPONSE VEHICLES INC	\$232,351.00	EQUIPMENT/PARTS
IPERS	\$210,818.73	PAYROLL RELATED
TJ CABLE & UNDERGROUND SERVICES LLC	\$157,124.68	CONSTRUCTION
TRANSIT AUTHORITY OF THE CITY OF OMAHA	\$121,765.00	BUS SERVICE
IOWA DEPT OF REVENUE	\$121,082.00	PAYROLL RELATED
MIDAMERICAN ENERGY COMPANY	\$112,692.65	ELECTRICITY
MONROE TRUCK EQUIPMENT, INC.	\$93,820.00	EQUIPMENT/PARTS
NIXON CONSTRUCTION INC	\$87,204.00	CONTRACT AGREEMENT
MIDWEST TURF & IRRIGATION	\$85,638.84	EQUIPMENT/PARTS
EMPLOYERS MUTUAL CASUALTY COMPANY	\$71,727.09	INSURANCE
INSIGHT PUBLIC SECTOR INC	\$71,533.94	HARDWARE/SOFTWARE
NATIONWIDE RETIREMENT SOLUTIONS INC	\$64,674.74	PAYROLL RELATED
CLARK EQUIPMENT COMPANY	\$60,894.40	EQUIPMENT/PARTS
THE DAVEY TREE EXPERT COMPANY	\$57,150.00	TREE WORK
MULHALLS NURSERY, INC.	\$48,475.00	LANDSCAPING SUPPLIES
CUBIC CORPORATION AND SUBSIDIARIES	\$48,300.00	HARDWARE/SOFTWARE
LYMAN RICHEY CORPORATION	\$48,232.76	STREET MAINTENANCE SUPLS
HDR ENGINEERING INC	\$45,801.61	PROFESSIONAL SVCS
OMNI ENGINEERING	\$45,436.76	STREET MAINTENANCE SUPLS
DODGE RIVERSIDE PAYROLL	\$43,779.73	DODGE OPERATING EXPENSE
PAYROLL	\$43,283.81	MAC OPERATING EXPENSE
COUNCIL BLUFFS AIRPORT AUTHORITY	\$42,903.31	AIRPORT AUTH TAX
SNYDER & ASSOCIATES INC	\$38,854.20	CONSULTANT
STUDIO 15 COMMERCIAL INTERIORS INC	\$37,470.66	PROFESSIONAL SVCS
SOUTHWEST IOWA PLANNING COUNCIL	\$36,958.67	TRANSIT SERVICES
JEO CONSULTING GROUP INC	\$31,738.25	CONSULTANT
TITLECORE NATIONAL LLC	\$30,000.00	CONTRACT AGREEMENT
IOWA WASTE SERVICES HOLDINGS INC	\$23,834.55	SOLID WASTE DISPOSAL
HISTORICAL GENERAL DODGE HOUSE	\$18,750.00	QUARTERLY CONTRACT PAYMENT
RTG BUILDING SERVICES INC	\$16,570.33	JANITORIAL SERVICE
COX COMMUNICATION INC	\$16,105.87	PHONE/INTERNET SVC
KEY IMPACT SALES & SYSTEMS INC	\$14,969.90	DEVLPMNT CONTRACT
HEARTLAND BUSINESS SYSTEMS LLC	\$14,273.89	HARDWARE/SOFTWARE
BLUFFS ELECTRIC INC	\$14,136.72	ELECTRICAL REPAIR

RSM US LLP	\$14,000.00	AUDIT
ICMA RETIREMENT TRUST - 457	\$13,736.48	PAYROLL RELATED
THE SCHEMMER ASSOCIATES INC	\$12,638.50	CONSULTANT
LANDSCAPES GOLD MANAGEMENT LLC	\$12,469.45	DODGE OPERATING EXPENSE
COUNCIL BLUFFS WATER WORKS	\$12,207.94	WATER
NEW VISIONS HOMELESS SERVICES	\$11,628.08	GRANT REIMBURSEMENT
OMAHA-COUNCIL BLUFFS METROPOLITAN AREA	\$11,440.00	FEES
GENERAL TRAFFIC CONTROLS INC	\$11,413.96	CONTRACT AGREEMENT
EHRHART GRIFFIN & ASSOCIATES INC	\$11,288.75	CONSULTANT
MECHANICAL INC	\$11,058.00	REPAIRS & MAINTENANCE
IOWA PRISON INDUSTRIES	\$10,773.95	SUPPLIES
MATTHEW PECKHAM	\$10,399.00	CONSTRUCTION
MIDLANDS HUMANE SOCIETY	\$10,328.17	CONTRACT AGREEMENT
REHRIG PACIFIC COMPANY	\$9,790.00	SUPPLIES
MARCO HOLDINGS, LLC	\$9,197.02	COPY/PRINTER MAINTANCE
DANKO EMERGENCY EQUIPMENT CO	\$8,884.19	SUPPLIES
POTTAWATTAMIE COUNTY SHERIFF	\$8,840.00	INMATE COST
BLACK HILLS UTILITY HOLDINGS, INC.	\$8,510.83	NATURAL GAS
CITY OF COUNCIL BLUFFS-FLEX	\$8,309.28	PAYROLL RELATED
NOODLE SERVICES LLC	\$8,184.03	RE PARKING GARAGE EXPENSE
ARROW TOWING	\$8,090.00	TOWING/STORAGE/AUCTION
VOYA RETIREMENT INSURANCE & ANNUITY	\$8,090.00	PAYROLL RELATED
VERTIV CORPORATION	\$8,041.38	REPAIRS & MAINTENANCE
COLLECTION SERVICES CENTER	\$7,975.10	PAYROLL RELATED
ELAVON INC	\$7,604.00	FEES
SJ ELECTRO SYSTEMS INC	\$7,336.47	EQUIPMENT/PARTS
TREASURER STATE OF IOWA/SALES TAX	\$7,002.00	SALES TAX
BARRACUDA NETWORKS INC	\$6,687.84	HARDWARE/SOFTWARE
SIRSI CORPORATION	\$6,500.00	HARDWARE/SOFTWARE
D & K PRODUCTS	\$6,189.00	SUPPLIES
STERN OIL CO INC	\$6,137.32	SUPPLIES
VERIZON WIRELESS SERVICES LLC	\$5,990.28	CELL PHONE
MIDWEST TAPE, LLC	\$5,947.94	DVD/AUDIO/CD
ARNOLD MOTOR SUPPLY, LLP	\$5,766.80	EQUIPMENT/PARTS
LANDSCAPE FORMS INC	\$5,750.00	EQUIPMENT/PARTS
JOHNSON CONTROLS INC.	\$5,640.00	EQUIPMENT/PARTS
RASMUSSEN MECHANICAL SERVICES INC	\$5,350.06	EQUIPMENT/PARTS
DODGE RIVERSIDE SALES TAX	\$5,200.00	DODGE OPERATING EXPENSE
BAKER & TAYLOR INC	\$5,085.20	BOOKS/PERIODICALS/SUB
GBWH OMAHA, LLC	\$5,000.00	TRAINING
MILLS COUNTY SHERIFF'S DEPARTMENT	\$4,877.10	GRANT REIMBURSEMENT
BURTON PLUMBING	\$4,845.67	PLUMBING NEW OR REPAIR
CORRPRO COMPANIES, INC.	\$4,750.00	REPAIRS & MAINTENANCE
CITY OF COUNCIL BLUFFS-DEPENDENT	\$4,715.61	PAYROLL RELATED
IMPACT7G INC	\$4,575.00	PROFESSIONAL SVCS
EDWARDS CHEVROLET-CADILLAC INC	\$4,454.35	EQUIPMENT/PARTS
LSNB AS TRUSTEE FOR POST EMPLY HLTH PLAN	\$4,450.00	PAYROLL RELATED
DONALD W MATHEWS	\$4,258.54	VEHICLE REPAIR
THE SCOTTS MIRACLE-GRO COMPANY	\$4,211.29	SERVICE LABOR
GALLS PARENT HOLDING, LLC	\$4,201.20	EQUIPMENT/PARTS
CONSOLIDATED ELECTRICAL DISTR, INC	\$4,130.47	SUPPLIES
MARK A WARNEKE	\$4,075.00	REPAIRS & MAINTENANCE

MOBOTREX INC	\$4,044.00	STREET MAINTENANCE SUPLS
BOBCAT OF OMAHA	\$4,037.27	EQUIPMENT/PARTS
CORNHUSKER INTERNATIONAL TRUCKS	\$4,004.84	EQUIPMENT/PARTS
MUNICIPAL CODE CORPORATION	\$4,000.00	SUBSCRIPTION
DALES TRASH SERVICE INC	\$3,799.00	RENTAL EXPS
DAILY NONPAREIL	\$3,757.29	ADVERTISEMENT
SOUTHWEST IOWA NARCOTICS	\$3,750.00	FEES
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$3,700.00	PAYROLL RELATED
AGRILAND F S INC	\$3,681.13	SUPPLIES
U.S. VENTURE, INC.	\$3,638.43	EQUIPMENT/PARTS
LOCKTON CO, LLC - KC SERIES	\$3,610.00	DODGE OPERATING EXPENSE
CARTTRAC LLC	\$3,550.00	DODGE OPERATING EXPENSE
ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE	\$3,500.00	HARDWARE/SOFTWARE
LANOHA NURSERIES INC	\$3,486.16	RE PARKING GARAGE EXPENSE
MOTION INDUSTRIES INCORPORATED	\$3,428.34	SUPPLIES
VERMEER SALES & SERVICE INC	\$3,381.78	EQUIPMENT/PARTS
FELSBURG HOLT & ULLEVIG INC	\$3,327.08	PROFESSIONAL SVCS
HENNINGSEN CONSTRUCTION INC	\$3,192.55	CONSTRUCTION
FORSTA FILTERS INC	\$3,185.00	EQUIPMENT/PARTS
NAPA AUTO PARTS	\$3,037.30	EQUIPMENT/PARTS
EOR IOWA LLC	\$3,000.00	CONTRACT AGREEMENT
CALLAWAY	\$2,999.79	DODGE OPERATING EXPENSE
OVERDRIVE INC	\$2,956.41	BOOKS/PERIODICALS/SUB
RIVERS EDGE MASTER PROPERTY OWNERS	\$2,911.46	RE PARKING GARAGE EXPENSE
RED BRANCH MEDIA, INC	\$2,750.00	CONSULTANT
BOUND TREE MEDICAL LLC	\$2,686.64	MEDICAL SUPPLIES
FIRST NATIONAL BANK PCARDS ACH	\$2,628.02	DODGE OPERATING EXPENSE
ABM	\$2,485.75	JANITORIAL SERVICE
MICHAEL O'BRADOVICH	\$2,400.00	PROFESSIONAL SVCS
BMC SOFTWARE INC	\$2,352.19	HARDWARE/SOFTWARE
VOGEL TRAFFIC SERVICES INC	\$2,308.03	EQUIPMENT/PARTS
ABLE LOCKSMITHS	\$2,290.70	PROFESSIONAL SVCS
NATIONAL CONCRETE CUTTING INC	\$2,260.70	REPAIRS & MAINTENANCE
SUNBELT RENTALS INC	\$2,238.91	EQUIPMENT/PARTS
AHLERS & COONEY P.C	\$2,183.50	LEGAL SERVICES
ZIMCO SUPPLY COMPANY	\$2,160.00	SUPPLIES
CITY OF COUNCIL BLUFFS	\$2,146.56	DODGE OPERATING EXPENSE
COUNCIL BLUFFS WINSUPPLY	\$2,111.32	SUPPLIES
KRONOS INCORPORATED	\$2,000.00	HARDWARE/SOFTWARE
UNITED STATES POSTAL SERVICE	\$1,908.08	FREIGHT/POSTAGE
CHAMPLIN TIRE RECYCLING INC	\$1,852.50	TIRE DISPOSAL
LEAGUE OF HUMAN DIGNITY INC	\$1,834.20	PROFESSIONAL SVCS
FIRST WIRELESS INC	\$1,824.00	EQUIPMENT/PARTS
JONES AUTOMOTIVE	\$1,819.11	EQUIPMENT/PARTS
ALEGENT CREIGHTON HEALTH	\$1,764.63	PROFESSIONAL SVCS
DMG INC	\$1,600.00	ELECTRICAL REPAIR
DODGE BANK & CR CARD FEES	\$1,567.30	DODGE OPERATING EXPENSE
ROTO ROOTER	\$1,542.44	REPAIRS & MAINTENANCE
CUMMINS SALES & SERVICE	\$1,520.00	EQUIPMENT/PARTS
ACUSHNET COMPANY	\$1,431.80	DODGE OPERATING EXPENSE
LAWSON PRODUCTS INC	\$1,380.59	SUPPLIES
SWAGIT PRODUCTIONS LLC	\$1,375.00	PROFESSIONAL SVCS

W.W. GRAINGER, INC.	\$1,346.65	EQUIPMENT/PARTS
LOGMEIN USA INC	\$1,299.00	HARDWARE/SOFTWARE
HEARTLAND DOCUMENT SERVICES INC.	\$1,289.00	JANITORIAL SERVICE
BOUND TO STAY BOUND BOOKS INC	\$1,286.33	BOOKS/PERIODICALS/SUB
OCLC INC	\$1,255.86	SUBSCRIPTION
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$1,250.00	PAYROLL RELATED
CFI TIRE SERVICE	\$1,244.00	TIRE REPLACEMENT/REPAIR
HEARTLAND TIRES & TREADS INC	\$1,228.41	TIRE REPLACEMENT/REPAIR
PARAMOUNT GAS PRODUCTS LLC	\$1,200.00	SAFETY EQUIP & MAINTENANCE
MUNICIPAL PIPE TOOL CO LLC	\$1,187.17	EQUIPMENT/PARTS
ERRIN GUNDERSON	\$1,175.00	MOWING/GROUNDS MAINT
SECURITY EQUIPMENT INCORPORATED	\$1,174.00	ALARM SECURITY
MIOVISION TECHNOLOGIES INCORPORATED	\$1,151.76	EQUIPMENT/PARTS
UNDERGROUND LOCATION COMPANY	\$1,132.30	PROFESSIONAL SVCS
FACTORY MOTOR PARTS	\$1,109.00	EQUIPMENT/PARTS
DEMCO INC	\$1,084.84	SUPPLIES
METOLIS LLC	\$1,066.00	DODGE OPERATING EXPENSE
SOLARWINDS INC	\$1,058.00	HARDWARE/SOFTWARE
WEST PUBLISHING CORPORATION	\$1,035.33	SUBSCRIPTION
JOY DRYDEN INC.	\$1,008.00	SUPPLIES
SHERWIN WILLIAMS	\$1,005.30	SUPPLIES
THE PLAYERS CLUB	\$1,000.00	RENTAL EXPS
IOWA DEPT OF TRANSPORTATION	\$964.50	CONSULTANT
NEBRASKA AIR FILTER INC	\$912.48	SUPPLIES
PEERLESS WIPING CLOTH CO	\$900.00	SUPPLIES
MID AMERICAN ENERGY CO	\$889.84	RE PARKING GARAGE EXPENSE
SYSCO - LINCOLN	\$859.75	DODGE OPERATING EXPENSE
ION WAVE TECHNOLOGIES INC	\$825.00	HARDWARE/SOFTWARE
KONICA MINOLTA BUSINESS SOLUTIONS USA	\$812.00	LEASE
BGNE INC.	\$806.16	SUPPLIES
CREDIT MANAGEMENT, LP	\$797.30	COLLECTION FEE
SAFETY KLEEN SYSTEMS, INC	\$779.53	SERVICE LABOR
ALVARADO UPHOLSTERING	\$770.00	REPAIRS & MAINTENANCE
KAY H TURNER	\$770.00	HARDWARE/SOFTWARE
NMC INC.	\$766.89	EQUIPMENT/PARTS
STEVE E LOVETTE	\$752.00	REFUND
GARY K SHRUM	\$739.00	REFUND
CENTURYLINK	\$735.19	TELEPHONE
ODEYS INC	\$718.00	EQUIPMENT/PARTS
BARCO MUNICIPAL PRODUCTS INC	\$714.98	SUPPLIES
JOLENE JANDREAU	\$713.00	REFUND
DAVID C ANDERSEN	\$710.00	CONSTRUCTION
ENTERPRISE FM TRUST	\$699.88	RENTAL EXPS
CITY TREASURER	\$680.91	DODGE OPERATING EXPENSE
MAX I WALKER UNIFORM & APPAREL	\$680.24	UNIFORMS
TOMLINSON DANIEL LLC	\$678.00	PROPERTY ACQUISITION
MCMULLEN FORD INC	\$676.26	EQUIPMENT/PARTS
BLUFFS TAXI & COURIER	\$671.50	TRANSIT SERVICES
PROCESS PIPING SPECIALTIES INC	\$651.53	EQUIPMENT/PARTS
PASSPORT LABS INC	\$630.00	PARKING FEES
ECHO GROUP	\$613.00	SUPPLIES
FIREGUARD INC	\$609.31	RE PARKING GARAGE EXPENSE

JERRY KENNEDY	\$600.00	RENTAL EXPS
KMC PROPERTIES	\$575.00	RENTAL EXPS
ZIMCO SUPPLY CO	\$574.00	DODGE OPERATING EXPENSE
DLE FOUR WAY LC	\$558.00	PROPERTY ACQUISITION
DULTMEIER SALES LLC	\$553.00	SUPPLIES
JONES BARRELL CO.	\$549.75	SUPPLIES
UNITED CREDIT UNION	\$546.00	PROPERTY ACQUISITION
TOMASEK MACHINE SHOP INC	\$545.00	REPAIRS & MAINTENANCE
CARPENTER, NOAH P-BELINDA G	\$535.00	REFUND
CHRISTINE STEELE MAKE ART STUD	\$535.00	DODGE OPERATING EXPENSE
CHEMSEARCH FE	\$528.39	SUPPLIES
LIFE ASSIST INC	\$526.80	MEDICAL SUPPLIES
ROLLIN GREEN GRADING & SOD INC	\$525.00	DODGE OPERATING EXPENSE
IOWA DEPARTMENT OF REVENUE	\$520.85	PAYROLL RELATED
CHILD SUPPORT SERVICES DIVISION	\$514.32	PAYROLL RELATED
SOIL DYNAMICS COMPOSTING FARM INC	\$507.00	PROFESSIONAL SVCS
OMAHA MAGAZINE LTD	\$504.00	ADVERTISEMENT
ATHLETICO EXCEL NEBRASKA LLC	\$500.00	PROFESSIONAL SVCS
YMCA OF GREATER OMAHA	\$500.00	DUES/MEMBERSHIP
NEBRASKA CHILD SUPPORT PAYMENT CTR	\$496.62	PAYROLL RELATED
MID-AMERICA CLEANING SYSTEMS INC	\$490.85	EQUIPMENT/PARTS
JACK A FRASER	\$477.00	PROPERTY ACQUISITION
FELD FIRE	\$460.10	EQUIPMENT/PARTS
KELTEK, INCORPORATED	\$458.35	EQUIPMENT/PARTS
MACQUEEN EQUIPMENT, INC.	\$454.71	EQUIPMENT/PARTS
HOTSY EQUIPMENT COMPANY	\$450.84	REPAIRS & MAINTENANCE
TECH INC	\$450.71	SUPPLIES
BROOMERS INC	\$450.00	RE PARKING GARAGE EXPENSE
DAVID W WOODY	\$439.27	SUPPLIES
BUCK'S INC.	\$437.03	VEHICLE WASH
CERTIFIED POWER INC	\$422.85	EQUIPMENT/PARTS
2ND WIND EXERCISE EQUIPMENT INC	\$420.00	EQUIPMENT/PARTS
UNIVERSITY OF NEBRASKA AT OMAHA	\$405.00	TRAINING
TOYNE INC	\$396.24	EQUIPMENT/PARTS
CURT STRUTZ	\$395.00	PROFESSIONAL SVCS
HEARTLAND TOXICOLOGY	\$390.00	PROFESSIONAL SVCS
CAVENDISH SQUARE PUBLISHING LLC	\$355.86	BOOKS/PERIODICALS/SUB
IOWA DEPT OF REVENUE	\$355.00	MAC OPERATING EXPENSE
HEARTLAND CO-OP	\$350.00	FUEL
SCHINDLER ELEVATOR CORPORATION	\$350.00	REPAIRS & MAINTENANCE
J&M GOLF	\$348.63	DODGE OPERATING EXPENSE
C & J INDUSTRIAL SUPPLY	\$346.00	JANITORIAL SERVICE
BLACKSTONE AUDIO INC	\$334.05	BOOKS/PERIODICALS/SUB
SCALES SALES & SERVICE LLC	\$332.00	EQUIPMENT/PARTS
TVH PARTS CO	\$327.78	SUPPLIES
GRAYBAR ELECTRIC	\$320.93	SUPPLIES
FIREGUARD, INC.	\$314.50	EQUIPMENT/PARTS
GREATAMERICA FINANCIAL SERVICES CORP	\$312.93	LEASE
I-80 LIQUOR & TOBACCO	\$308.96	DODGE OPERATING EXPENSE
FIRESRING PRINT INC	\$305.08	PRINTING/BINDING
COUNCIL BLUFFS TREES FOREVER	\$300.00	MOWING/GROUNDS MAINT
FIRE DEPARTMENT TRAINING NETWORK	\$300.00	DUES/MEMBERSHIP

LYNN HAMMERMEISTER	\$300.00	REIMB EMPLOYEE EXPENSE
THE DURHAM MUSEUM	\$300.00	FEES
TRI MUTUAL AID FIRE FIGHTERS ASSOC	\$300.00	DUES/MEMBERSHIP
ALLIED ELECTRONICS INCORPORATED	\$297.83	SUPPLIES
OSAGE INDUSTRIES INC	\$292.04	EQUIPMENT/PARTS
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$280.00	PAYROLL RELATED
RLKM INC	\$277.20	REPAIRS & MAINTENANCE
APPLIED INDUSTRIAL TECHNOLOGIES INC	\$271.70	EQUIPMENT/PARTS
MICHAEL TODD AND COMPANY INC	\$258.00	EQUIPMENT/PARTS
OMAHA DOOR & WINDOW CO INC	\$253.75	REPAIRS & MAINTENANCE
KAYLA THOMPSON	\$250.00	REFUND
MERYL ENGEN	\$250.00	REFUND
DIAMOND MOWERS INC	\$247.64	REPAIRS & MAINTENANCE
CONTINENTAL FIRE SPRINKLER CO	\$241.95	PROFESSIONAL SVCS
AQUA-CHEM INCORPORATED	\$240.00	SUPPLIES
PURITAN MANUFACTURING INCORPORATED	\$235.00	SUPPLIES
VOICE & DATA SYSTEMS INC	\$228.00	TELEPHONE
THE WALMAN OPTICAL COMPANY	\$224.00	SAFETY EQUIP & MAINTENANCE
PROTECH COMMERCIAL VEHICLE OUTFITTERS INC	\$222.51	EQUIPMENT/PARTS
WASTE CONNECTIONS OF IOWA	\$222.50	DODGE OPERATING EXPENSE
MATHESON TRI GAS INC.	\$221.42	SUPPLIES
JAIME FRANCISQUEZ	\$208.00	REFUND
ROSE EQUIPMENT, LLC	\$205.26	EQUIPMENT/PARTS
CHAD LEWIS	\$200.00	PROFESSIONAL SVCS
DYLAN ROHDE	\$200.00	PROFESSIONAL SVCS
MIDWEST RESEARCH & SETTLEMENT SERVICES, GRP & ASSOCIATES	\$200.00	PROFESSIONAL SVCS
O'REILLY AUTOMOTIVE INC	\$197.00	SUPPLIES
O'KEEFE ELEVATOR CO INC	\$188.28	EQUIPMENT/PARTS
O'KEEFE ELEVATOR COMPANY INC	\$184.04	RE PARKING GARAGE EXPENSE
GENIE PEST CONTROL	\$180.54	PROFESSIONAL SVCS
OMAHA TRUCK CENTER COMPANY INC.	\$180.00	DODGE OPERATING EXPENSE
MENARD INC.	\$176.98	EQUIPMENT/PARTS
PARAMOUNT LINEN & UNIFORMS	\$173.88	SUPPLIES
JODI R QUAKENBUSH	\$168.69	DODGE OPERATING EXPENSE
JANICE MCELROY	\$154.10	REIMB EMPLOYEE EXPENSE
GENERAL FIRE & SAFETY EQUIPMENT COMPANY	\$151.01	REFUND
GREAT AMERICA FINANCIAL SERVICE	\$149.20	EQUIPMENT/PARTS
CANON SOLUTIONS AMERICA INC	\$143.42	DODGE OPERATING EXPENSE
MIDWEST MEDICAL & SAFETY INC	\$141.49	COPY/PRINTER MAINTANCE
LOGAN CONTRACTORS SUPPLY INC	\$135.85	MEDICAL SUPPLIES
PROV.16:3 INC	\$134.64	SUPPLIES
IOWA LAW ENFORCEMENT ACADEMY	\$128.93	SUPPLIES
MICHAEL M SALES	\$125.00	TRAINING
COX BUSINESS	\$125.00	PRINTING/BINDING
OMAHA SLINGS INCORPORATED	\$123.68	DODGE OPERATING EXPENSE
EDWARD JAMES BREWSTER JR	\$121.08	SUPPLIES
JEREMY RYAN SMITH	\$120.00	PROFESSIONAL SVCS
VANDER HAAG'S INCORPORATED	\$112.50	PROFESSIONAL SVCS
GENIE SERVICES LLC	\$110.38	EQUIPMENT/PARTS
WILLIAM E CARPENTER JR	\$110.00	PEST CONTROL
MECHANICAL SALES INC.	\$108.10	REIMB EMPLOYEE EXPENSE
	\$106.95	SUPPLIES

LORETTA GOESCHEL	\$105.23	REIMB EMPLOYEE EXPENSE
BILL'S WATER CONDITIONING	\$100.00	SUPPLIES
JEFFS CAR WASH	\$100.00	BUSINESS ASSISTANCE PROGRAM
M & R WELDING	\$100.00	WELDING SUPPLIES/SERVICE
R K LEWIS LLC	\$100.00	HARDWARE/SOFTWARE
ROBIN COUNTRYMAN	\$100.00	REFUND
ONE SOURCE THE BACKGROUND CHECK COMPANY	\$98.15	CONSULTANT
ANB SERVICE CHARGE	\$95.34	RE PARKING GARAGE EXPENSE
SAVANT CORPORATION	\$93.00	EQUIPMENT/PARTS
BOMGAARS SUPPLY INC	\$91.96	SUPPLIES
DONALD F ALDREDGE	\$87.87	REFUND
DATASHIELD CORPORATION	\$80.00	SERVICE LABOR
FASTENAL COMPANY	\$77.99	SUPPLIES
KELSEY BOCKEN	\$77.17	REIMB EMPLOYEE EXPENSE
FOSTER COACH SALES	\$72.06	EQUIPMENT/PARTS
CIVICPLUS	\$63.79	HARDWARE/SOFTWARE
HENDERSON PRODUCTS, INC	\$61.03	EQUIPMENT/PARTS
SPRINT SOLUTIONS INC	\$59.20	CELL PHONE
JESSIE KITE	\$56.00	REFUND
MIDSTATES BANK, NA	\$51.54	MAC OPERATING EXPENSE
MIDSTATES BANK, NA	\$50.00	BANK SERVICES
AMERICAN NATIONAL BANK	\$49.00	BANK SERVICES
BURLINGTON PUBLIC LIBRARY	\$45.00	BOOKS/PERIODICALS/SUB
IOWA DEPT OF AGRICULTURE & LAND	\$45.00	CONTRACT AGREEMENT
KELSIE FORRISTALL	\$43.74	REIMB EMPLOYEE EXPENSE
LINCOLN NATIONAL LIFE INS CO	\$40.07	DODGE OPERATING EXPENSE
JEFFREY T KOUBA	\$35.00	PROFESSIONAL SVCS
MUTUAL OF OMAHA	\$32.95	DODGE OPERATING EXPENSE
CHRISTINE D ANDERSON	\$31.63	REIMB EMPLOYEE EXPENSE
TED'S MOWER SALES & SERVICE INC	\$30.96	EQUIPMENT/PARTS
RICOH USA INC	\$30.70	LEASE
JEBRO INCORPORATED	\$30.00	EQUIPMENT/PARTS
TAMI JENSON	\$30.00	REIMB EMPLOYEE EXPENSE
UNITED PARCEL SERVICE	\$26.47	FREIGHT/POSTAGE
CENGAGE LEARNING INC	\$26.39	BOOKS/PERIODICALS/SUB
CENTER POINT LARGE PRINT	\$22.17	BOOKS/PERIODICALS/SUB
REGENT BOOK COMPANY	\$17.09	SUPPLIES
THOMAS RYAN	\$15.53	REIMB EMPLOYEE EXPENSE
UNION BANK & TRUST/OMNIFY	\$5.50	DODGE OPERATING EXPENSE
TOTAL	10,642,987.09	

City of Council Bluffs

**Receipts by Fund
For the Month of November FY21**

General Fund	5,575,282.26
Special Revenue	3,395,961.03
Debt Service	491,482.62
Capital Project	122,155.97
Enterprise	<u>1,405,132.53</u>
Total Receipts	<u><u>10,990,014.41</u></u>

**Expenditures by Fund
For the Month of November FY21**

General Fund	5,270,448.39
Special Revenue	502,498.93
Debt Service	957,812.31
Capital Project	3,281,318.89
Enterprise	<u>630,908.04</u>
Total Expenditures	<u><u>10,642,986.56</u></u>

Transfer from City Operating Accounts

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

Council Communication

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

Mayor's Appointments
ITEM 3.H.

