



**Study Session Agenda
City of Council Bluffs, Iowa
March 24, 2025, 3:45 PM
Council Chambers, 2nd Floor, City Hall
209 Pearl Street**

STUDY SESSION AGENDA

- A. Brenda Mainwaring - IWF Cycle 1 grant awards
- B. Review Agenda
- C. Annexation Discussion - Courtney Harter

EXECUTIVE SESSION

- A. Pending Litigation - Richard Wade



**Council Agenda, City of Council Bluffs, Iowa
Regular Meeting March 24, 2025, 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. Reading, correction and approval of the March 10, 2025 City Council meeting minutes.

C. Ordinance 6642

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

D. Resolution 25-67

Resolution of intent to vacate and dispose of and setting a public hearing for April 7, 2025 at 7:00 p.m. for Lindberg Drive right-of-way adjacent to the easterly 80 feet of Lot 9, Block 1, and the westerly 30 feet of Lot 1 and all of Lot 2, Block 3, all in Oak Grove Addition. Location: Immediately south of 724 Hazel Street. SAV-25-001

E. Resolution 25-68

Resolution setting a public hearing for April 7, 2025 at 7:00 p.m. on the City of Council Bluffs budget for the fiscal year ending June 30, 2026.

F. Resolution 25-69

Resolution directing the City Clerk to publish notice and setting a public hearing on April 7, 2025 at 7:00 p.m. on the plans, specifications and form of contract for the Mohawk Street phase of the E. Manawa Subdivision.

- G. Boards/Commissions
 - Civil Service Commission
- H. Claims

4. PUBLIC HEARINGS

A. Resolution 25-70

Resolution granting final plat approval of a one-lot subdivision to be known as Benson's 2nd Addition Replat 1, being a replat of Lots 1 through 6, Block 8, Benson's 2nd Addition, except that part granted to the City of Council Bluffs for right-of-way described in warranty deed 2018-02870. Location: 2901 West Broadway. SUB-25-001

B. Resolution 25-71

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$3,750,000 General Obligation Bonds, Series 2025 (ECP-1).

C. Resolution 25-72

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$910,000 General Obligation Bonds, Series 2025 (GCP-2).

D. Resolution 25-73

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$930,000 General Obligation Bonds, Series 2025 (GCP-3).

E. Resolution 25-74

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$850,000 General Obligation Bonds, Series 2025 (GCP-4).

F. Resolution 25-75

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$875,000 General Obligation Bonds, Series 2025 (GCP-5).

G. Resolution 25-76

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$910,000 General Obligation Bonds, Series 2025 (GCP-6).

H. Resolution 25-77

Resolution determining an area of the city to be an Economic Development Area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the city; designating such area as appropriate for Urban Renewal Projects; and adopting the Power Drive Housing Urban Renewal Plan. URN-25-001

I. Resolution 25-78

Resolution determining an area of the city to be an Economic Development Area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the city; designating such area as appropriate for Urban Renewal Projects; and adopting the Kaneshville Urban Renewal Plan. URN-25-002

J. Resolution 25-79

Resolution determining an area of the city to be an Economic Development Area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the city; designating such area as appropriate for Urban Renewal Projects; and adopting Amendment No. 2 to the Old Airport Urban Renewal Plan. URN-25-003

K. Resolution 25-80

Resolution granting final plat approval of a one-lot residential subdivision to be known as The Hills of Cedar Creek Phase 1 Replat 6, being a replat of Outlot 'J', the Hills of Cedar Creek Phase 1. Location: West of 1422 Abercorn Drive. SUB-25-002

L. Resolution 25-81

Resolution approving the plans, specifications and form of contract for the multi-family phase of the E. Manawa Subdivision.

5. ORDINANCES ON 1ST READING

A. Ordinance 6643

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

B. Ordinance 6644

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

6. ORDINANCES ON 2ND READING

A. Ordinance 6632

Ordinance to amend Title 3 Business Regulation and Licenses of the 2020 Municipal Code of Council Bluffs, Iowa by enacting new Chapter 3.20 "Massage Therapy".

B. Ordinance 6633

An Ordinance to amend Chapter 17.01 "Housing Definitions" of the 2020 Municipal Code of Council Bluffs, Iowa, by amending Section 17.01.040 "Punishment For Violations of CBMC 17".

C. Ordinances 6634, 6635, 6636, 6637, 6638, 6639 and 6640

Amending Title 13 Buildings and Construction to enact new Chapter 13.45 "Insurance" and by amending several other Chapters to remove insurance requirements within each chapter.

D. Ordinance 6641

Ordinance to amend Title 13 Buildings and Construction of the 2020 Municipal Code of Council Bluffs, Iowa by amending and repealing several sections in Chapter 13.17 "Licensing of the Electrical Trade".

7. RESOLUTIONS

A. Resolution 25-82

Resolution authorizing the Mayor to execute the Order Accepting the Acknowledgment/Settlement Agreements from Casey's #6127, 2711 S. 24th Street, Council Bluffs, Iowa 51501 and Jerusalem Petroleum d/b/a Speedy Gas N Shop, 420 S. 35th Street #1, Council Bluffs, Iowa 51501, for violations of Iowa Code Section 453A.2.

B. Resolution 25-83

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 25-84

Resolution authorizing the issuance of \$7,855,000 General Obligation Bonds, Series 2025 and levying a tax for the payment thereof.

D. Resolution 25-85

Resolution authorizing the City Legal Department to proceed as proposed in Executive Session held on March 10, 2025.

E. Resolution 25-86

Resolution accepting the bid of Engineered Controls Inc. in the amount of \$184,650.00 for the Council Bluffs Public Library Automation Upgrade. Project # BM-25-03

F. Resolution 25-87

Resolution to amend the adopted planned commercial development plan relative to signage, for properties legally described as Lot 2, Lake Manawa Centre Subdivision Phase V and Lot 19, Lake Manawa Centre Subdivision Phase 3. Location: 3125 and 3145 Manawa Centre Drive. PC-25-001

G. Resolution 25-88

Resolution authorizing the mayor to execute an agreement for the consent to subdivision and petition for voluntary annexation of land legally described as the SE1/4 NE1/4 of Section 15-75-43, Garner Township, Pottawattamie County, Iowa. Location: 19638 225th Street, along with the undeveloped 36.62 acres of land to the immediate west. MIS-25-002

H. Resolution 25-89

Resolution approving the tentative agreement reached between the City of Council Bluffs and the Council Bluffs Association of Professional Firefighters, Local 15, for the period of July 1, 2025 through June 30, 2028

8. OTHER BUSINESS

9. CITIZENS REQUEST TO BE HEARD

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.



City Council Meeting Minutes March 10, 2025

CALL TO ORDER

Mayor Walsh called the meeting to order at 7:00 p.m. on Monday March 10, 2025.

Council Members present: Joe Disalvo, Roger Sandau and Jill Shudak.

Council Member present via Zoom: Chris Peterson.

Council Member absent: Steve Gorman.

CONSENT AGENDA

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

Reading, correction and approval of the February 24, 2025 City Council meeting minutes.

Resolution 25-54

Resolution setting a separate public hearing for March 24, 2025 at **6:00p.m** on the City of Council Bluffs proposed tax levy for the fiscal year ending June 30, 2026.

Resolution 25-55

Resolution to set a public hearing for March 24, 2025 at 7:00 p.m. on the proposition to issue General Obligation Bonds, not to exceed \$3,750,000. (ECP-1)

Resolution 25-56

Resolution to set a public hearing for March 24, 2025 at 7:00 p.m. on the proposition to issue General Obligation Bonds, not to exceed \$910,000. (GCP-2)

Resolution 25-57

Resolution to set a public hearing for March 24, 2025 at 7:00 p.m. on the proposition to issue General Obligation Bonds, not to exceed \$930,000. (GCP-3)

Resolution 25-58

Resolution to set a public hearing for March 24, 2025 at 7:00 p.m. on the proposition to issue General Obligation Bonds, not to exceed \$850,000. (GCP-4)

Resolution 25-59

Resolution to set a public hearing for March 24, 2025 at 7:00 p.m. on the proposition to issue General Obligation Bonds, not to exceed \$875,000. (GCP-5)

Resolution 25-60

Resolution to set a public hearing for March 24, 2025 at 7:00 p.m. on the proposition to issue General Obligation Bonds, not to exceed \$910,000. (GCP-6)

Resolution 25-61

Resolution directing the City Clerk to publish notice and setting a public hearing for March 24, 2025 at 7:00 p.m. on the plans, specifications and form of contract for the multi-family phase of the E. Manawa Subdivision.

Resolution 25-62

Resolution setting a public hearing for 7:00 p.m. on April 21, 2025, for FY2026 State Transit Assistance funding.

Boards/Commissions: Council Bluffs Airport Authority and Convention Center Commission, December 2024 Financial Reports, Right of Redemption and Claims

Roger Sandau and Joe Disalvo moved and seconded approval of Consent Agenda. Unanimous, 4-0 vote. (Absent: Gorman)

MAYORS PROCLAMATIONS

- A. Registered Dietitian Nutritionist Day
- B. National Nutrition Month

PUBLIC HEARINGS

Ordinance 6630

Ordinance to amend Chapter 15.28-P-R/Planned Residential Overlay of the Zoning Ordinance by amending Section 15.28.040 "Additional Regulations". ZT-25-001

Roger Sandau and Jill Shudak moved and seconded approval of second consideration of Ordinance 6630. Unanimous, 4-0 vote. (Absent: Gorman)

Roger Sandau and Jill Shudak moved and seconded approval of Motion to waive third consideration. Ordinance 6630 passes to law. Unanimous, 4-0 vote. (Absent: Gorman)

Resolution 25-63

Resolution approving the plans and specifications in connection with the Avenue B Reconstruction, Phase I. Project # PW25-13

Jill Shudak and Joe Disalvo moved and seconded approval of Resolution 25-63. Unanimous, 4-0 vote. (Absent: Gorman)

ORDINANCES ON 1ST READING

Ordinance 6632

Ordinance to amend Title 3 Business Regulation and Licenses of the 2020 Municipal Code of Council Bluffs, Iowa by enacting new Chapter 3.20 "Massage Therapy".

Roger Sandau and Joe Disalvo moved and seconded approval of first consideration of Ordinance 6632. Second Consideration to be held March 24, 2025 at 7:00 p.m. Unanimous, 4-0 vote. (Absent: Gorman)

Ordinance 6633

An Ordinance to amend Chapter 17.01 "Housing Definitions" of the 2020 Municipal Code of Council Bluffs, Iowa, by amending Section 17.01.040 "Punishment For Violations of CBMC 17".

Jill Shudak and Joe Disalvo moved and seconded approval of first consideration of Ordinance 6633. Second Consideration to be held March 24, 2025 at 7:00 p.m. Unanimous, 4-0 vote. (Absent: Gorman)

Ordinances 6634, 6635, 6636, 6637, 6638, 6639 and 6640

Amending Title 13 Buildings and Construction to enact new Chapter 13.45 "Insurance" and by amending several other Chapters to remove insurance requirements within each chapter.

Roger Sandau and Joe Disalvo moved and seconded approval of first consideration of Ordinances 6634, 6635, 6637, 6638, 6639 and 6640. Second Consideration to be held March 24, 2025 at 7:00 p.m. Unanimous, 4-0 vote. (Absent: Gorman)

Ordinance 6641

Ordinance to amend Title 13 Buildings and Construction of the 2020 Municipal Code of Council Bluffs, Iowa by amending and repealing several sections in Chapter 13.17 "Licensing of the Electrical Trade".

Joe Disalvo and Jill Shudak moved and seconded approval of first consideration of Ordinance 6641. Second Consideration to be held March 24, 2025 at 7:00 p.m. Unanimous, 4-0 vote. (Absent: Gorman)

ORDINANCES ON 2ND READING

Ordinance 6631

Ordinance to amend Chapter 9.68, Truck Routes, by amending Section 9.68.040 "Industrial Access Truck Routes Designated".

Jill Shudak and Joe Disalvo moved and seconded approval of second consideration of Ordinance 6631. Unanimous, 4-0 vote. (Absent: Gorman)

Jill Shudak and Roger Sandau moved and seconded approval of Motion to waive third consideration. Ordinance 6631 passes to law. Unanimous, 4-0 vote. (Absent: Gorman)

RESOLUTIONS

Resolution 25-64

Resolution accepting the bid of Carley Construction LLC for the Mid-America Center Parking Lots Rehab, Phase 5. Project # BM25-01

Roger Sandau and Joe Disalvo moved and seconded approval of Resolution 25-64. Unanimous, 4-0 vote. (Absent: Gorman)

Resolution 25-65

Resolution approving the 2024-2027 HOME Investment Partnerships Program Consortium Cooperation Agreement by and between the City of Council Bluffs, Iowa and the City of Omaha, Nebraska.

Roger Sandau and Joe Disalvo moved and seconded approval of Resolution 25-65. Unanimous, 4-0 vote. (Absent: Gorman)

APPLICATIONS FOR PERMITS AND CANCELLATIONS

Liquor Licenses: 1) Council Bluffs Country Club, 4500 Piute St; 2) Holiday Inn Hotel & Suites, 2202 River Rd.; 3) Longhorn Steakhouse, 3727 Denmark Dr.; 4) The B Side Bar, 162 West Broadway (New); 5) Tish's Restaurant, 1207 S. 35th St.; 6) Whispering Woods GC, 3001 Macineery Dr.; 7) YMCA of Greater Omaha, 700 S. Main St. (5 day special event permit)

Jill Shudak and Roger Sandau moved and seconded approval of Applications for permits and cancellations, Item 9A 1-7.. Unanimous, 4-0 vote. (Absent: Gorman)

ADJOURNMENT

Mayor Walsh adjourned the meeting at 7:08 p.m.