Council Action: 2/8/2021

Description

Background/Discussion

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

Arena & Convention Center Commission

Appoint the following with term expiring 07/01/2024:

Brian Cadwallader
206 N Millard St
Council Bluffs, Iowa 51503

Municipal Housing Agency

Appoint the following with term expiring 07/31/2022:

Paula Hazlewood
22704 Beverly Hills
Council Bluffs, IA 51503

Qualifications:

The agency shall be composed of five members, who shall be appointed by the mayor, subject to the approval of and confirmation by the city council.

The candidate is not required to reside within city limits.

The candidate is required to work within the city.

Recommendation

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

CITY CLAIM NO. 21-PO-2093

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Jamie Song DAY PHONE: _____
ADDRESS: Co. Bluffs, IA 51503 DOB: _____

DATE & TIME OF LOSS/ACCIDENT: Dec 31st, 2019 @ approx between 3A-6A.

LOCATION OF LOSS/ACCIDENT: 38 Pearl St on the opposite street across from bluffs towers.

DESCRIPTION OF LOSS/ACCIDENT: Arrow's towing towed the car for parking in snow zone, snow towers. but there is no sign that where the car was parked was a zone area.

TOTAL DAMAGES CLAIMED: \$ 120.00 for tow, 20.00 uber to my apt & 20.00 to get to tow area. (USE BACK OF FORM, IF NECESSARY)

WITNESS(ES) (Name(s), Address(es), Phone No(s))
theresa watie (ride, driver)
Jim Mcloy - Bluffs

WAS POLICE REPORT FILED YES NO

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

HAVE YOU RESUMED NORMAL ACTIVITIES? YES NO

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

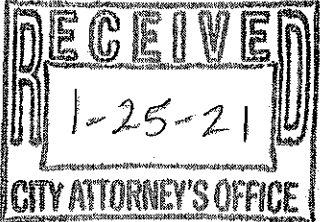
LIST INSURANCE PROVIDER AND COVERAGE: _____

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)

01-05-21
DATE

Jamie Song
CLAIMANT'S SIGNATURE



CLERK RCVD
26 JAN 21

Action by Council: _____
Receive & File: _____

PM 12:08

Date: 2.8.21

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

CITY CLAIM NO. 21-PW-2092

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Jim Kohl DAY PHONE: _____
ADDRESS: _____ DOB: _____

DATE & TIME OF LOSS/ACCIDENT: 12/19/20

LOCATION OF LOSS/ACCIDENT: 725 MARION AVE

DESCRIPTION OF LOSS/ACCIDENT: THE WATER SHUTOFF BOX WAS ORIGINALLY INSTALLED WAY TO CLOSE TO THE CURB (ABOUT 8 INCHES) People would drive over the curb and onto my shutoff pipe. The weight of the vehicle would push the pipe down, shearing off my waterline. (USE BACK OF FORM, IF NECESSARY)

TOTAL DAMAGES CLAIMED: \$ 1200.00

WITNESS(ES) (Name(s), Address(es), Phone No(s)) Billy S. at NORMS PUMPING 20418 Hacker Ln Council Bluffs, IA 51501

WAS POLICE REPORT FILED YES NO

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

HAVE YOU RESUMED NORMAL ACTIVITIES? YES NO

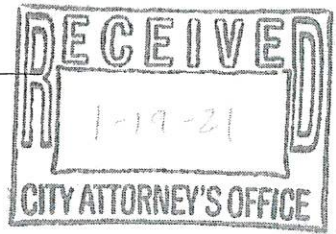
IF YOU INCURRED PROPERTY DAMAGE, PLEASE DESCRIBE AND PROVIDE COPIES OF ESTIMATES, INVOICES, PHOTOGRAPHS, AND ANY OTHER RELEVANT INFORMATION: See Attached

LIST INSURANCE PROVIDER AND COVERAGE: N/A

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

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

DATE 1-14-21



Jim Kohl
CLAIMANT'S SIGNATURE

CLERK RCVD
20 JAN '21
PM 1:55

Action by Council:
Receive & File:

Date: 2.8.21

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

CITY CLAIM NO. 21-PW-2094

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Alexia Greag DAY PHONE: _____
ADDRESS: Bluffs IA DOB: _____

DATE & TIME OF LOSS/ACCIDENT: Friday Dec. 24th 2020 @ 4-5am

LOCATION OF LOSS/ACCIDENT: 3450 Avenue E

DESCRIPTION OF LOSS/ACCIDENT: My car was parked on the side of the road a snow plow hit it, there is a giant scrape down my car with a dent. My mirror was also hit and shattered and is hanging. (USE BACK OF FORM, IF NECESSARY)

TOTAL DAMAGES CLAIMED: \$ _____

WITNESS(ES) (Name(s), Address(es), Phone No(s)) Travis Porter - neighbor # 15

WAS POLICE REPORT FILED YES NO

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

HAVE YOU RESUMED NORMAL ACTIVITIES? YES NO

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

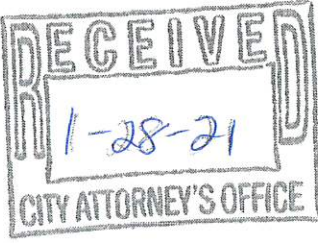
LIST INSURANCE PROVIDER AND COVERAGE: _____

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)

12/28/20
DATE

Alex Greag
CLAIMANT'S SIGNATURE



CLERK RCVD

28 JAN 21

PM 2:59

Action by Council:
Receive & File:

Date: 2.8.21

→ My neighbor got it on video. The guy that hit it got out of the snow plow and looked at the car and looked like he tried putting the mirror back on then drove away.

Council Communication

Department: Public Works Admin
Case/Project No.: BM21-02
Submitted by: Jeremy Noel, Public
Works Operations Manager

Resolution 21-32
ITEM 4.A.

Council Action: 2/8/2021

Description

Resolution approving the plans and specifications for the Mid-America Center Roof Replacement Project, Phase I. BM21-02

Background/Discussion

The Mid-America Center roof is approaching twenty years old. There have been several repairs made in recent years. There is concern that if the roof continues to leak, there could be structural damage and a potential for property damage within the building.

The 172,020 square foot roof will be replaced in several phases. Roof sections that show the most deterioration will get the highest priority. This first phase includes 31,245 square feet of roof area to be replaced.

The estimated construction cost for this project is \$455,400. The project was included in the FY21 CIP with funding from the General Fund.

The project schedule is as follows:	Hold Public Hearing	February 8, 2021
	Letting	February 25, 2021
	Award	March 8, 2021
	Construction End	June 18, 2021

Recommendation

Approval of this resolution. This phase of the project will replace the most deteriorated portions of the roof to reduce the potential for damage.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 21-32	Resolution	2/3/2021

**RESOLUTION
NO 21-32**

**RESOLUTION APPROVING THE
PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND COST ESTIMATE FOR THE
MID-AMERICA CENTER ROOF REPLACEMENT PROJECT, PHASE I
PROJECT #BM21-02**

WHEREAS, the plans, specifications, form of contract and cost estimate are on file in the office of the City Clerk of the City of Council Bluffs, Iowa, for the Mid-America Center Roof Replacement Project, Phase I; and

WHEREAS, a Notice of Public Hearing was published as required by law, and a public hearing was held on January 25, 2021.

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

That the plans, specifications, form of contract, and cost estimate are hereby approved for the Mid-America Center Roof Replacement Project, Phase I and the City is hereby authorized to advertise for bids for said project.

ADOPTED
AND
APPROVED

February 8, 2021

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Finance

Case/Project No.:

Submitted by: Finance Department /

Kathy Knott

Resolution 21-33

ITEM 4.B.

Council Action: 2/8/2021

Description

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$4,400,000 General Obligation Bonds, Series 2021 (Essential Corporate Purpose).

Background/Discussion

Issuance of not to exceed \$4,400,000 General Obligation Bonds in order to provide funds to pay the costs of;

- a) The opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys and public grounds, and market places, and the removal and replacement of dead or diseased trees thereon; the construction, reconstruction, and repairing of any street improvements, bridges, grade crossing separations and approaches; the acquisition, installation, and repair of sidewalks, and pedestrian underpasses and overpasses, culverts, retaining walls, storm sewers, sanitary sewers, water service lines, street lighting, and traffic control devices; and the acquisition of any real estate needed for any of the foregoing purposes;
- b) The acquisition, construction, reconstruction, and improvement of real and personal property, useful for the reclamation of property situated within the corporate limits of cities from floods or high waters, including the construction of levees, embankments, structures, impounding reservoirs, or conduits, and the development and beautification of the banks and other areas adjacent to flood control improvements;
- c) The acquisition, construction, reconstruction, improvement, repair, and equipping of waterworks, water mains, and extensions, and real and personal property, useful for providing potable water to residents of the city;
- d) The rehabilitation and improvement of parks already owned, and facilities, equipment, and improvements commonly found in city parks; and
- e) The acquisition, restoration, or demolition of abandoned, dilapidated, or dangerous buildings, structures or properties or the abatement of a nuisance;

for essential corporate purposes, and that notice of the proposal to issue the Bonds had been published as provided by Section 384.25 of the Code of Iowa.

Recommendation

This is Step 3 of the General Obligation Bonding process, which is to conduct public hearings to approve the bond purposes by project outlined in the FY22-FY26 CIP. It is in the best interest of the City to continue to move forward in the process of proposing the issuance of General Obligation Bonds to satisfy the funding requirements for capital improvement projects for FY22.

ATTACHMENTS:

Description	Type	Upload Date
GO Bond Process	Other	1/29/2021
Bond Purpose Recap	Other	1/29/2021
Resolution 21--33	Resolution	2/3/2021

City of Council Bluffs

GO Bonding Process

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

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

Step 2 – Set public hearing for bond purposes

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

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

Step 4 – Reimbursement resolution

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

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

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

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

Step 8 – Sale of Bonds public hearing

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

**City of Council Bluffs
2021 Bond Hearing Supplemental Information**

Essential Corporate Purpose Reso 21-3 (not to exceed \$4,400,000)			
Total Purpose		\$4,228,989	
FIRST AVE Program	CD-22-01		\$1,750,000
River's Edge Water Main Upgrade	CD-22-04		\$2,250,000
Chochran Park Playground Replacement	PR-22-05		\$200,000
Park monument sign replacement	PR-22-07		\$28,989
General Corporate Purpose Reso 21-4 (not to exceed \$700,000)			
Total Purpose		\$700,000	
IT Safety and Security	IT-22-01		\$60,000
IT Infrastructure and Services	IT-22-02		\$325,000
IT Mobile Technologies	IT-22-03		\$50,000
IT Software Licensing	IT-22-04		\$265,000
General Corporate Purpose Reso 21-5 (not to exceed \$700,000)			
Total Purpose		\$450,000	
Fire Station #2 Window Replacement	BM-22-04		\$200,000
City Wide Parking Lot Upgrades	PR-22-01		\$250,000
General Corporate Purpose Reso 21-6 (not to exceed \$700,000)			
Total Purpose		\$496,011	
Valley View Park dog park	PR-22-12		\$90,000
City County Connector Trail	PR-22-15		\$129,200
Eastern Hills Neighborhood Park	PR-22-16		\$276,811
General Corporate Purpose Reso 21-7 (not to exceed \$700,000)			
Total Purpose		\$575,000	
MAC Parking Lot Rehab - Ph III	BM-22-01		\$575,000
General Corporate Purpose Reso 21-8 (not to exceed \$700,000)			
Total Purpose		\$550,000	
MAC Roof Replacement - Ph II	BM-22-02		\$550,000
		Total CIP Projects	\$ 7,000,000
		Total Refunding	-
		Total GO Bond Funding	\$ 7,000,000

RESOLUTION 21-33
ITEMS TO INCLUDE ON AGENDA
CITY OF COUNCIL BLUFFS, IOWA

Not to exceed \$4,400,000 General Obligation Bonds (ECP-1)

- Public hearing on the issuance.
- Resolution instituting proceedings to take additional action.

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

February 8, 2021

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

Absent: _____

Vacant: _____

* * * * *

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the issuance of not to exceed \$4,400,000 General Obligation Bonds, in order to provide funds to pay the costs of:

- a) The opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys and public grounds, and market places, and the removal and replacement of dead or diseased trees thereon; the construction, reconstruction, and repairing of any street improvements, bridges, grade crossing separations and approaches; the acquisition, installation, and repair of sidewalks, and pedestrian underpasses and overpasses, culverts, retaining walls, storm sewers, sanitary sewers, water service lines, street lighting, and traffic control devices; and the acquisition of any real estate needed for any of the foregoing purposes;
- b) The acquisition, construction, reconstruction, and improvement of real and personal property, useful for the reclamation of property situated within the corporate limits of cities from floods or high waters, including the construction of levees, embankments, structures, impounding reservoirs, or conduits, and the development and beautification of the banks and other areas adjacent to flood control improvements;
- c) The acquisition, construction, reconstruction, improvement, repair, and equipping of waterworks, water mains, and extensions, and real and personal property, useful for providing potable water to residents of the city;
- d) The rehabilitation and improvement of parks already owned, and facilities, equipment, and improvements commonly found in city parks; and
- e) The acquisition, restoration, or demolition of abandoned, dilapidated, or dangerous buildings, structures or properties or the abatement of a nuisance;

for essential corporate purposes, and that notice of the proposal to issue the Bonds had been published as provided by Section 384.25 of the Code of Iowa.

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

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

Whereupon, the Mayor declared the hearing on the issuance of the Bonds to be closed.

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

Whereupon, Council Member _____ introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$4,400,000 GENERAL OBLIGATION BONDS (ECP-1)", and moved:

- that the Resolution be adopted.
- to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the issuance of bonds to the meeting to be held at _____ .M. on the _____ day of _____, 2021, at this place.

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

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

Resolution 21-33

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$4,400,000 GENERAL OBLIGATION BONDS (ECP-1)

WHEREAS, pursuant to notice published as required by law, the City Council has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of not to exceed \$4,400,000 General Obligation Bonds, for the essential corporate purposes, in order to provide funds to pay the costs of:

- a) The opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys and public grounds, and market places, and the removal and replacement of dead or diseased trees thereon; the construction, reconstruction, and repairing of any street improvements, bridges, grade crossing separations and approaches; the acquisition, installation, and repair of sidewalks, and pedestrian underpasses and overpasses, culverts, retaining walls, storm sewers, sanitary sewers, water service lines, street lighting, and traffic control devices; and the acquisition of any real estate needed for any of the foregoing purposes;

- b) The acquisition, construction, reconstruction, and improvement of real and personal property, useful for the reclamation of property situated within the corporate limits of cities from floods or high waters, including the construction of levees, embankments, structures, impounding reservoirs, or conduits, and the development and beautification of the banks and other areas adjacent to flood control improvements;
- c) The acquisition, construction, reconstruction, improvement, repair, and equipping of waterworks, water mains, and extensions, and real and personal property, useful for providing potable water to residents of the city;
- d) The rehabilitation and improvement of parks already owned, and facilities, equipment, and improvements commonly found in city parks; and
- e) The acquisition, restoration, or demolition of abandoned, dilapidated, or dangerous buildings, structures or properties or the abatement of a nuisance;

and has considered the extent of objections received from residents or property owners as to the proposed issuance of Bonds; and following action is now considered to be in the best interests of the City and residents thereof.

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

Section 1. That this Council does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$4,400,000 General Obligation Bonds, for the foregoing essential corporate purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Bonds. The amounts so advanced shall be reimbursed from the proceeds of the Bonds not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 8th day of February, 2021.

Mayor

ATTEST:

City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

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

WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2021.

City Clerk, City of Council Bluffs, State of Iowa

(SEAL)

Council Communication

Department: Finance

Case/Project No.:

Submitted by: Finance Department /

Kathy Knott

Resolution 21-34

ITEM 4.C.

Council Action: 2/8/2021

Description

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$700,000 General Obligation Bonds, Series 2021 (General Corporate Purpose).

Background/Discussion

Issuance of not to exceed \$700,000 General Obligation Bonds, in order to provide funds to pay the costs of;

a)The acquisition, construction, reconstruction, enlargement, improvement, and equipping, including information technology hardware and software, of city buildings

for general corporate purposes, and that notice of the proposal to issue the Bonds and the right to petition for an election had been published as provided by Section 384.26 of the Code of Iowa.

Recommendation

This is Step 3 of the General Obligation Bonding process, which is to conduct public hearings to approve the bond purposes by project outlined in the FY22-FY26 CIP. It is in the best interest of the City to continue to move forward in the process of proposing the issuance of General Obligation Bonds to satisfy the funding requirements for capital improvement projects for FY22.

ATTACHMENTS:

Description	Type	Upload Date
GO Bond Process	Other	1/29/2021
Bond Purpose Recap	Other	1/29/2021
Resolution 21-34	Resolution	2/3/2021

City of Council Bluffs

GO Bonding Process

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

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

Step 2 – Set public hearing for bond purposes

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

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

Step 4 – Reimbursement resolution

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

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

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

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

Step 8 – Sale of Bonds public hearing

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

**City of Council Bluffs
2021 Bond Hearing Supplemental Information**

Essential Corporate Purpose Reso 21-3 (not to exceed \$4,400,000)			
Total Purpose		\$4,228,989	
FIRST AVE Program	CD-22-01		\$1,750,000
River's Edge Water Main Upgrade	CD-22-04		\$2,250,000
Chochran Park Playground Replacement	PR-22-05		\$200,000
Park monument sign replacement	PR-22-07		\$28,989
General Corporate Purpose Reso 21-4 (not to exceed \$700,000)			
Total Purpose		\$700,000	
IT Safety and Security	IT-22-01		\$60,000
IT Infrastructure and Services	IT-22-02		\$325,000
IT Mobile Technologies	IT-22-03		\$50,000
IT Software Licensing	IT-22-04		\$265,000
General Corporate Purpose Reso 21-5 (not to exceed \$700,000)			
Total Purpose		\$450,000	
Fire Station #2 Window Replacement	BM-22-04		\$200,000
City Wide Parking Lot Upgrades	PR-22-01		\$250,000
General Corporate Purpose Reso 21-6 (not to exceed \$700,000)			
Total Purpose		\$496,011	
Valley View Park dog park	PR-22-12		\$90,000
City County Connector Trail	PR-22-15		\$129,200
Eastern Hills Neighborhood Park	PR-22-16		\$276,811
General Corporate Purpose Reso 21-7 (not to exceed \$700,000)			
Total Purpose		\$575,000	
MAC Parking Lot Rehab - Ph III	BM-22-01		\$575,000
General Corporate Purpose Reso 21-8 (not to exceed \$700,000)			
Total Purpose		\$550,000	
MAC Roof Replacement - Ph II	BM-22-02		\$550,000
		Total CIP Projects	\$ 7,000,000
		Total Refunding	-
		Total GO Bond Funding	\$ 7,000,000

RESOLUTION 21-34
ITEMS TO INCLUDE ON AGENDA
CITY OF COUNCIL BLUFFS, IOWA

Not to exceed \$700,000 General Obligation Bonds (GCP-2)

- Public hearing on the issuance.
- Resolution instituting proceedings to take additional action.

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

February 8, 2021

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

Absent: _____

Vacant: _____

* * * * *

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the issuance of not to exceed \$700,000 General Obligation Bonds, in order to provide funds to pay the costs of the acquisition, construction, reconstruction, enlargement, improvement, and equipping, including information technology hardware and software, of city buildings, for general corporate purposes, and that notice of the proposal to issue the Bonds and the right to petition for an election had been published as provided by Section 384.26 of the Code of Iowa, and the Mayor then asked the City Clerk whether any petition had been filed in the Clerk's Office, in the manner provided by Section 362.4 of the Code of Iowa, and the Clerk reported that no such petition had been filed, requesting that the question of issuing the Bonds be submitted to the qualified electors of the City.

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

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

Whereupon, the Mayor declared the hearing on the issuance of the Bonds to be closed.

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

Whereupon, Council Member _____ introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION BONDS (GCP-2)", and moved:

- that the Resolution be adopted.
- to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the issuance of bonds to the meeting to be held at _____ .M. on the _____ day of _____, 2021, at this place.

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

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

Resolution 21-34

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$700,000 GENERAL OBLIGATION BONDS (GCP-2)

WHEREAS, pursuant to notice published as required by law, the City Council has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of not to exceed \$700,000 General Obligation Bonds, for the general corporate purposes, in order to provide funds to pay the costs of the acquisition, construction, reconstruction, enlargement, improvement, and equipping, including information technology hardware and software, of city buildings, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Bonds; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the City and residents thereof.

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

Section 1. That this Council does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$700,000 General Obligation Bonds, for the foregoing general corporate purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Bonds. The amounts so advanced shall be reimbursed from the proceeds of the Bonds not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 8th day of February, 2021.

Mayor

ATTEST:

City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

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

WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2021.

City Clerk, City of Council Bluffs, State of Iowa

(SEAL)

Council Communication

Department: Finance

Case/Project No.:

Submitted by: Finance Department /

Kathy Knott

Resolution 21-35

ITEM 4.D.

Council Action: 2/8/2021

Description

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$700,000 General Obligation Bonds, Series 2021 (General Corporate Purpose).

Background/Discussion

Issuance of not to exceed \$700,000 General Obligation Bonds, in order to provide funds to pay the costs of:

- a) The acquisition, construction, reconstruction, enlargement, improvement, and equipping of city halls, jails, police stations, fire stations, garages, libraries, and hospitals, including buildings to be used for any combination of the foregoing purposes, and the acquisition of real estate therefor;
- b) The acquisition, construction, reconstruction, extension, improvement, and equipping of city utilities, city enterprises, and public improvements as defined in section 384.37, other than those which are essential corporate purposes, including parking lot improvements at Westwood, Pirate Cove; and
- c) The acquisition, construction, reconstruction, enlargement, improvement, and equipping of community center houses, recreation grounds, recreation buildings, juvenile playgrounds, swimming pools, recreation centers, parks, and golf courses, and the acquisition of real estate therefor, including parking lot improvements;

for general corporate purposes, and that notice of the proposal to issue the Bonds and the right to petition for an election had been published as provided by Section 384.26 of the Code of Iowa.

Recommendation

This is Step 3 of the General Obligation Bonding process, which is to conduct public hearings to approve the bond purposes by project outlined in the FY22-FY26 CIP. It is in the best interest of the City to continue to move forward in the process of proposing the issuance of General Obligation Bonds to satisfy the funding requirements for capital improvement projects for FY22.

ATTACHMENTS:

Description	Type	Upload Date
GO Bond Process	Other	1/29/2021
Bond Purpose Recap	Other	1/29/2021
Resolution 21-35	Resolution	2/3/2021

City of Council Bluffs

GO Bonding Process

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

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

Step 2 – Set public hearing for bond purposes

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

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

Step 4 – Reimbursement resolution

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

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

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

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

Step 8 – Sale of Bonds public hearing

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

**City of Council Bluffs
2021 Bond Hearing Supplemental Information**

Essential Corporate Purpose Reso 21-3 (not to exceed \$4,400,000)			
Total Purpose		\$4,228,989	
FIRST AVE Program	CD-22-01		\$1,750,000
River's Edge Water Main Upgrade	CD-22-04		\$2,250,000
Chochran Park Playground Replacement	PR-22-05		\$200,000
Park monument sign replacement	PR-22-07		\$28,989
General Corporate Purpose Reso 21-4 (not to exceed \$700,000)			
Total Purpose		\$700,000	
IT Safety and Security	IT-22-01		\$60,000
IT Infrastructure and Services	IT-22-02		\$325,000
IT Mobile Technologies	IT-22-03		\$50,000
IT Software Licensing	IT-22-04		\$265,000
General Corporate Purpose Reso 21-5 (not to exceed \$700,000)			
Total Purpose		\$450,000	
Fire Station #2 Window Replacement	BM-22-04		\$200,000
City Wide Parking Lot Upgrades	PR-22-01		\$250,000
General Corporate Purpose Reso 21-6 (not to exceed \$700,000)			
Total Purpose		\$496,011	
Valley View Park dog park	PR-22-12		\$90,000
City County Connector Trail	PR-22-15		\$129,200
Eastern Hills Neighborhood Park	PR-22-16		\$276,811
General Corporate Purpose Reso 21-7 (not to exceed \$700,000)			
Total Purpose		\$575,000	
MAC Parking Lot Rehab - Ph III	BM-22-01		\$575,000
General Corporate Purpose Reso 21-8 (not to exceed \$700,000)			
Total Purpose		\$550,000	
MAC Roof Replacement - Ph II	BM-22-02		\$550,000
		Total CIP Projects	\$ 7,000,000
		Total Refunding	-
		Total GO Bond Funding	\$ 7,000,000

RESOLUTION 21-35
ITEMS TO INCLUDE ON AGENDA
CITY OF COUNCIL BLUFFS, IOWA

Not to exceed \$700,000 General Obligation Bonds (GCP-3)

- Public hearing on the issuance.
- Resolution instituting proceedings to take additional action.

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

February 8, 2021

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

Absent: _____

Vacant: _____

* * * * *

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the issuance of not to exceed \$700,000 General Obligation Bonds, in order to provide funds to pay the costs of:

- a) The acquisition, construction, reconstruction, enlargement, improvement, and equipping of city halls, jails, police stations, fire stations, garages, libraries, and hospitals, including buildings to be used for any combination of the foregoing purposes, and the acquisition of real estate therefor;
- b) The acquisition, construction, reconstruction, extension, improvement, and equipping of city utilities, city enterprises, and public improvements as defined in section 384.37, other than those which are essential corporate purposes, including parking lot improvements at Westwood, Pirate Cove; and
- c) The acquisition, construction, reconstruction, enlargement, improvement, and equipping of community center houses, recreation grounds, recreation buildings, juvenile playgrounds, swimming pools, recreation centers, parks, and golf courses, and the acquisition of real estate therefor, including parking lot improvements;

for general corporate purposes, and that notice of the proposal to issue the Bonds and the right to petition for an election had been published as provided by Section 384.26 of the Code of Iowa, and the Mayor then asked the City Clerk whether any petition had been filed in the Clerk's Office, in the manner provided by Section 362.4 of the Code of Iowa, and the Clerk reported that no such petition had been filed, requesting that the question of issuing the Bonds be submitted to the qualified electors of the City.

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

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

Whereupon, the Mayor declared the hearing on the issuance of the Bonds to be closed.

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

Whereupon, Council Member _____ introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION BONDS (GCP-3)", and moved:

- that the Resolution be adopted.
- to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the issuance of bonds to the meeting to be held at _____ .M. on the _____ day of _____, 2021, at this place.

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

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

Resolution 21-35

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$700,000 GENERAL OBLIGATION BONDS (GCP-3)

WHEREAS, pursuant to notice published as required by law, the City Council has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of not to exceed \$700,000 General Obligation Bonds, for the general corporate purposes, in order to provide funds to pay the costs of:

- a) The acquisition, construction, reconstruction, enlargement, improvement, and equipping of city halls, jails, police stations, fire stations, garages, libraries, and hospitals, including buildings to be used for any combination of the foregoing purposes, and the acquisition of real estate therefor;
- b) The acquisition, construction, reconstruction, extension, improvement, and equipping of city utilities, city enterprises, and public improvements as defined in section

384.37, other than those which are essential corporate purposes, including parking lot improvements at Westwood, Pirate Cove; and

c) The acquisition, construction, reconstruction, enlargement, improvement, and equipping of community center houses, recreation grounds, recreation buildings, juvenile playgrounds, swimming pools, recreation centers, parks, and golf courses, and the acquisition of real estate therefor, including parking lot improvements;

and has considered the extent of objections received from residents or property owners as to the proposed issuance of Bonds; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the City and residents thereof.

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

Section 1. That this Council does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$700,000 General Obligation Bonds, for the foregoing general corporate purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Bonds. The amounts so advanced shall be reimbursed from the proceeds of the Bonds not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 8th day of February, 2021.

Mayor

ATTEST:

City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

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

WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2021.

City Clerk, City of Council Bluffs, State of Iowa

(SEAL)

01821105-1\10342-163

Council Communication

Department: Finance

Case/Project No.:

Submitted by: Finance Department /

Kathy Knott

Resolution 21-36

ITEM 4.E.

Council Action: 2/8/2021

Description

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$700,000 General Obligation Bonds, Series 2021 (General Corporate Purpose).

Background/Discussion

Issuance of not to exceed \$700,000 General Obligation Bonds, in order to provide funds to pay the costs of;

a) The acquisition, construction, reconstruction, enlargement, improvement, and equipping of community center houses, recreation grounds, recreation buildings, juvenile playgrounds, swimming pools, recreation centers, parks, and golf courses, and the acquisition of real estate therefor, including recreational grounds and trails, and the new Eastern Hills Neighborhood Park and Valley View dog park

for general corporate purposes, and that notice of the proposal to issue the Bonds and the right to petition for an election had been published as provided by Section 384.26 of the Code of Iowa.

Recommendation

This is Step 3 of the General Obligation Bonding process, which is to conduct public hearings to approve the bond purposes by project outlined in the FY22-FY26 CIP. It is in the best interest of the City to continue to move forward in the process of proposing the issuance of General Obligation Bonds to satisfy the funding requirements for capital improvement projects for FY22.

ATTACHMENTS:

Description	Type	Upload Date
GO Bond Process	Other	1/29/2021
Bond Purpose Recap	Other	1/29/2021
Resolution 21-36	Resolution	2/3/2021

City of Council Bluffs

GO Bonding Process

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

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

Step 2 – Set public hearing for bond purposes

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

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

Step 4 – Reimbursement resolution

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

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

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

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

Step 8 – Sale of Bonds public hearing

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

**City of Council Bluffs
2021 Bond Hearing Supplemental Information**

Essential Corporate Purpose Reso 21-3 (not to exceed \$4,400,000)			
Total Purpose		\$4,228,989	
FIRST AVE Program	CD-22-01		\$1,750,000
River's Edge Water Main Upgrade	CD-22-04		\$2,250,000
Chochran Park Playground Replacement	PR-22-05		\$200,000
Park monument sign replacement	PR-22-07		\$28,989
General Corporate Purpose Reso 21-4 (not to exceed \$700,000)			
Total Purpose		\$700,000	
IT Safety and Security	IT-22-01		\$60,000
IT Infrastructure and Services	IT-22-02		\$325,000
IT Mobile Technologies	IT-22-03		\$50,000
IT Software Licensing	IT-22-04		\$265,000
General Corporate Purpose Reso 21-5 (not to exceed \$700,000)			
Total Purpose		\$450,000	
Fire Station #2 Window Replacement	BM-22-04		\$200,000
City Wide Parking Lot Upgrades	PR-22-01		\$250,000
General Corporate Purpose Reso 21-6 (not to exceed \$700,000)			
Total Purpose		\$496,011	
Valley View Park dog park	PR-22-12		\$90,000
City County Connector Trail	PR-22-15		\$129,200
Eastern Hills Neighborhood Park	PR-22-16		\$276,811
General Corporate Purpose Reso 21-7 (not to exceed \$700,000)			
Total Purpose		\$575,000	
MAC Parking Lot Rehab - Ph III	BM-22-01		\$575,000
General Corporate Purpose Reso 21-8 (not to exceed \$700,000)			
Total Purpose		\$550,000	
MAC Roof Replacement - Ph II	BM-22-02		\$550,000
		Total CIP Projects	\$ 7,000,000
		Total Refunding	-
		Total GO Bond Funding	\$ 7,000,000

RESOLUTION 21-36
ITEMS TO INCLUDE ON AGENDA
CITY OF COUNCIL BLUFFS, IOWA

Not to exceed \$700,000 General Obligation Bonds (GCP-4)

- Public hearing on the issuance.
- Resolution instituting proceedings to take additional action.

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

February 8, 2021

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

Absent: _____

Vacant: _____

* * * * *

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the issuance of not to exceed \$700,000 General Obligation Bonds, in order to provide funds to pay the costs of the acquisition, construction, reconstruction, enlargement, improvement, and equipping of community center houses, recreation grounds, recreation buildings, juvenile playgrounds, swimming pools, recreation centers, parks, and golf courses, and the acquisition of real estate therefor, including recreational grounds and trails, and the new Eastern Hills Neighborhood Park and Valley View dog park, for general corporate purposes, and that notice of the proposal to issue the Bonds and the right to petition for an election had been published as provided by Section 384.26 of the Code of Iowa, and the Mayor then asked the City Clerk whether any petition had been filed in the Clerk's Office, in the manner provided by Section 362.4 of the Code of Iowa, and the Clerk reported that no such petition had been filed, requesting that the question of issuing the Bonds be submitted to the qualified electors of the City.

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

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

Whereupon, the Mayor declared the hearing on the issuance of the Bonds to be closed.

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

Whereupon, Council Member _____ introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION BONDS (GCP-4)", and moved:

- that the Resolution be adopted.
- to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the issuance of bonds to the meeting to be held at _____ .M. on the _____ day of _____, 2021, at this place.

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

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

Resolution 21-36

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$700,000 GENERAL OBLIGATION BONDS (GCP-4)

WHEREAS, pursuant to notice published as required by law, the City Council has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of not to exceed \$700,000 General Obligation Bonds, for the general corporate purposes, in order to provide funds to pay the costs of the acquisition, construction, reconstruction, enlargement, improvement, and equipping of community center houses, recreation grounds, recreation buildings, juvenile playgrounds, swimming pools, recreation centers, parks, and golf courses, and the acquisition of real estate therefor, including recreational grounds and trails, and the new Eastern Hills Neighborhood Park and Valley View dog park, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Bonds; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the City and residents thereof.

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

Section 1. That this Council does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$700,000 General Obligation Bonds, for the foregoing general corporate purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Bonds. The amounts so advanced shall be reimbursed from the proceeds of the Bonds not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 8th day of February, 2021.

Mayor

ATTEST:

City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

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

WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2021.

City Clerk, City of Council Bluffs, State of Iowa

(SEAL)

01821107-1\10342-163

Council Communication

Department: Finance

Case/Project No.:

Submitted by: Finance Department /

Kathy Knott

Resolution 21-37

ITEM 4.F.

Council Action: 2/8/2021

Description

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$700,000 General Obligation Bonds, Series 2021 (General Corporate Purpose).

Background/Discussion

Issuance of not to exceed \$700,000 General Obligation Bonds, in order to provide funds to pay the costs of;

a) The acquisition, construction, reconstruction, extension, improvement, and equipping of city utilities, city enterprises, and public improvements as defined in section 384.37, other than those which are essential corporate purposes, including parking lot improvements at the Mid-America Center convention center

for general corporate purposes, and that notice of the proposal to issue the Bonds and the right to petition for an election had been published as provided by Section 384.26 of the Code of Iowa.

Recommendation

This is Step 3 of the General Obligation Bonding process, which is to conduct public hearings to approve the bond purposes by project outlined in the FY22-FY26 CIP. It is in the best interest of the City to continue to move forward in the process of proposing the issuance of General Obligation Bonds to satisfy the funding requirements for capital improvement projects for FY22.

ATTACHMENTS:

Description	Type	Upload Date
GO Bond Process	Other	1/29/2021
Bond Purpose Recap	Other	1/29/2021
Resolution 21-37	Resolution	2/3/2021

City of Council Bluffs

GO Bonding Process

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

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

Step 2 – Set public hearing for bond purposes

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

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

Step 4 – Reimbursement resolution

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

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

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

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

Step 8 – Sale of Bonds public hearing

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

**City of Council Bluffs
2021 Bond Hearing Supplemental Information**

Essential Corporate Purpose Reso 21-3 (not to exceed \$4,400,000)			
Total Purpose		\$4,228,989	
FIRST AVE Program	CD-22-01		\$1,750,000
River's Edge Water Main Upgrade	CD-22-04		\$2,250,000
Chochran Park Playground Replacement	PR-22-05		\$200,000
Park monument sign replacement	PR-22-07		\$28,989
General Corporate Purpose Reso 21-4 (not to exceed \$700,000)			
Total Purpose		\$700,000	
IT Safety and Security	IT-22-01		\$60,000
IT Infrastructure and Services	IT-22-02		\$325,000
IT Mobile Technologies	IT-22-03		\$50,000
IT Software Licensing	IT-22-04		\$265,000
General Corporate Purpose Reso 21-5 (not to exceed \$700,000)			
Total Purpose		\$450,000	
Fire Station #2 Window Replacement	BM-22-04		\$200,000
City Wide Parking Lot Upgrades	PR-22-01		\$250,000
General Corporate Purpose Reso 21-6 (not to exceed \$700,000)			
Total Purpose		\$496,011	
Valley View Park dog park	PR-22-12		\$90,000
City County Connector Trail	PR-22-15		\$129,200
Eastern Hills Neighborhood Park	PR-22-16		\$276,811
General Corporate Purpose Reso 21-7 (not to exceed \$700,000)			
Total Purpose		\$575,000	
MAC Parking Lot Rehab - Ph III	BM-22-01		\$575,000
General Corporate Purpose Reso 21-8 (not to exceed \$700,000)			
Total Purpose		\$550,000	
MAC Roof Replacement - Ph II	BM-22-02		\$550,000
		Total CIP Projects	\$ 7,000,000
		Total Refunding	-
		Total GO Bond Funding	\$ 7,000,000

RESOLUTION 21-37
ITEMS TO INCLUDE ON AGENDA
CITY OF COUNCIL BLUFFS, IOWA

Not to exceed \$700,000 General Obligation Bonds (GCP-5)

- Public hearing on the issuance.
- Resolution instituting proceedings to take additional action.

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

February 8, 2021

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

Absent: _____

Vacant: _____

* * * * *

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the issuance of not to exceed \$700,000 General Obligation Bonds, in order to provide funds to pay the costs of the acquisition, construction, reconstruction, extension, improvement, and equipping of city utilities, city enterprises, and public improvements as defined in section 384.37, other than those which are essential corporate purposes, including parking lot improvements at the Mid-America Center convention center, for general corporate purposes, and that notice of the proposal to issue the Bonds and the right to petition for an election had been published as provided by Section 384.26 of the Code of Iowa, and the Mayor then asked the City Clerk whether any petition had been filed in the Clerk's Office, in the manner provided by Section 362.4 of the Code of Iowa, and the Clerk reported that no such petition had been filed, requesting that the question of issuing the Bonds be submitted to the qualified electors of the City.

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

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

Whereupon, the Mayor declared the hearing on the issuance of the Bonds to be closed.

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

Whereupon, Council Member _____ introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION BONDS (GCP-5)", and moved:

- that the Resolution be adopted.
- to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the issuance of bonds to the meeting to be held at _____ .M. on the _____ day of _____, 2021, at this place.

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

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

Resolution 21-37

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$700,000 GENERAL OBLIGATION BONDS (GCP-5)

WHEREAS, pursuant to notice published as required by law, the City Council has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of not to exceed \$700,000 General Obligation Bonds, for the general corporate purposes, in order to provide funds to pay the costs of the acquisition, construction, reconstruction, extension, improvement, and equipping of city utilities, city enterprises, and public improvements as defined in section 384.37, other than those which are essential corporate purposes, including parking lot improvements at the Mid-America Center convention center, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Bonds; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the City and residents thereof.

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

Section 1. That this Council does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$700,000 General Obligation Bonds, for the foregoing general corporate purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Bonds. The amounts so advanced shall be reimbursed from the proceeds of the Bonds not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 8th day of February, 2021.

Mayor

ATTEST:

City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

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

WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2021.

City Clerk, City of Council Bluffs, State of Iowa

(SEAL)

01821110-1\10342-163

Council Communication

Department: Finance

Case/Project No.:

Submitted by: Finance Department /

Kathy Knott

Resolution 21-38

ITEM 4.G.

Council Action: 2/8/2021

Description

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$700,000 General Obligation Bonds, Series 2021 (General Corporate Purpose).

Background/Discussion

Issuance of not to exceed \$700,000 General Obligation Bonds, in order to provide funds to pay the costs of;

a) The acquisition, construction, reconstruction, extension, improvement, and equipping of city utilities, city enterprises, and public improvements as defined in section 384.37, other than those which are essential corporate purposes, including roof repairs and replacements at the Mid-America Center convention center

for general corporate purposes, and that notice of the proposal to issue the Bonds and the right to petition for an election had been published as provided by Section 384.26 of the Code of Iowa.

Recommendation

This is Step 3 of the General Obligation Bonding process, which is to conduct public hearings to approve the bond purposes by project outlined in the FY22-FY26 CIP. It is in the best interest of the City to continue to move forward in the process of proposing the issuance of General Obligation Bonds to satisfy the funding requirements for capital improvement projects for FY22.

ATTACHMENTS:

Description	Type	Upload Date
GO Bond Process	Other	1/29/2021
Bond Purpose Recap	Other	1/29/2021
Resolution 21-38	Resolution	2/3/2021

City of Council Bluffs

GO Bonding Process

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

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

Step 2 – Set public hearing for bond purposes

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

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

Step 4 – Reimbursement resolution

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

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

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

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

Step 8 – Sale of Bonds public hearing

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

**City of Council Bluffs
2021 Bond Hearing Supplemental Information**

Essential Corporate Purpose Reso 21-3 (not to exceed \$4,400,000)			
Total Purpose		\$4,228,989	
FIRST AVE Program	CD-22-01		\$1,750,000
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Chochran Park Playground Replacement	PR-22-05		\$200,000
Park monument sign replacement	PR-22-07		\$28,989
General Corporate Purpose Reso 21-4 (not to exceed \$700,000)			
Total Purpose		\$700,000	
IT Safety and Security	IT-22-01		\$60,000
IT Infrastructure and Services	IT-22-02		\$325,000
IT Mobile Technologies	IT-22-03		\$50,000
IT Software Licensing	IT-22-04		\$265,000
General Corporate Purpose Reso 21-5 (not to exceed \$700,000)			
Total Purpose		\$450,000	
Fire Station #2 Window Replacement	BM-22-04		\$200,000
City Wide Parking Lot Upgrades	PR-22-01		\$250,000
General Corporate Purpose Reso 21-6 (not to exceed \$700,000)			
Total Purpose		\$496,011	
Valley View Park dog park	PR-22-12		\$90,000
City County Connector Trail	PR-22-15		\$129,200
Eastern Hills Neighborhood Park	PR-22-16		\$276,811
General Corporate Purpose Reso 21-7 (not to exceed \$700,000)			
Total Purpose		\$575,000	
MAC Parking Lot Rehab - Ph III	BM-22-01		\$575,000
General Corporate Purpose Reso 21-8 (not to exceed \$700,000)			
Total Purpose		\$550,000	
MAC Roof Replacement - Ph II	BM-22-02		\$550,000
		Total CIP Projects	\$ 7,000,000
		Total Refunding	-
		Total GO Bond Funding	\$ 7,000,000

RESOLUTION 21-38
ITEMS TO INCLUDE ON AGENDA
CITY OF COUNCIL BLUFFS, IOWA

Not to exceed \$700,000 General Obligation Bonds (GCP-6)

- Public hearing on the issuance.
- Resolution instituting proceedings to take additional action.

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

February 8, 2021

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

Absent: _____

Vacant: _____

* * * * *

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the issuance of not to exceed \$700,000 General Obligation Bonds, in order to provide funds to pay the costs of the acquisition, construction, reconstruction, extension, improvement, and equipping of city utilities, city enterprises, and public improvements as defined in section 384.37, other than those which are essential corporate purposes, including roof repairs and replacements at the Mid-America Center convention center, for general corporate purposes, and that notice of the proposal to issue the Bonds and the right to petition for an election had been published as provided by Section 384.26 of the Code of Iowa, and the Mayor then asked the City Clerk whether any petition had been filed in the Clerk's Office, in the manner provided by Section 362.4 of the Code of Iowa, and the Clerk reported that no such petition had been filed, requesting that the question of issuing the Bonds be submitted to the qualified electors of the City.

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

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

Whereupon, the Mayor declared the hearing on the issuance of the Bonds to be closed.

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

Whereupon, Council Member _____ introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION BONDS (GCP-6)", and moved:

- that the Resolution be adopted.
- to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the issuance of bonds to the meeting to be held at _____ .M. on the _____ day of _____, 2021, at this place.

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

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

Resolution 21-38

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$700,000 GENERAL OBLIGATION BONDS (GCP-6)

WHEREAS, pursuant to notice published as required by law, the City Council has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of not to exceed \$700,000 General Obligation Bonds, for the general corporate purposes, in order to provide funds to pay the costs of the acquisition, construction, reconstruction, extension, improvement, and equipping of city utilities, city enterprises, and public improvements as defined in section 384.37, other than those which are essential corporate purposes, including roof repairs and replacements at the Mid-America Center convention center, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Bonds; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the City and residents thereof.

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

Section 1. That this Council does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$700,000 General Obligation Bonds, for the foregoing general corporate purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Bonds. The amounts so advanced shall be reimbursed from the proceeds of the Bonds not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 8th day of February, 2021.

Mayor

ATTEST:

City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

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

WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2021.

City Clerk, City of Council Bluffs, State of Iowa

(SEAL)

01821113-1\10342-163

Council Communication

Department: Police
Case/Project No.: PD22-01
Submitted by: Chief Tim Carmody

Resolution 21-39
ITEM 4.H.

Council Action: 2/8/2021

Description

Resolution approving for the plans, specifications, form of contract, and cost estimate for the new 100-Yard Outdoor Range Project.

Background/Discussion

The Southwest Iowa Training Center (SWITC), including the existing three firearms ranges was built in 2005 – including two 25-yard, 10 lane indoor firearms ranges and a 50-yard outdoor firearms range. The SWITC was originally designed with a 100-yard firearms range, but it was not constructed due to funding limitations. The addition of a 100-yard firearms range would fill a critical need and expand law enforcement training opportunities for CBPD, the Pottawattamie County Sheriff's Department, and the 35 other agencies that use the SWITC.

With the construction documents completed, the next step in the process is to set a public hearing to let the bid for construction of the range. The estimated cost for this portion of project is \$1,645,080.00. Funding for the total project will be split equally with Pottawattamie County. There was also a target system acquired for this project under Resolution No. 20-240. Our portion of the total project costs are covered by the GO bonds (\$648,000.00), seized asset fund (\$100,000.00), and the remainder from the general fund (estimated at \$752,000.00).

The project schedule is as follows:	Hold Public Hearing	February 8, 2021
	Letting	March 9, 2021
	Award	March 22, 2021
	Substantial Completion	August 6, 2021

Recommendation

I recommend that the City Council adopt the resolution to hold the Public Hearing for the 100-Yard Outdoor Range Project for February 8, 2021 at 7:00 p.m.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 21-39	Resolution	2/3/2021

Council Communication

Department: City Clerk
Case/Project No.: ZC-20-012
Submitted by: Moises Monrroy,
Planner

Ordinance 6435
ITEM 5.A.

Council Action: 2/8/2021

Description

Ordinance to amend the zoning map as adopted by reference in Section 15.02.070 by rezoning property legally described as Lots 6 through 11, Baughn's Subdivision of Lot 8, Original Plat of Council Bluffs, except East Kanessville Boulevard right-of-way, from R-3/Low Density Multifamily Residential District to A-P/Administrative-Professional District as defined in Chapter 15.13. Location: West of 235 Harmony Street. ZC-20-012

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
ZC-20-012 Staff Report	Other	11/13/2020
Attachment A - Case Map	Map	11/13/2020
Attachment B - Letter of Intent	Letter	11/13/2020
Attachment C - Site Conceptual Plan	Other	11/13/2020
Attachment D - Plat of Survey	Other	11/13/2020
Attachment E - Plat of Survey	Other	11/13/2020
Attachment F - Letter from Bouska	Letter	11/13/2020
Exhibit A - Letter from Historical Society of Pottawattamie County	Letter	11/13/2020
Exhibit B - Neighborhood Comments (712 Initiative)	Other	11/13/2020
Exhibit C - Letter from Lincoln-Fairview Neighborhood Association	Letter	11/13/2020
Exhibit D - Alternative Parking Conceptual Plan	Other	11/13/2020
Ordinance 6435	Ordinance	1/20/2021

City Council Communication

<p>Department: Community Development</p> <p>CASES #ZC-20-012, #CP-20-002 and #SAV-20-004</p> <p>Applicant/Property Owner: YMCA of Greater Omaha c/o Matt Chadek 430 South 20th Street Omaha, NE 68102</p> <p>Representative: Jon McCarville Leo A Daly 8600 Indian Hills Drive Omaha, NE 68114</p>	<p>Ordinance No. _____</p> <p>Reso. of Intent No. _____</p> <p>Reso. to Dispose No. _____</p>	<p>CASE #ZC-20-012 1st Consideration: 11/23/2020 2nd Consideration: 12/14/2020 3rd Consideration: 01/11/2021</p> <p>CASE #SAV-20-004 Resolution of Intent: 11/23/2020 Resolution to Dispose: 12/14/2020</p> <p>CASE #CP-20-002 Public hearing: 12/14/2020</p> <p>Planning Commission: 11/10/2020</p>
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Subject/Title

Request: Combined public hearings on the requests of YMCA of Greater Omaha to rezone properties legally described as Lots 6 through 11, Baughn's Subdivision of Lot 8, Original Plat of Council Bluffs, Pottawattamie County, Iowa, **EXCEPT** East Kanesville Boulevard right-of-way, from R-3/Low Density Multifamily Residential District to A-P/Administrative-Professional District; to amend the Bluffs Tomorrow: 2030 Plan by reclassifying said properties from 'Low Density Residential' to 'Local Commercial'; and to vacate and dispose of Baughn Street right-of-way lying between Harmony Street and East Kanesville Boulevard.

Location: West of 235 Harmony Street

Background

The Community Development Department has received applications from YMCA of Greater Omaha, represented by Jon McCarville, for the following requests:

1. To rezone properties legally described as Lots 6 through 11, Baughn's Subdivision of Lot 8, Original Plat of Council Bluffs, Pottawattamie County, Iowa, **EXCEPT** East Kanesville Boulevard right-of-way, from R-3/Low Density Multifamily Residential District to A-P/Administrative-Professional District;
2. To amend the Bluffs Tomorrow: 2030 Plan by reclassifying said properties from Low Density Residential to Local Commercial; and
3. To vacate and dispose of Baughn Street right-of-way lying between Harmony Street and East Kanesville Boulevard.

The YMCA of Greater Omaha is proposing to expand the Charles E. Lakin YMCA campus in Council Bluffs, located at 235 Harmony Street, to accommodate additional recreational amenities, including a sports court, an outdoor pavilion, a playground, a walking path and natural landing, as well as to increase the amount of off-street parking for the site (see Attachment 'C'). The applicant purchased the properties included in the proposed rezoning—the former site of St. Patrick's Catholic Church—in 2019 with this intent. In order to combine said properties with the existing YMCA site and create one continuous campus, the applicant is requesting to vacate the portion of Baughn Street right-of-way lying between Harmony Street and East Kanesville Boulevard, which

currently separates these properties. The applicant is requesting the proposed rezoning and comprehensive plan amendment for consistency purposes.

CASES #ZC-20-012 & #CP-20-002

The subject properties are currently zoned R-3/Low Density Multifamily Residential District. Previous land uses include St. Patrick’s Catholic Church and Rectory, as well as single-family dwellings. The Charles E. Lakin YMCA is zoned A-P/Administrative-Professional District. The applicant is requesting the proposed rezoning for zoning and development consistency purposes as it will ensure the entirety of the expanded YMCA campus is located within the same zoning district.

Land Use and Zoning – The following zoning and land uses surround the subject property:

- North: Residential properties that are zoned R-3/Low Density Multifamily Residential District.
- South: Residential properties, a parking lot, several drive-in/fast-food restaurants and the Kanessville Tabernacle, all of which are zoned C-3/Commercial District.
- East: Charles E. Lakin YMCA and CHI Health Mercy hospital, which are both zoned A-P/Administrative-Professional District.
- West: Residential properties that are zoned R-3/Low Density Multifamily Residential District.

The future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject properties as Low Density Residential. The purpose of the proposed comprehensive plan amendment to Local Commercial is to ensure the future land use classification of the subject properties is consistent with the future land use classification of the current YMCA site, which is designated as Local Commercial.

All City Departments and local utilities were notified of the proposed rezoning. The following comments were received:

- Mid-American Energy stated they were not opposed to the proposed rezoning.

Public notices were mailed to all property owners within 200 feet of the request. The following comments were received:

- Brenda Dollen, owner of 201 Benton Street, contacted the Community Development Department and had an inquiry regarding on-street parking along Harmony Street.
- Marcia and Tom Bouska, owners of 218 Harmony Street, contacted the Community Development and stated they are aware of the YMCA’s need for additional parking. They also stated that the vacation of Baughn Street will increase traffic on Harmony Street. They request that parking be limited to one side of Harmony Street (see Attachment ‘F’).

Discussion

1. The A-P district is intended and designed to provide, in certain areas in the city, for the development of institutional public/semi-public uses that are arranged in a campus-style setting, with heavy public traffic volumes and multiple frontages, such as the Charles E. Lakin YMCA.
2. If approved, the proposed rezoning will provide one consistent zoning classification for the expanded YMCA campus.
3. As part of the YMCA expansion project, the applicant shall be required to replat the subject properties, the current YMCA site, and the portion of Baughn Street right-of-way proposed to be vacated into two lots of record.
 - a. The YMCA of Greater Omaha owns the properties proposed to be rezoned; however, they do not own 235 Harmony Street. Said parcel is owned by Alegent Health-Bergan Mercy Health System. The applicant has a zero cost land-lease agreement with Alegent Health-Bergan Mercy to operate the Charles E. Lakin YMCA. The first lot will be owned by the YMCA of Greater Omaha and the other lot will be owned by Alegent Health-Bergan Mercy. Both YMCA and Alegent Health-Bergan Mercy shall be

signatories on the plat, and each shall prepare separate attorney's opinion of title for the land they respectively own within the subdivision plat boundary.

- b. Said two-lot subdivision shall be subject to the approval of the proposed vacation of Baughn Street right-of-way (see Case #SAV-20-004 below).
4. The expanded YMCA campus will contain 182,144.6 square feet (4.18 acres), more or less, in area, which exceeds the minimum lot size requirements in the A-P/Administrative-Professional District.
5. The Charles E. Lakin YMCA, along with the proposed outdoor recreational amenities, is considered a 'commercial recreation (indoor and outdoor)' establishment. 'Commercial recreation (indoor and outdoor)' is a conditional use in the A-P District. The applicant shall obtain a conditional use permit (CUP) from the Zoning Board of Adjustment as part of the YMCA expansion project. Both YMCA and Alegent Health-Bergan Mercy shall be signatories on the CUP application.
6. The Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject properties as Low Density Residential. The proposed comprehensive plan amendment to Local Commercial would ensure the future land use classification of the subject properties is consistent with the future land use classification of the current YMCA site, as well as with the proposed rezoning to the A-P District and the 'commercial recreation (indoor and outdoor)' land uses.
7. Adequate utilities (e.g., water, sanitary sewer, electric, etc.) are available to accommodate the uses permitted in the A-P District.

CASE #SAV-20-004

The portion of Baughn Street proposed to be vacated is improved and is used for vehicular and pedestrian circulation. It measures approximately 55 feet in width by 284.03 feet in length. The applicant intends to vacate the subject right-of-way as part of the Charles E. Lakin YMCA expansion project.

On August 25, 2003 the City Council amended the adopted *Policy and Procedures for Alley, Street and Right-of-way Vacations*. The objectives of the amended Policy are as follows:

1. *To provide due process and citizen participation in the application and review process for vacations.*
There are two property owners with land that abuts the subject right-of-way. The owners of these properties are as follows:

West: Six vacant properties, including the former site of St. Patrick's Catholic Church, owned by the YMCA of Greater Omaha.
East: Charles E. Lakin YMCA, owned by Alegent Health-Bergan Mercy Health System (235 Harmony Street).

Both abutting property owners were mailed petitions asking if they are in favor of/opposed to the vacation request and if they were willing to/not willing to acquire the portion of right-of-way adjacent to their property, if vacated. Responses to these petitions are summarized in Comment #10 below.

2. *To ensure that no property owner is deprived of required and reasonable access.*
Lots 7 through 10, Baughn's Subdivision of Lot 8, Original Plat of Council Bluffs, will be landlocked if subject right-of-way is vacated. Additionally, the west entrance to the Charles E. Lakin YMCA is located on Baughn Street. However, the existing facility can also be accessed through Harmony Street on the north. If Baughn Street is vacated, a final plat consisting of said Baughn Street right-of-way, the properties proposed to be rezoned and the current YMCA site shall be executed to ensure all platted lots of record have direct access to a publically dedicated right-of-way, to establish rights of ingress/egress and circulation between properties and to allow the applicant and Alegent Health-Bergan Mercy to retain shared access easements between the two parcels. As shown on the conceptual plan (see Attachment 'C'), the expanded

YMCA campus will be accessed through Harmony Street, thus no property owner will be deprived of required and reasonable access.