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

Matthew J. Walsh, Mayor

Attest: Jodi Quakenbush, City Clerk

Council Communication

Department: Community

Development

Case/Project No.: ZC-25-001

Submitted by: Christopher

Gibbons, AICP, Planning and

Code Compliance Manager

Ordinance 6642

ITEM 3.C.

Council Action: 3/24/2025

Description

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

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

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

City Council Communication

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

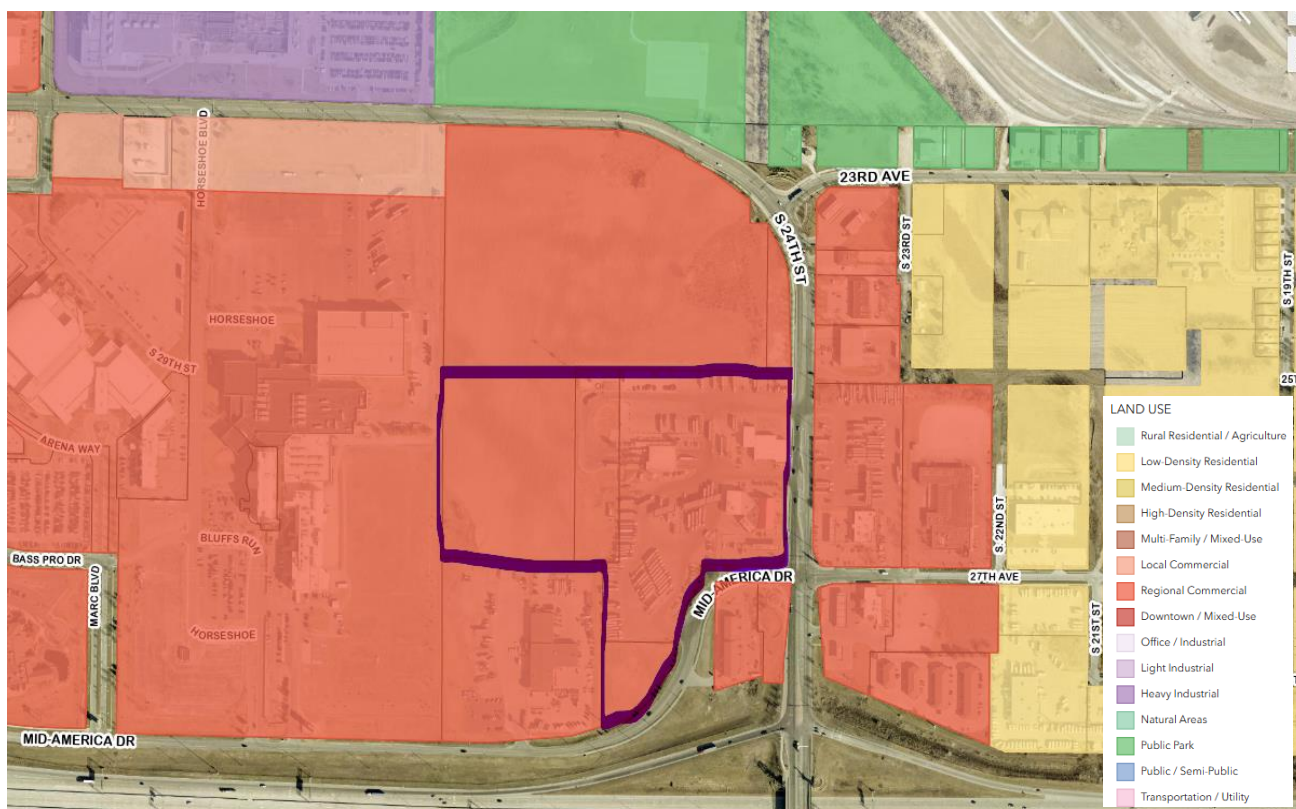
The subject properties are zoned a mixture of C-2/Commercial District, I-2/General Industrial District, and/or PC/Planned Commercial District and are surrounded by the following zoning districts and existing land uses:

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

A location/zoning map is included with this report as Attachment ‘A.’

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

The future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property as ‘Regional Commercial’ (see map below).



Discussion

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

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

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

Recommendation

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

subject to the following conditions:

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

Public Hearing

Staff speakers for the request:

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

Speakers in favor:

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

Speakers against: None

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

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

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

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

Attachments

Attachment A: Location/zoning map

Attachment B: Sapp Bros. Truck Center Final Plat

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

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




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

CITY OF COUNCIL BLUFFS

CASE #ZC-25-001 LOCATION/ZONING MAP

ATTACHMENT A

Legend

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

0 165 330
1 Inch = 333 Feet

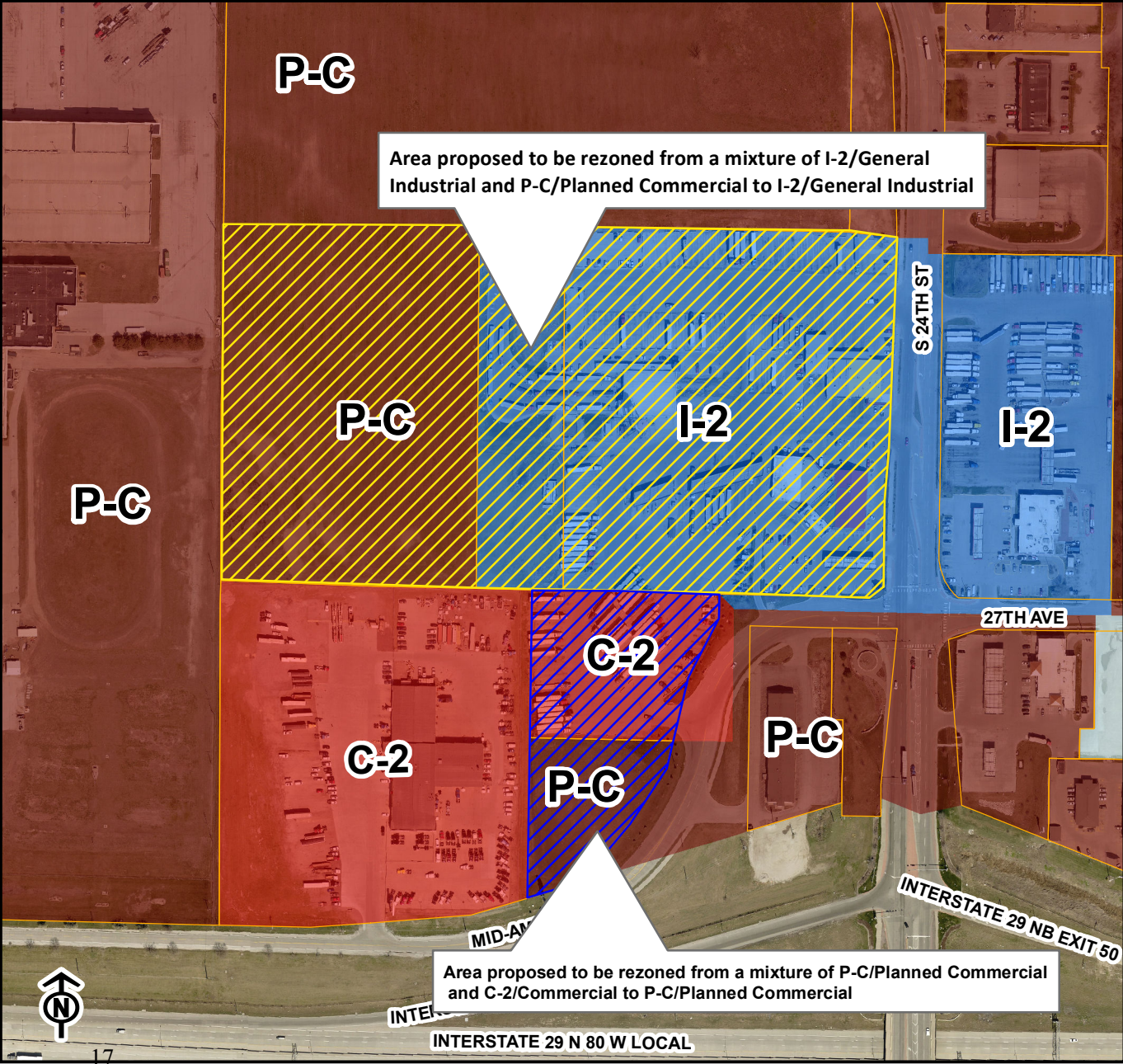


Last Amended: 2/12/25



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

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



Attachment C

PAVING LEGEND

SIDEWALK

STANDARD DUTY PAVEMENT

HEAVY DUTY PAVEMENT

olsson

2111 South 67th Street
Suite 200
Omaha, NE 68106
olsson.com
TEL 402.341.1116
FAX 402.341.5895

SITE LAYOUT - NORTH PLANNED COMMERCIAL DEVELOPMENT PLAN	drawn by: _____	REV/NO	DATE	DESCRIPTION	BY
	designed by: _____				
	project no: 073-65634				
	date: 07-18-2024				
SAPP BROS. - TRUCK CENTER NW CORNER OF S. 24TH ST. AND INTERSTATE 80					
COUNCIL BLUFFS, IA	2024			REVISIONS	

Attachment D



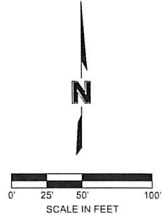
olson®

2111 South 67th Street
Suite 200
Omaha, NE 68106
olsson.com
TEL 402.341.1116
FAX 402.341.5895

	REV / NO.	DATE	DESCRIPTION	DY
SITE LAYOUT - SOUTH PLANNED COMMERCIAL DEVELOPMENT PLAN				
SAPP BROS. - TRUCK CENTER NW CORNER OF S. 24TH ST. AND INTERSTATE 80				
COUNCIL BLUFFS, IA	2024		REVISIONS	

drawn by: _____
designed by: _____
project no.: _____ 023-05634
date: _____ 07.16.2024

SHEET
C2.1



NOTICE OF PUBLIC HEARING

You are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing for April 7, 2025 at 7:00 p.m. in the City Council Chambers, 2nd Floor of City Hall, 209 Pearl Street, Council Bluffs at which time all persons interested in this matter will be given an opportunity to be heard on the request of Sapp Bros. Inc., represented by Andrew Richard, to rezone properties legally described as Lot 1, Sapp Bros. Truck Center from a mixture of I-2/General Industrial District and P-C/Planned Commercial District to I-2/General Industrial District; and Lot 2, Sapp Bros. Truck Center from a mixture of P-C/Planned Commercial District and C-2/Commercial District to PC/Planned Commercial District.

Jodi Quakenbush, City Clerk

ORDINANCE NO. 6642

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.27.020 OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPERTIES LEGALLY DESCRIBED AS LOT 1, SAPP BROS. TRUCK CENTER FROM A MIXTURE OF I-2/GENERAL INDUSTRIAL DISTRICT AND P-C/PLANNED COMMERCIAL DISTRICT TO I-2/GENERAL INDUSTRIAL DISTRICT; AND LOT 2, SAPP BROS. TRUCK CENTER FROM A MIXTURE OF P-C/PLANNED COMMERCIAL DISTRICT AND C-2/COMMERCIAL DISTRICT TO P-C/PLANNED COMMERCIAL DISTRICT, AS SET FORTH AND DEFINED IN CHAPTERS 15.18 AND 15.21 OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA.

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

SECTION 1. That the Zoning Map of the City of Council Bluffs, Iowa, as adopted by reference in Section 15.02.070 of the 2020 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended by rezoning properties legally described as Lot 1, Sapp Bros. Truck Center from a mixture of I-2/General Industrial District and P-C/Planned Commercial District to I-2/General Industrial District; and Lot 2, Sapp Bros. Truck Center from a mixture of P-C/Planned Commercial District and C-2/Commercial District to P-C/Planned Commercial District as set forth and defined in Chapters 15.18 and 15.21 of the Municipal Code of Council Bluffs, Iowa.

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

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

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided and upon the Sapp Bros. Truck Center Final Plat being executed by the City and recorded with the Pottawattamie County Recorder's Office.

ADOPTED
AND
APPROVED

April 7, 2025.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

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

Council Communication

Department: Community

Development

Case/Project No.: SAV-25-001

Submitted by: Haley Weber,

Planner

Resolution 25-67

ITEM 3.D.

Council Action: 3/24/2025

Description

Resolution of intent to vacate and dispose of and setting a public hearing for April 7, 2025 at 7:00 p.m. for Lindberg Drive right-of-way adjacent to the easterly 80 feet of Lot 9, Block 1, and the westerly 30 feet of Lot 1 and all of Lot 2, Block 3, all in Oak Grove Addition. Location: Immediately south of 724 Hazel Street. SAV-25-001

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/14/2025
Attachment A: Location/Zoning Map	Map	3/14/2025
Attachment B: Site Photographs	Other	3/14/2025
Notice of Public Hearing	Notice	3/14/2025
Resolution 25-67	Resolution	3/20/2025

City Council Communication

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Not applicable.

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

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

Recommendation

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

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

Public Hearing

Staff speakers for the request:

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

Speakers in favor:

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

Speakers against: None

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

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

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

Attachments

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

Prepared by: Haley Weber, Planner, Community Development Department

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION

CASE #SAV-25-001 - REVISED LOCATION/ZONING MAP

Legend

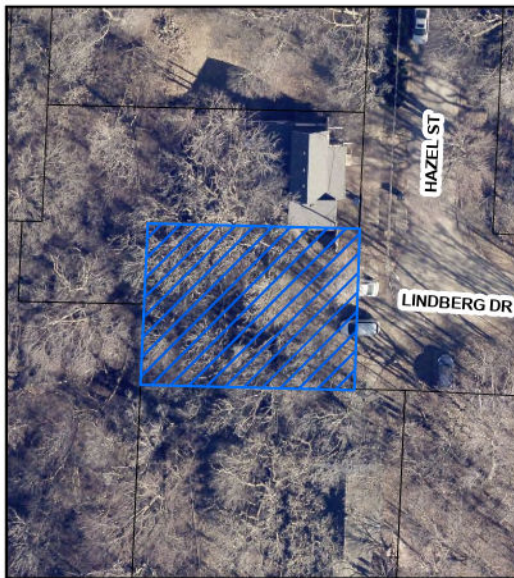


Subject Vacation Area Case
#SAV-25-001 (Revised)

0 12.5 25



1 inch = 21 feet



Last Amended: 2/13/2025



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

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

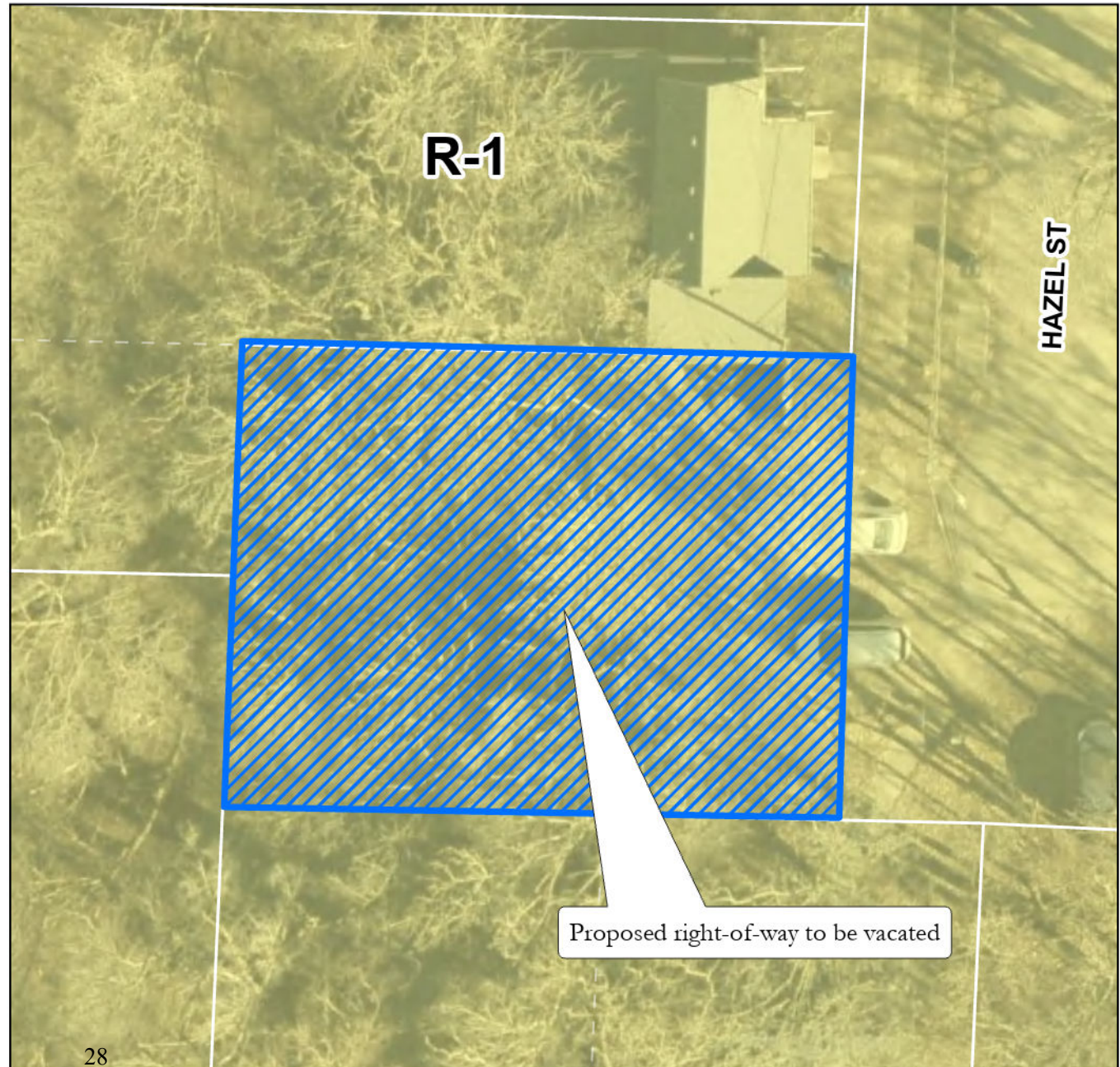




Exhibit A: Looking west towards subject R-O-W from Lindberg Drive



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



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

NOTICE OF PUBLIC HEARING

You are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing for April 7, 2025 at 7:00 p.m. in the City Council Chambers, 2nd Floor of City Hall, 209 Pearl Street, Council Bluffs at which time all persons interested in this matter will be given an opportunity to be heard on the request of Parker Smith and Bill Somers to vacate and dispose of Lindberg Drive right-of-way, legally described as lying adjacent to the easterly 80 feet of Lot 9, Block 1, and the westerly 30 feet of Lot 1 and all of Lot 3, Block 3, all in Oak Grove Addition, City of Council Bluffs, Pottawattamie County, Iowa.

Jodi Quakenbush, City Clerk

RESOLUTION NO. 25-67

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

WHEREAS, Parker Smith and Bill Somers request the vacation of Lindberg Drive right-of-way adjacent to the easterly 80 feet of Lot 9, Block 1, and the westerly 30 feet of Lot 1 and all of Lot 2, Block 3, Oak Grove Addition, City of Council Bluffs, Pottawattamie County, Iowa; and

WHEREAS, this City Council hereby declares its intent to consider disposition of this City right-of-way by conveying all of its right, title and interest in it to the abutting property owner(s).

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

That this City does hereby express its intent to dispose of City owned property legally described as Lindberg Drive right-of-way adjacent to the easterly 80 feet of Lot 9, Block 1, and the westerly 30 feet of Lot 1 and all of Lot 2, Block 3, Oak Grove Addition, City of Council Bluffs, Pottawattamie County, Iowa; and

BE IT FURTHER RESOLVED

That a public hearing on the City's intent to dispose of this property is hereby set for April 7, 2025.

ADOPTED
AND
APPROVED:

March 24, 2025

Roger C. Sandau, Mayor Pro Tem

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

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

Resolution 25-68
ITEM 3.E.

Council Action: 3/24/2025

Description

Resolution setting a public hearing for April 7, 2025 at 7:00 p.m. on the City of Council Bluffs budget for the fiscal year ending June 30, 2026.

Background/Discussion

It is requested the Council set a public hearing for persons to comment and discuss the budget for the City of Council Bluffs for the fiscal year ending June 30, 2026.

At your regular meeting of March 24, 2025 please establish Monday, April 7, 2025 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 budget at the April 7, 2025 meeting. All documents are due to the Iowa Department of Management and to the Pottawattamie County Auditor by the required filing date of April 30, 2025.

Recommendation

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

ATTACHMENTS:

Description	Type	Upload Date
Resolution 25-68	Resolution	3/20/2025

RESOLUTION NO. 25-68

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

WHEREAS, The City is required to hold a public hearing on the proposed budget prior to adoption of the budget, and

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

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

That a Public Hearing on the City Budget for the fiscal year ending June 30, 2026 is established for Monday, April 7, 2025 at 7:00 p.m. in Council Chambers at City Hall, 209 Pearl Street in Council Bluffs, Iowa.

ADOPTED
AND
APPROVED:

March 24, 2025

Roger C. Sandau Mayor Pro Tem

ATTEST: _____
Jodi Quakenbush City Clerk

Council Communication

Department: Community
Development

Case/Project No.:

Submitted by: Dessie Redmond,
Housing & Economic Development
Planner

Resolution 25-69
ITEM 3.F.

Council Action: 3/24/2025

Description

Resolution directing the City Clerk to publish notice and setting a public hearing on April 7, 2025 at 7:00 p.m. on the plans, specifications and form of contract for the Mohawk Street phase of the E. Manawa Subdivision.

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/14/2025
Notice of Public Hearing	Notice	3/14/2025
Resolution 25-69	Resolution	3/20/2025

Council Communication

Department: Community Development	Ordinance No.: N/A Resolution No.: 25-	Set Public Hearing: March 24, 2025 Public Hearing: April 7, 2025 Award Contract: May 19, 2025
Subject/Title		
Set Public hearing to approve the plans, specifications and form of contract for the Mohawk Street phase of the E. Manawa Subdivision.		
<u>Background</u>		
In 2022, using ARPA funds of \$4,190,000, the City purchased approximately 93 acres along E. Manawa Drive to develop for housing. Overall conceptual plans show a range of 600 to 900 housing units on the property depending on design and developer selection. The overall subdivision will be developed in phases to respond to market demand. This RFP is for the approximately 2.2 acres portion that is situated at the southeast corner of Mohawk Street and Comanche Street, and is intended for the development of a two-family attached housing project consisting of approximately 22-24 units. This area should feature low-density housing, attached residential units, establishing a westerly boundary within the overall 93 acre site that complements future phases of the development. The site is part of land that has been designated as the east Manawa Drive Residential Urban Renewal Area and has been prioritized for economic and housing development. The site is within 2.5 miles of the following local amenities:		
<ul style="list-style-type: none">• Lake Manawa City Park (0.25 miles or less)• Council Bluffs Power Center and Metro Crossing (1.75 miles)• Metro Area Transit Yellow Line (0.75 miles)• Interstate-29 (1.5 miles)• Lewis Central Community School District Campus (2.75 miles)• Council Bluffs trail system (0.5 miles)		
<u>Discussion</u>		
The City is ready to bid the above described Mohawk Street phase of the E. Manawa Subdivision. The timeline shall be as follows:		
April 8, 2025	RFP released on IonWave	
May 2, 2025	RFP closed on IonWave	
May 19, 2025	City Council Award Contract	
July 2025	Start construction	
Staff Recommendation		
Staff recommends approval of the resolution setting the public hearing for the plans, specifications and form of contract for the Mohawk Street phase of the E. Manawa Subdivision.		
Attachment		
Resolution Notice of Public Hearing		

Notice of Public Hearing
on the
Plans, Specifications, Form of Contract and Cost Estimate
for the
Mohawk Street phase of the E. Manawa Subdivision

A public hearing will be held on April 7, 2025, at 7:00 p.m. in the Council Chambers of City Hall, 209 Pearl Street, Council Bluffs, Iowa, on the proposed plans, specifications, and form of contract for the Mohawk Street phase of the E. Manawa Subdivision. The project will involve future development of approximately 22-24 two-family attached housing units on approximately 2.2 acres of land. At said hearing, any interested person may appear and file objections to such plans and specifications.

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

RESOLUTION NO. 25-69

A RESOLUTION DIRECTING THE CITY CLERK TO PUBLISH NOTICE AND SETTING A PUBLIC HEARING ON THE PLANS, SPECIFICATIONS AND FORM OF CONTRACT FOR THE MOHAWK STREET PHASE OF THE E. MANAWA SUBDIVISION.

WHEREAS, The City used \$4,190,000 of ARPA funds to purchase approximately 93 acres along E. Manawa Drive to develop for housing; and

WHEREAS, This project is known as the Mohawk Street phase of the overall E. Manawa Subdivision; and

WHEREAS, The City wishes to develop the approximate 2.2 acre Mohawk Street phase of the E. Manawa Subdivision; and

WHEREAS, The plans, specifications and form of contract for the improvements 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 directed to set a public hearing on April 7, 2025 at 7:00 p.m. on the plans, specifications and form of contract for the Mohawk Street phase of the E. Manawa Subdivision.

ADOPTED

AND

APPROVED:

March 24, 2025

Roger C. Sandau Mayor Pro Tem

ATTEST:

Jodi Quakenbush City Clerk

Council Communication

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

Boards/Commissions
ITEM 3.G.

Council Action: 3/24/2025

Description

Civil Service Commission

Background/Discussion

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

Recommendation

Reappoint the following with term expiring 04/06/2028:

Jeff Nelson
230 Shaley Circle

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

CITY CLAIM NO. 25-PW-2285

NOTICE OF CLAIM/LOSS

Progressive Northern Insurance Company A/S/O ARAQUE CALERO, OSCAR

NAME OF CLAIMANT: [REDACTED] DAY PHONE: [REDACTED]
ADDRESS: [REDACTED] DOB: [REDACTED]

DATE & TIME OF LOSS/ACCIDENT: 10/09/2024, 02:25 PM CT

LOCATION OF LOSS/ACCIDENT: 1ST AVE & SOUTH 9TH STREET, 51501 COUNCIL BLUFFS, IA POTTAWATTAMIE, USA

DESCRIPTION OF LOSS/ACCIDENT:
OUR INSURED WAS TRAVELING AT 1ST AVE & SOUTH 9TH STREET, IN COUNCIL BLUFFS, IA WHEN A CITY VEHICLE, WITH
PLATE # 78877 OPERATED BY DEA DENNIS JAY, FAILED TO MAINTAIN PROPER LOOKOUT AND STRUCK OUR INSURED'S VEHICLE
PUSHING OUR INSURED INTO A PARKED VEHICLE. WE ARE SEEKING REIMBURSEMENT FOR OUR PAYMENTS TO THE PARKED VEHICLE FOR THEIR
DAMAGES.