3. *To discourage the creation and eliminate or reduce existing dead-end alleys, streets or other rights-of-way.*
This request will not create a dead-end right-of-way as the request is to vacate the entirety of Baughn Street from Harmony Street to East Kanesville Boulevard.
4. *To reduce or eliminate hazardous and dangerous traffic conditions.*
Not applicable.
5. *To protect all existing and proposed public utilities located in the right-of-way and to maintain necessary utility easements.*

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

- a. The Public Works Departments had the following comments:
 - i. The Public Works Department reconstructed Baughn Street and Harmony Street in coordination with construction of the new YMCA facility. This work was completed just over three years ago. The cost to the City for the segment to be vacated was approximately \$300,000.
 - ii. If the vacation of Baughn Street proceeds forward, Public Works will require an easement to remain over the entire width of the subject right-of-way to accommodate the infrastructure that is currently in place. The easement would be restricted as follows:
 - A. *ERECTION OF STRUCTURES PROHIBITED: Grantor shall not erect any structure over or within the Easement Area without obtaining the prior written consent of the City Engineer, provided however grantor shall have the right to place and maintain a surfaced roadway over and within the Easement Area.*
 - B. *CHANGE OF GRADE PROHIBITED: Grantor shall not change the grade, elevation or contour of any part of the Easement Area without obtaining the prior written consent of the City Engineer.*
 - C. *RIGHT OF ACCESS: City shall have the right of access to the Easement Area and have all right of ingress and egress reasonably necessary for the use and enjoyment of the Easement Area as herein described.*
 - D. *REMOVAL AND REPLACEMENT: The cost of removal and replacement of any unauthorized improvement or structures within the Easement Area, necessitated by the exercise of the rights under this easement, shall be borne by the Grantor or their successors or assigns.*
 - E. *SURFACE RESTORATION: City's liability to restore the surface within the Easement Area shall be limited only to grading and seeding, and replacement of grantors surfaced roadway.*
 - F. *DUTY TO REPAIR: City agrees that any drain tile, drive or access way, fence, or yard or other improvements outside of the Easement Area which may be damaged as a result of any entry made through an exercise of the City's right of access shall be repaired at no expense to Grantor.*
 - G. *EASEMENT RUNS WITH LAND: This easement shall be deemed to run with the land and shall be binding on Grantor and on Grantor's successors and assigns.*
 - iii. The Community Development Department has indicated that the ground that the YMCA has acquired will require a conditional use permit for the proposed commercial recreation (indoor and outdoor) activities. As part of that permit, Public Works will require stormwater to be managed to control quantity and quality, as per City Code.
- b. MidAmerican Energy Company stated they are not opposed to the proposed vacation. They also stated that there are a pair of existing MEC owned wood lighting poles—the northerly pole supports a City streetlight and the pole to the south supports an MEC area floodlight leased to illuminate the front of the church—and two spans of overhead conductor along the west side of the Baughn Street right-of-way to be vacated that would be in conflict with the proposed redevelopment and need to be removed. They also

noted that there are existing overhead electric distribution facilities along the south side of the Harmony Street right-of-way and down the alley between Baughn Street and Benton Street that appear to be outside the area to be vacated that must remain in service and accessible. They recommend that the applicant should contact MidAmerican Energy directly to identify any requirements and costs associated with relocating electric facilities or extending new service within the development area.

6. *To maintain appropriate right-of-way width to ensure that an adequate pedestrian and vehicular circulation system is retained.*
Not applicable.
7. *To discourage the vacation of a portion of an existing alley, street or other right-of-way.*
The request is to vacate the entirety of Baughn Street right-of-way lying between Harmony Street and East Kanesville Boulevard
8. *To assist in the implementation of the goals and objectives of the Comprehensive Plan.*
The subject right-of-way is a local street that provides vehicular circulation between Harmony Street and East Kanesville Boulevard. However, both Benton Street—located west of Baughn Street—and Frank Street—which bounds the current YMCA site to the east—provide circulation between Harmony Street and East Kanesville Boulevard. Therefore, the proposed vacation of Baughn Street will not negatively impact vehicular circulation in this area of the city. The request is generally consistent with the local access and circulation objectives stated in Chapter 6, Transportation of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan).
9. *To reduce the City's maintenance liability on previously vacated right-of-way parcels from public improvement projects and various lots acquired through delinquent taxes or assessments.*
Not applicable.
10. *To establish an equitable price for surplus public property.*
All abutting property owners were notified about this vacation request. The following responses were received:
 - a. The YMCA of Greater Omaha stated they are in favor of the request and are willing to acquire the portion of Baughn Street right-of-way adjacent to their properties for the total sum of \$2,095.40.
 - b. There has been no reply from Alegent Health-Bergan Mercy Health System regarding the vacation request.

Recommendation

The Community Development Department recommends the following:

1. Approval of the request to rezone property to rezone properties legally described as Lots 6 through 11, Baughn's Subdivision of Lot 8, Original Plat of Council Bluffs, Pottawattamie County, Iowa, **EXCEPT** East Kanesville Boulevard right-of-way, from R-3/Low Density Multifamily Residential District to A-P/Administrative-Professional District, based on the reasons stated above.
2. Approval of the request to amend the Bluffs Tomorrow: 2030 Plan by reclassifying properties legally described as Lots 6 through 11, Baughn's Subdivision of Lot 8, Original Plat of Council Bluffs, Pottawattamie County, Iowa, **EXCEPT** East Kanesville Boulevard right-of-way, from Low Density Residential to Local Commercial, based on the reasons stated above.
3. Approval of the request to vacate and dispose of Baughn Street right-of-way lying between Harmony Street and East Kanesville Boulevard, effective at the time of and subject to the following conditions:
 - a. An easement shall be retained over the subject right-of-way for utility access and maintenance purposes;
 - b. All portions of the subject right-of-way shall be disposed of to an abutting property owner(s);

- c. A final plat consisting of the subject right-of-way, the properties proposed to be rezoned and the current YMCA site shall be executed by the City to create new platted lots of record with direct access to a publically dedicated right-of-way; and
- d. A conditional use permit shall be obtained from the Zoning Board of Adjustment for the commercial recreation (indoor and outdoor) activities proposed as part of the expansion project.

Public Hearing

Staff speakers for the request:

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

Speakers in favor:

- 1. Leo McIntosh, Charles E. Lakin YMCA, 235 Harmony Street, Council Bluffs, IA 51503
- 2. Chris Rochleau, Charles E. Lakin YMCA, 1425 9th Avenue, Council Bluffs, IA 51501

Speakers against:

- 1. Sheryl Garst, The 712 Initiative, 1228 South Main Street, Council Bluffs, IA 51503
- 2. Patricia Murphy, Preserve Council Bluffs, 333 Willow Avenue, Council Bluffs, IA 51503
- 3. Anthony Beraldi, 238 Harmony Street, Council Bluffs, IA 51503
- 4. Ken Freudenburg, Lincoln-Fairview Neighborhood Association, 510 Oakland Avenue, Council Bluffs, IA 51503
- 5. Linda Emge, 244 Harmony Street, Council Bluffs, IA 51503
- 6. Deb Petersen, 215 South Main Street, Council Bluffs, IA 51503
- 7. Amanda Scott, 220 Harmony Street, Council Bluffs, IA 51503

Planning Commission Recommendation

Note: The reasons stated below are a summary of statements made by the voting majority of the City Planning Commission, as interpreted and condensed by the Community Development Department, and do not represent the entire Planning Commission as some did not make any comments and/or voted in the minority. The Planning Commission’s official discussion and vote can be heard on the recorded meeting minutes located in the Community Development Department. This summary of statements was requested by City Council and is not intended to misrepresent the intent of the City Planning Commission or its individual members. Any misinterpretation of language, intent, or emphasis is not intended.

The Planning Commission recommended denial of all three requests, based on the following reasons:

- 1. Most right-of-way vacation requests involve streets and alleys that are unimproved and/or not utilized for traffic circulation. The applicant’s request would result in vacating a fully improved roadway which is utilized by the neighborhood for on-street parking and traffic circulation. Approval of this request would also be disruptive to the traffic patterns in this area of the City.
- 2. The proposed rezoning and future land use plan amendment results in a fundamental change to the City’s zoning map and Bluffs Tomorrow: 2030 Comprehensive Plan. The request by the applicant to expand their parking lot and construct an outdoor amenity area for the YMCA campus does not justify such a fundamental change to the City’s zoning map and future land use plan of the Bluffs Tomorrow: 2030 Plan.

VOTE: AYE - Halm, Holm, Rew, Scott, Stroebele and Van Houten, and VanHouten
NAY - Bass, Danielsen, Haner and Rater ABSTAIN - None ABSENT - Hutcheson VACANT - None
Motion: Carried.

Attachments

- Attachment A: Location/Zoning Map
- Attachment B: Letter of Intent

Attachment C: Site Conceptual Plan
Attachment D: Plat of Survey (Rezoning Exhibit)
Attachment E: Plat of Survey (Street, Alley and Right-of-Way Vacation Exhibit)
Attachment F: Letter from Bouska



The following exhibits were presented to the Planning Commission at the 11/10/2020 public hearing:

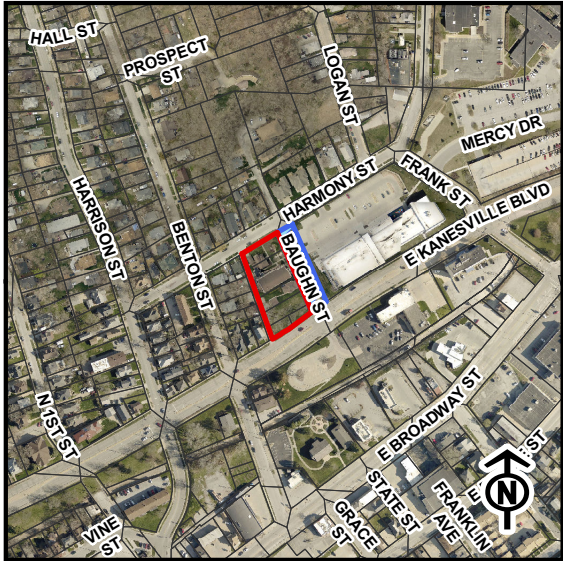
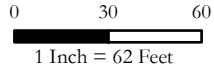
Exhibit A: Letter from the Historical Society of Pottawattamie County
Exhibit B: Neighborhood comments from survey conducted by the 712 Initiative
Exhibit C: Letter from Lincoln-Fairview Neighborhood Association to YMCA
Exhibit D: Alternative Parking Conceptual Plan by the 712 Initiative

Prepared by: Moises Monrroy, Planner, Community Development Department

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASES #ZC-20-012, #CP-20-002 and #SAV-20-004 LOCATION/ZONING MAP

Legend

-  Subject ROW (ROW Vacation)
-  Subject Property (Rezoning & Comprehensive Plan Amendment)

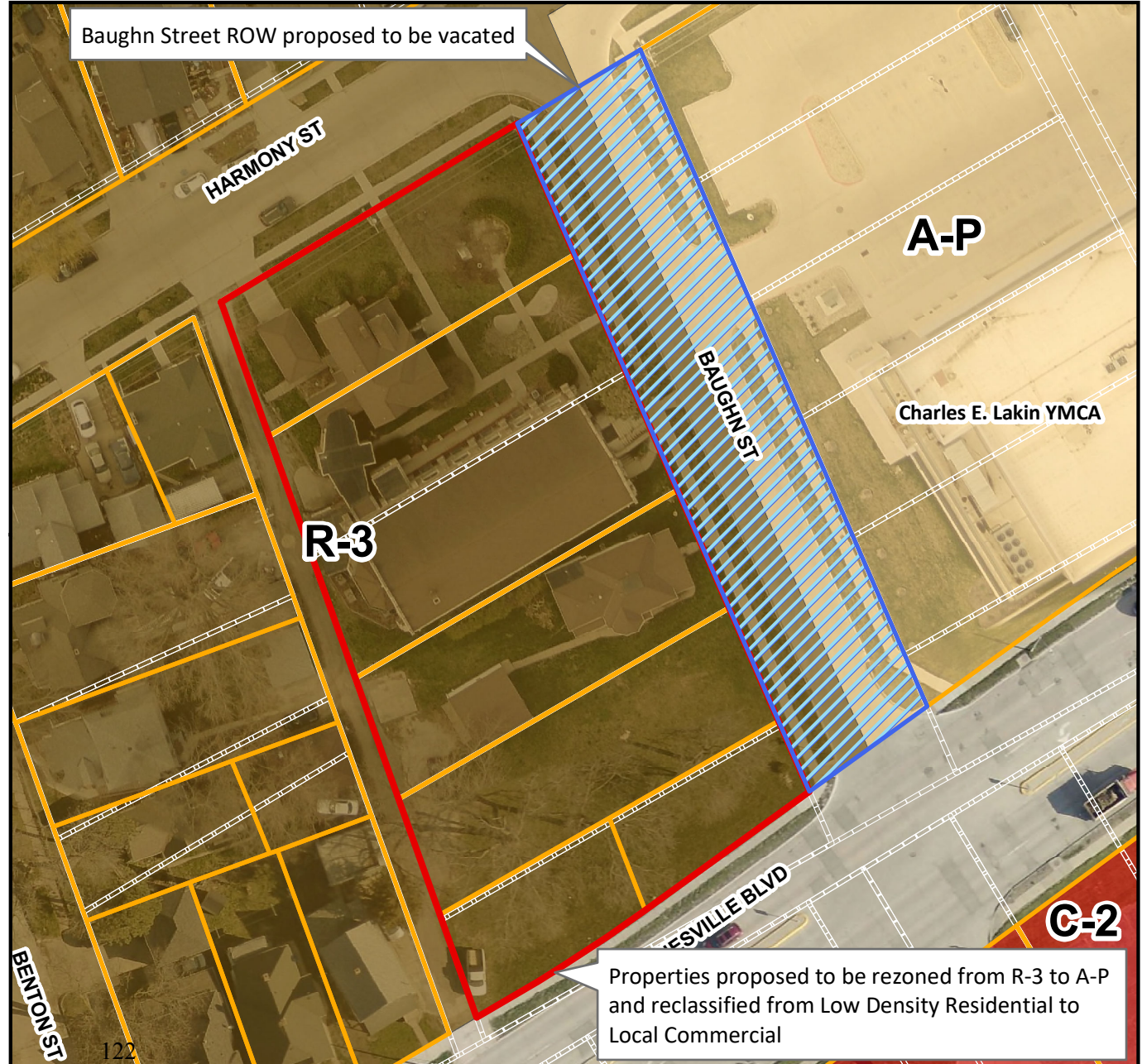


Last Amended: 10/19/2020



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

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



Properties proposed to be rezoned from R-3 to A-P and reclassified from Low Density Residential to Local Commercial

Attachment B

YMCA OF GREATER OMAHA CHARLES E. LAKIN CAMPUS PARK PROJECT COUNCIL BLUFFS, IA

The YMCA of Greater Omaha manages 10 YMCA facilities across the Metro area, including the Charles E. Lakin YMCA in Council Bluffs. The leadership of the YMCA is requesting the opportunity to discuss the Lakin Campus Park Project with Council Bluffs city leaders, in an effort to inform stakeholders as well as secure certain project approvals. Specifically, after many professional design reviews with LEO A DALY and other advisors, the YMCA is interested in gaining approval to vacate the current Baughn Street throughfare, located just east of the facility. This will enhance the Charles E. Lakin YMCA, as it allows us to deliver the safest, most user-friendly, and desirable park experience possible for the community and YMCA members and staff.

The Charles E. Lakin YMCA's popularity has far exceeded expectations since it opened in 2018. During 2019, the Y purchased the old St. Patrick's Church property adjacent to the YMCA. This purchase was made with the intent of expanding the campus to accommodate current demand as well as future growth. Vacating Baughn Street will have numerous benefits:

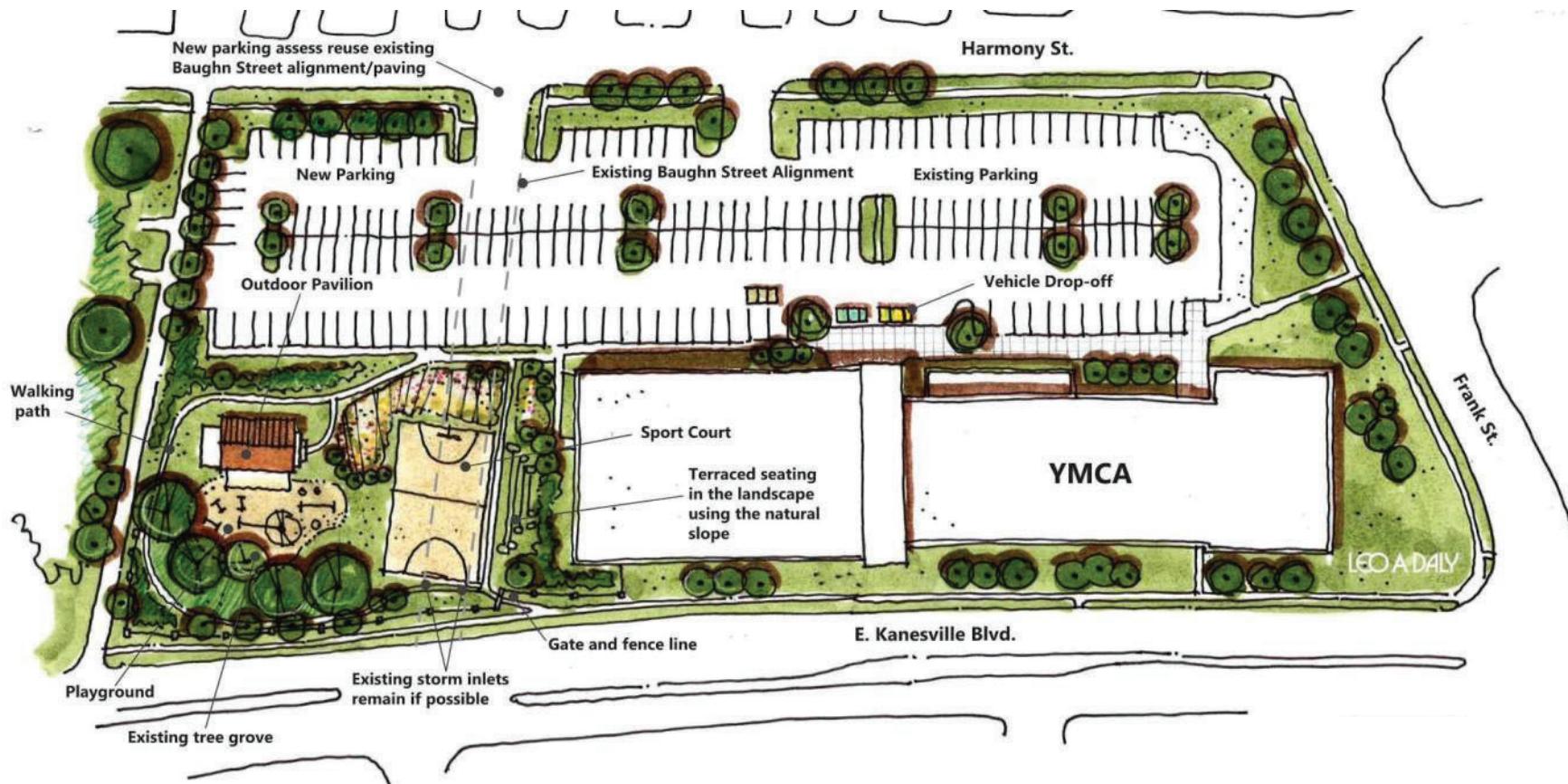
- Make the YMCA one continuous campus, creating a safer experience for staff, members, summer camp and after-school attendees and community members
- Allow for more, varied and better-quality recreational amenities within the park itself
- Create more space overall for amenities, which may prove useful should we enter into a prolonged COVID situation where social distancing is the new normal
- Allow park designers to minimize street crossings, interaction and impact with the busy, neighboring Kaneshville Boulevard, adjacent to the facility and new park
- Create incremental parking spots within the YMCA lot, thereby benefitting neighboring residents, as well as the hospital, with less traffic and less on-street parking
- Eliminate Baughn as a currently congested, often too narrow street

Recreational amenities, which will be maintained entirely by the Y and made available for public use when not programmed by the Y, are planned to include:

- Sports courts
- Pavilion
- Playground
- Walking path
- Natural landscaping

If designed with Baughn Street still in place, these components will be compromised and more condensed, reducing the overall sense of outdoor space and place. With Baughn Street vacated, the campus will afford a more holistic, aesthetically complete design. The Y recognizes that The City has made significant utility improvements under Baughn Street in 2018, and any and all easements required by the City would be acknowledged in the final design.

In addition to vacating Baughn Street, the Y is submitting a rezoning application, at the request of the City of Council Bluffs, for the lots purchased in 2019. This is an effort to match the current zoning of the Charles E. Lakin YMCA (Zoning Designation A-P). The Y will also pursue a plat of all lots to form a single property and an amendment to the Conditional Use Permit to allow this type of use within this zoning district.



LEO A DALY

Site Concept Plan
Project Location

INDEX LEGEND

SURVEYOR'S NAME / RETURN TO:
 TARRON MEAIKE
 SNYDER & ASSOCIATES, INC.
 1751 MADISON AVENUE
 COUNCIL BLUFFS, IOWA 51503
 712-322-3202
 TMEAIKE@SNYDER-ASSOCIATES.COM
 SERVICE PROVIDED BY:
 SNYDER & ASSOCIATES, INC.
 SURVEY LOCATED:
 LOTS 6, 7, 8, 9, 10 & 11
 BAUGHN'S SUBDIVISION
 COUNCIL BLUFFS, IOWA
 REQUESTED BY:
 YMCA OF GREATER OMAHA
 OWNER:
 ST. PATRICK'S CHURCH OF COUNCIL BLUFFS



Tx:4970400
2019-00787

RECORDER MARK BRANDENBURG
 POTTAWATTAMIE COUNTY, IA

FILE TIME: 01/22/2019 12:33:45 PM

R FEES 10.00 RMA \$ 1.00
 A FEES _____ ECOM \$ 1.00
 T TAXES _____

RECORDING FEE 10.00
 RMA FEE 1.00
 ECM FEE 1.00

RETRACEMENT PLAT OF SURVEY

Deed Description (Book 91 Page 9120):
 South 2 feet of W1/2 of Lot 7, and W1/2 of Lot 6, Baughn's Subdivision of Lot 8, Original Plat, Council Bluffs, Iowa, EXCEPT a parcel of land located in Lot 6 in Baughn's Subdivision of Lot 8 in the Original Plat of Council Bluffs, Iowa, said parcel being more particularly described as:
 Commencing at the southwesterly corner of said Lot 6, said point being the intersection of the northerly line of Washington Avenue as it now exists with the easterly line of said Lot 6; thence N84°43'E 35.8 ft. along the southerly line of said Lot 6 to the point of beginning; thence continuing N84°43'E 40.0 ft. along said southerly line; thence N3°26 1/2'E 2.0 ft.; thence S81°54 1/2'W 40.4 ft. to a point on the southerly line of said Lot 6, the point of beginning.

Deed Description (Book 91 Page 14032):
 North 48 feet of Lot 7, Baughn's Subdivision of the Original Plat of Lot (8) commonly known as 126 Baughn, Council Bluffs, Iowa.
 AND

Part of the E 1/2 of Lot 6 and south 2 ft. of the E 1/2 of Lot 7 in Baughn's Subdivision of Original Plat Lot 8, in the City of Council Bluffs, Pottawattamie County, Iowa, more particularly described as follows: Beginning at the northeast corner of the south 2 ft. of the E 1/2 of said Lot 7, thence S 84° 46'W 74.58 ft. along the northerly line of the south 2 ft. of the E 1/2 of said Lot 7 to the northwesterly corner thereof, thence S03° 26 1/2'W 37.98 ft. along the westerly line of the E 1/2 of said Lot 7 and the E 1/2 of said Lot 6, thence N79° 15 1/2'E 77.08 ft. to a point on the easterly line of said Lot 6, thence N01° 32 1/2'E 30.36 ft. along the easterly line of said Lot 6 and the south 2 ft. of said Lot 7 to the northeast corner of the south 2 ft. of the E 1/2 of said Lot 7, the point of beginning; said parcel contains 2,543 sq. ft. more or less.

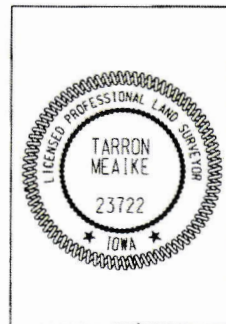
Deed Description (Book 91 Page 23091):
 Lot 8 in Baughn's Subdivision to Council Bluffs, Iowa, being further known as Lot 8 in Baughn's Subdivision of Original Plat Lot 8 of Council Bluffs, Iowa.

Deed Description (Book 701 Page 33):
 All of Lots nine and ten and eleven (9, 10, & 11) in Baughn's Subdivision of Lot Eight (8) of the Original Plat of Council Bluffs, Iowa, excepting a tract described as follows:-- Commencing at the northeasterly corner of said Lot 11 and running thence southwesterly along the northerly line of said Lot 11 a distance of 73 feet, thence running southerly parallel with the Easterly line of said Lots 11 and 10 a distance of 105 feet and 8 inches to the southerly line of said Lot 10, thence running easterly along said southerly line of said Lot 10 a distance of 73 feet to the southeasterly corner of said Lot 10, thence running northerly along the easterly line of said Lots 10 and 11 a distance of 105 feet and 8 inches to the place of beginning.

Deed Description (Book 696 Page 312):
 That Part of Lots 10 and 11 in Baughn's Subdivision of Lot 8 in the Original Plat of the City of Council Bluffs, Iowa, described by metes and bounds as follows:-- Commencing at the northeasterly corner of said Lot 11 at the intersection of Harmony Street and Baughn Street) and running thence southwesterly along the northerly line of said Lot 11 a distance of 73 feet, thence running southerly parallel with the Easterly line of said Lots 11 and 10 a distance of 105 feet and 8 inches to the southerly line of said Lot 10, thence running northeasterly along said southerly line of said Lot 10 a distance of 73 feet to the southeasterly corner of said Lot 10, thence running northwesterly along the easterly line of said Lots 10 and 11 a distance of 105 feet and 8 inches to the place of beginning.