TOTAL DAMAGES CLAIMED: \$ 1,849.63 (USE BACK OF FORM, IF NECESSARY)

WITNESS(ES) (Name(s), Address(es), Phone No(s)): NA

WAS POLICE REPORT FILED ☒ YES ☐ NO COUNCIL BLUFFS PD- 24010172

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

HAVE YOU RESUMED NORMAL ACTIVITIES? ☐ YES ☐ NO

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

LIST INSURANCE PROVIDER AND COVERAGE: [REDACTED]

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

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

3/4/25
DATE

[Signature]
CLAIMANT'S SIGNATURE
Progressive Northern Insurance Company
SUBROGATION SPECIALIST

CLERK ROUD



11 MAR'25

PM 12:19

Action by Council:

Receive & File:

Date: 3-24-25

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

CITY CLAIM NO. 25-CD-2284

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: MARK AUGUSTINE DAY PHONE: [REDACTED]
ADDRESS: [REDACTED] DOB: [REDACTED]
DATE & TIME OF LOSS/ACCIDENT: 2/5/2025 @ 2:00 p.m.
LOCATION OF LOSS/ACCIDENT: EMPLOYEE PARKING LOT
DESCRIPTION OF LOSS/ACCIDENT: Damage to rear passenger side door due to city truck door being swung into my vehicle
(USE BACK OF FORM, IF NECESSARY)
TOTAL DAMAGES CLAIMED: See attached estimate
WITNESS(ES) (Name(s), Address(es), Phone No(s))

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 NA
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)

3/7/2025
DATE

Mark August
CLAIMANT'S SIGNATURE

CLERK RCVD



11 MAR'25

PM 12:19

Action by Council:

Receive & File:

Date: 3-24-25

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

CITY CLAIM NO 25-PW-2286

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Baileo Smith DAY PHONE: [REDACTED]

ADDRESS: [REDACTED] DOB: [REDACTED]

DATE & TIME OF LOSS/ACCIDENT: 3/10/2025 11:30am

LOCATION OF LOSS/ACCIDENT: Above listed address, basement bathroom and basement recreation area

DESCRIPTION OF LOSS/ACCIDENT: City sewer backed up into basement shower drain and overflowed into bathroom floor and recreation area

(USE BACK OF FORM, IF NECESSARY)

TOTAL DAMAGES CLAIMED: \$3225.20

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

WAS POLICE REPORT FILED ☐ YES ☒ NO

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

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: Please see photos and estimate for full extent of damage. Please note this was confirmed by city of council bluffs truck driver who blasted the city sewer that it was backed up, verbally confirmed

LIST INSURANCE PROVIDER AND COVERAGE: Sell pay- not submitting insurance claim

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.

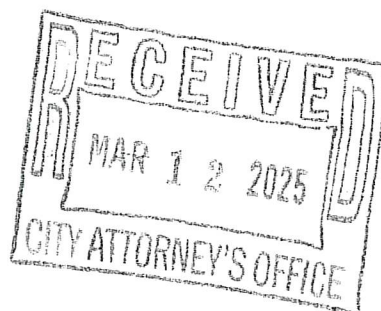
NOTE: IT IS A FRAUDULENT PRACTICE PUNISHABLE BY FINE OR IMPRISONMENT TO KNOWINGLY MAKE A FALSE CLAIM (SECTION 714.8(3) CODE OF IOWA)

CLERK RCVD

03/12/2025
DATE

CLAIMANT'S SIGNATURE

13 MAR '25



PM2:13

Action by Council:
Receive & File:

Date: 3-24-25

Council Communication

Department: Community

Development

Case/Project No.: SUB-25-001

Submitted by: Moises Monrroy,

Planner

Resolution 25-70

ITEM 4.A.

Council Action: 3/24/2025

Description

Resolution granting final plat approval of a one-lot subdivision to be known as Benson's 2nd Addition Replat 1, being a replat of Lots 1 through 6, Block 8, Benson's 2nd Addition, except that part granted to the City of Council Bluffs for right-of-way described in warranty deed 2018-02870. Location: 2901 West Broadway. SUB-25-001

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	2/28/2025
Attachment A: Location/Zoning Map	Map	2/28/2025
Attachment B: Letter of Intent	Letter	2/28/2025
Attachment C: Benson's 2nd Addition Replat 1 Final Plat	Other	2/28/2025
Resolution 25-70	Resolution	3/20/2025

City Council Communication

<p>Department: Community Development</p> <p>CASE #SUB-25-001</p> <p>Applicant/Owner: Jake Kumke Access Project Management 10730 Pacific Street, Suite 230 Omaha, NE 68114</p> <p>Engineer/Surveyor: Michael Smith Thompson, Dressen & Dorner, Inc. 10836 Old Mill Road Omaha, NE 68154</p>	<p>Resolution No. _____</p>	<p>City Council: 3/10/2025</p>
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Subject/Title

Request: Public hearing on the request of Access Project Management, represented by Jake Kumke, for final plat approval of a one-lot subdivision to be known as Benson's 2nd Addition Replat 1, being a replat of Lots 1 through 6, Block 8, Benson's 2nd Addition, except that part granted to the City of Council Bluffs for right-of-way described in warranty deed 2018-02870, City of Council Bluffs, Pottawattamie County, Iowa.

Location: 2901 West Broadway.

Background/Discussion

The Community Development Department has received a request from Access Project Management, represented by Jake Kumke, for final plat approval of a one-lot subdivision to be known as Benson's 2nd Addition Replat 1, being a replat of Lots 1 through 6, Block 8, Benson's 2nd Addition, except that part granted to the City of Council Bluffs for right-of-way described in warranty deed 2018-02870, City of Council Bluffs, Pottawattamie County, Iowa. The proposed subdivision is comprised of 22,842 square feet, more or less, of land.

The subject property consists of two separate parcels of land (Parcels #754427386003 and #754427386004) addressed at 2901 West Broadway. The existing building on the subject property was previously used as a 'consumer service establishment' (U.S. Bank). The applicant is interested in demolishing the existing building and redeveloping the subject property as a coffee kiosk (7 Brew). The purpose of the subdivision request is to facilitate the proposed redevelopment and consolidate the two separate parcels into one lot of record.

Land Use and Zoning – The subject property is zoned C-2/Commercial District and is located in the West Broadway Corridor Design Overlay (CDO). The following zoning and land uses surround the subject property:

Direction	Zoning District(s)	Land Uses
North	C-2/Commercial District	A gas station (Phillips 66) and an automobile repair establishment (Atherton Automotive)
South	C-2/Commercial District	A thrift store (Thrift World) and a vacant

		building
East	C-2/Commercial District	A parking lot
West	C-2/Commercial District	A restaurant (Village Inn)

All properties in the immediate vicinity of the subject property are also located in the West Broadway CDO. The Future Land Use Plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property as 'Local Commercial.'

Comments

- A. The proposed subdivision is comprised of 22,842 square feet, more or less, of land. The proposed subdivision is generally consistent with the purpose and intent of Title 14: Subdivisions and Title 15: Zoning of the Council Bluffs Municipal Code.
- B. Proposed Lot 1 will comply with the minimum lot size requirements in the C-2 District.
- C. All future construction and development activity within this subdivision shall comply with the development standards set forth in Section 15.15.050, Site Development Regulations, C-2/Commercial District, of the Council Bluffs Municipal Code (Zoning Ordinance) and Chapter 15.32A, West Broadway Corridor Design Overlay, of the Council Bluffs Municipal Code (Zoning Ordinance).
- D. Proposed Lot 1 will be a corner lot and thus will have direct frontage onto West Broadway and South 29th Street. No new public roadway extensions are proposed at this time.
- E. There is adequate access to utilities (i.e., water, sanitary sewer, storm sewers, electricity, gas, cable, communication facilities, etc.) to service the proposed subdivision. All utilities shall be installed underground. All costs to construct, remove and/or relocate any utilities in this subdivision shall be the responsibility of the developer, and not the City.
- F. The existing sidewalk along South 29th Street may be required to be extended at the time of redevelopment of the site. All sidewalks shall be built to City standards.
- G. There is a 10-foot wide easement granted to the Iowa Power and Light Company on the southeast corner of proposed Lot 1. No structure(s) shall be allowed to obstruct the granted easement.
- H. No private restrictions or covenants will be recorded with this plat. A note indicating as such has been placed on the final plat.
- I. The Council Bluffs Public Works Department stated that they would continue to work with the Engineer of Record to complete plans that City standards and specifications.
- J. The Council Bluffs Fire Department stated that they have no comment on the request.
- K. The Council Bluffs Police Department stated that they have no comment or objection to the request.
- L. Council Bluffs Water Works stated that they have no comment on the request.
- M. MidAmerican Energy stated that they have no conflict or comment on the request.

Recommendation

The Community Development Department recommends final plat approval of a one-lot subdivision to be known as Benson's 2nd Addition Replat 1, being a replat of Lots 1 through 6, Block 8, Benson's 2nd Addition, except that part granted to the City of Council Bluffs for right-of-way described in warranty deed 2018-02870, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments stated above and the following conditions:

- A. The final plat shall be recorded within 90 days of City Council approval or the plat will become null and void unless an extension has been requested and granted by the Community Development Department Director.
- B. Conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements.
- C. All utilities shall be installed underground. Any costs to construct, remove and/or relocate any utilities shall be the responsibility of the applicant and/or developer, and not the City.
- D. The existing sidewalk along South 29th Street may be required to be extended at the time of redevelopment of the site. All sidewalks shall be built to City standards.

Attachments

Attachment A: Location/Zoning Map

Attachment B: Letter of Intent



Attachment C: Benson's 2nd Addition Replat 1 Final Plat


Prepared by: Moises Monrroy, Planner, Community Development Department

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION

CASE #SUB-25-001 LOCATION/ZONING MAP

Legend

-  Subject Property
-  W Broadway CDO

0 25 50

 1 inch = 42 feet

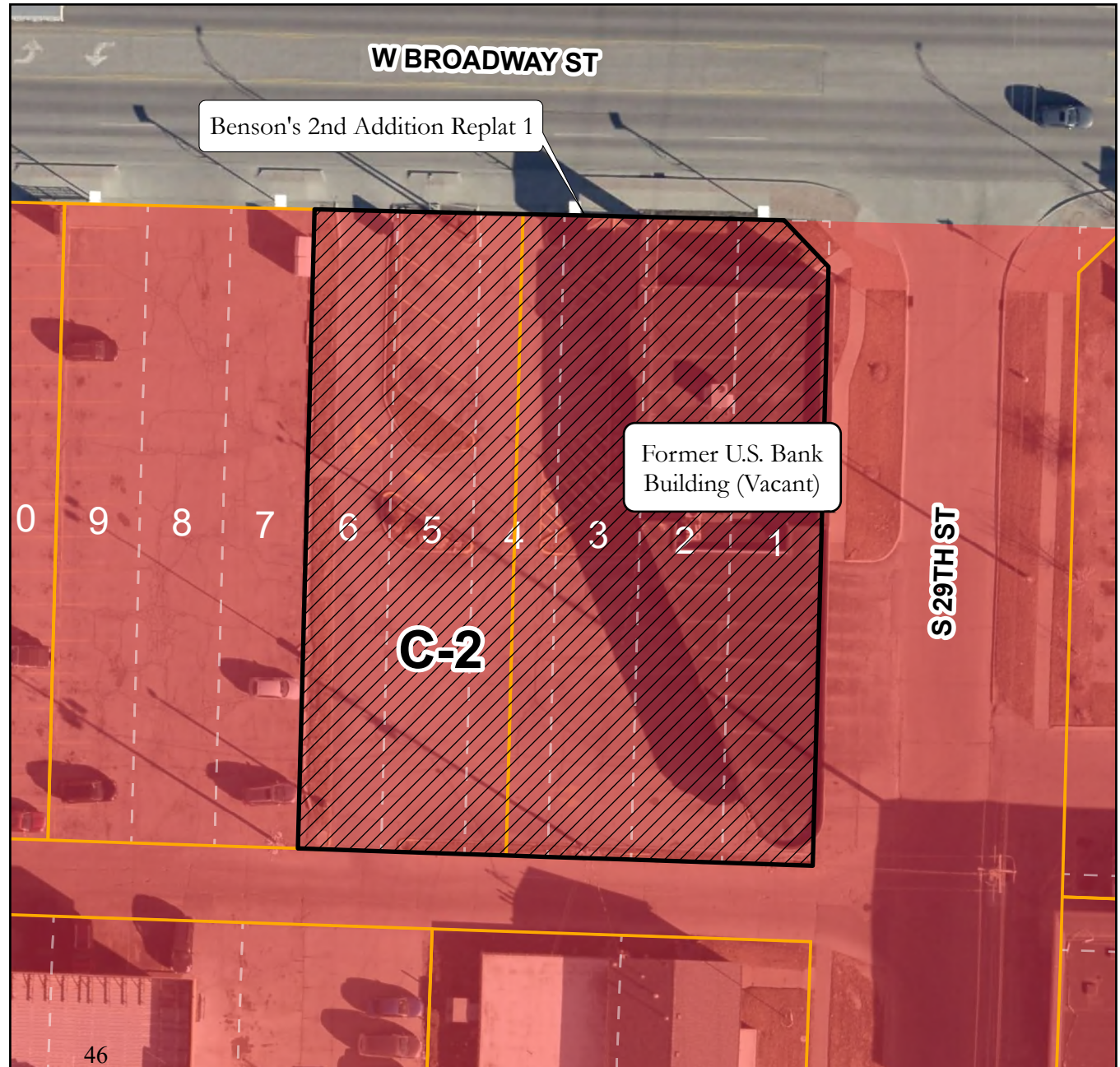


Last Amended: 2/20/25



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

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





City of Council Bluffs
209 Pearl Street
Council Bluffs, IA 51503

RE: Letter of Intent regarding Minor Subdivision for 2901 W Broadway St

City of Council Bluffs:

The intent with this property is to demolish the existing bank building, then redevelop the property for a coffee kiosk as well as an ATM kiosk. To meet the zoning requirements for these structures, we would like to consolidate lots via a minor subdivision. We do not intend to seek any variances at this moment, and plan to fully comply with the zoning and overlay requirements of this property.