LEGEND

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



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.
Tarron Meaike 1/18/2019
 Tarron Meaike, PLS Date
 License Number 23722
 My License Renewal Date is December 31, 2019
 Pages or sheets covered by this seal:
 Sheets 1 and 2 of 2

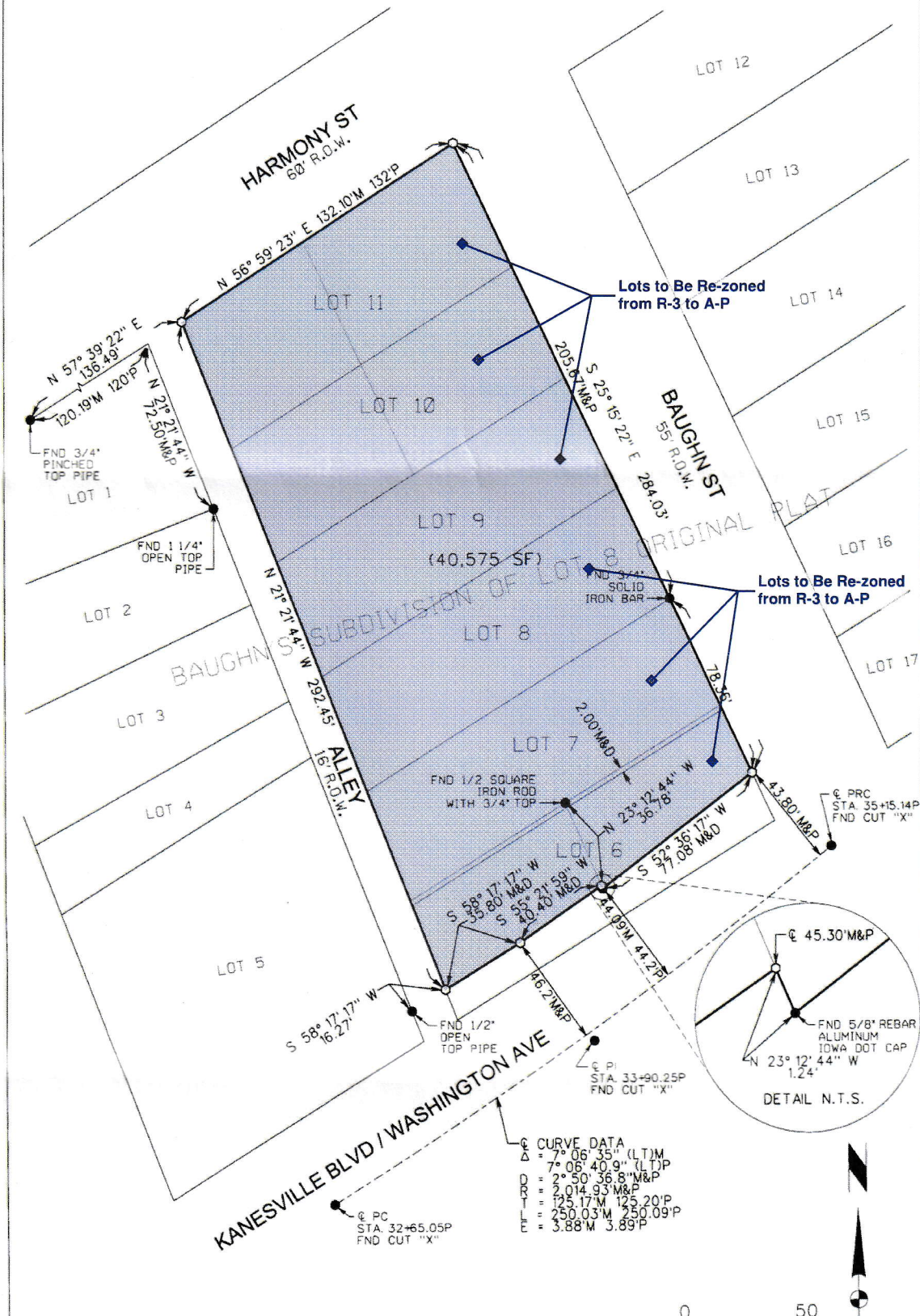
YMCA OF GREATER OMAHA
RETRACEMENT PLAT OF SURVEY



1751 MADISON AVENUE
 CO. BLUFFS, IOWA 51503 (712) 322-3202

SHEET 1 OF 2
 PN: 1190119
 FLD BK: XX PG.XX
 DATE: 1/18/2019
 PM/TECH: TEM

RETRACEMENT PLAT OF SURVEY

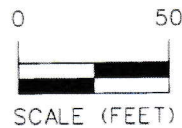


BASIS OF BEARING

IA REGIONAL CS ZONE 6,
 US SURVEY FEET; IA RTN DERIVED
 NAD83(2011)(EPOCH 2010.0000)

DATE OF SURVEY

1-17-2019



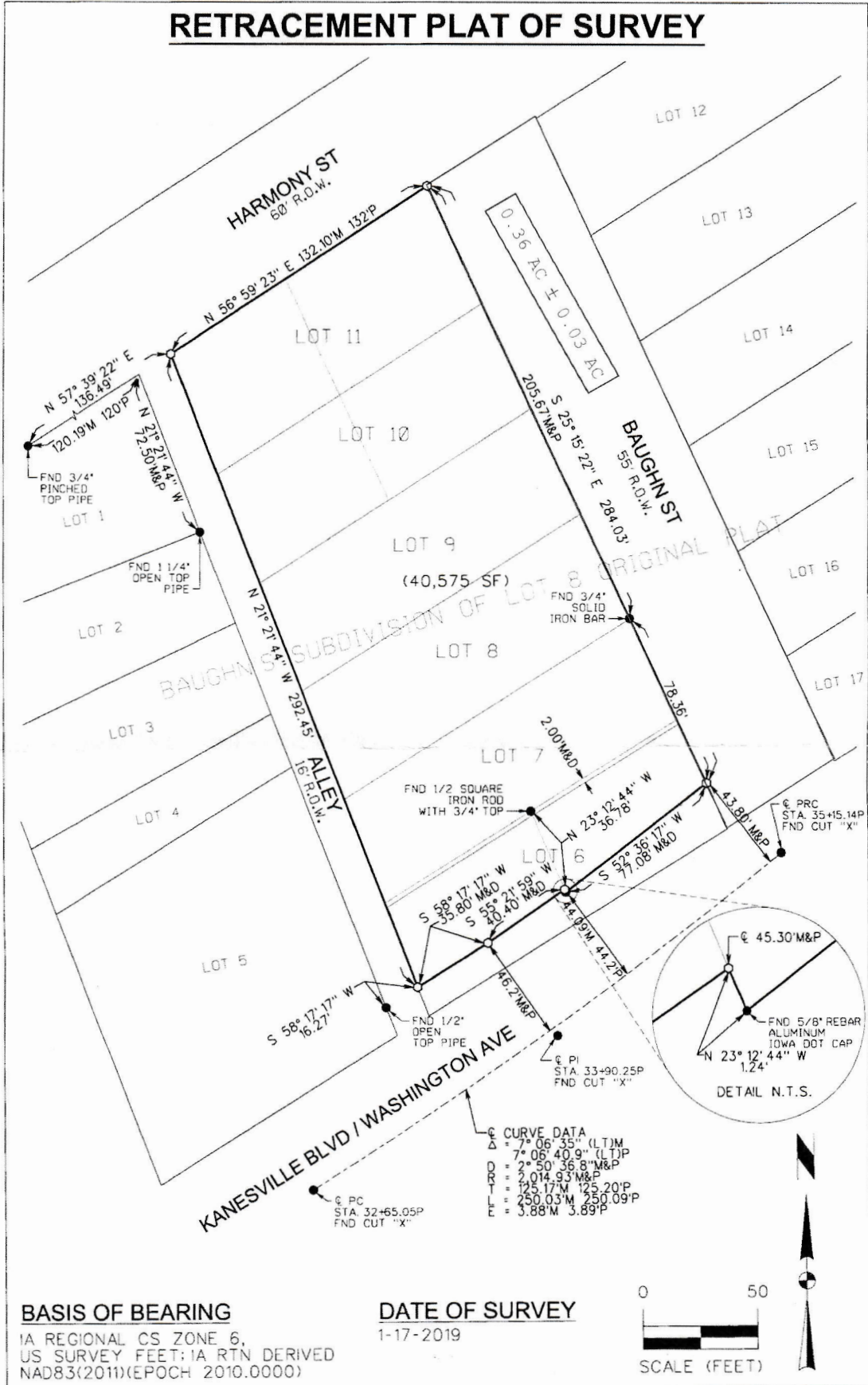
YMCA OF GREATER OMAHA
RETRACEMENT PLAT OF SURVEY



1751 MADISON AVENUE
 CO. BLUFFS, IOWA 51503 (712) 322-3202

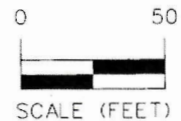
SHEET	2 OF 2
PN:	1190119
FLD BK:	XX PG. XX
DATE:	1/18/2019
PMTECH:	TEM

RETRACEMENT PLAT OF SURVEY



BASIS OF BEARING
 IA REGIONAL CS ZONE 6,
 US SURVEY FEET: IA RTN DERIVED
 NAD83(2011)(EPOCH: 2010.0000)

DATE OF SURVEY
 1-17-2019



YMCA OF GREATER OMAHA
RETRACEMENT PLAT OF SURVEY



1751 MADISON AVENUE
 CO. BLUFFS, IOWA 51503 (712) 322-3202

SHEET	2 OF 2
PN:	1190119
FLD BK:	XX PG:XX
DATE:	1/18/2019
PM/TECH:	TEM

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 1/18/2019
 VS: Survey

Attachment F

Moises Monrroy Castillo

From: mjbstudio@cox.net
Sent: Monday, November 2, 2020 4:57 PM
To: Moises Monrroy Castillo
Subject: YMCA expansion

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

M. Monrroy:

There are none more aware of the YMCA's need for additional parking than we neighbors who live on harmony street between Baughn and Benton Streets. The proposed changes and the closing of Baughn Street Will also increase the traffic on Harmony Street.

With current traffic, it is often difficult to drive down the street and maneuver in and out of driveways with parking permissible on both sides of the street. And this is even more challenging in winter!

Our request is that parking be restricted to only one side of Harmony Street.

Thank you,

Marcia Joffe-Bouska and Tom Bouska
218 Harmony Street

Exhibit A



RE: Cases #ZC-20-012, #CP-20-002, and #SAV-20-004

Dear Planning Commission members:

The Historical Society of Pottawattamie County opposes the rezoning of Lots 6 through 11 of Baughn's subdivision of Lot 8 to A-P/Administrative-Professional District, the amendment of the Bluffs Tomorrow: 2030 Plan by reclassifying said Lots to Local Commercial, and the vacation of Baughn Street.

With each passing year, Council Bluffs is losing more and more of its historic structures to demolition. If this action is approved, St. Patrick's Church and rectory will be the next structures to fall victim to demolition.

According to the Bluffs Tomorrow: 2030 Plan, one of the stated objectives in the Neighborhoods and Housing category is to "encourage new housing in the Downtown through the rehabilitation of historic buildings". This site sits on the edge of the Downtown District and the church and rectory are ideal structures for renovating into housing much like the Three Point Lofts, the Harvester Lofts, and several 100 Block buildings. These structures would make very unique and desirable living spaces in this area and return the property to the tax rolls. It would also be in alignment with an issue cited in the Goals for Downtown Council Bluffs: A Review of the Assessment and Goal-Setting Process – Focus Group Proceedings, where it was stated that "policies need to encourage historical preservation, adaptive reuse, and conservation of historic neighborhoods".

The demolition of these buildings to construct a parking lot is heartbreaking and reminiscent of the demolition of the historic Ogden Hotel for the construction of a parking lot adjacent to 157 West Broadway. And, an entire square block of historic buildings was destroyed to build a shopping mall. Please do not allow these structures to have the same fate as so many other historic buildings in Council Bluffs. These disappearing assets tell the story of Council Bluffs and must be preserved.

The Bluffs Tomorrow: 2030 Plan also states a history and identity goal is to "recognize, preserve and build upon Council Bluffs' unique history and character by instilling local community pride and defining the way the community is perceived throughout the region, state, and country." History is not being preserved and community pride is not being instilled by the demolition of these historic structures.

The Historical Society of Pottawattamie County respectfully requests the denial of the application to preserve the history, the landmark, and the integrity of Council Bluffs as a city that protects its beloved historical structures.

Regards,
Board of Directors, Historical Society of Pottawattamie County

Exhibit B

February 3, 2019

Leo McIntosh, Vice President of Operations – Iowa
Charles E. Lakin YMCA
235 Harmony
Council Bluffs, Iowa 51503

RE: St. Patrick Church and Rectory (Harmony Street)

Dear Mr. McIntosh,

As residents of a historic district listed on the National Register of Historic Places, and on behalf of all who understand the intrinsic value of historic buildings locally, nationwide and worldwide, we are writing to thank the Charles Lakin YMCA for its efforts to urge its membership to use all existing available parking before making a large capital investment in additional parking, possibly using grounds to the west of the YMCA, including the original Saint Patrick's Church and Rectory.

The Lincoln Fairview Neighborhood Association respectfully requests that the Lakin Center YMCA give serious consideration to the following options before any additional parking is built.

1. Ensure that Y members are aware of and incentivized to use the existing parking at CHI Alegent Mercy, with perhaps a slight fee reduction for those who use that parking.
2. Complete a needs assessment once members are fully utilizing the hospital parking to see if additional parking is still a pressing need.
3. Focus on its core mission of providing a facility to promote a healthy lifestyle among our city's residents with the savings of the significant capital funds that would be required to purchase additional property for parking.
4. Recognize the need to preserve the existing historic architecture in our city where buildings were saved in the past, maintaining for generations to come such architectural treasures as the Carnegie Library, the RailsWest Railroad Museum and the Dodge House, to name a few. Each of those buildings has been repurposed.
5. Partner with the City, The 712 Initiative and the many local historic neighborhood associations to repurpose the church and rectory to preserve these examples of exceptional architecture and craftsmanship for generations to come.

It is our hope that the Lakin Center YMCA will take its responsibility as a good neighborhood partner seriously, that the future of the historic buildings addressed here will be a bright one and that they do not become just another photo in a local history book of buildings lost in Council Bluffs. We thank you for your time and consideration of the above and welcome the opportunity to discuss this further in person.

Best regards,

Susan P. Seamands, President
Lincoln Fairview Neighborhood Association
Tel: 402-889-5489
360 Oakland Avenue

Ken Freudenburg, Vice President
Lincoln Fairview Neighborhood Association
Tel: 402-670-1897
510 Oakland Avenue

Cc: Chris Tointon, President & CEO, YMCA of Greater Omaha

Exhibit C

Comments about St Pats Church:

Joe Kenney

Much better to preserve and repurpose our old, historic structures rather than tear them down. Otherwise you end up with a city that has no soul, no heart, and no heritage.

Andrea Sasso Britton

I will never give the YMCA another penny (and I will tell everyone I know to do the same) if they don't come up with an alternative to tearing down a city treasure. 😞😞 I have HAD IT with tearing down old buildings to make parking space!

Buck Christensen

It would be an absolute shame to tear that church down

André Vander Velde

😞 I hate seeing history torn down in our city. Wish there were more innovative ideas to reinvent and reimagine our historic buildings other than creating more parking lots.

Marsha Wright

We got married in that church, I would hate to see it demolished. I thought it would make a cool restaurant of some sort.

Clarrissa Newman

I would hate to see it tore down it is a beautiful building

Michelle Mescher

Council Bluffs keeps getting rid of our history instead of preserving it. I love visiting towns that have been able to maintain that. I'm all for development but sometimes I think you need to look at other options

Kris Puhl

It would be a shame to demolish St. Pat's - and for a parking lot, no less.

Amy Jo

No ! Not St. Pat's!

Sue Senden

how about the Y build a multi level parking area. or are people allergic to the radical idea here in the bluffs? that Y parking area was too small when they built it. No need to trash the historical church to have yet another one level parking area!

Drew Mergens

Is the Y even that busy for there parking lot to be full to expand?

Sophie Crowdy

It's sad that we feel the need to demolish landmarks to make parking lots. Guess parking is a priority for the Y.

Rick Weare

It's a shame to me loose St Patrick's.

Sophie Crowdy

Don't allow the rezone, problem solved.

Carolyn Campbell Robison

It seems that the Y already owns the church, so if they don't get the rezoning, will they just wait for it to collapse so they can get the rezoning? I agree that it's very sad that the plan is to demolish it... I wish that some business/person could have purchased it for it to be used, rather than torn down and made a parking lot 😞

JoAnn Zahn

A lot of family memories there

Lisa Ferris

Council Bluffs has a small level of internet notoriety for destroying beautiful historic buildings and making parking lots that are underutilized. It would be a shame if city planners still haven't learned the lesson everyone can see clearly. I really doubt there is a serious parking crisis at the council bluffs YMCA that requires this much sacrifice. SMH

Mia Silva Laustrup

8tcSpSonshoroedu ·

Help save the history of CB

Public Library today at 6pm

Katie Fourney

Council Bluffs Chat

1t8Spoeonsorrehudl ·

Do you think the old St. Patrick's church should be demolished? If no, what would you like to see it become?

Marsha Wright

We got married in that church, I would hate to see it demolished. I thought it would make a cool restaurant of some sort.

Michael Wheeldon

It would make an awesome concert venue!

Michelle Mescher

Council Bluffs keeps getting rid of our history instead of preserving it. I love visiting towns that have been able to maintain that. I'm all for development but sometimes I think you need to look at other options

Marlene Flanagan

No we have lost alot of historical buildings due to urban renewal. Such a beautiful building

Inez Summy

No it shouldn't be demolished.

A parking lot in place of that beautiful church is shameful. Could it be made into a events hall?
Or maybe some type of museum?

Lynne Branigan

Please no! Save the beautiful building and repurpose!

KM Schnackenberg

Any thing just don't tear it down.

Pat Kuhl-Sautter

Don't tear it down!

Brenda Byron Christensen

Can't it be a wedding venue? It's so beautiful

Kyle McGlade

2gtlSpon3ssorherd ·

I cannot attend due to our school board meeting, please consider writing into the commission or letting your feedback be heard.

Ideas thrown out:

Housing

Brewery

Restaurant

Hotel

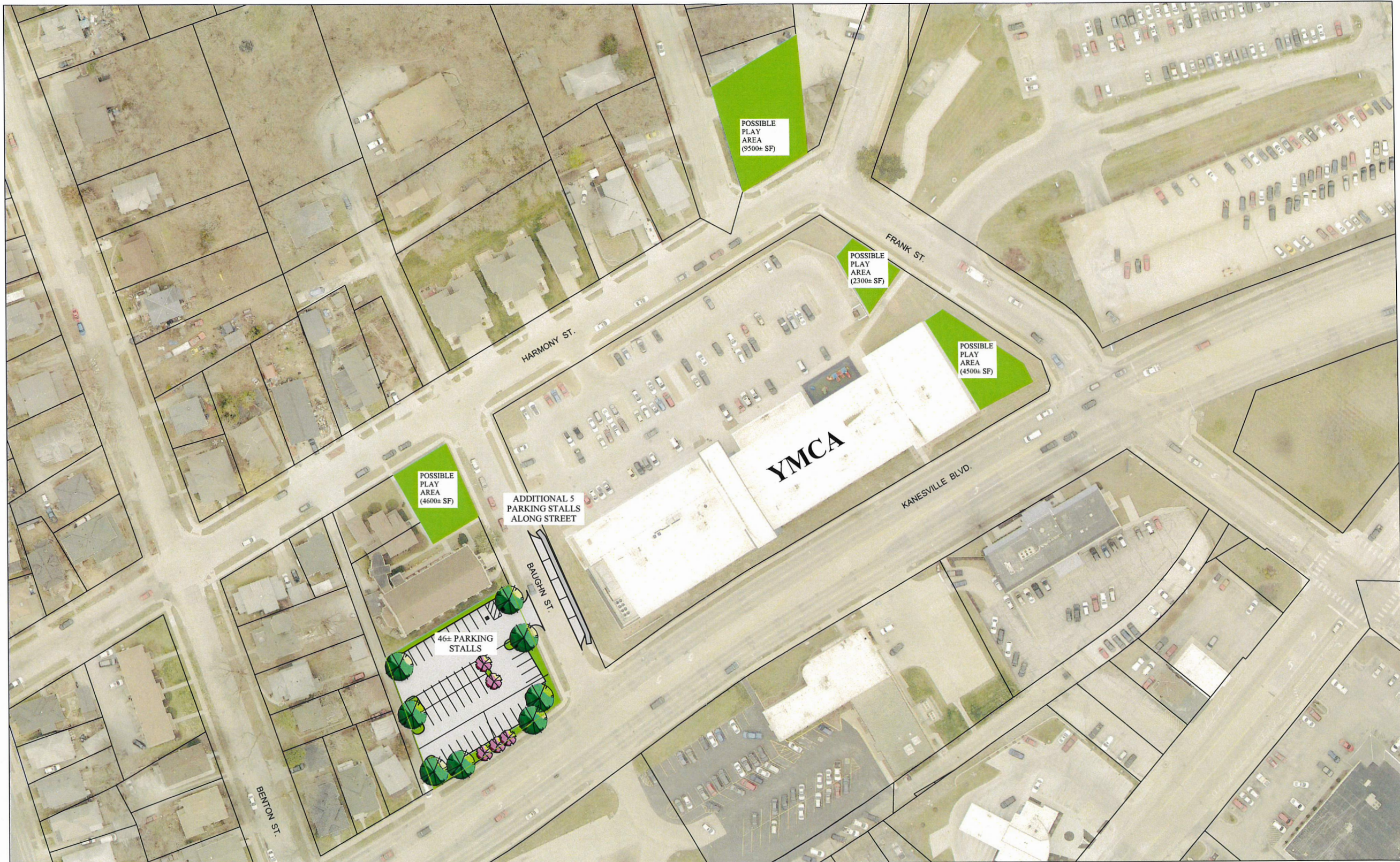
Homeless shelter

Museum

Concert venue

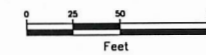
Montessori Preschool

1,700 engaged supporting no tear down – less than 24 hrs



OPTION 1
PROPOSED PARKING

712 INITIATIVE
YMCA AREA
COUNCIL BLUFFS, IOWA



02-13-19
103119



ORDINANCE NO. 6435

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.02.070 OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPERTY LEGALLY DESCRIBED AS LOTS 6 THROUGH 11, BAUGHN'S SUBDIVISION OF LOT 8, ORIGINAL PLAT OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, EXCEPT EAST KANESVILLE BOULEVARD RIGHT-OF-WAY, FROM R-3/LOW DENSITY MULTIFAMILY RESIDENTIAL DISTRICT TO A-P/ADMINISTRATIVE-PROFESSIONAL DISTRICT AS DEFINED IN CHAPTER 15.13 OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA.

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

SECTION 1. That the Zoning Map of the City of Council Bluffs, Iowa, as adopted by reference in Section 15.02.070 of the 2015 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended to rezone property legally described as Lots 6 through 11, Baughn's Subdivision of Lot 8, Original Plat of Council Bluffs, Pottawattamie County, Iowa, EXCEPT East Kaneshville Boulevard right-of-way from R-3/Low Density Multifamily Residential District to A-P/Administrative-Professional District as defined in Chapter 15.13 of the Municipal Code of Council Bluffs, Iowa.

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

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

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect upon the approval of vacation and disposal of Baughn Street right-of way lying between Harmony Street and East Kaneshville Boulevard.

ADOPTED AND APPROVED, January 25, 2021

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

First Consideration: 11-23-20
Second Consideration: 12-14-20
Public Hearing: 12-14-20
Re-Consideration & Public Hearing: 1-25-21

Council Communication

Department: Public Works Admin
 Case/Project No.: PW 21-20
 Submitted by: Matthew Cox, Public Works
 Director

Resolution 21-28
 ITEM 6.A.

Council Action: 2/8/2021

Description

Resolution accepting the bid of RPL Utility LLC in the amount of \$8,984,777.88 for the West Broadway Reconstruction, Segment 5. Project # PW21-20

Background/Discussion

On January 21, 2021, bids were received through the City bidding software Ion Wave as follows:

	Division I <u>General</u>	Division II <u>Pavement</u>	Division III Storm <u>Sewer</u>	Division IV <u>San. Sewer</u>	Division V <u>Water Main</u>	Division VI Traffic <u>Signals</u>	Division VIII <u>Lighting</u>	Division IX <u>Streetscape Amenities</u>	<u>Total</u>
RPL Utility LLC Minden, IA	\$1,039,016.12	\$4,365,513.36	\$756,559.97	\$121,736.69	\$64,706.62	\$693,131.07	\$478,988.13	\$1,465,125.92	\$8,984,777.88
Hawkins Construction Co. Omaha, NE	\$1,220,974.58	\$4,771,111.39	\$837,094.00	\$159,639.09	\$81,007.97	\$703,167.88	\$485,895.82	\$1,525,801.95	\$9,784,692.68
Engineer Opinion	\$1,300,256.00	\$4,449,049.80	\$818,567.00	\$166,370.00	\$100,000.00	\$1,006,466.50	\$415,286.50	\$1,472,651.72	\$9,728,647.52

The Contract Documents for the project include a special provision for incentives and disincentives. If the maximum incentive of \$100,000 is earned by RPL Utility, the project cost will be \$9,084,777.88. Approval of the resolution accepting the bid includes authorization for this incentive payment.

The Segment 5 project will completely rebuild West Broadway from just west of 19th Street to 15th Street. Reconstruction will include the replacement of pavement, traffic signals, street lights, sidewalks, and storm sewers with drainage improvements as a major objective. The project also includes streetscape amenities such as decorative pedestrian lights, brick paver bands behind the curbs and at intersections, ornamental fencing, ornamental arms for street lights, concrete pavers in crosswalks, decorative paving in the center turn lane and at key intersections, raised planted median east of 16th Street, neighborhood masonry columns, and trees.

As a condition of the Transfer of Jurisdiction, Iowa DOT has provided \$20 million in funding for assuming ownership of the roadway previously identified as US-6. This project is included in the FY21 CIP with a budget of \$2,800,000 from GO Bonds, and the balance in Sales Tax Funds. The Iowa West Foundation has agreed to provide funding for the streetscape amenities which are estimated to be \$1,519,513.14. CBWW will reimburse the City for the Division V Water Main costs.

The project schedule is as follows:

Award	February 8, 2021
Construction Start	March 2021 (weather dependent)
Substantial Completion	December 2021

Recommendation

Approval of this resolution. This project will complete the multi-year program to reconstruct West Broadway and the improvements align with the goals and objectives identified in the West Broadway Corridor Master Plan.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 21-28	Resolution	2/3/2021

**RESOLUTION
NO 21-28**

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK
TO EXECUTE AN AGREEMENT WITH
RPL UTILITY LLC FOR THE
WEST BROADWAY RECONSTRUCTION, SEGMENT 5
PROJECT #PW21-20**

- WHEREAS, the plans, specifications, and form of contract for the West Broadway Reconstruction, Segment 5 are on file in the office of the City Clerk; and
- WHEREAS, a Notice of Public Hearing was published, as required by law, and a public hearing was held on December 14, 2020, and the plans, specifications and form of contract were approved; and
- WHEREAS, RPL Utility LLC has submitted a low bid in the amount of \$8,984,777.88 for this contract.

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

That the bid of RPL Utility LLC in the amount of \$8,984,777.88 is hereby accepted as the lowest and best bid received for said work; and

BE IT FURTHER RESOLVED

That the City Council does hereby award the contract in connection with the West Broadway Reconstruction, Segment 5 and authorizes the maximum incentive payment of \$100,000 if the specified contract requirements are satisfied, resulting in a total project cost of \$9,084,777.88; and

BE IT FURTHER RESOLVED

That the Mayor and City Clerk are hereby authorized, empowered, and directed to execute an agreement with RPL Utility LLC for and on behalf of the City of Council Bluffs, upon approval by the City Attorney of the certificate of insurance and payment and performance bonds as required by the contract specifications.

AND BE IT FURTHER RESOLVED

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

ADOPTED
AND
APPROVED

February 8, 2021

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Finance

Case/Project No.:

Submitted by: Finance Department /

Kathy Knott

Resolution 21-40

ITEM 6.B.

Council Action: 2/8/2021

Description

Resolution declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified projects.

Background/Discussion

The City of Council Bluffs intends to issue General Obligation Bonds for FY22 CIP projects. This resolution allows the City to reimburse itself from the bond proceeds for expenses incurred for these specific projects prior to the official sale date of the bonds. A copy of the approved FY22 CIP is attached.

Recommendation

This is Step 4 of the General Obligation Bonding process, which is to request approval of the reimbursement resolution. It is in the best interest of the City to continue to move forward in the process of proposing the issuance of General Obligation Bonds to satisfy the funding requirements for capital improvement projects for FY22.

ATTACHMENTS:

Description	Type	Upload Date
GO Bond Process	Other	1/29/2021
FY22 CIP Approved	Other	1/29/2021
Resolution 21-40	Resolution	2/3/2021

City of Council Bluffs

GO Bonding Process

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

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

Step 2 – Set public hearing for bond purposes

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

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

Step 4 – Reimbursement resolution

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

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

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

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

Step 8 – Sale of Bonds public hearing

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

PROJECT #	PROJECT TITLE	DESCRIPTION	Current Year Funding Sources													Current Year Project Cost	Notes/Further information
			Federal	State	Sales	Road Use	GO	Gen Fund - Gaming	Gen Fund - Op Budget	Gen Fund - Other	Iowa West Foundation	Other Grant	Donations	Other			
Building Maintenance			\$0	\$0	\$0	\$0	\$1,325,000	\$380,000	\$0	\$0	\$0	\$0	\$0	\$125,000	\$1,830,000		
BM-22-01	MAC Parking Lot Rehab - Phase III	Replacement of City owned lots					\$575,000	\$200,000						\$125,000	\$900,000	Gaming; 2019A bonds from phase II	
BM-22-02	MAC Roof Relpacment - Phase II	Remove and replace areas of the roof that are failing					\$550,000								\$550,000	Gaming	
BM-22-04	Fire Station #2 Window Replacement	Replace windows at Fire Station #2					\$200,000								\$200,000	Gaming	
BM-22-05	Dodge Park Clubhouse Concrete Repairs	Change drainage and replace concrete on east side of building						\$130,000							\$130,000	Gaming	
BM-22-06	City Hall Facility Needs Study - Phase II	Determine scope and costs for remodel or replacement						\$50,000							\$50,000	Gaming	
Community Development Department			\$400,000	\$0	\$0	\$0	\$4,000,000	\$0	\$0	\$150,000	\$1,000,000	\$0	\$0	\$0	\$5,550,000		
CD-22-01	FIRST AVE Program	Acquisitions/demolition/trail/infrastructure/studies/landscaping					\$1,750,000				\$1,000,000				\$2,750,000	Phase II of multi-use trail is c. \$2.5-3M	
CD-22-03	S. 19th Street Extension	Street extension for existing neighborhood and future development	\$400,000							\$150,000					\$550,000	CDBG	
CD-22-04	River's Edge Water Main Upgrade	Water Main upgrade for Argent condos					\$2,250,000								\$2,250,000		
Fire Department			\$0	\$0	\$0	\$0	\$0	\$0	\$225,000	\$0	\$0	\$0	\$0	\$0	\$225,000		
FD-22-01	Medic 3 Replacement	Ambulance Replacement							\$225,000						\$225,000	General - Ambulance	
II			\$0	\$0	\$0	\$0	\$700,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$700,000		
IT-22-01	IT Safety and Security	Software and services					\$60,000								\$60,000		
IT-22-02	Infrastructure & Services	Servers, storage, desktops, laptops, networking, etc.					\$325,000								\$325,000		
IT-22-03	Mobile Technologies	MDTs, etc.					\$50,000								\$50,000		
IT-22-04	Software Licensing	Multiple products					\$265,000								\$265,000		
Parks, Recreation and Public Property Department			\$696,800	\$175,951	\$0	\$0	\$975,000	\$0	\$619,511	\$0	\$0	\$0	\$200,000	\$45,000	\$2,712,262		
PR-22-01	City wide parking lot upgrades	Westwood, Valley View, Bahnsen, Pirate Cove					\$250,000								\$250,000		
PR-22-02	City wide trail upgrades	Continue improvements of poor and fair rated sidewalks within the city							\$100,000						\$100,000	Grounds/Maint on budget	
PR-22-03	City wide site furnishings	Replace site furnishings throughout park system							\$50,000						\$50,000	Grounds/Maint on budget	
PR-22-04	Aquatics modernization and repair	Repair, replacement, and upgrades of equipment, water features, etc.							\$50,000						\$50,000		
PR-22-05	Cochran Park Playground Replacement	Replace existing playground with new structure, safety surface, inclusive features.					\$200,000						\$200,000		\$400,000	Private Donation	
PR-22-06	Recreation Complex facilities maintenance yard upgrade	Add security fence, turn around area in drive, expand yard for goals, materials and equipment.							\$40,000						\$40,000		
PR-22-07	Park monument sign replacement	replace existing monument/ entry signs in the parks					\$28,989		\$21,011						\$50,000	Grounds/Maint on budget	
PR-22-08	Twin City Park parking lot construction	Construct parking lot in Twin City Park - current parking area is a gravel lot							\$55,000						\$55,000		
PR-22-09	River's Edge shoreline restoration	Complete vegetative restoration of the shoreline impacted by the 2018 flood.		\$175,951											\$175,951	REAP Grant	
PR-22-10	Fall Color Corridor - Phase II	Complete the fall color corridor							\$100,000						\$100,000		
PR-22-11	Harry Langdon Blvd Phase II	Complete Area 1 and 2 of the Harry Langdon Median							\$105,000						\$105,000		
PR-22-12	Valley View Park dog park	construct dog park with shelters, and water service					\$90,000								\$90,000		
PR-22-13	Bayliss Park plaza concrete repair	Remove/repair concrete in the plaza around the fountain in Bayliss park - south-east and north sides.							\$46,000						\$46,000	Grounds/Maint on budget	
PR-22-14	Roberts Park Sports Court Rehabilitation	Repair, resurface existing courts, relocate a light pole.							\$40,500						\$40,500		
PR-22-15	City County Trail Connector	design and engineering of trail alignment, potential land acquisition, trailhead design	\$696,800				\$129,200						\$45,000		\$871,000	MAPA 80%; 2019A and 2020B bonds	
PR-22-16	Eastern Hills Neighborhood Park	Install play equipment and amenities on land near Eastern Hills Drive					\$276,811								\$276,811		
PR-22-17	Briarwood-Eastern Hills Trail Extension	Temporary trail design							\$12,000						\$12,000		
Police Department			\$0	\$0	\$0	\$0	\$0	\$752,000	\$0	\$0	\$0	\$100,000	\$0	\$2,148,000	\$3,000,000		
PD-22-01	Range Upgrades	100 Yard Rifle Range Addition						\$752,000				\$100,000		\$2,148,000	\$3,000,000	2018A Bond \$648,000/Pott. Co. Share of Project Costs - \$1,500,000/\$100,000 seized asset fund	
Public Works Department			\$1,800,000	\$7,200,000	\$8,400,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$7,500,000	\$24,900,000		
PW-22-01	Infrastructure Maintenance	Emergency Repairs			\$400,000										\$400,000		
PW-22-04	Infrastructure Management	Evaluation study / analysis TBD			\$100,000										\$100,000		
PW-22-05	NPDES PH II Program Management	Citywide MS4 permit - storm sewer improvements			\$100,000										\$100,000		
PW-22-06	Levee Certification Projects				\$0										\$0		
	Program Management	Consultant Services			\$250,000										\$250,000		
	Drainage IC_2 & IC_3	Outfall pipe repairs for Indian Creek											\$275,000	\$275,000			
	Geotech MR_8	Seepage improvements to Missouri River Levee											\$1,500,000	\$1,500,000		FMP	
	Geotech MR_9	Seepage improvements to Missouri River Levee		\$2,350,000									\$300,000	\$2,650,000			
	Freeboard IC_1	Freeboard improvements to Indian Creek Levee											\$2,250,000	\$2,250,000			
	Geotech MC_1	Stability improvements to Mosquito Creek Levee											\$1,000,000	\$1,000,000			
	Geotech MC_2	Seepage Improvements to Mosquito Creek Levee											\$1,600,000	\$1,600,000			
PW-22-09	E Manawa Sewer Rehab - Phase X	Pavement, sewer			\$1,200,000									\$1,200,000	\$1,200,000		