Jake Kumke

ACCESS Commercial, LLC
10730 Pacific Street, Suite 230
Omaha, NE 68114
Office: 402.502.1983

BENSON'S 2nd ADDITION REPLAT ONE

LOT 1

BEING A REPLATTING OF LOTS 1, 2, 3, 4, 5 AND 6, BLOCK 8, BENSON'S 2nd ADDITION, A SUBDIVISION IN POTTAWATTAMIE COUNTY, IOWA, EXCEPT THAT PART GRANTED TO THE CITY OF COUNCIL BLUFFS, IOWA FOR RIGHT-OF-WAY DESCRIBED IN WARRANTY DEED 2018-02870.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT WE, SCM 10X COUNCIL BLUFFS 2901, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, BEING THE OWNERS OF THE LAND DESCRIBED WITHIN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO A LOT TO BE NUMBERED AS SHOWN, SAID SUBDIVISION TO BE HEREAFTER KNOWN AS BENSON'S 2nd ADDITION REPLAT ONE, AND WE DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT.

1. A 5-FOOT WIDE EASEMENT ON ALL SIDE LOT LINES AND A 10-FOOT WIDE EASEMENT ALONG ALL FRONT AND REAR LOT LINES IS RESERVED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES.
 - A. ERECTION OF STRUCTURES PROHIBITED: GRANTOR SHALL NOT ERECT ANY STRUCTURE OVER OR WITHIN THE EASEMENT AREA WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER. PROVIDED HOWEVER GRANTOR SHALL HAVE THE RIGHT TO PLACE AND MAINTAIN A SURFACED ROADWAY OVER AND WITHIN THE EASEMENT AREA.
 - B. CHANGE OF GRADE PROHIBITED: GRANTOR SHALL NOT CHANGE THE GRADE, ELEVATION OR CONTOUR OF ANY PART OF THE EASEMENT AREA WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER.
 - C. RIGHT-OF-WAY 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 ON ANY UNAUTHORIZED IMPROVEMENTS OR STRUCTURES WITHIN THE EASEMENT AREA, NECESSITATED BY THE EXERCISE OF THE RIGHT UNDER THIS EASEMENT, SHALL BE BORNE BY THE GRANTOR OR THEIR SUCCESSORS OR ASSIGNS.
 - E. SURFACE RESTORATION: CITY'S LIABILITY TO RESTORE THE SURFACE WITH THE EASEMENT AREA SHALL BE LIMITED ONLY TO GRADING AND SEEDING, AND REPLACEMENT OF GRANTOR'S 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 THE GRANTOR.
 - G. EASEMENT RUNS WITH LAND: THIS EASEMENT SHALL BE DEEMED TO RUN WITH THE LAND AND SHALL BE BINDING ON GRANTOR AND GRANTOR'S SUCCESSORS AND ASSIGNS.
 - H. GRANTOR RESERVATION: GRANTOR RESERVES THE RIGHT TO USE THE EASEMENT AREA FOR OTHER PURPOSES PROVIDED HOWEVER THESE PROPOSES SHALL NOT INTERFERE WITH GRANTEE'S USE OF THE EASEMENT AREA UNDER THE RIGHTS OF THIS AGREEMENT.
2. NO PRIVATE RESTRICTIONS AND/OR COVENANTS WILL BE RECORDED WITH THE SUBDIVISION ON THE PLAT.

IN WITNESS THEREOF, I DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF THE PROPERTY AS CONTAINED HEREIN THIS ____ DAY OF _____, 2025

SCM 10X COUNCIL BLUFFS 2901, LLC,
A NEBRASKA LIMITED LIABILITY COMPANY

BY: DARREN HICKS, MANAGING MEMBER
STATE OF IOWA
COUNTY OF _____

ACKNOWLEDGEMENT OF NOTARY

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 2025 BY DARREN HICKS, MANAGING MEMBER OF SCM 10X COUNCIL BLUFFS 2901, LLC, A NEBRASKA LIMITED LIABILITY COMPANY ON BEHALF OF SAID COMPANY.

NOTARY PUBLIC

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE MADE A BOUNDARY SURVEY OF THE SUBDIVISION DESCRIBED HEREIN AND THAT PERMANENT MARKERS HAVE BEEN FOUND OR SET AT ALL CORNERS OF SAID BOUNDARY OF SAID SUBDIVISION TO BE KNOWN AS BENSON'S 2nd ADDITION REPLAT ONE, LOT 1, BEING A REPLATTING OF LOTS 1, 2, 3, 4, 5 AND 6, BLOCK 8, BENSON'S 2nd ADDITION, A SUBDIVISION IN POTTAWATTAMIE COUNTY, IOWA, EXCEPT THAT PART GRANTED TO THE CITY OF COUNCIL BLUFFS, IOWA FOR RIGHT-OF-WAY DESCRIBED IN WARRANTY DEED 2018-02870, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, SAID BLOCK 8, BENSON'S 2nd ADDITION;

THENCE N89°29'32"W (ASSUMED BEARING) 135.41 FEET ON THE SOUTH LINE OF SAID LOT 1 THROUGH 6, INCLUSIVE TO THE SOUTHWEST CORNER THEREOF;

THENCE N00°18'46"E 168.50 FEET ON THE WEST LINE OF SAID LOT 6 TO THE NORTHWEST CORNER THEREOF;

THENCE N89°53'32"E 123.41 FEET ON THE NORTH LINE OF SAID LOTS 1 THROUGH 6, INCLUSIVE, SAID LINE BEING THE SOUTH LINE OF WEST BROADWAY STREET;

THENCE S44°53'50"E 16.91 FEET; THENCE S00°18'48"W 157.96 FEET ON THE EAST LINE OF SAID LOT 1, SAID LINE BEING THE WEST LINE OF S. 29th STREET, TO THE POINT OF BEGINNING.

CONTAINING 22,842 SQUARE FEET

MICHAEL J. SMITH
DATE: JANUARY 24, 2025

16887
LICENSE NUMBER
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2026.

CITY COUNCIL:

APPROVED BY MAYOR, MATTHEW J. WALSH
DATE: _____

ATTEST:
JODI QUARENBUSH, CITY CLERK
DATE: _____

COMMUNITY DEVELOPMENT DIRECTOR, COURTNEY HARTER
DATE: _____

COUNTY TREASURER'S CERTIFICATE

THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT AS SHOWN ON THE RECORDS OF THIS OFFICE THIS ____ DAY OF _____, 2025.

LEA VOSS, POTTAWATTAMIE COUNTY TREASURER

TREASURER'S SEAL

RECORDER'S INDEX:
COUNTY: POTTAWATTAMIE
SECTION: 27/ TOWNSHIP: 75/ RANGE: 44
ALLOT PART: SE 1/4 OF THE SW 1/4
PROPRIETOR: SCM 10X COUNCIL BLUFFS 2901, LLC
REQUESTED BY: JAKE KUMKE
PREPARED BY: THOMPSON, DREESSEN & DORNER, INC.
SURVEYOR: MICHAEL J. SMITH
COMPANY: THOMPSON, DREESSEN & DORNER, INC.
10836 OLD MILL ROAD, OMAHA, NE 68154
402-330-8860

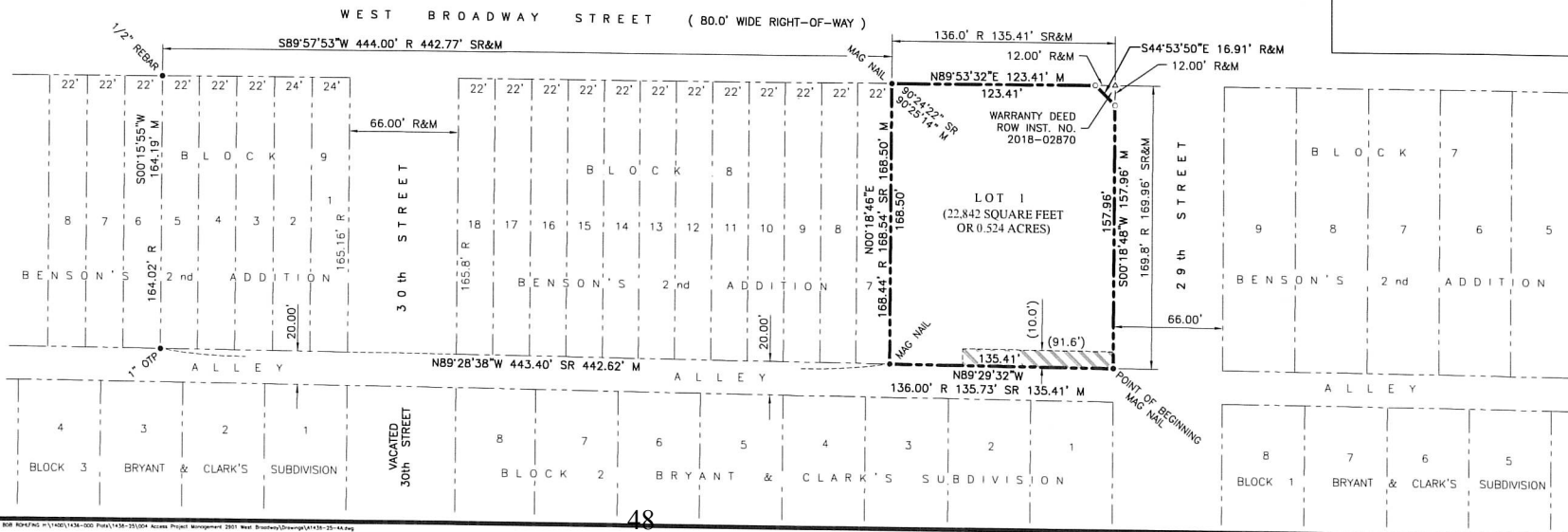
LEGEND

- PROPERTY CORNER FOUND
- PROPERTY CORNER SET (5/8" REBAR W/CAP #16887 UNLESS NOTED)
- △ TEMPORARY POINT
- R RECORD DISTANCE
- M MEASURED DISTANCE
- SR DIMENSION SHOWN ON A SURVEY PREPARED BY GARY D. TINKHAM, IOWA LLS 9496, DATED MAY 24, 2012
- OTF OPEN TOP PIPE

NOTES

1. BEARINGS SHOWN HEREON ARE REFERENCED TO IOWA REGIONAL COORDINATE SYSTEM - ZONE 6.
2. DIMENSIONS IN PARENTHESIS PERTAIN TO EASEMENTS.

10.0 FOOT WIDE EASEMENT GRANTED TO IOWA POWER AND LIGHT COMPANY RECORDED AS INSTRUMENT NO. 74-15875 OF THE POTTAWATTAMIE COUNTY RECORDS.



TD2
engineering
& surveying

thompson, dreesen & dornier, inc.
10836 Old Mill Rd
Omaha, NE 68154
p.402.330.8860 f.402.330.5860
msmith@td2co.com
dba: TD2 Engineering & Surveying
NE CA-0199

BENSON'S 2nd ADDITION REPLAT ONE
LOT 1



Revision Dates		
No.	Description	MM-DD-YY
1		
2		
3		
4		

Job No.: A1436-25-4A
Drawn By: RJR
Reviewed By: MJS
Date: JANUARY 24, 2025
Book: 24/24
Page: 23

Sheet Title

CITY OF COUNCIL
BLUFFS, IOWA
FINAL PLAT

Sheet Number

SHEET 1 OF 1

RESOLUTION NO. 25-70

A RESOLUTION GRANTING FINAL PLAT APPROVAL OF A ONE-LOT SUBDIVISION TO BE KNOWN AS BENSON'S 2ND ADDITION REPLAT 1, BEING A REPLAT OF LOTS 1 THROUGH 6, BLOCK 8, BENSON'S 2ND ADDITION, EXCEPT THAT PART GRANTED TO THE CITY OF COUNCIL BLUFFS FOR RIGHT-OF-WAY DESCRIBED IN WARRANTY DEED 2018-02870, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, Access Project Management is requesting final plat approval on property consisting of two separate parcels of land addressed at 2901 West Broadway; and

WHEREAS, All comments received are outlined in the City Council Communication report and its Attachments; and

WHEREAS, The Community Development Department recommends final plat approval of a one-lot subdivision to be known as Benson's 2nd Addition Replat 1, being a replat of Lots 1 through 6, Block 8, Benson's 2nd Addition, except that part granted to the City of Council Bluffs for right-of-way described in warranty deed 2018-02870, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments stated above and the following conditions:

- A. The final plat shall be recorded within 90 days of City Council approval or the plat will become null and void unless an extension has been requested and granted by the Community Development Department Director.
- B. Conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements.
- C. All utilities shall be installed underground. Any costs to construct, remove and/or relocate any utilities shall be the responsibility of the applicant and/or developer, and not the City.
- D. The existing sidewalk along South 29th Street may be required to be extended at the time of redevelopment of the site. All sidewalks shall be built to City standards.

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

That the request for final plat approval of a one-lot subdivision to be known as Benson's 2nd Addition Replat 1, being a replat of Lots 1 through 6, Block 8, Benson's 2nd Addition, except that part granted to the City of Council Bluffs for right-of-way described in warranty deed 2018-02870, City of Council Bluffs, Pottawattamie County, Iowa, is hereby approved.

BE IT FURTHER RESOLVED

That the Mayor and City Clerk are hereby authorized and directed to endorse the final plat.

ADOPTED
AND
APPROVED

March 24, 2025.

ROGER C. SANDAU

Mayor Pro Tem

Attest: _____

JODI QUAKENBUSH

City Clerk

Council Communication

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

Resolution 25-71
ITEM 4.B.

Council Action: 3/24/2025

Description

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$3,750,000 General Obligation Bonds, Series 2025 (ECP-1).

Background/Discussion

Issuance of not to exceed \$3,750,000 General Obligation Bonds, in order to provide funds to pay the costs of the following essential corporate purposes:

- a) The acquisition, restoration, or demolition of abandoned, dilapidated, or dangerous buildings, structures or properties or the abatement of a nuisance;
- b) The equipping of the police and fire departments;
- c) The rehabilitation and improvement of parks already owned, and facilities, equipment, and improvements commonly found in city parks; and
- d) The opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys and public grounds, and market places, with related utility and site improvements, and the removal and replacement of dead or diseased trees thereon; the construction, reconstruction, and repairing of any street improvements, grade crossing separations and approaches; the acquisition, installation, construction, reconstruction and repair of sidewalks, pedestrian underpasses and overpasses, trails, bridges, and culverts, acquisition of any real estate needed for any of the foregoing purposes,

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 FY26-FY30 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 FY26.

ATTACHMENTS:

Description	Type	Upload Date
FY26 CIP	Other	3/13/2025
FY26 CIP Supplemental Information	Other	3/13/2025
GO Bond Process	Other	3/13/2025
Resolution 25-71	Resolution	3/20/2025

FY 26

PROJECT #	PROJECT TITLE	DESCRIPTION	Current Year Funding Sources												Current Year Project Cost	Notes/Further information
			Federal	State	Sales	Road Use	GO	General Fund - Gaming	General Fund - Operating	General Fund - Other	Iowa West Grant	Other Grant	Donations	Other		
Building Maintenance			\$0	\$0	\$0	\$0	\$1,375,000	\$1,275,000	\$0	\$0	\$0	\$0	\$0	\$0	\$2,650,000	
BM-26-01	MAC Parking Lot Rehab - Phase VI	Replacement of City owned lots						\$1,000,000							\$1,000,000	
BM-26-02	MAC Arena Upgrades - Phase I	Replace South retractable seating					\$675,000								\$675,000	
BM-26-03	City Hall Exterior Repair	Repair window lentils, clean and seal exterior walls					\$250,000								\$250,000	
BM-26-04	MAC Arena Folding Chairs	Replace arena folding chairs					\$210,000								\$210,000	
BM-26-05	Bass Pro Shops Parking Lot Repairs	Mill and patch, crack seal and seal coat						\$275,000							\$275,000	
BM-26-06	Vehicles & Heavy Equipment	Replace MAC utility vehicle and truck					\$90,000								\$90,000	
BM-26-07	SWILE Backup Generator Addition	Install whole house generator at SWILE to cover network link to WWTP and direct link to PD					\$150,000								\$150,000	
Library			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$50,000	\$50,000
LI-26-01	Outreach Vehicle	Vehicle to support Library outreaches, including upfitting													\$50,000	PY Bond \$
Community Development Department			\$650,000	\$0	\$0	\$0	\$1,100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,750,000	
CD-26-01	FIRST AVE Program (Furthering Interconnections, Revitalization, Streetscapes, Transportation, and Aesthetics for a Vibrant Economy)	Acquisitions/demolition/trail/infrastructure/studies (31st - 35th St)					\$500,000								\$500,000	
CD-26-02	Downtown Plan	Completion of Downtown Plan Update from 2003					\$600,000								\$600,000	
CD-26-03	East Manawa Development	Planning, design, infrastructure, trail	\$350,000												\$350,000	CDBG
CD-26-04	Old Battery Factory site	Infrastructure	\$300,000												\$300,000	CDBG
Fire Department			\$0	\$0	\$0	\$0	\$280,000	\$0	\$100,000	\$0	\$0	\$0	\$0	\$0	\$380,000	
FD-26-01	Station 2 Precon Plans	Plans for remodel of station 2							\$100,000						\$100,000	
FD-26-02	Vehicles & Heavy Equipment	QRV 22 Replacement, Fire Car 8 Replacement, Fire Car 6 Replacement, Large Diameter Hose Replacement					\$280,000								\$280,000	
Police Department			\$0	\$0	\$0	\$0	\$1,232,412	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,232,412	
PD-26-01	Vehicles & Heavy Equipment	Replacement of 6 cruisers with upfitting costs; department issued rifles					\$705,658								\$705,658	
PD-26-02	Taser Replacement	Replace 80 tasers (with 5-year warranty cost broken out below)					\$436,754								\$436,754	
PD-26-02	Taser Replacement	Taser Warranty cost					\$90,000								\$90,000	
IT			\$0	\$0	\$0	\$0	\$800,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$800,000	
IT-26-01	Safety and Security	Cameras					\$70,000								\$70,000	
IT-26-02	Infrastructure & Services	Fiber, network switches, servers, storage					\$500,000								\$500,000	
IT-26-03	Mobile Technology	MDTs and tablets					\$80,000								\$80,000	
IT-26-04	Software Licensing	Software renewals; permit/licensing software implementation					\$150,000								\$150,000	
Parks and Recreation Department			\$0	\$0	\$0	\$0	\$2,904,560	\$0	\$121,500	\$0	\$3,500,000	\$0	\$0	\$0	\$6,526,060	
PR-26-01	River's Edge Donor Plaza	Construct New Donor Plaza for the Donors of River's Edge					\$600,000								\$600,000	
PR-26-02	Big Lake Park North Field Trails and Dog Park, Ph	Engineering and design of the north field improvements							\$50,000						\$50,000	
PR-26-03	South Expressway Trail Connection	Engineering and design of trail connection					\$375,000								\$375,000	
PR-26-04	S. 24th Trail Connection	New trail segment from I-29 off ramp to Recreation Complex, along S. 24th Street					\$400,000								\$400,000	
PR-26-05	Pirate Cove Improvements	New concrete plaza and shelter area					\$155,000								\$155,000	
PR-26-06	Trolley Park Playground Improvement	Replace existing play surface and add a couple of stand alone pieces of play equipment					\$261,000								\$261,000	
PR-26-07	Big Lake Park Playground Improvements, Phase 1	Engineering and design of playground and associated park improvements							\$71,500						\$71,500	
PR-26-08	City County Trail Connector	Additional funding for design and construction of City County Trail					\$375,000								\$375,000	
PR-26-09	Vehicles & Heavy Equipment						\$738,560								\$738,560	
PR-26-10	Rivers Edge Gateway Enhancements	Decorative lighting, landscaping, hardscaping, irrigation and entry signage at W. Broadway									\$3,500,000				\$3,500,000	
Public Works Department			\$700,000	\$2,700,000	\$11,850,000	\$285,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,310,000	\$18,845,000	
PW-26-01	Infrastructure Maintenance	Emergency Repair			\$150,000										\$150,000	
PW-26-02	Infrastructure Maintenance	Traffic Signal Improvements			\$200,000										\$200,000	
PW-26-03	Infrastructure Maintenance	HMA Resurfacing, curb & gutter			\$300,000										\$300,000	
PW-26-04	Infrastructure Management	Sanitary Sewer Rate Study			\$100,000										\$100,000	
PW-26-05	NPDES PH II Program Management	Stormwater Utility Study			\$100,000										\$100,000	
PW-26-06	Indian Creek Channel Rehabilitation	Repair of I.C. concrete structure	52	\$2,700,000	\$800,000										\$3,500,000	FMP
PW-26-07	Richard Downing Blvd Reconstruction	Pavement, storm sewer			\$2,250,000										\$2,250,000	

FY 26

PROJECT #	PROJECT TITLE	DESCRIPTION	Current Year Funding Sources											Current Year Project Cost	Notes/Further information
			Federal	State	Sales	Road Use	GO	General Fund - Gaming	General Fund - Operating	General Fund - Other	Iowa West Grant	Other Grant	Donations	Other	
PW-26-08	Valley View Intersection Improvements	Greenview Rd and Franklin Ave			\$800,000									\$800,000	
PW-26-09	E Manawa Sewer Rehab - Phase XIV	Pavement, sewer			\$1,050,000									\$450,000	Other = Sewer
PW-26-10	Kanesville Pedestrian Bridge Repairs	Repair bridge structure			\$450,000									\$450,000	
PW-26-12	S 23rd Street Sewer Rehab - Phase II	Pavement, sewer			\$875,000									\$375,000	Other = Sewer
PW-26-13	Ave B Reconstruction, Phase II	Pavement, sewer			\$875,000									\$375,000	Other = Sewer
PW-26-14	Hillcrest Reconstruction, Phase II	Pavement, sewer			\$650,000									\$250,000	Other = Sewer
PW-26-15	WPCP Digestor Lids	Repair/Replace Digestor Lids			\$1,750,000									\$1,750,000	Other = Sewer
PW-26-16	Pump Station Rehab	Forrest Glen Sanitary P.S.			\$1,500,000									\$1,500,000	
PW-26-17	SS4A Planning Grant	City-wide traffic calming and speed study	\$700,000			\$175,000								\$875,000	
PW-26-18	East End Ops Building	Purchase former Pott Co. site on Greenview				\$110,000								\$110,000	Other = Sewer
Total			\$1,350,000	\$2,700,000	\$11,850,000	\$285,000	\$7,691,972	\$1,275,000	\$221,500	\$0	\$3,500,000	\$0	\$0	\$3,360,000	\$32,233,472

City of Council Bluffs
2025 Series Bond Hearing Supplemental Information
FY26 CIP

Essential Corporate Purpose Reso 25-XX (not to exceed \$3,750,000)			ECP Hearing #1
GENERAL OBLIGATION BONDS, SERIES 2025			
Total Purpose	\$3,423,412	\$3,750,000	
FIRST AVE Program (Furthering Interconnections, Revitalization, Streetscapes, Transportation, and Aesthetics for a Vibrant Economy)	CD-26-01	\$500,000	
Vehicles & Heavy Equipment	FD-26-02; PD-26-01; PD-26-02	\$985,658	
PD Equipment:tasers (\$90K of warranty cost)	PD-26-02	\$526,754	
Trolley Park Playground Equipment	PR-26-06	\$261,000	
City Park Improvements: Trails R-26-03; PR-26-04; PR-26-0		\$1,150,000	
General Corporate Purpose Reso 25-XX (not to exceed \$910,000)			GCP Hearing #2
GENERAL OBLIGATION BONDS, SERIES 2025			
Total Purpose	\$885,000	\$910,000	
MAC Arena Upgrades - Phase I	BM-26-02	\$675,000	
MAC Arena Folding Chairs	BM-26-04	\$210,000	
General Corporate Purpose Reso 25-XX (not to exceed \$930,000)			GCP Hearing #3
GENERAL OBLIGATION BONDS, SERIES 2025			
Total Purpose	\$905,000	\$930,000	
SWILE Backup Generator Addition	BM-26-07	\$150,000	
Pirate Cove Improvements	PR-26-05	\$155,000	
Downtown Plan	CD-26-02	\$600,000	
General Corporate Purpose Reso 25-XX (not to exceed \$850,000)			GCP Hearing #4
GENERAL OBLIGATION BONDS, SERIES 2025			
Total Purpose	\$800,000	\$850,000	
Safety and Security	IT-26-01	\$70,000	
Infrastructure & Services	IT-26-02	\$500,000	
Mobile Technology	IT-26-03	\$80,000	
Software Licensing	IT-26-04	\$150,000	
General Corporate Purpose Reso 25-XX (not to exceed \$875,000)			GCP Hearing #5
GENERAL OBLIGATION BONDS, SERIES 2025			
Total Purpose	\$828,560	\$875,000	
Vehicles & Heavy Equipment	BM-26-06; PR-26-09	\$828,560	
General Corporate Purpose Reso 25-XX (not to exceed \$910,000)			GCP Hearing #6
GENERAL OBLIGATION BONDS, SERIES 2025			
Total Purpose	\$850,000	\$910,000	
River's Edge Donor Plaza	PR-26-01	\$600,000	
City Hall Exterior Repair	BM-26-03	\$250,000	
	Total CIP Projects	\$ 7,691,972	
	Total Refunding	-	
	Total GO Bond Funding	\$ 7,691,972	

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

RESOLUTION 25-71
ITEMS TO INCLUDE ON AGENDA
CITY OF COUNCIL BLUFFS, IOWA

Not to exceed \$3,750,000 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.

March 24, 2025

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

Disalvo, Peterson, Sandau and Shudak

Absent: Gorman

Vacant: none

* * * * *

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 \$3,750,000 General Obligation Bonds, in order to provide funds to pay the costs of:

- a) the acquisition, restoration, or demolition of abandoned, dilapidated, or dangerous buildings, structures or properties or the abatement of a nuisance;
- b) the equipping of the police and fire departments;
- c) the rehabilitation and improvement of parks already owned, and facilities, equipment, and improvements commonly found in city parks; and
- d) opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys and public grounds, and market places, with related utility and site improvements, and the removal and replacement of dead or diseased trees thereon; the construction, reconstruction, and repairing of any street improvements, grade crossing separations and approaches; the acquisition, installation, construction, reconstruction and repair of sidewalks, pedestrian underpasses and overpasses, trails, bridges, and culverts, acquisition of any real estate needed for any of the foregoing purposes,

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 \$3,750,000 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 _____, 2025, at this place.

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

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

Resolution No. 25-71

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$3,750,000 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 \$3,750,000 General Obligation Bonds, for the essential corporate purposes, in order to provide funds to pay the costs of:

- a) the acquisition, restoration, or demolition of abandoned, dilapidated, or dangerous buildings, structures or properties or the abatement of a nuisance;
- b) the equipping of the police and fire departments;
- c) the rehabilitation and improvement of parks already owned, and facilities, equipment, and improvements commonly found in city parks; and
- d) opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys and public grounds, and market places, with related utility and

site improvements, and the removal and replacement of dead or diseased trees thereon; the construction, reconstruction, and repairing of any street improvements, grade crossing separations and approaches; the acquisition, installation, construction, reconstruction and repair of sidewalks, pedestrian underpasses and overpasses, trails, bridges, and culverts, acquisition of any real estate needed for any of the foregoing purposes,

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 \$3,750,000 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 24th day of March, 2025.