FY 22

PROJECT #	PROJECT TITLE	DESCRIPTION	Current Year Funding Sources											Current Year Project Cost	Notes/Further information		
			Federal	State	Sales	Road Use	GO	Gen Fund - Gaming	Gen Fund - Op Budget	Gen Fund - Other	Iowa West Foundation	Other Grant	Donations			Other	
PW-22-11	Sewer Rehab - Insitu Lining	Rehabilitation of concrete sanitary sewers			\$500,000											\$500,000	
PW-22-12	1st St Neighborhood Rehab - Phase XII	Pavement, sewer			\$1,250,000											\$1,250,000	
PW-22-13	South Avenue Reconstruction	Pavement, storm sewer; Improvements for intermodal traffic		\$1,600,000	\$400,000									\$400,000	\$2,400,000		RISE grant, Other =TSL match
PW-22-14	SCADA Upgrade - Phase II	Pump station communication			\$525,000										\$525,000		
PW-22-15	WPCP Solids Building Basin Repair	Repair of concrete structure corrosion												\$175,000	\$175,000		Other = Sewer
PW-22-16	E Beltway - Segment F	Steven Road Extension	\$1,800,000		\$775,000										\$2,575,000		STP
PW-22-17	South Expressway Reconstruction - Phase I	Pavement, sewer - I-80 North		\$3,250,000	\$1,500,000										\$4,750,000		STBG-SWAP
PW-22-21	IDOT Payment for N.28th St Storm	Payment 1 of 3			\$900,000										\$900,000		Moved from FY21 to FY22
PW-22-22	IDOT Payment for UPRR Bridge	Payment 1 of 5			\$500,000										\$500,000		Moved from FY21 to FY22
Total			\$2,896,800	\$7,375,951	\$8,400,000	\$0	\$7,000,000	\$1,132,000	\$844,511	\$150,000	\$1,000,000	\$100,000	\$200,000	\$9,818,000	\$38,917,262		

RESOLUTION 21-40

ITEMS TO INCLUDE ON AGENDA

CITY OF COUNCIL BLUFFS, IOWA

General Obligation Bonds, Series 2021

- Resolution declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified Projects.

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

February 8, 2021

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

Absent: _____

Vacant: _____

* * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION DECLARING AN OFFICIAL INTENT UNDER TREASURY REGULATION 1.150-2 TO ISSUE DEBT TO REIMBURSE THE CITY FOR CERTAIN ORIGINAL EXPENDITURES PAID IN CONNECTION WITH SPECIFIED PROJECTS" and moved that it be adopted. Council Member _____ seconded the motion to adopt, and the roll being called thereon, the vote was as follows:

AYES: _____

NAYS: _____

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

Resolution 21-40

RESOLUTION DECLARING AN OFFICIAL INTENT UNDER
TREASURY REGULATION 1.150-2 TO ISSUE DEBT TO
REIMBURSE THE CITY FOR CERTAIN ORIGINAL
EXPENDITURES PAID IN CONNECTION WITH SPECIFIED
PROJECTS

WHEREAS, the City anticipates making cash expenditures for one or more capital improvement projects, generally described below (each of which shall hereinafter be referred to as a "Project"); and

WHEREAS, the City reasonably expects to issue debt to reimburse the costs of a Project;
and

WHEREAS, the Council believes it is consistent with the City's budgetary and financial circumstances to issue this declaration of official intent.

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

Section 1. That this Resolution be and does hereby serve as a declaration of official intent under Treasury Regulation 1.150-2.

Section 2. That it is reasonably expected that capital expenditures will be made in respect of the following Project(s), from time to time and in such amounts as this Council determines to be necessary or desirable under the circumstances then and there existing.

Section 3. That the City reasonably expects to reimburse all or a portion of the following expenditures with the proceeds of bonds, notes or other indebtedness to be issued or incurred by the City in the future.

Section 4. That the total estimated costs of the Project(s), the maximum principal amount of the bonds, notes or other indebtedness to be issued for the foregoing Project(s) and the estimated dates of completion of the Project(s) are reasonably expected to be as follows:

<u>Project</u>	<u>Fund from which original expenditures are to be Advanced</u>	<u>Total Estimated Cost</u>	<u>Amount of Borrowing Anticipated</u>	<u>Estimated Date of Completion</u>
<u>Building/Facility Maintenance Rehab</u>	Capital	1,830,000	1,325,000	Q4 FY22
<u>Community Development Reconstruction</u>	Capital	5,550,000	4,000,000	Q4 FY22
<u>IT Software Hardware</u>	Capital	700,000	700,000	Q4 FY22
<u>Parks & Rec Rehab</u>	Capital	2,712,262	975,000	Q4 FY22

Section 5. That the City reasonably expects to reimburse the above-mentioned Project costs not later than the later of eighteen months after the capital expenditures are paid or eighteen months after the property is placed in service, but in no event more than three (3) years after the original expenditure is paid.

Section 6. That this Resolution be maintained by the City Clerk in an Official Intent File maintained in the office of the Clerk and available at all times for public inspection, subject to such revisions as may be necessary.

PASSED AND APPROVED this 8th day of February, 2021.

Mayor

ATTEST:

City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

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

WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2021.

City Clerk, City of Council Bluffs, State of Iowa

(SEAL)

01811965-1\10342-163

Council Communication

Department: Public Works Admin
Case/Project No.: PW 21-20
Submitted by: Matthew Cox, Public
Works Director

Resolution 21-41
ITEM 6.C.

Council Action: 2/8/2021

Description

Resolution authorizing the Mayor to execute a Council Bluffs Water Works Reimbursement Agreement for the West Broadway Reconstruction, Segment 5. Project # PW21-20

Background/Discussion

The Segment 5 project will completely rebuild West Broadway from just west of 19th Street to 15th Street. Reconstruction will include the replacement of pavement, traffic signals, street lights, sidewalks, and storm sewers with drainage improvements as a major objective. The project also includes streetscape amenities such as decorative pedestrian lights, brick paver bands behind the curbs and at intersections, ornamental fencing, ornamental arms for street lights, concrete pavers in crosswalks, decorative paving in the center turn lane and at key intersections, raised planted median east of 16th Street, neighborhood masonry columns, and trees.

The Council Bluffs Water Works has relocated their water main from West Broadway to Avenue A. The abandoned 24" water main in West Broadway within the Segment 5 construction limits will be removed as part of the West Broadway Reconstruction Segment 5 project.

The agreement allows for the work to be performed under Project PW21-20 and provides for reimbursement of the costs associated with performance of the work. Water Works will reimburse the City 100% of the costs associated with the water line removal. The approximate cost of this work is \$87,500.

Recommendation

Approval of this resolution. This agreement will allow the City to be reimbursed for work associated with the Council Bluffs Water Works water main.

ATTACHMENTS:

Description	Type	Upload Date
CBWW Reimbursement Agreement	Agreement	1/28/2021
Resolution 21-41	Resolution	2/3/2021

REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF COUNCIL BLUFFS, IOWA

AND

THE BOARD OF WATER WORKS TRUSTEES OF THE CITY OF COUNCIL BLUFFS, IOWA

FOR CITY PROJECT NUMBER PW21-20 West Broadway Reconstruction Segment 5 – 19th Street to 15th Street

The above referenced project is being led by the City of Council Bluffs, Iowa (hereinafter “City”).

A Division of the work identified as Existing 24 inch Water Main Removal and Soil Management, Special Waste (Exhibit A) (hereinafter “Work”) that is agreed to be reimbursed by the Board of Water Works Trustees of the City of Council Bluffs, Iowa (hereinafter “Board”).

Item 1-5 “Soil Management, Special Waste” is an item that may be required for removal of the water main if contaminated soils are encountered. The Council Bluffs Water Works will be notified prior to the use of this item, and if used agrees to reimburse the City for these costs.

The City does hereby agree to have the Work performed in a manner consistent with the Board approved plans and specifications as part of Project PW21-20 West Broadway Reconstruction Segment 5 – 19th Street to 15th Street.

Board reserves the right to cancel all or any portion of the Work prior to commencement of the Work.

No extra work shall be added to or deleted from the Work after the letting or commencement of the Work without the Board’s prior written consent.

The Board does hereby agree to reimburse the City for all cost associated with the performance of the Work.

Once the Work has been completed and paid for by the City, City will notify the Board of the completion of the Work, and the total cost associated with the performance of the Work. This amount shall be supported by the contract documents and bid prices.

Within 30 days after getting the above referenced notice, the Board shall deliver payment in the full amount to City. Payments will be made monthly based on the Work completed by the Contractor.

In witness of this agreement and as authorized representative of our respective entities we have affixed our signatures below on this ____ day of _____, 2021.

Board of Water Works Trustees
of the city of Council Bluffs, Iowa

City of Council Bluffs, Iowa

By: _____

Martin L. Brooks, Chairman

By: _____

Matthew J. Walsh, Mayor

EXHIBIT A

Item No.	Description	Estimated Bid Quantity	Total Bid Cost
5-1	Existing 24 Inch Water Main Removal	1 LS	\$64,706.62
1-5	Soil Management, Special Waste	500 Ton	\$22,790.00

Item 5-1: EXISTING 24-INCH WATER MAIN REMOVAL

Contract lump sum unit price shall include all costs associated with removal of previously abandoned 24-inch cast iron water main within the pavement removal limits. Unit price shall also include removal of previously abandoned fittings, thrust blocks and manholes along the main and connected smaller diameter water mains within the pavement removal limits at the intersections as noted on the plan sheets. Replacement of trench material with special backfill shall be included with the contract unit price.

Item 1-5: SOIL MANAGEMENT, SPECIAL WASTE

Item shall be used where excavated soil material is determined to be contaminated and required to be hauled to a solid waste landfill or landfarm that can accept special waste. Refer to Special Provision No. 10 for requirements and Environmental Test Results that are available from the project borings.

Over-excavation of additional contaminated soil beyond the excavation limits required by the work activity being completed will not be required. Item does not include replacement of excavated material. Payment will not be made for removal of soil that does not meet the requirements of the special provision.

The unit price shall be full compensation for furnishing all materials, labor, tools, and equipment necessary to dispose of the special waste.

Measurement and payment shall be per ton of special waste disposed based on scale tickets from the disposal location provided to the Owner's representative.

Although the exact limits of the areas that will require special waste have not been determined in design, the activity is included in the Incentive and Disincentive milestones. No adjustment in the Critical Closure Days will be allowed due to the use of these items.

All special waste required for the removal of the water main and/or the Century Link duct bank shall be tracked separately.

**RESOLUTION
NO 21-41**

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK
TO EXECUTE A REIMBURSEMENT AGREEMENT WITH
THE BOARD OF WATER WORKS TRUSTEES IN CONNECTION WITH
THE WEST BROADWAY RECONSTRUCTION, SEGMENT 5.
PROJECT #PW21-20**

- WHEREAS, the City wishes to make improvements known as the West Broadway Reconstruction, Segment 5 project within the City, as therein described; and
- WHEREAS, removal of a water line owned by Council Bluffs Water Works is included in the scope of the project; and
- WHEREAS, Council Bluffs Water Works has submitted a reimbursement agreement for the work; 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 a reimbursement agreement with the Board of Water Works Trustees in connection with Project #PW21-20.

ADOPTED
AND
APPROVED

February 8, 2021

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Police
Case/Project No.:
Submitted by: Chief Tim Carmody

Resolution 21-42
ITEM 6.D.

Council Action: 2/8/2021

Description

Resolution abolishing a Division Secretary position in Vice/Narcotics Division and adding a Police Officer position effective upon approval of this resolution.

Background/Discussion

Restructure Explanation

A). Abolishment

1) Effective February 5, 2021, our Division Secretary in the Uniform Division will retire after 31 years of dedicated service.

2) In an evaluation of staffing and duties, it was determined that we could combine the duties of the Division Secretary in Vice/Narcotics and the Uniform Divisions.

3) The current Division Secretary in Vice/Narcotics can and wants to transfer to the opening in the Uniform Division.

4) The abolishment of the Vice/Narcotics Division Secretary position will create a cost savings of approximately \$57,697.

B). Creation/Addition

1) The cost savings noted above creates the opportunity to add a Police Officer position upon approval of City Council.

2) The new position would further bolster Uniform Division Teams that are striving to keep up with service demands.

3) The salary cost for a new Police Officer is \$54,462. There is a marginal difference in benefits, but Chief Carmody believes this will not impact the FY21 or FY22 budget negatively.

The changes listed will reallocate personnel and duties to most effectively serve the citizens of Council Bluffs. With the changes proposed, the authorized strength for the Police Department will be: 117 Sworn and 22 Civilians.

Recommendation

The Police Department is making the recommendation to abolish a Division Secretary position and add one Police Officer position to the current authorized strength.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 21-42	Resolution	2/3/2021

**RESOLUTION
NO 21-42**

**RESOLUTION ABOLISHING A DIVISION SECRETARY POSITION AND ADDING A
POLICE OFFICER POSITION WITHIN THE POLICE DEPARTMENT**

- WHEREAS, A Division Secretary position in one unit is no longer needed in the proposed restructuring of the Police Department.
- WHEREAS, Abolishing the position will allow the Police Department to reallocate resources to better align with the needs of the City and the staff.
- WHEREAS, The crucial duties of the Division Secretary position will be reallocated to other Division Secretary positions.
- WHEREAS, The addition of the Police Officer position will help with the workload of the Police Department.
- WHEREAS, The listed changes will not negatively impact the Police Department budget.

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

That one Division Secretary position be abolished effective February 6, 2021.

AND BE IT FURTHER RESOLVED

That one Police Officer position be added effective upon the approval of this resolution by Council.

ADOPTED
AND
APPROVED

February 8, 2021

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Police
Case/Project No.:
Submitted by: Chief Tim Carmody

Resolution 21-43
ITEM 6.E.

Council Action: 2/8/2021

Description

Resolution abolishing a Police Captain position, adding a Police Lieutenant position, and adding a Police Officer position effective December 1, 2021.

Background/Discussion

Restructure Explanation

A). Abolishment

1) Effective November 30, 2021, our Services Division Captain will retire after 36 years of dedicated service.

2) In an evaluation of staffing and duties, it was determined that it would be more effective and efficient to redistribute that Captain's duties between two other Captains and a new Lieutenant.

3) The abolishment of the Services Division Captain's position will create a cost savings of approximately \$61,893 during the last half of FY22.

B). Creation/Addition

1) The proposed realignment and cost savings noted above create the opportunity to add a Lieutenant and a Police Officer positions upon approval of City Council.

2) The new Lieutenant would be assigned to the Criminal Investigations Division and the Police Officer would bolster Uniform Division Teams.

3) The salary cost for the new lieutenant and a new Police Officer for the last half of FY22 is \$77,847. Chief Carmody believes that the additional \$15,954 in salary can be absorbed in the existing budget.

The changes listed will reallocate personnel and duties to most effectively serve the citizens of Council Bluffs. With the changes proposed, the authorized strength for the Police Department will be: 118 Sworn and 22 Civilians.

Recommendation

The Police Department is making the recommendation to abolish a Police Captain position, add one Police Lieutenant position, and add one Police Officer position to the current authorized strength.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 21-43	Resolution	2/3/2021

**RESOLUTION
NO 21-43**

RESOLUTION ABOLISHING A CAPTAIN POSITION, ADDING A LIEUTENANT POSITION, AND ADDING A POLICE OFFICER POSITION WITHIN THE POLICE DEPARTMENT

WHEREAS, Chief Carmody recommends the realignment of duties and allocation of personnel in an effort to improve the efficiency and quality of the service provided by the Police Department.

WHEREAS, The realignment includes the abolishment of a Police Captain's position; as well as the creation/addition of a Lieutenant position and a Police Officer position.

WHEREAS, The duties of that Captain's position will be reallocated to two other Police Department Captains and the new Lieutenant.

WHEREAS, The addition of the Lieutenant and Police Officer position will enhance the efficiency and help with the workload of the Police Department, but should not negatively impact the Police Department budget.

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

That one Police Captain's position be abolished effective December 1, 2021.

AND BE IT FURTHER RESOLVED

That one Lieutenant position and one Police Officer position be added to the Police Department's authorized strength effective December 1, 2021.

ADOPTED
AND
APPROVED

February 8, 2021

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

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

Resolution 21-44
ITEM 6.F.

Council Action: 2/8/2021

Description

Resolution approving and authorizing execution of a memorandum of understanding between the City of Council Bluffs and SINC.

Background/Discussion

This MOU was put together to establish the framework of how improvements to River's Edge Park will be constructed, financed, operated and maintained. SINC is working on several projects in and around the Park. It is anticipated that the proposed improvements will represent a private investment of approximately \$50,000,000.00 into the park. As we move forward with the different elements, agreements will be drafted and brought back to the City Council for final approval prior to the construction of the projects.

Recommendation

Authorize the Mayor to execute the Memorandum of Understanding.

ATTACHMENTS:

Description	Type	Upload Date
Memorandum of Understanding	Agreement	1/29/2021
Resolution 21-44	Resolution	2/3/2021

MEMORANDUM OF UNDERSTANDING

(OUTLINE)

BETWEEN THE CITY OF COUNCIL BLUFFS, IOWA AND SINC

NUMEROUS PROJECTS ARE BEING PROPOSED IN AND AROUND RIVERS EDGE PARK ON GROUNDS CURRENTLY OWNED OR UNDER THE CONTROL OF THE CITY OR TO BE ACQUIRED BY THE CITY. THE PROJECT AND THE RESPONSIBILITY FOR THE COSTS OF IMPLEMENTING THE PROJECTS AND THE ONGOING MAINTENANCE FOR SAID PROJECTS SHALL BE AS SET OUT BELOW.

TREE REMOVAL

The areas in which some of the proposed projects are to be undertaken have numerous trees that need to be cleared. The City has agreed to allow SINC and its agents and contractor(s) to enter upon City property to cut down and remove said trees as set out in the plans attached hereto. All agents and contractor(s) performing work pursuant to this authorization shall provide the City with proof of insurance for coverages and in amounts deemed appropriate by the City Attorney. The certificates provided to the City shall identify the City as an additional insured. The migratory bird act prohibits the removal of trees from this area after April first of each year contracts let for the removal of the trees shall only be let at times when this act may be complied with.

ELEVATED WALKWAYS

The construction of two elevated walkways are currently being contemplated. One would be connected to The Bob Kerry Pedestrian Bridge and would extend to the north. It has commonly been referred to as the Tree Top Walkway. The other would be constructed on the South side of the I-480 Bridge. It would run from the top of the levee and extend into the river to a newly constructed Pier. It is currently being referred to as the Pier Walkway. The City would grant SINC its agents and Contractor(s) permission to enter upon City property to construct these walkways. SINC will be responsible for completing these improvements and requiring the appropriate insurance coverage to be in place during said construction and, to remain in place until such time as the improvements are dedicated to and accepted by the City. The City shall have the final say on the design and specification of these structures. Once the city has accepted the improvements the City shall be responsible for their continued care and maintenance.

SURFACE WALKWAYS

Several trails are being contemplated at this time under and to the north of the Bob Kerry Pedestrian Bridge. The City would grant SINC its agents and Contractor(s) permission to enter upon City property to construct these improvements. SINC will be responsible for completing these improvements and requiring that the appropriate insurance coverages be in place during their construction. Once they are complete the city shall be responsible for their continued care maintenance.

ADVENTURE ELEMENTS

It is currently contemplated that there would be adventure elements incorporated into the construction of the Tree Top Walkway. An observation tower, climbing wall and roll glide are being considered. The final design and specifications for these structures will be subject to the approval of the City. These elements would be constructed under the same arrangement as the elevated walkways with SINC letting the contract and making sure that the appropriate amount of insurance is maintained on the project throughout its construction and until they are dedicated to and accepted by the City. Once accepted the City shall be responsible for their continued care and maintenance. It is contemplated that the City would contract with a third party to operate these elements.

DOG PARK AND PLAYGROUND

It is currently being contemplated that a dog park and playground area shall be constructed on the dry side of the levee in this general area. The City shall have the final say on the actual design and specifications of these improvements. If it is determined that additional ground is needed to accommodate these elements the city will explore the possibility of funding the acquisition of the property through state or federal grants. If no grants are available SINC will fund both the acquisition of the property and the costs of the improvement. SINC will enter contracts for the construction of the improvements and make sure that an appropriate amount of insurance is maintained throughout the construction of the project and until the lands and improvements are dedicated to and accepted by the City. Once accepted by the City the care and maintenance of these elements shall be the responsibility of the City.

ADDITIONAL ELEMENTS

If it is determined that additional elements need to be incorporated into the park or the surrounding areas, City and SINC agree to work together to address those elements in a manner similar to the ways in which we have addressed the elements set out above.

ENDOWMENT FUND

In this Memorandum of Understanding the City has agreed to assume the responsibility for the ongoing care and maintenance of a significant amount of park improvements. It is the intent of the City to cover the cost of routine maintenance which will be more fully identified in subsequent agreements. SINC recognizing this commitment by the City has agreed to establish an endowment fund with an initial contribution of \$2 million. The income generated by this fund may be utilized by the City to defray the cost of non-routine maintenance expenses.

In witness of the above understandings and as authorized representatives of our respective parties we have affixed our signatures below on this __ day of _____, 2021.

City of Council Bluffs

By: _____

Mayor Matthew Walsh

SINC

By: _____

Pete Tulipana

RESOLUTION NO. 21-44

A RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF COUNCIL BLUFFS AND SINC.

WHEREAS, SINC is working on several projects which are in and around Rivers Edge Park; and

WHEREAS, In order for City to move forward it must have certain assurances with SINC and to further develop actual development agreements covering each of the projects outlined in the Memorandum of Understanding; and

WHEREAS, Being fully advised as to the merits of said memorandum, this City Council deems said Memorandum of Understanding, attached hereto and made a part hereof, to be in the best interests of the City of Council Bluffs, Iowa.

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

That the Memorandum of Understanding attached hereto and made a part hereof is hereby approved as to form and content.

AND BE IT FURTHER RESOLVED

That the Mayor is hereby authorized and directed to execute said Memorandum of Understanding for and on behalf of the City of Council Bluffs, Iowa.

ADOPTED
AND
APPROVED

February 8, 2021.

MATTHEW J. WALSH Mayor

Attest:

JODI QUAKENBUSH City Clerk

Council Communication

Department: Community
Development

Case/Project No.:
Submitted by: Courtney Harter,
Housing & Economic Development
Manager

Resolution 21-45
ITEM 6.G.

Council Action: 2/8/2021

Description

Resolution authorizing the Mayor to execute an agreement with the Pottawattamie County Development Corporation, D/B/A The 712 Initiative, for the use of HOME Investment Partnership (HOME) Program funds for a multi-family project located at 530 West Broadway.

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	1/29/2021
Attachment A - HOME Agreement	Agreement	1/29/2021
Attachment B - Cohen Building Conceptuals	Other	1/29/2021
Resolution 21-45	Resolution	2/3/2021

Council Communication
February 8, 2021 City Council Meeting

Department: Community Development	Ordinance No.: N/A Resolution No.: 21-	First Reading: N/A Second Reading: N/A Third Reading: N/A Public Hearing: N/A
Case/Project No.: N/A		
Subject/Title		
Resolution authorizing the Mayor to execute an agreement with the Pottawattamie County Development Corporation, D/B/A the 712 Initiative, for the use of HOME Investment Partnership (HOME) Program funds for a multi-family project located at 530 West Broadway		
Location		
530 West Broadway legally described as Lots J, K, L and M, Auditor's Subdivision, of Block 6, Mynster's Addition, and Block 2, Bayliss 1st Addition, City of Council Bluffs, Pottawattamie County, Iowa		
Background/Discussion		
<p><u>Background</u></p> <p>The U.S. Department of Housing and Urban Development (HUD) administers the HOME Program. The HOME Program is authorized by the HOME Investment Partnerships Act which is Title II of the Cranston-Gonzalez National Affordable Housing Act. This program is similar to the CDBG Program and involves funding to local governments and states for housing activities. The Cities of Omaha and Council Bluffs partner as a consortium as a metropolitan area in order to maximize available dollars to each community. The HOME Consortium is managed by the City of Omaha's Planning Department with approximately \$200,000 per year earmarked for projects within Council Bluffs.</p> <p>The Community Development Department currently utilizes its HOME allocation for multi-family projects to developers that commit to a set number of affordable units within newly constructed apartment buildings. Because of the small amount of dollars awarded to the city each year, these funds are typically "banked" in order to provide larger dollar amounts to new affordable developments.</p> <p><u>Discussion</u></p> <p>In 2018, Pottawattamie County Development Corporation (PCDC) D/B/A the 712 Initiative purchased the property located at 530 West Broadway as a new development project that would include first floor commercial space and mixed income apartments as part of its mission to revitalize Downtown Council Bluffs. The proposed project will create 19 new residential units and two commercial bays. The total project cost is \$5,569,671 and is expected to be completed December 31, 2022.</p> <p>On October 26, 2020, City Council approved Resolution 20-259 which adopted the FY2021 HOME budget and awarded the 712 Initiative \$250,000 towards the project to support the three low-to-moderate income units constructed. Of the three units, two will be available to household at or below 80% of the median family income (MFI) and one for a household at or below 60% MFI. As part of this commitment, the developer will ensure the three units shall remain affordable for a period of 30 years as required by the HOME Program.</p> <p>A development agreement between the 712 Initiative and the City of Council Bluffs has been prepared and is attached to this staff report for your review. The HOME agreement details the roles and responsibilities of each project participant.</p>		
Staff Recommendation		
The Community Development Department recommends that City Council approve a resolution authorizing the Mayor to execute an agreement with the Pottawattamie County Development Corporation, D/B/A the 712 Initiative, for the use of HOME Investment Partnership (HOME) program funds for a multi-family project located at 530 West Broadway.		
Attachments		
Attachment A – HOME Agreement Attachment B – Cohen Building Conceptuals		

Submitted by: Courtney Harter, Housing & Economic Development Manager, Community Development Department

Attachment A

HOME AGREEMENT

(FOR CONSTRUCTION ASSOCIATED WITH THE REHABILITATION OF AFFORDABLE RENTAL HOUSING)

THIS AGREEMENT is entered into by and between the City of Council Bluffs and Pottawattamie County Development Corporation D/B/A The 172 Initiative located at 1228 South Main Street, Council Bluffs, Iowa 51503 (sometimes hereinafter referred to as the "Owner") based on terms, conditions and provisions as set forth below.