Mayor Pro Tem

ATTEST:

City Clerk

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

WITNESS my hand and the seal of the Council hereto affixed this 25th day of March, 2025.

(SEAL)

Council Communication

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

Resolution 25-72
ITEM 4.C.

Council Action: 3/24/2025

Description

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$910,000 General Obligation Bonds, Series 2025 (GCP-2).

Background/Discussion

Issuance of not to exceed \$910,000 General Obligation Bonds, in order to provide funds to pay the costs of:

a) The acquisition, construction, reconstruction, extension, improvement, and equipping of city enterprises, including the Mid America 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 FY26-FY30 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 FY26.

ATTACHMENTS:

Description	Type	Upload Date
FY26 CIP	Other	3/13/2025
FY26 CIP Supplemental Information	Other	3/13/2025
GO Bond Process	Other	3/13/2025
Resolution 25-72	Resolution	3/20/2025

FY 26

PROJECT #	PROJECT TITLE	DESCRIPTION	Current Year Funding Sources												Current Year Project Cost	Notes/Further information
			Federal	State	Sales	Road Use	GO	General Fund - Gaming	General Fund - Operating	General Fund - Other	Iowa West Grant	Other Grant	Donations	Other		
Building Maintenance			\$0	\$0	\$0	\$0	\$1,375,000	\$1,275,000	\$0	\$0	\$0	\$0	\$0	\$0	\$2,650,000	
BM-26-01	MAC Parking Lot Rehab - Phase VI	Replacement of City owned lots						\$1,000,000							\$1,000,000	
BM-26-02	MAC Arena Upgrades - Phase I	Replace South retractable seating					\$675,000								\$675,000	
BM-26-03	City Hall Exterior Repair	Repair window lentils, clean and seal exterior walls					\$250,000								\$250,000	
BM-26-04	MAC Arena Folding Chairs	Replace arena folding chairs					\$210,000								\$210,000	
BM-26-05	Bass Pro Shops Parking Lot Repairs	Mill and patch, crack seal and seal coat						\$275,000							\$275,000	
BM-26-06	Vehicles & Heavy Equipment	Replace MAC utility vehicle and truck					\$90,000								\$90,000	
BM-26-07	SWILE Backup Generator Addition	Install whole house generator at SWILE to cover network link to WWTP and direct link to PD					\$150,000								\$150,000	
Library			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$50,000	\$50,000
LI-26-01	Outreach Vehicle	Vehicle to support Library outreaches, including upfitting													\$50,000	PY Bond \$
Community Development Department			\$650,000	\$0	\$0	\$0	\$1,100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,750,000	
CD-26-01	FIRST AVE Program (Furthering Interconnections, Revitalization, Streetscapes, Transportation, and Aesthetics for a Vibrant Economy)	Acquisitions/demolition/trail/infrastructure/studies (31st - 35th St)					\$500,000								\$500,000	
CD-26-02	Downtown Plan	Completion of Downtown Plan Update from 2003					\$600,000								\$600,000	
CD-26-03	East Manawa Development	Planning, design, infrastructure, trail	\$350,000												\$350,000	CDBG
CD-26-04	Old Battery Factory site	Infrastructure	\$300,000												\$300,000	CDBG
Fire Department			\$0	\$0	\$0	\$0	\$280,000	\$0	\$100,000	\$0	\$0	\$0	\$0	\$0	\$380,000	
FD-26-01	Station 2 Precon Plans	Plans for remodel of station 2							\$100,000						\$100,000	
FD-26-02	Vehicles & Heavy Equipment	QRV 22 Replacement, Fire Car 8 Replacement, Fire Car 6 Replacement, Large Diameter Hose Replacement					\$280,000								\$280,000	
Police Department			\$0	\$0	\$0	\$0	\$1,232,412	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,232,412	
PD-26-01	Vehicles & Heavy Equipment	Replacement of 6 cruisers with upfitting costs; department issued rifles					\$705,658								\$705,658	
PD-26-02	Taser Replacement	Replace 80 tasers (with 5-year warranty cost broken out below)					\$436,754								\$436,754	
PD-26-02	Taser Replacement	Taser Warranty cost					\$90,000								\$90,000	
IT			\$0	\$0	\$0	\$0	\$800,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$800,000	
IT-26-01	Safety and Security	Cameras					\$70,000								\$70,000	
IT-26-02	Infrastructure & Services	Fiber, network switches, servers, storage					\$500,000								\$500,000	
IT-26-03	Mobile Technology	MDTs and tablets					\$80,000								\$80,000	
IT-26-04	Software Licensing	Software renewals; permit/licensing software implementation					\$150,000								\$150,000	
Parks and Recreation Department			\$0	\$0	\$0	\$0	\$2,904,560	\$0	\$121,500	\$0	\$3,500,000	\$0	\$0	\$0	\$6,526,060	
PR-26-01	River's Edge Donor Plaza	Construct New Donor Plaza for the Donors of River's Edge					\$600,000								\$600,000	
PR-26-02	Big Lake Park North Field Trails and Dog Park, Ph	Engineering and design of the north field improvements							\$50,000						\$50,000	
PR-26-03	South Expressway Trail Connection	Engineering and design of trail connection					\$375,000								\$375,000	
PR-26-04	S. 24th Trail Connection	New trail segment from I-29 off ramp to Recreation Complex, along S. 24th Street					\$400,000								\$400,000	
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PR-26-08	City County Trail Connector	Additional funding for design and construction of City County Trail					\$375,000								\$375,000	
PR-26-09	Vehicles & Heavy Equipment						\$738,560								\$738,560	
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Public Works Department			\$700,000	\$2,700,000	\$11,850,000	\$285,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,310,000	\$18,845,000	
PW-26-01	Infrastructure Maintenance	Emergency Repair			\$150,000										\$150,000	
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FY 26

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PW-26-16	Pump Station Rehab	Forrest Glen Sanitary P.S.			\$1,500,000										\$1,500,000	
PW-26-17	SS4A Planning Grant	City-wide traffic calming and speed study	\$700,000			\$175,000									\$875,000	
PW-26-18	East End Ops Building	Purchase former Pott Co. site on Greenview				\$110,000								\$110,000	\$220,000	Other = Sewer
Total			\$1,350,000	\$2,700,000	\$11,850,000	\$285,000	\$7,691,972	\$1,275,000	\$221,500	\$0	\$3,500,000	\$0	\$0	\$3,360,000	\$32,233,472	

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City of Council Bluffs

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

Resolution 25-72

ITEMS TO INCLUDE ON AGENDA

CITY OF COUNCIL BLUFFS, IOWA

Not to exceed \$910,000 General Obligation Bonds (GCP-2)

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Absent: Gorman

Vacant: n/a

* * * * *

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 \$910,000 General Obligation Bonds, in order to provide funds to pay the costs of the acquisition, construction, reconstruction, extension, improvement, and equipping of city enterprises, including the Mid America 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 \$910,000 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 _____, 2025, at this place.

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

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

Resolution 25-72

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$910,000 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 \$910,000 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 enterprises, including the Mid America 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 \$910,000 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 24th day of March, 2025.

Mayor Pro Tem

ATTEST:

City Clerk

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

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

(SEAL)

Council Communication

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

Resolution 25-73
ITEM 4.D.

Council Action: 3/24/2025

Description

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$930,000 General Obligation Bonds, Series 2025 (GCP-3).

Background/Discussion

Issuance of not to exceed \$930,000 General Obligation Bonds, in order to provide funds to pay the costs of:

- a) The improvement and equipping city facilities, including the law enforcement training and utility facilities;
- b) The acquisition, construction, reconstruction, enlargement, improvement, and equipping of swimming pools and recreation grounds, including Pirates Cove; and
- c) Planning for development of public improvements, including streets, flood plain, traffic control, public art, 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 FY26-FY30 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 FY26.

ATTACHMENTS:

Description	Type	Upload Date
FY26 CIP	Other	3/13/2025
FY26 CIP Supplemental Information	Other	3/13/2025
GO Bond Process	Other	3/13/2025
Resolution 25-73	Resolution	3/20/2025

FY 26

PROJECT #	PROJECT TITLE	DESCRIPTION	Current Year Funding Sources												Current Year Project Cost	Notes/Further information
			Federal	State	Sales	Road Use	GO	General Fund - Gaming	General Fund - Operating	General Fund - Other	Iowa West Grant	Other Grant	Donations	Other		
Building Maintenance			\$0	\$0	\$0	\$0	\$1,375,000	\$1,275,000	\$0	\$0	\$0	\$0	\$0	\$0	\$2,650,000	
BM-26-01	MAC Parking Lot Rehab - Phase VI	Replacement of City owned lots						\$1,000,000							\$1,000,000	
BM-26-02	MAC Arena Upgrades - Phase I	Replace South retractable seating					\$675,000								\$675,000	
BM-26-03	City Hall Exterior Repair	Repair window lentils, clean and seal exterior walls					\$250,000								\$250,000	
BM-26-04	MAC Arena Folding Chairs	Replace arena folding chairs					\$210,000								\$210,000	
BM-26-05	Bass Pro Shops Parking Lot Repairs	Mill and patch, crack seal and seal coat						\$275,000							\$275,000	
BM-26-06	Vehicles & Heavy Equipment	Replace MAC utility vehicle and truck					\$90,000								\$90,000	
BM-26-07	SWILE Backup Generator Addition	Install whole house generator at SWILE to cover network link to WWTP and direct link to PD					\$150,000								\$150,000	
Library			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$50,000	\$50,000	
LI-26-01	Outreach Vehicle	Vehicle to support Library outreaches, including upfitting												\$50,000	\$50,000	PY Bond \$
Community Development Department			\$650,000	\$0	\$0	\$0	\$1,100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,750,000	
CD-26-01	FIRST AVE Program (Furthering Interconnections, Revitalization, Streetscapes, Transportation, and Aesthetics for a Vibrant Economy)	Acquisitions/demolition/trail/infrastructure/studies (31st - 35th St)					\$500,000								\$500,000	
CD-26-02	Downtown Plan	Completion of Downtown Plan Update from 2003					\$600,000								\$600,000	
CD-26-03	East Manawa Development	Planning, design, infrastructure, trail	\$350,000												\$350,000	CDBG
CD-26-04	Old Battery Factory site	Infrastructure	\$300,000												\$300,000	CDBG
Fire Department			\$0	\$0	\$0	\$0	\$280,000	\$0	\$100,000	\$0	\$0	\$0	\$0	\$0	\$380,000	
FD-26-01	Station 2 Precon Plans	Plans for remodel of station 2							\$100,000						\$100,000	
FD-26-02	Vehicles & Heavy Equipment	QRV 22 Replacement, Fire Car 8 Replacement, Fire Car 6 Replacement, Large Diameter Hose Replacement					\$280,000								\$280,000	
Police Department			\$0	\$0	\$0	\$0	\$1,232,412	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,232,412	
PD-26-01	Vehicles & Heavy Equipment	Replacement of 6 cruisers with upfitting costs; department issued rifles					\$705,658								\$705,658	
PD-26-02	Taser Replacement	Replace 80 tasers (with 5-year warranty cost broken out below)					\$436,754								\$436,754	
PD-26-02	Taser Replacement	Taser Warranty cost					\$90,000								\$90,000	
IT			\$0	\$0	\$0	\$0	\$800,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$800,000	
IT-26-01	Safety and Security	Cameras					\$70,000								\$70,000	
IT-26-02	Infrastructure & Services	Fiber, network switches, servers, storage					\$500,000								\$500,000	
IT-26-03	Mobile Technology	MDTs and tablets					\$80,000								\$80,000	
IT-26-04	Software Licensing	Software renewals; permit/licensing software implementation					\$150,000								\$150,000	
Parks and Recreation Department			\$0	\$0	\$0	\$0	\$2,904,560	\$0	\$121,500	\$0	\$3,500,000	\$0	\$0	\$0	\$6,526,060	
PR-26-01	River's Edge Donor Plaza	Construct New Donor Plaza for the Donors of River's Edge					\$600,000								\$600,000	
PR-26-02	Big Lake Park North Field Trails and Dog Park, Ph	Engineering and design of the north field improvements							\$50,000						\$50,000	
PR-26-03	South Expressway Trail Connection	Engineering and design of trail connection					\$375,000								\$375,000	
PR-26-04	S. 24th Trail Connection	New trail segment from I-29 off ramp to Recreation Complex, along S. 24th Street					\$400,000								\$400,000	
PR-26-05	Pirate Cove Improvements	New concrete plaza and shelter area					\$155,000								\$155,000	
PR-26-06	Trolley Park Playground Improvement	Replace existing play surface and add a couple of stand alone pieces of play equipment					\$261,000								\$261,000	
PR-26-07	Big Lake Park Playground Improvements, Phase 1	Engineering and design of playground and associated park improvements							\$71,500						\$71,500	
PR-26-08	City County Trail Connector	Additional funding for design and construction of City County Trail					\$375,000								\$375,000	
PR-26-09	Vehicles & Heavy Equipment						\$738,560								\$738,560	
PR-26-10	Rivers Edge Gateway Enhancements	Decorative lighting, landscaping, hardscaping, irrigation and entry signage at W. Broadway									\$3,500,000				\$3,500,000	
Public Works Department			\$700,000	\$2,700,000	\$11,850,000	\$285,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,310,000	\$18,845,000	
PW-26-01	Infrastructure Maintenance	Emergency Repair			\$150,000										\$150,000	
PW-26-02	Infrastructure Maintenance	Traffic Signal Improvements			\$200,000										\$200,000	
PW-26-03	Infrastructure Maintenance	HMA Resurfacing, curb & gutter			\$300,000										\$300,000	
PW-26-04	Infrastructure Management	Sanitary Sewer Rate Study			\$100,000										\$100,000	
PW-26-05	NPDES PH II Program Management	Stormwater Utility Study			\$100,000										\$100,000	
PW-26-06	Indian Creek Channel Rehabilitation	Repair of I.C. concrete structure		\$2,700,000	\$800,000										\$3,500,000	FMP
PW-26-07	Richard Downing Blvd Reconstruction	Pavement, storm sewer	74		\$2,250,000										\$2,250,000	