RECITALS:

WHEREAS, the City of Council Bluffs (hereinafter referred to as "the City") is a municipal corporation located in Pottawattamie County, Iowa, and is organized and existing under the laws of the State of Iowa, and is authorized and empowered to exercise all powers conferred by the State constitution, and Home Rule Charter of the City of Council Bluffs, as amended, and local ordinances, including but not limited to, the power to contract; and,

WHEREAS, the City of Council Bluffs has applied for and received HOME Investment Partnerships Program (hereinafter referred to as "HOME") Funds under Title II of the National Affordable Housing Act of 1990, for the purpose of benefiting low-and-moderate income residents, eliminating slums and blight, and for other urgent community development needs, through the Omaha-Council Bluffs HOME Consortium; and,

WHEREAS, the City's FY 2019-2023 Consolidated Submission for Community Planning and Development Programs (hereinafter referred to as "Consolidated Plan"), outlining priorities, programs and funding allocations for the 2020 and 2021 program years, was approved by the Omaha City Council on October 26, 2020 by Resolution No. 20-259; and,

WHEREAS, the Owner has submitted an application that provides for a Repayable Loan for financing construction of the following legally described property:

Lots J, K, L and M, Auditor's Subdivision, of Block 6, Mynster's Addition, and Block 2, Bayliss 1st Addition, City of Council Bluffs, Pottawattamie County, Iowa.

WHEREAS, the acquisition of this property will result in the rehabilitation of an existing building to create 19 upper-story rental units generally located at 530 West Broadway (hereinafter referred to as the "Project"); and,

WHEREAS, of the 19 total units in this complex, three (3) units will be designated as assisted with HOME Program Funds and will float for the Period of Affordability; and,

WHEREAS, none of these three (3) units will be designated as transitional housing units; and,

WHEREAS, the Consolidated Plan identified that this Project provides or improves housing which is determined to benefit low-and-moderate income persons and therefore the Project is consistent with the Consolidated Plan and is eligible for funding; and,

WHEREAS, acquisition of property and construction is an eligible HOME activity and this activity provides an incentive for the provision of affordable rental housing; and,

WHEREAS, the City wishes to enter into an Agreement with the Owner to assist the City in utilizing such HOME funds; and,

WHEREAS, the Owner's Loan Fund was included in the FY 2020 and 2021 HOME Programs, and \$250,000.00 was allocated to the Project; and,

WHEREAS, the Owner proposes to commence rehabilitation of a 19-unit apartment complex at 530 West Broadway comprised of 10 one bedroom units, 5 two bedroom units, and 4

efficiency units within two years from acquisition of Property with Project Completion finalized during the term of this Agreement; and,

WHEREAS, it is in the best interest of the City and the residents thereof that the City enter into an Agreement with the Owner to provide funding in the amount not to exceed \$250,000.00 for the Project.

NOW, THEREFORE, IN CONSIDERATION OF THESE MUTUAL COVENANTS, the parties do hereby agree as follows:

SECTION 1. DEFINITIONS AND ABBREVIATIONS.

The following terms shall have the following meanings for all purposes in this Agreement:

- 1.01 "City" shall mean - the City of Council Bluffs, an Iowa Municipal Corporation.
- 1.02 "Director" shall mean - the Community Development Director of the City of Council Bluffs.
- 1.03 "Recipient" shall mean – the City of Omaha, Nebraska.
- 1.04 "Subrecipient" shall mean - a public or private non-profit agency, authority or organization receiving HOME funds to undertake eligible activities. In this Agreement, the Subrecipient is the City of Council Bluffs, Iowa.
- 1.05 "Owner" shall mean Pottawattamie County Development Corporation D/B/A The 712 Initiative; 1228 South Main Street, Council Bluffs, Iowa 51503 (see Exhibit "A").
- 1.06 "HUD" shall mean – the U.S. Department of Housing and Urban Development.
- 1.07 "HOME Funds" shall mean - that portion of the HOME Investment Partnerships Program funds awarded to the City, subject to and conditioned upon actual receipt of same by the City of Council Bluffs, as may be available to loan during the FY 2020 and 2021 program years for the use specified herein in an amount not to exceed \$250,000.00.
- 1.08 "Floating Units" shall mean – the designated HOME-assisted units may change over time as long as the total number of HOME-assisted units in the Project remains constant; however the units must be representative of the various models

available and are comparable in size, features and number of bedrooms to the non-HOME-assisted units and each of the designated HOME-assisted units is occupied by a qualified low- and moderate-income household whose annual household income is at or below 80% (2 units) or 60% (1 unit) of the Median Income by Family Size (MFI), as defined and periodically adjusted by HUD, at the time of initial occupancy. (Exhibit “B”) All HOME-assisted units shall be occupied as the household’s principal place of residence throughout the Affordability Period.

- 1.09 "HOME Deferred Repayable Non-Recourse Loan" or "Loan" shall mean – a Non-Recourse Loan in the amount of \$250,000.00 made subject to the terms, conditions and provisions of the loan agreement under which said Loan is made, which shall provide, inter-alia, that same shall be repayable in its entirety with one percent interest, thirty years from Project Completion, as defined in the HOME regulation, Section 92.2. The principal loan balance shall become due and payable upon sale or transfer of ownership of the property except for an Assignment as provided in Section 8.09 of this Agreement. This Loan shall be used only for the purposes described herein. If a sale occurs sooner than 30 years, the three (3) HOME assisted units must continue to meet HOME guidelines. A covenant is required throughout the Affordability Period to maintain the intended use of the three (3) floating units.
- 1.09.1 The City's Loan will be subordinate to a loan from MidStates Bank in the amount of \$1,440,000 and shall be secured with no less than a second lien position. The Community Development Department Director can approve changes in the funding sources as long as any such changes are not changes to the federal funds amount.
- 1.09.2 This loan will not be sold, assigned, transferred or conveyed by the City of Council Bluffs to Fannie Mae, nor will it be included in a pool of loans to be sold, assigned, transferred or conveyed to Fannie Mae.
- 1.10 “Rehabilitation Financing” shall mean, but is not limited to - funds for land acquisition associated with the rehabilitation of the Project, billings for rehabilitation, closing costs, profit and overhead, predevelopment and public improvements costs, financing, legal, accounting, architectural or construction supervision costs, developer fees, costs for materials, labor, utility hookups and site preparation associated with the rehabilitation of the Project.
- 1.10.1 Profit and overhead of the Developer’s general contractor shall not exceed 15% of hard construction costs.
- 1.11 “Construction Completion” shall mean – the date the Project has been certified by the City as meeting all state, federal and local laws, ordinances, regulations and codes, including but not limited to, Section 8 Housing Quality Standards for

Existing Homes (HQS) as established by HUD, and accessibility requirements, where applicable.

- 1.12 “Project Completion” shall mean – the date leveraged funds have been received by the Owner and allocated to the Project, Construction Completion has been certified and approved by the City, all HOME funds have been disbursed, and all units have been rented by low-and-moderate income households.
- 1.13 “Project Close Out” shall mean – the dates all project HOME funds have been disbursed and the Recipient has completed HUD close out procedures (24 C.F.R. 92.507 and 2 C.F.R. 200 as amended 11-12-2020) (Exhibit "B"). The distinction between Project Close Out and Project Completion is that tenant occupancy requirements are required to be satisfied for Project Completion. As a result, Project Close Out shall typically occur prior to Project Completion.
- 1.14 “Affordability Period” (24 C.F.R. 92.252(e)) shall mean – that time period, twenty years after Project Close Out in which Owner shall keep assisted units affordable. During the Affordability Period, the Owner must ensure that HOME-assisted units continue to meet rent restrictions, occupancy requirements and property standards as described in Section 4.09 herein. For this Agreement, the Affordability Period shall commence at Project Completion and continue for 30 years. In the event the term of the Agreement would be extended, the Affordability Period would be extended for the additional time. Alternately, in the event Project Completion would be accelerated, the term of the Agreement and Affordability Period may be moved forward correspondingly.
- 1.15 "Property" or "Project" shall mean – acquisition of land and rehabilitation of 19 rental units of which three (3) total floating units (one (1) one bedroom unit, one (1) two bedroom units and one (1) efficiency units) will be HOME assisted and occupied by eligible Low and Moderate Income Households; more specifically those units shall be constructed or scheduled for construction in the building located at 530 West Broadway, as surveyed, platted and recorded in Pottawattamie County, Iowa, together with improvements thereon. This apartment complex is to be known as The Cohen Building.
- 1.16 "Low-and-Moderate Income Household" shall mean - a household whose annual income does not exceed 80% (for 2 unit) and 60% (for 1 units) of the area Median Family Income for the Omaha NE-IA Metropolitan Statistical Area as determined by HUD (Exhibit "C").
- 1.16.1 A “Household” is composed of one or more persons.
- 1.16.2 “Rents” (24 C.F.R. 92.252) shall mean – The maximum rents (including utilities) for the Omaha, NE-IA Metropolitan Statistical Area as established by HUD as of the effective date of the lease or as issued by HUD. These rents shall be the lesser of fair market rent for existing

	<u>Low/Moderate Households</u>	<u>Median Income Permitted</u>
	2	80%
	1	60%
2.01.4	Number Above Low/Moderate <u>Households</u>	Maximum Percent of Area <u>Median Income Permitted</u>
	0	80

2.01.5 Floating Unit Mix:

One Bedroom Units	1
Two Bedroom Units	1
Efficiency Units	1
TOTAL	3

2.02 Project Budget

The Owner asserts that the funding sources and amounts listed below are committed as of the date of loan closing or will be committed to the Project during the term of this Agreement.

FY 2020 and 2021 HOME	250,000.00
Bank Loan	1,440,000.00
Iowa West Foundation	1,582,781.00
SW Iowa Foundation	200,000.00
Peter Kiewit Foundation	300,000.00
Metro Foundations or 712 equity	315,097.00
Deferred Development	636,793.00
Brownfield Tax Credits	750,000.00
Private Donations	50,000.00
Sales Tax Rebate	25,000.00
Mid-American Rebate	20,000.00
TOTAL	\$5,569,671.00

The Community Development Director can approve any changes in the funding sources as long as any changes are not changes to the federal fund amounts.

2.03 Term of the Agreement

This Agreement shall be in full force and effect and shall end 30 years from the Project Completion date. Services of the Owner will start effective the date of the proceed order issued by the City and Levels of Project Performance stated in Section 2.01 herein shall be completed as of December 31, 2022. In the event

Project Close Out would be accelerated, the term of the Agreement and Affordability Period may be moved forward correspondingly.

SECTION 3. CONDITIONS FOR RECEIPT OF CITY FINANCING.

3.01 In no event shall the City assume any obligation to make any or all of the above-referenced funding available, nor shall the City incur any liability hereunder, unless and until the Owner has submitted for and received the prior approval of the Director of all of the documents listed below.

3.01.1 Property Insurance. Upon fund disbursement, the Owner shall procure and maintain, at a minimum, fire and extended coverage insurance in an amount sufficient to protect the City's interest in the property during the term of the Agreement and financing security documents (OMB Circular 2 C.F.R. 200) (Exhibit "B"). The insurance policy shall include the City of Council Bluffs as an additional insured. Written evidence of such insurance shall be submitted to the City for approval. In the event of damage of the property, any insurance proceeds are to be applied, at the discretion of the Director, to the reconstruction of the property or repayment, in full, of the funding.

3.01.2 Contracts. The Owner shall submit duly executed contracts for all Construction of the Project to the Director for approval prior to the start of construction.

3.01.3 Performance and Labor Material Payment Bond and/or an Irrevocable Letter of Credit. Owner or its subcontractors shall acquire and maintain performance bond and/or letter of credit in force for one year following the completion of the Construction Work from the Owner/General Contractor and all subcontractors in an aggregate amount of the contract bid. The Bonds and/or Letters of Credit shall be in favor of the City and shall be submitted to the Director for review and approval. The Director reserves the right to reject the Letters of Credit and Choice of Surety of the Bonds. The Director may waive this bonding requirement upon written request by the Owner.

3.01.4 Plan Submissions. Owner shall submit all plans, working drawings and/or specifications necessary or incidental to this Project to the Director for review and approval.

3.01.5 Minority/Women Owned Business Enterprise Plan. Owner shall submit to the Director for his review and approval a minority and women business participation plan which discusses economic development and employment opportunities. These plans shall ensure that the Owner and its subcontractors will make their best efforts to ensure that construction

services, contracts and employment opportunities are affirmatively marketed to women and members of minority groups.

- 3.01.6 Eligible Contractors. Owner shall obtain a certificate from each contractor or subcontractor to be used on this Project to the effect that each contractor or subcontractor has not been debarred or disqualified by HUD (24 C.F.R. Part 5). The Director shall approve all contractors and subcontractors prior to being hired by the Owner.
- 3.01.7 Security for Repayable Loan. Owner shall execute for the benefit of the City a mortgage and a repayable loan non-recourse promissory note in an amount not to exceed \$250,000.00 secured by no less than a second lien position subordinate to aggregate amounts not to exceed \$4,000,000.00 (Exhibit "E") during the construction phase and shall remain in third position after construction completion.
- 3.01.8 Section 504. Owner shall ensure, to the maximum extent feasible that five percent of the total dwelling units, or two units, shall be readily accessible to and usable by individuals with mobility impairments. An additional two percent, or one unit, shall be accessible for persons with sensory impairments. The total number of units in a HOME assisted project, regardless of whether they are all HOME assisted, is used as the basis for determining the minimum number of accessible units. Also, in a project where not all the units are HOME assisted, the accessible units may be either HOME assisted or non-HOME assisted.
- 3.01.9 Contractors' Insurance and Workers' Compensation. The Owner or its contractors and subcontractors shall submit Certificates of Insurance showing proof of insurance for review by the Director. The City understands and accepts that this insurance is in favor of the Owner.
- 3.01.9 Funding Compliance Deadline. In the event that all conditions of funding are not met on or before December 31, 2022, then this Agreement shall automatically become null and void and the City shall not be deemed to have assumed any obligation or liability hereunder. Upon the sole discretion of the Director, this date may be extended up to June 15, 2023.
- 3.02 The Owner shall implement the project consistent with section 15.28.060 of the Council Bluffs Municipal Code and **Resolution** which approved a planned residential development plan for the Cohen Building. The Developer's building permit application will be reviewed by the City for consistency with said development plan. Any inconsistencies with said development plan will require the Developer to modify building plans and specifications or submit an amendment to the City modifying said development plan. The Developer shall

cause the construction of the project in compliance with all applicable Council Bluffs codes and ordinances.

SECTION 4. PROJECT RESPONSIBILITIES OF THE OWNER.

- 4.01 Eligible Use of Funds. The Owner does hereby certify, contract and agree that any and all funding obtained or made available hereunder shall be used solely and exclusively for the purposes described herein.
- 4.02 Terms and Conditions. The Owner shall abide by all terms and conditions of this Agreement and shall be responsible for the security and maintenance of the site described in Section 1.15 herein.
- 4.03 Breach of Agreement. If through breach of this Agreement the Owner fails to maintain the occupancy, affordability and use restrictions as described herein, all HOME funds previously provided to the Owner through fulfillment of this Agreement shall promptly be returned to the City.
- 4.04 Lien Waivers. If funds are to be used for construction, the Owner agrees to obtain the appropriate lien waivers prior to each construction payments. No funds will be disbursed if a lien has been filed against the property.
- 4.05 Ineligible Costs. The Owner shall be responsible for payment of any Project costs that exceed those specified in this Agreement.
- 4.05.1 Eligible Costs. The Owner shall not request disbursement of funds under this Agreement until the funds are needed for payment of eligible costs as described in Section 1.10 herein.
- 4.05.1.1 Luxury Items. Property amenities shall be those amenities reasonably anticipated in comparable properties. Any items determined by the City as luxury items shall not be considered an eligible cost for construction.
- 4.06 Lead-Based Paint Prohibition. Owner shall not use lead-based paint in the performance of this Agreement, including the performance of any subcontractor (42 USC 4821 et seq., 24 C.F.R. 92.355 and 24 C.F.R. Part 35). “Lead-based Paint” means any paint containing more than six one-hundredths of one (1) per centum of lead by weight (calculated as lead metal) in the total nonvolatile content of the paint, or the equivalent measure of lead in the dried film of paint already applied. The Owner further agrees to abide by Federal requirements regarding lead-based paint poison prevention.
- 4.07 Ongoing Property Restrictions. During the period of the term of this Agreement and that of any grant, mortgage, covenant documents, the Owner shall:

- 4.07.1 Maintain the Property in a safe and sanitary condition at all times.
- 4.07.2 Ensure that all real estate taxes and special assessments are paid and kept current.
- 4.07.3 Maintain insurance against loss or damage to the Property in an aggregate amount sufficient to protect the City's interest in the Property. Such property insurance policy must be properly endorsed showing the City as an additional insured. In the event of loss or damage, the Owner shall provide immediate written notification to the City of any loss. Proceeds from any claim under this policy may, at the discretion of the Director, be either applied to restore or replace the improvements damaged or be paid to the City to satisfy the Owner's obligation to the City under the terms of this Agreement.
- 4.07.4 Ensure that, except for those described in Section 1.09.1 herein, the Property remains free and clear of superior liens.
- 4.08 Davis-Bacon Labor Standards (40 U.S.C. 76a-a-7). The City has determined that Davis-Bacon wage rates are not applicable to this Project as defined herein. See attached Exemption Checklist, Exhibit F.
- 4.09 Property Standards (24 C.F.R. 92.251). During the construction period, the Owner shall ensure that all work performed and the Construction of the Project meets all state, federal and local laws, ordinances, regulations and codes, including but not limited to, Section 8 Housing Quality Standards for Existing Homes (HQS) as established by HUD, and accessibility requirements, where applicable.
 - 4.09.1 After completion of Construction, the Property must comply with all appropriate City codes and ordinances, Federal Section 8 Housing Quality Standards and with fire safety codes (24 C.F.R. 570.02), and accessibility requirements, if applicable.
- 4.10 Affirmative Marketing Policy (24 C.F.R. 92.351). The Owner agrees to provide a copy of their Affirmative Fair Housing Marketing Plan to the City for review, which is attached hereto as Exhibit "G" and incorporated herein by this reference as though fully set forth. These affirmative marketing procedures must be employed in the advertising and marketing of this Project for the Affordability Period. In marketing, the Owner shall also conform to the nondiscrimination provisions hereinafter set forth in Section 5.06.1.2.
- 4.11 Maintenance of Property. The Owner shall maintain the Property in a safe and sanitary condition to the extent possible during the construction phase of the Project and throughout the Affordability Period.

SECTION 5. GENERAL ADMINISTRATIVE REQUIREMENTS OF OWNER.

Owner agrees to comply with the following requirements:

5.01 Financial Management.

5.01.1 Accounting Standards. The Owner agrees to comply with OMB Circular 2 C.F.R. 200 and agrees to adhere to the accounting principles and procedures required therein, utilize adequate internal controls, and maintain necessary source documentation for all costs incurred. (Exhibit “B”, attached hereto and incorporated herein as though fully set forth).

5.01.2 Cost Principals. The Owner shall comply with the requirements and the standards of OMB Circular 2 C.F.R. 200 (Exhibit “B”).

5.01.3 Audits. The Owner shall comply with all provisions and regulations of the Program and follow the IRS 8609 Audit requirements as utilized by the Iowa Finance Authority. A copy of the audit and all supporting documentation shall be provided to the Director.

5.01.3.1 Any deficiencies noted in audit reports must be fully cleared by the Owner within 30 days after receipt of audit by the Owner. Failure of the Owner to comply with the above audit requirements will constitute a violation of this Agreement and may result in the withholding of future payments and may constitute a default subject to default remedies referenced herein in Section 9.

5.02 Documentation and Record-Keeping (24 C.F.R. 92.508). All Owner records with respect to any matters covered in this Agreement shall be made available to the City, its designees or the Federal Government, at any time during normal business hours, as often as the City deems necessary, to audit, examine, and make excerpts or transcripts of all relevant data. Any contract entered into by the Owner with any contractor or subcontractors shall include this Section to ensure said access.

5.03 Reports. The Owner shall submit to the City the following reports in accordance with 24 C.F.R. 92.505 with the submission timelines as specified.

5.03.1 Construction Progress Reports. The Owner shall provide reports to the Director (AIA G702 Form) describing the progress of construction, and any significant problems and/or delays in construction on this project. Reports will be submitted at the time of each pay request, or by the 15th day of each month if no pay request is made before the 15th day of the month (or upon written request from the Director, but no more frequently than monthly). The progress reports are required until such time as all Construction of the Project is completed and the City issues the final payment of construction to the Owner.

5.03.2 Occupancy Report. The Owner shall provide to the Director an initial tenant survey, utility allowance, asset income computation forms at the time of initial lease execution for each tenant, and annual reports on lease anniversary date and thereafter for the Affordability Period, identifying the occupants/occupancy of the property, annual household income of occupants, and respective rents and utilities charged for the five (5) floating units in the property. Annual reports shall be due at lease renewal and shall be submitted to the City by January 31 and shall include all information up to and including the end of the previous calendar year. Attached as Exhibit “J”, and incorporated herein by this reference as though fully set forth, is a copy of requisite forms. The forms shall contain the following information:

- 5.03.2.1 name(s) of tenant(s)
- 5.03.2.2 address of unit
- 5.03.2.3 household income as a percent of Median Family Income (MFI) as determined by HUD, income verification forms used in determining MFI including the City’s Asset Form (Exhibit "C")
- 5.03.2.4 household size
- 5.03.2.5 gender of head of household member
- 5.03.2.6 name and age of each household member
- 5.03.2.7 race/ethnicity of head of household
- 5.03.2.8 disability status of any household member
- 5.03.2.9 copy of annual lease
- 5.03.3.0 evidence of affirmative marketing efforts
- 5.03.3.1 copy of definition of income affidavit signed by tenant

5.04 Financial Status Reports. The Owner shall submit financial status reports (2 C.F.R. 200) along with pay requests. In the event pay requests are not submitted for ninety (90) days, financial status reports shall be due, at a minimum, 15 calendar days from the end of the calendar year quarter. Attached as Exhibit “K”, and incorporated herein by this reference as though fully set forth, is a sample financial status report. The Owner will be required to provide documentation as to show the distribution of funds and the leveraging of the HOME dollars.

5.05 Record Retention. The Owner, its contractors and subcontractors shall maintain such records and accounts, including property, tenant reporting, personnel and financial records, as are deemed necessary by the City to assure a proper accounting for all expenses. The Comptroller General of the United States, or any of their duly authorized representatives, or any duly authorized representatives of the City, as approved by the Director, shall have access to any books, documents, papers, records and accounts of the Owner, Contractor, or subcontractors which are directly pertinent to this Project for the purpose of making audit, examination, excerpts and transcriptions. Such records and accounts shall be retained for five (5) years after expiration of the Affordability Period, (2 C.F.R. 200) (Exhibit

“B”). In the event the Term of the Agreement would be extended, the time frame for record keeping would be extended correspondingly.

5.06 Personnel and Participant Conditions.

5.06.1 Contract Compliance Clause.

5.06.1.1 Equal Employment Opportunity - The Owner and its contractors shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, age, national origin, familial or handicap status. As used herein, the word “treated” shall mean and include, without limitation, the following: recruited, whether by advertising or by other means; compensated; selected for training, including apprenticeship; promoted; upgraded; demoted; downgraded; transferred; laid off; and terminated. The Owner and its contractor agree to and shall post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officers setting forth the provisions of this nondiscrimination clause.

5.06.1.2 The Owner and its contractors or subcontractors shall, in all solicitations or advertisements for employees placed by or on behalf of the Owner, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex, age, national origin, familial or handicap status.

5.06.1.3 The Owner and its contractors or subcontractors shall send to each representative of workers with which he has a collective bargaining agreement or other contract or understanding a notice advising the labor union or workers’ representative of the Owner’s commitments under the equal employment opportunity clause of the city and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

5.06.1.4 The Owner and its contractors or subcontractors shall furnish to the Director all federal forms containing the information and reports required by the federal government for federal contracts under federal rules and regulations, and shall permit reasonable access to his records. The purpose of this provision is to provide for investigation to ascertain compliance with the program provided herein.

- 5.06.1.5 The Owner and its contractors or subcontractors shall take such actions with respect to any subcontractor as the City may direct as a means of enforcing the provisions of paragraphs 5.06.1.1 through 5.06.1.7 herein, including penalties and sanctions for noncompliance; however, in the event the contractor becomes involved in or is threatened with litigation as the result of such directions by the City, the City will enter into such litigation as is necessary to protect the interests of the City and to effectuate the provisions of this division, and, in the case of contracts receiving federal assistance, the contractor or the City may request the United States to enter into such litigation to protect the interests of the United States.
- 5.06.1.6 The Owner and its contractors shall file and shall cause his subcontractors, if any, to file compliance reports with the Owner's contractor in the same form and to the extent as required by the federal government for federal contracts under federal rules and regulations. Such compliance reports shall be filed with the Director. Compliance reports filed at such times as directed shall contain information as to the employment practices, policies, programs and statistics of the Owner, contractor and his subcontractors.
- 5.06.1.7 The Owner and its contractors or subcontractors shall include the provisions of paragraphs 5.06.1.1 through 5.06.1.7 of this section, "Equal Employment Opportunity Clause," and Section 10-193 in every contract, subcontract or purchase order so that such provisions will be binding upon each subcontractor or vendor.
- 5.06.2 Workers' Compensation. The Owner shall provide Workers' Compensation Insurance coverage for all employees involved in the performance in this Agreement.
- 5.06.3 Employment Insurance and Bonding. If applicable, the Owner shall purchase a blanket fidelity bond covering all employees, at a minimum, in an amount equal to cash advances from the City. The Owner shall also comply with bonding and insurance requirements of 2 C.F.R. 200, Bonding and Insurance and attached as Exhibit B. CBIA has no employees.
- 5.06.4 Section 3 – Employment of Low-Income Persons (Section 3 of HUD Act of 68, as amended, 1 U.S.C. 1701u). The Owner shall make its best efforts to comply with Section 3. The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD

assistance or HUD-assisted projects covered by Section 3 shall, to the greatest extent feasible, be directed to low and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

- 5.06.5 Conflict of Interest. The Owner agrees to abide by the provisions of 24 C.F.R. 92.356 with respect to conflicts of interest, and covenants that it presently has financial interest and shall not acquire any financial interest, direct or indirect, which would conflict in any manner or degree with the performance of services required under this Agreement. The Owner further covenants that in the performance of this Agreement no person having such a financial interest shall be employed or retained by the Owner hereunder. These conflict of interest provisions apply to any person who is an employee, agent, consultant, officer or elected official or appointed official of the City or any designated public agencies or subrecipients which are receiving funds under the entitlement program.

SECTION 6. OWNER'S COMPLIANCE WITH OTHER FEDERAL REGULATIONS.

- 6.01. Environmental Review. The Owner agrees to comply with the following regulations insofar as they apply to the performance of this Agreement:
- 6.01.1 Clean Air Act, 42, U.S.C., 1857, et seq.
 - 6.01.2 Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251, et seq., as amended 1318 relating to inspection, monitoring entry, reports and information as well as other requirements specified in Section 114 and Section 308, and all regulations and guidelines issued thereunder.
 - 6.01.3 Environmental Protection Agency (EPA) regulations pursuant to 40 C.F.R. Part 50, as amended.
 - 6.01.4 National Environmental Policy Act of 1969.
 - 6.01.5 HUD Environmental Review Procedures (24 C.F.R. Part 58).
 - 6.01.6 Flood Disaster Protection Act of 1973 (24 U.S.C. 4106 and P.L. 2234) in regard to the sale, lease or other transfer of land acquired, cleared or improved under the terms of the Agreement as it may apply to provisions of this Agreement.
 - 6.01.7 Historic Preservation requirements set forth in the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470) and the procedures set forth in 36 C.F.R., Part 800, Advisory Council on Historic Preservation Procedures for Protection of Historic Properties, insofar as they apply to the performance of this Agreement. In general, this requires concurrence from the State Historic Preservation Office for

all rehabilitation and demolition of historic properties that are 45 years old or older or that are included on a Federal, State or local historic property list.

- 6.01.8 **Lead-Based Paint Prohibition** - Owner shall not use lead-based paint in the performance of this Agreement, including the performance of any subcontractor (42 USC 4821 et seq., 24 C.F.R. 92.355 and 24 C.F.R. Part 35). “Lead-based Paint” means any paint containing more than six one-hundredths of one (1) per centum of lead by weight (calculated as lead metal) in the total nonvolatile content of the paint, or the equivalent measure of lead in the dried film of paint already applied. The Owner further agrees to abide by Federal requirements regarding lead-based paint poison prevention.
- 6.02 **Uniform Relocation Act.** The Owner shall comply with the applicable regulations of the Uniform Relocation Act of 1970, as amended (URA) (42 U.S.C. 4601-4655), or Section 104 (d) of the Housing and Community Development Act of 1974, as amended (Section 104 (d)), which require relocation assistance be provided to resident owners, tenants, businesses and other occupants that are displaced as a result of a federally-assisted project. In the event that the Owner or its agent displaces any tenant-occupant of the property, it shall immediately notify the City in writing of the circumstances surrounding said displacement and comply with 24 C.F.R. 92.353.
- 6.03 **Fair Housing.** Subrecipient shall provide fair housing services designed to further the fair housing objectives of the Fair Housing Act (42 U.S.C. 3601-20) by making all persons, without regard to race, color, religion, sex, national origin, familial or handicap status, aware of the range of housing opportunities available to them and provide fair housing enforcement, education and outreach activities designed to further the housing objective of avoiding undue concentrations of assisted persons in areas containing a high proportion of low and moderate income persons.

SECTION 7. RESPONSIBILITIES OF THE CITY.

- 7.01 **Performance Monitoring.** The City will monitor the performance standards of the Owner as stated herein. Substandard performance as determined by the City will constitute non-compliance with this Agreement. If action to correct such substandard performance is not taken by the Owner within a reasonable period of time after being notified by the City, contract suspension or termination procedures may be initiated.
- 7.02 **Payments.** It is expressly agreed and understood that the total amount to be paid by the City under this Agreement shall not exceed \$132,877.00 in HOME funds. The payment of these funds is subject to and conditioned upon actual receipt by the City of the same. Should adequate funding not be available to the City, the

City shall notify the Owner as soon as reasonably possible and the Agreement will be terminated.

7.02.1 Funds Allocated to the Owner. Funds allocated to the Owner shall be in the form of a Repayable Loan for the purposes set forth in this Agreement. Payments will be contingent on Duties and Conditions specified herein. Drawdowns for the payment of eligible expenses shall not be made until the funds are needed based upon the value of the construction, administration, or professional services work completed at the time the payment request is made.

7.02.2 Obligation for Payment. In no event shall the City become obligated to make any payments for any work performed, materials furnished, expense incurred, or any other expenditure of any kind whatsoever, unless same is expressly included in this Agreement, nor shall the City incur any liability hereunder, unless and until the Owner has timely and fully complied with its duties and obligations hereunder. No payments shall be made for any work, labor, material or expenses incurred the Director deems to be:

7.02.2.1 Not in conformance with applicable state, federal and/or local laws, including but not limited to, the building, plumbing and/or electrical codes; or,

7.02.2.2 Not in conformance with all plans, working drawings and/or specifications as approved; or,

7.02.2.3 Unacceptable or substandard; or,

7.02.2.4 Not in accordance with this Agreement or related contracts as approved for this Project.

7.03 Progress Payments. If applicable, progress payments and final payment, as may be authorized by the Director or his designated representative, are subject to:

7.03.1 Receipt, verification and approval of an AIA Document G702 "Application and Certificate for Payment," such document being prepared by the Owner's architect or authorized person and approved by the Owner and the City's Community Development Director before being approved for payment.

7.03.2 Receipt of requisite financial status reports.

7.03.3 A 10% retainage of City HOME funds will be withheld by the City until all punch list items have been corrected to the satisfaction of the Owner and the City rehabilitation specialist assigned to this project.

- 7.04 Inspections. The City may perform periodic inspections at any reasonable time to ensure compliance with this Agreement. The City shall perform final inspection to certify Project completion prior to final disbursement of HOME proceeds. In addition, the City shall perform on site inspections of Property every year from Project Completion to ensure compliance with property standards (24 C.F.R. 92.504 (c)(4)(d)).
- 7.05 Technical Assistance. The Director shall assist the Owner in the same manner the Director provides technical assistance to other owners/developers during the construction phase to ensure compliance with such housing quality standards and property standards as defined herein in Section 4.09.

SECTION 8. MUTUAL AGREEMENTS BETWEEN CITY AND OWNER.

- 8.01 Release of Information Laws. The Owner specifically hereby states, agrees and certifies that it is familiar with the limited purpose set forth in the Federal Laws, Rules and Regulations, and in the laws of the State of Iowa, for which personal information requested may be used and that the information received will be used solely for those limited purposes and not to harass, degrade or humiliate any person. The information released shall be used for the limited purposes stated, and the Owner further agrees to indemnify and hold harmless the City of Council Bluffs for any liability arising out the improper use by the Owner of information provided.
- 8.02 Applicable Laws. Parties to this Agreement shall conform with all existing and applicable City ordinances, resolutions, state laws, federal laws, and all existing and applicable rules and regulations. Iowa law will govern the term and the performance under this Agreement.
- 8.03 Interest of the City. No elected official or any officer or employee of the City shall have a financial interest, direct or indirect, in any City agreement. Any violation of this section with the knowledge of the person or corporation contracting with the City shall render the Agreement voidable by the Mayor or Council.
- 8.04 Independent Contractor. Nothing contained in this Agreement is intended to, or shall be construed in any manner, as creating or establishing the relationship of employer/employee between the parties. The Owner shall at all times remain an independent contractor with respect to the services to be performed under this Agreement. The City shall be exempt from payment of all Unemployment Compensation, FICA, retirement, life and/or medical insurance and Worker's Compensation Insurance as the Owner is an Independent Contractor.
- 8.05. Project Roles. The Owner shall ensure that the Project meets the objectives stated herein. The City has selected the Owner to assist in the Project since it is

consistent with the Consolidated Plan. With respect to this Project, the City is not acting as the Owner's architect or engineer. The City makes no warranties, express or implied, as to the Construction Work. The City owes no duty to the Owner or any other persons that shall arise because of any inspection of the premises by the City's agents or employees.

- 8.06 Captions. Captions used in this Agreement are for convenience and are not used in the construction of this Agreement.
- 8.07 Merger. This Agreement shall not be merged into any other oral or written agreement, lease or deed of any type.
- 8.08 Modification. This Agreement and any related documents securing the financing contain the entire agreement of the parties. No representations were made or relied upon by either party other than those that are expressly set forth herein. No agent, employee, or other representative of either party is empowered to alter any of the terms herein unless done in writing and signed by an authorized officer of the respective parties.
- 8.09 Assignment. The Owner may not assign its rights or obligations under this Agreement without the express prior written consent of the Subrecipient; except that the Community Development Department Director may, without City Council approval, approve, in writing, the assignment to a general partner, as long as Harvester Artist Lofts, L.P. is the Owner.
- 8.10 Strict Compliance. All provisions of this Agreement and each and every document that shall be attached shall be strictly complied with as written, and no substitution or change shall be made upon written direction from authorized representatives of the parties.
- 8.11 Termination. This Agreement may be suspended or terminated in accordance with 24 C.F.R. 85.43, Enforcement or 24 C.F.R. 85.44, Termination for Convenience (Exhibit "L", attached hereto and incorporated herein by this reference as though fully set forth). Upon termination of this Agreement, all funds and interest in any account hereunder shall become the property of the City and shall be returned to the City.
- 8.12 Reversion of Assets. Upon the expiration of this Agreement, the Owner shall transfer to the City of Council Bluffs any HOME funds on hand at the time of expiration and any accounts receivable attributable to the use HOME funds (24 C.F.R. 92.504(c)(2)(vii)).
- 8.13 Indemnification. The Owner shall indemnify and hold the City harmless from and against: (1) any and all claims arising from contracts between the Owner and third parties made to effectuate the purposes of this Agreement; and, (2) any and

all claims, liabilities or damages arising from the preparation or presentation of any of the work covered by this Agreement.

8.14 Unenforceable Provisions. Any provision of this Agreement which is prohibited or unenforceable in any jurisdiction shall, as to such jurisdiction, be in effect to the extent of such prohibition or enforceability without invalidating the remaining provisions hereof or affecting the validity or enforceability of such provision in any other jurisdiction.

8.15 Disclosure of Lobbying. The Owner shall certify and disclose, to the best of its knowledge and belief, that:

8.15.1 No Federal appropriated funds have been paid or will be paid, by or on behalf of the Owner, to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan, or cooperative agreement.

8.15.2 If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer of employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the Owner shall complete and submit standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.

8.15.3 The language of this certification shall be included in the award documents for all subawards at all tiers, (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

8.16 Notices. The City and the Owner hereby expressly agree that for purposes of notice, including legal service or process, during the term of this Agreement, and for the period of any applicable statute of limitations thereafter, the following named individuals shall be authorized representatives of the parties:

1) City:
City of Council Bluffs
Director, Community Development Department
209 Pearl Street
Council Bluffs, IA 51503

2) Owner:
Pottawattamie County Development Corporation

D/B/A The 712 Initiative
Attn: Sheryl Garst, Director
1228 South Main Street
Council Bluffs, Iowa 51503

In the event the authorized representative changes during the term of this Agreement, prior written notice will be given to the respective party at the address noted above.

- 8.17 Applicability. This Agreement shall be binding upon the parties hereto and shall run with the Property.

SECTION 9. DEFAULT PROVISIONS.

- 9.01 Remedies. If, through any cause, the Owner shall fail to fulfill in a timely and proper manner any obligations under this Agreement, or violate any of the covenants, representations or agreements hereof, the City may upon written notice terminate this Agreement or such parts thereof as to this Agreement, and may initiate foreclosure proceedings for any damages caused to the City by reasons of such default and termination.
- 9.02 Non-Recourse Repayable Loan. The Repayable Loan is a non-recourse loan; therefore, in the event of a default, the City shall rely solely upon the Property which is secured by the mortgage which is the security for the non-recourse promissory note and will not initiate or participate in any claim or proceedings against the maker of the non-recourse promissory note or its partners (or the partners, officers, directors, or shareholders of any partner) for payment of any sum due under the non-recourse promissory note or any other sum due under the mortgage.

SCHEDULE OF EXHIBITS

<u>Exhibit</u>	<u>Agreement Location</u>	<u>Description</u>
A	1.02	Pottawattamie County Development Corporation, DBA, The 712 Initiative. Articles of Incorporation, Bylaws, Corporate Resolution, Board Members
B	1.13, 3.02.1, 5.01.1, 5.01.2, 5.04, and 5.05	OMB Circular A-110
C	1.15, 1.15.1 and 2.01.1	Median Family Income Chart, HOME Program Rents, and Utility Allowances
D	1.18	Definition – Program Income
E	3.01.7	Repayable Loan Non-Recourse Promissory Note and Mortgage
F	4.08	Davis-Bacon Exemption Checklist
G	4.11	Affirmative Marketing Policy
H	5.01.2	OMB Circular A-122
I	5.01.3	IRS 8609 Audit requirements (per the Iowa Finance Authority)
J	5.03.2	Occupancy Report (Tenant Survey, Utility Allowance and Asset Forms)
K	5.06.3	Financial Status Reports
L	8.11	Termination – 24 C.F.R. 85.43 – 85.44

ATTACHMENTS:

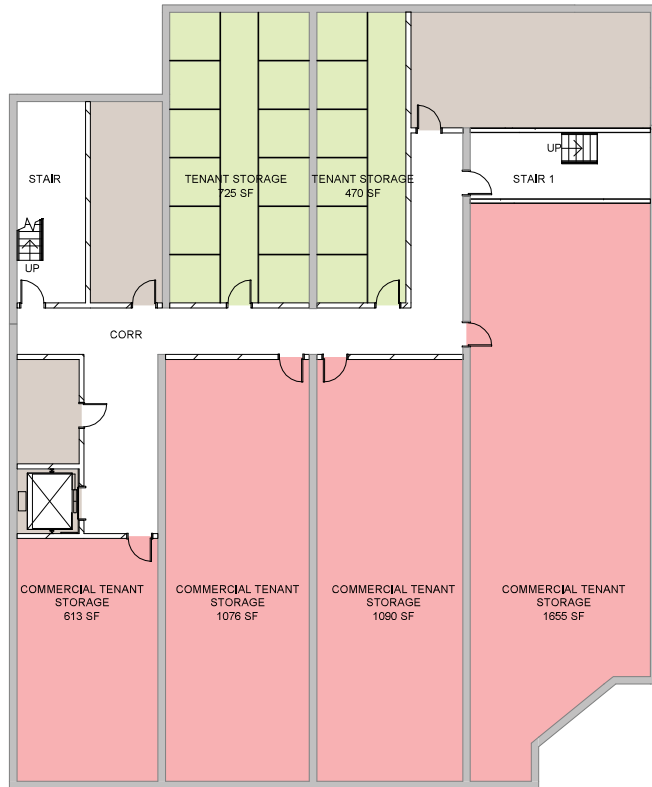
- 1 City of Council Bluffs Definition of Income
- 2 Equal Opportunity
- 3 Section 3 Clause
- 4 Minority and Women Business Plan
- 5 Subsidy Layering Policy
- 6 Project Cost Certification
- 7 Agreement for Covenants & Restrictions (Rental Property)
- 8 The Cohn Building Tenant Selection Policy

530 WEST BROADWAY
EXTERIOR SKETCH



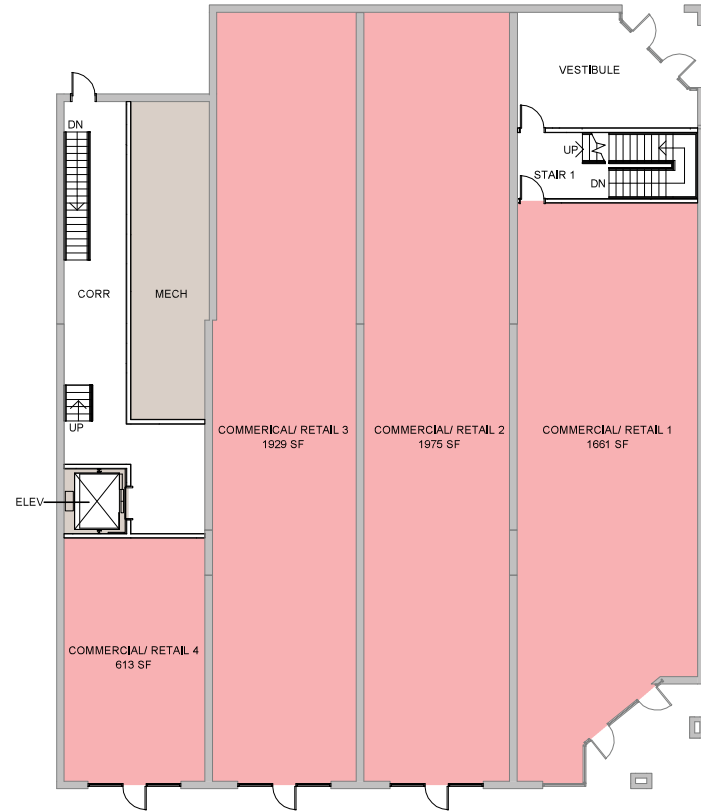
530 WEST BROADWAY

FLOOR PLANS



LOWER LEVEL FLOOR PLAN
SCALE: 1/16" = 1'-0"

- CORE/BUILDING SERVICES
- AMENITY/COMMUNITY SPACES
- LIVING UNITS
- COMMERCIAL/RETAIL

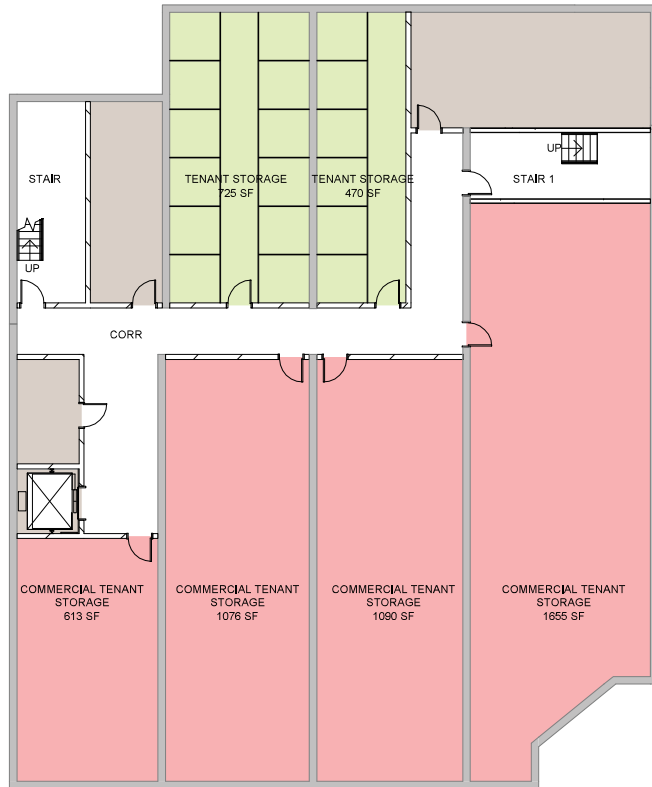


FIRST LEVEL FLOOR PLAN
SCALE: 1/16" = 1'-0"

Alternative 1

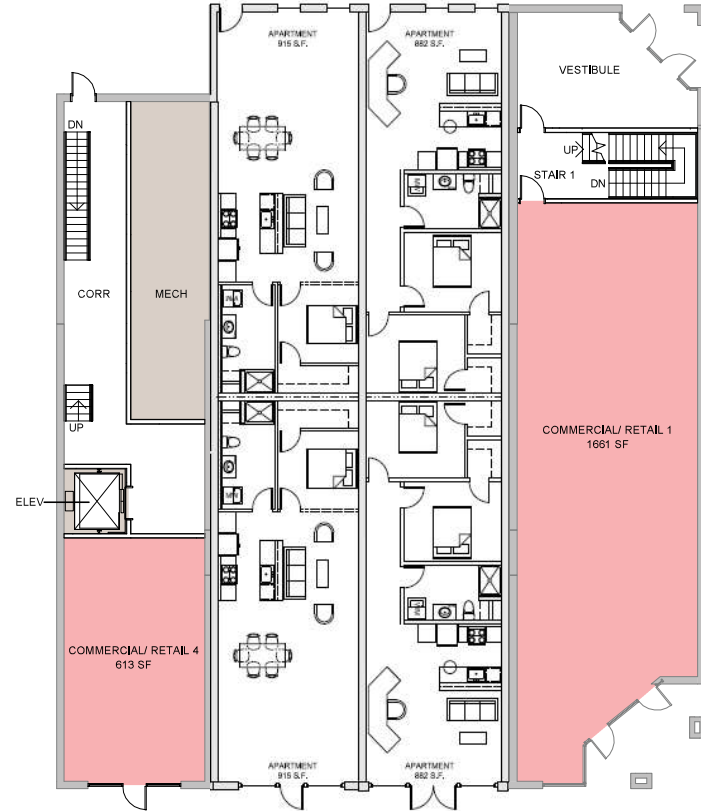
530 WEST BROADWAY

FLOOR PLANS



LOWER LEVEL FLOOR PLAN
SCALE: 1/16" = 1'-0"

- CORE/BUILDING SERVICES
- AMENITY/COMMUNITY SPACES
- LIVING UNITS
- COMMERCIAL/RETAIL

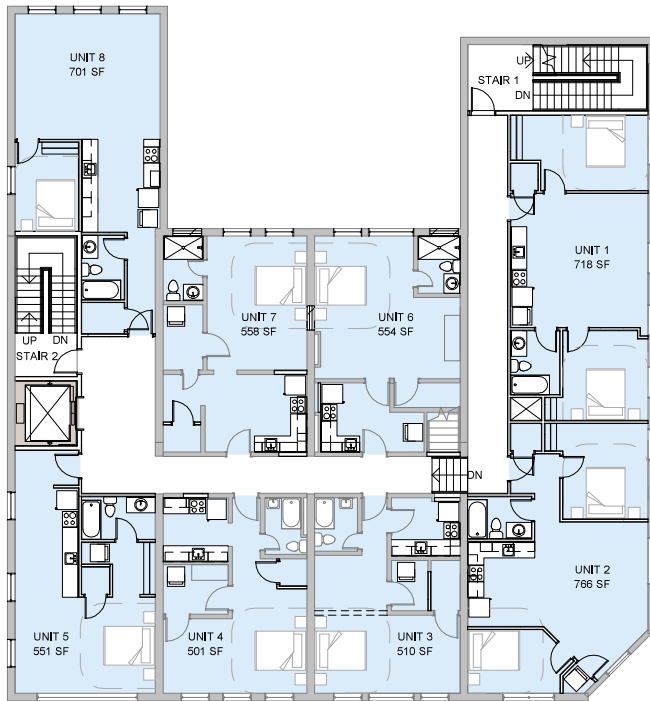


FIRST LEVEL FLOOR PLAN
SCALE: 1/16" = 1'-0"



Alternative 2

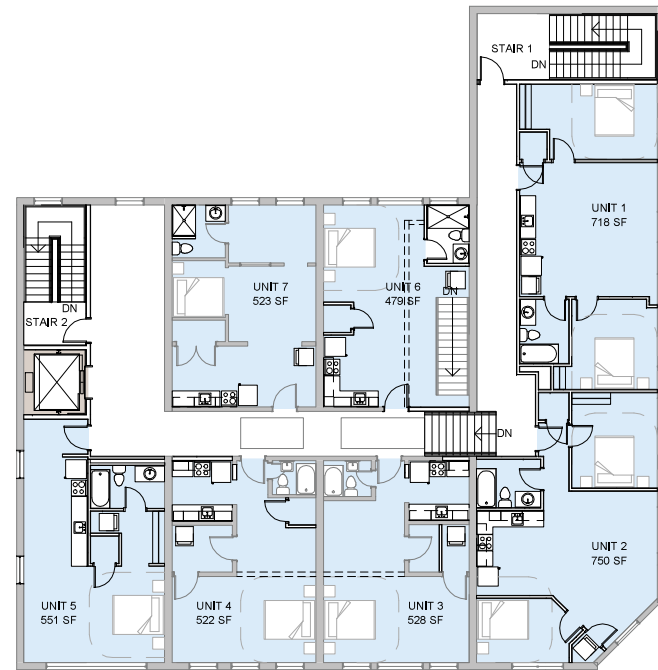
530 WEST BROADWAY

FLOOR PLANS



 SECOND LEVEL FLOOR PLAN
SCALE: 1/16" = 1'-0"

-  CORE/BUILDING SERVICES
-  AMENITY/COMMUNITY SPACES
-  LIVING UNITS
-  COMMERCIAL/RETAIL



 THIRD LEVEL FLOOR PLAN
SCALE: 1/16" = 1'-0"

RESOLUTION NO. 21-45

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE POTTAWATTAMIE COUNTY DEVELOPMENT CORPORATION, D/B/A THE 712 INITIATIVE, FOR THE USE OF HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM FUNDS FOR A MULTI-FAMILY PROJECT LOCATED AT 530 WEST BROADWAY.

- WHEREAS,** on October 26, 2020, the City of Council Bluffs adopted Resolution 20-259 awarding the Pottawattamie County Development Corporation, D/B/A the 712 Initiative, \$250,000 in HOME Investment Partnership (HOME) Program funds for a project locally know as 530 West Broadway; and
- WHEREAS,** the property is legally described as Lots J, K, L and M, Auditor’s Subdivision, of Block 6, Mynster’s Addition, and Block 2, Bayliss 1st Addition, City of Council Bluffs, Pottawattamie County, Iowa; and
- WHEREAS,** the project will involve the construction of 19 apartment units and two commercial bays; and
- WHEREAS,** two of the apartment units shall be targeted to individuals and families at or below 80% of the median family income and one unit targeted to individuals and families at or below 60% of the median family income; and
- WHEREAS,** the three units funded through the HOME program shall remain affordable for a period of 30 years; and
- WHEREAS,** it is the opinion of the City Council that it would be in the best interest of the City to approve the HOME agreement between the City and the 712 Initiative.

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

That the City Council hereby authorizes the Mayor to execute an agreement with the Pottawattamie County Development Corporation, D/B/A the 712 Initiative, for the use of HOME Investment Partnership (HOME) Program funds for a multi-family project located at 530 West Broadway.

APPROVED
AND
ADOPTED:

February 8, 2021

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

Council Communication

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

Liquor Licenses A
ITEM 7.A.

Council Action: 2/8/2021

Description

1. Kwik Shop #527, 3632 Avenue G
2. St. Patrick's Catholic Church, 4 Valley View Drive
3. Sugar's Restaurant & Lounge, 2725 Kanesville Blvd

Background/Discussion

1. Kwik Shop #527, 3632 Avenue G- Nothing Significant. Numerous Theft, Shoplifter, Trespassing and Intoxicated Subject calls for service however, nothing that looks like a direct result the business practices.
2. St. Patrick's Catholic Church, 4 Valley View Drive- Nothing Significant. A few business Alarms.
3. Sugar's Restaurant & Lounge, 2725 Kanesville Blvd- On 8/1/20, CBPD responded to an armed subject in the parking lot of this address, called in by the bar manager. Upon investigation, a patron from the bar had got into a fight with another patron. The fight carried over outside when one subject presented a firearm and fired it several times. No injuries. The suspect was charged with Attempt to Commit Murder, Going Armed with Intent and Intimidation with a Dangerous Weapon. It appears the bar was cooperative with investigations.
No other Significant events. One intoxicated subject call and one medical/possible overdose call which was not founded.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
License Applications	Other	2/3/2021

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <i>an</i>	Local Amt _____	
FIRE <i>AF</i>	Endorsed _____	
BUILDING <i>Se</i>	Issued _____	
ZONING <i>Se</i>	Expires _____	
	Council <i>2.8.21</i>	



State of Iowa
ALCOHOLIC
BEVERAGES DIVISION

- [Home](#)
- [About](#)
- [Alcohol](#)
- [Tobacco](#)
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- [License](#)
- [Privileges](#)
- [Applicant](#)
- [Status Of Business](#)
- [Ownership](#)
- [Criminal History](#)
- [Premises](#)
- [General Premises](#)
- [Applicant Signature](#)
- [Bond Cert](#)
- [Local Endorse](#)
- [History](#)

Applicant License LE0002073, Kwik Shop #527, Cou 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.

LENGTH OF LICENSE REQUESTED:
(Choose one of the following):

- 12 month
- 8 month
- 6 month
- 14 day
- 5 day

License Status: Submitted to Local Authority

Original issue date of license:	01/10/2012	MM/DD/Y
Issue date of current license:		MM/DD/Y
License effective date:	02/01/2021	MM/DD/Y
License expiration date:	01/31/2022	MM/DD/Y
Number of days notice:	0	
70 day notice:	0	
Cancel date:		MM/DD/Y

Licenses with an effective date of September 1, 2015 or after, will be required to use the Alcoholic Beverages Division's online web portal or EDI for placing liquor orders. Once your renewal application has been submitted, more information will be emailed to the email address entered on the applicant screen under contact email address.

To move forward with your application, click on the box as acknowledgment of reading the above.

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N

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Contact Us

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

- [Terms and Conditions](#)
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<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <i>AR</i>	Local Amt _____	
FIRE <i>AF</i>	Endorsed _____	
BUILDING <i>AR</i>	Issued _____	
ZONING _____	Expires _____	
		Council <i>2-8-21</i>

- Help
- License Search
- License List**
- On-Demand Reporting
- Keg Registration Search
- User Profile
- Logoff

- ▶ License
- ▶ Privileges
- ▶ Applicant
- ▶ Status Of Business
- ▶ Ownership
- ▶ Criminal History
- ▶ Premises
- ▶ General Premises
- ▶ Applicant Signature
- ▶ Dram Cert
- ▶ Local Endorse
- ▶ History

Applicant LC0033041, Sugar's Restaurant & Lounge, 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): NJP, Inc. (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Sugar's Restaurant & Lounge

Address of Premise: 2725 Kanesville Blvd

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (712) 322-3600 **Cell / Home Phone:** (712) 322-8500

Same Address

Mailing Address: 2725 Kanesville Blvd

Mailing Address Line 2:

City: Council Bluffs **State:** Iowa

Zip: 51503

Contact Name: Randall [or call Lipstix (712) 322-4510]

Phone: (712) 322-3600 **Email Address:** caren.taylor@yahoo.com

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

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<input type="checkbox"/> RENEWAL	<input checked="" type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>PR</u>	Local Amt _____	
FIRE <u>AT</u>	Endorsed _____	
BUILDING <u>SP</u>	Issued _____	
ZONING <u>19</u>	Expires _____	
		Council <u>2-8-21</u>

- Help
- License Search
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Applicant LC0046093, 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 of Co. (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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Contact Us

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

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<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <i>RR</i>	Local Amt _____	
FIRE <i>AF</i>	Endorsed _____	
BUILDING <i>8</i>	Issued _____	
ZONING <i>CB</i>	Expires _____	
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Applicant LC0045123, The Dock Bar & Grill , Council Bluffs

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

Corporation Name/Sole Proprietor Name/Partnership Name(s): Hazel Corp Inc (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): The Dock Bar & Grill

Address of Premise: 401 Veterans Memorial Hwy

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (402) 689-7394 Cell / Home Phone:

Same Address

Mailing Address: 208 Kestrel Ct

Mailing Address Line 2:

City: Council Bluffs State: Iowa

Zip: 51501

Contact Name: Trisha Gillespie

Phone: (402) 689-7394 Email Address: trisha@mobilismed.com

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Council Communication

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

Liquor Licenses B
ITEM 7.B.

Council Action: 2/8/2021

Description

1. The Dock Bar & Grill, 401 Veterans Memorial Hwy

Background/Discussion

1. The Dock Bar & Grill, 401 Veterans Memorial Hwy- Nothing Significant. One male/female disturbance in March of 2020 resulting in an arrest. One intoxicated subject in October 2020, gone on arrival. One medical call in June 2020, gone on arrival.

Recommendation