FY 26

PROJECT #	PROJECT TITLE	DESCRIPTION	Current Year Funding Sources											Current Year Project Cost	Notes/Further information
			Federal	State	Sales	Road Use	GO	General Fund - Gaming	General Fund - Operating	General Fund - Other	Iowa West Grant	Other Grant	Donations	Other	
PW-26-08	Valley View Intersection Improvements	Greenview Rd and Franklin Ave			\$800,000									\$800,000	
PW-26-09	E Manawa Sewer Rehab - Phase XIV	Pavement, sewer			\$1,050,000									\$450,000	Other = Sewer
PW-26-10	Kanesville Pedestrian Bridge Repairs	Repair bridge structure			\$450,000									\$450,000	
PW-26-12	S 23rd Street Sewer Rehab - Phase II	Pavement, sewer			\$875,000									\$375,000	Other = Sewer
PW-26-13	Ave B Reconstruction, Phase II	Pavement, sewer			\$875,000									\$375,000	Other = Sewer
PW-26-14	Hillcrest Reconstruction, Phase II	Pavement, sewer			\$650,000									\$250,000	Other = Sewer
PW-26-15	WPCP Digestor Lids	Repair/Replace Digestor Lids			\$1,750,000									\$1,750,000	Other = Sewer
PW-26-16	Pump Station Rehab	Forrest Glen Sanitary P.S.			\$1,500,000									\$1,500,000	
PW-26-17	SS4A Planning Grant	City-wide traffic calming and speed study	\$700,000			\$175,000								\$875,000	
PW-26-18	East End Ops Building	Purchase former Pott Co. site on Greenview				\$110,000								\$110,000	Other = Sewer
Total			\$1,350,000	\$2,700,000	\$11,850,000	\$285,000	\$7,691,972	\$1,275,000	\$221,500	\$0	\$3,500,000	\$0	\$0	\$3,360,000	\$32,233,472

City of Council Bluffs
2025 Series Bond Hearing Supplemental Information
FY26 CIP

Essential Corporate Purpose Reso 25-XX (not to exceed \$3,750,000)			ECP Hearing #1
GENERAL OBLIGATION BONDS, SERIES 2025			
Total Purpose	\$3,423,412	\$3,750,000	
FIRST AVE Program (Furthering Interconnections, Revitalization, Streetscapes, Transportation, and Aesthetics for a Vibrant Economy)	CD-26-01	\$500,000	
Vehicles & Heavy Equipment	FD-26-02; PD-26-01; PD-26-02	\$985,658	
PD Equipment:tasers (\$90K of warranty cost)	PD-26-02	\$526,754	
Trolley Park Playground Equipment	PR-26-06	\$261,000	
City Park Improvements: Trails R-26-03; PR-26-04; PR-26-0		\$1,150,000	
General Corporate Purpose Reso 25-XX (not to exceed \$910,000)			GCP Hearing #2
GENERAL OBLIGATION BONDS, SERIES 2025			
Total Purpose	\$885,000	\$910,000	
MAC Arena Upgrades - Phase I	BM-26-02	\$675,000	
MAC Arena Folding Chairs	BM-26-04	\$210,000	
General Corporate Purpose Reso 25-XX (not to exceed \$930,000)			GCP Hearing #3
GENERAL OBLIGATION BONDS, SERIES 2025			
Total Purpose	\$905,000	\$930,000	
SWILE Backup Generator Addition	BM-26-07	\$150,000	
Pirate Cove Improvements	PR-26-05	\$155,000	
Downtown Plan	CD-26-02	\$600,000	
General Corporate Purpose Reso 25-XX (not to exceed \$850,000)			GCP Hearing #4
GENERAL OBLIGATION BONDS, SERIES 2025			
Total Purpose	\$800,000	\$850,000	
Safety and Security	IT-26-01	\$70,000	
Infrastructure & Services	IT-26-02	\$500,000	
Mobile Technology	IT-26-03	\$80,000	
Software Licensing	IT-26-04	\$150,000	
General Corporate Purpose Reso 25-XX (not to exceed \$875,000)			GCP Hearing #5
GENERAL OBLIGATION BONDS, SERIES 2025			
Total Purpose	\$828,560	\$875,000	
Vehicles & Heavy Equipment	BM-26-06; PR-26-09	\$828,560	
General Corporate Purpose Reso 25-XX (not to exceed \$910,000)			GCP Hearing #6
GENERAL OBLIGATION BONDS, SERIES 2025			
Total Purpose	\$850,000	\$910,000	
River's Edge Donor Plaza	PR-26-01	\$600,000	
City Hall Exterior Repair	BM-26-03	\$250,000	
	Total CIP Projects	\$ 7,691,972	
	Total Refunding	-	
	Total GO Bond Funding	\$ 7,691,972	

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

Resolution 25-73

ITEMS TO INCLUDE ON AGENDA

CITY OF COUNCIL BLUFFS, IOWA

Not to exceed \$930,000 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.

March 24, 2025

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

Disalvo, Peterson, Sandau and Shudak

Absent: Gorman

Vacant: n/a

* * * * *

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 \$930,000 General Obligation Bonds, in order to provide funds to pay the costs of:

- a) the improvement and equipping city facilities, including the law enforcement training and utility facilities;
- b) the acquisition, construction, reconstruction, enlargement, improvement, and equipping of swimming pools and recreation grounds, including Pirates Cove; and
- c) planning for development of public improvements, including streets, flood plain, traffic control, public art,

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 \$930,000 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 _____, 2025, at this place.

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

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

Resolution 25-73

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$930,000 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 \$930,000 General Obligation Bonds, for the general corporate purposes, in order to provide funds to pay the costs of:

- a) the improvement and equipping city facilities, including the law enforcement training and utility facilities;
- b) the acquisition, construction, reconstruction, enlargement, improvement, and equipping of swimming pools and recreation grounds, including Pirates Cove; and
- c) planning for development of public improvements, including streets, flood plain, traffic control, public art,

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 \$930,000 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 24th day of March, 2025.

Mayor Pro Tem

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 25th day of March, 2025.

City Clerk, City of Council Bluffs, State of
Iowa

(SEAL)

Council Communication

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

Resolution 25-74
ITEM 4.E.

Council Action: 3/24/2025

Description

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$850,000 General Obligation Bonds, Series 2025 (GCP-4).

Background/Discussion

Issuance of not to exceed \$850,000 General Obligation Bonds, in order to provide funds to pay the costs of:
a) The acquisition, improvement, extension and enhancement of City's information technology infrastructure and services, including cameras, computers, servers, software and fiber,
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 FY26-FY30 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 FY26.

ATTACHMENTS:

Description	Type	Upload Date
FY26 CIP	Other	3/13/2025
FY26 CIP Supplemental Information	Other	3/13/2025
GO Bond Process	Other	3/13/2025
Resolution 25-74	Resolution	3/20/2025

FY 26

PROJECT #	PROJECT TITLE	DESCRIPTION	Current Year Funding Sources												Current Year Project Cost	Notes/Further information	
			Federal	State	Sales	Road Use	GO	General Fund - Gaming	General Fund - Operating	General Fund - Other	Iowa West Grant	Other Grant	Donations	Other			
Building Maintenance			\$0	\$0	\$0	\$0	\$1,375,000	\$1,275,000	\$0	\$0	\$0	\$0	\$0	\$0	\$2,650,000		
BM-26-01	MAC Parking Lot Rehab - Phase VI	Replacement of City owned lots						\$1,000,000							\$1,000,000		
BM-26-02	MAC Arena Upgrades - Phase I	Replace South retractable seating					\$675,000								\$675,000		
BM-26-03	City Hall Exterior Repair	Repair window lentils, clean and seal exterior walls					\$250,000								\$250,000		
BM-26-04	MAC Arena Folding Chairs	Replace arena folding chairs					\$210,000								\$210,000		
BM-26-05	Bass Pro Shops Parking Lot Repairs	Mill and patch, crack seal and seal coat						\$275,000							\$275,000		
BM-26-06	Vehicles & Heavy Equipment	Replace MAC utility vehicle and truck					\$90,000								\$90,000		
BM-26-07	SWILE Backup Generator Addition	Install whole house generator at SWILE to cover network link to WWTP and direct link to PD					\$150,000								\$150,000		
Library			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$50,000	\$50,000	
LI-26-01	Outreach Vehicle	Vehicle to support Library outreaches, including upfitting													\$50,000	\$50,000	PY Bond \$
Community Development Department			\$650,000	\$0	\$0	\$0	\$1,100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,750,000		
CD-26-01	FIRST AVE Program (Furthering Interconnections, Revitalization, Streetscapes, Transportation, and Aesthetics for a Vibrant Economy)	Acquisitions/demolition/trail/infrastructure/studies (31st - 35th St)					\$500,000								\$500,000		
CD-26-02	Downtown Plan	Completion of Downtown Plan Update from 2003					\$600,000								\$600,000		
CD-26-03	East Manawa Development	Planning, design, infrastructure, trail	\$350,000												\$350,000		CDBG
CD-26-04	Old Battery Factory site	Infrastructure	\$300,000												\$300,000		CDBG
Fire Department			\$0	\$0	\$0	\$0	\$280,000	\$0	\$100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$380,000	
FD-26-01	Station 2 Precon Plans	Plans for remodel of station 2							\$100,000							\$100,000	
FD-26-02	Vehicles & Heavy Equipment	QRV 22 Replacement, Fire Car 8 Replacement, Fire Car 6 Replacement, Large Diameter Hose Replacement					\$280,000									\$280,000	
Police Department			\$0	\$0	\$0	\$0	\$1,232,412	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,232,412		
PD-26-01	Vehicles & Heavy Equipment	Replacement of 6 cruisers with upfitting costs; department issued rifles					\$705,658								\$705,658		
PD-26-02	Taser Replacement	Replace 80 tasers (with 5-year warranty cost broken out below)					\$436,754								\$436,754		
PD-26-02	Taser Replacement	Taser Warranty cost					\$90,000								\$90,000		
IT			\$0	\$0	\$0	\$0	\$800,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$800,000		
IT-26-01	Safety and Security	Cameras					\$70,000								\$70,000		
IT-26-02	Infrastructure & Services	Fiber, network switches, servers, storage					\$500,000								\$500,000		
IT-26-03	Mobile Technology	MDTs and tablets					\$80,000								\$80,000		
IT-26-04	Software Licensing	Software renewals; permit/licensing software implementation					\$150,000								\$150,000		
Parks and Recreation Department			\$0	\$0	\$0	\$0	\$2,904,560	\$0	\$121,500	\$0	\$3,500,000	\$0	\$0	\$0	\$6,526,060		
PR-26-01	River's Edge Donor Plaza	Construct New Donor Plaza for the Donors of River's Edge					\$600,000								\$600,000		
PR-26-02	Big Lake Park North Field Trails and Dog Park, Ph	Engineering and design of the north field improvements							\$50,000						\$50,000		
PR-26-03	South Expressway Trail Connection	Engineering and design of trail connection					\$375,000								\$375,000		
PR-26-04	S. 24th Trail Connection	New trail segment from I-29 off ramp to Recreation Complex, along S. 24th Street					\$400,000								\$400,000		
PR-26-05	Pirate Cove Improvements	New concrete plaza and shelter area					\$155,000								\$155,000		
PR-26-06	Trolley Park Playground Improvement	Replace existing play surface and add a couple of stand alone pieces of play equipment					\$261,000								\$261,000		
PR-26-07	Big Lake Park Playground Improvements, Phase 1	Engineering and design of playground and associated park improvements							\$71,500						\$71,500		
PR-26-08	City County Trail Connector	Additional funding for design and construction of City County Trail					\$375,000								\$375,000		
PR-26-09	Vehicles & Heavy Equipment						\$738,560								\$738,560		
PR-26-10	Rivers Edge Gateway Enhancements	Decorative lighting, landscaping, hardscaping, irrigation and entry signage at W. Broadway									\$3,500,000				\$3,500,000		
Public Works Department			\$700,000	\$2,700,000	\$11,850,000	\$285,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,310,000	\$18,845,000		
PW-26-01	Infrastructure Maintenance	Emergency Repair			\$150,000										\$150,000		
PW-26-02	Infrastructure Maintenance	Traffic Signal Improvements			\$200,000										\$200,000		
PW-26-03	Infrastructure Maintenance	HMA Resurfacing, curb & gutter			\$300,000										\$300,000		
PW-26-04	Infrastructure Management	Sanitary Sewer Rate Study			\$100,000										\$100,000		
PW-26-05	NPDES PH II Program Management	Stormwater Utility Study			\$100,000										\$100,000		
PW-26-06	Indian Creek Channel Rehabilitation	Repair of I.C. concrete structure		\$2,700,000	\$800,000										\$3,500,000		FMP
PW-26-07	Richard Downing Blvd Reconstruction	Pavement, storm sewer	85		\$2,250,000										\$2,250,000		

FY 26

PROJECT #	PROJECT TITLE	DESCRIPTION	Current Year Funding Sources											Current Year Project Cost	Notes/Further information
			Federal	State	Sales	Road Use	GO	General Fund - Gaming	General Fund - Operating	General Fund - Other	Iowa West Grant	Other Grant	Donations	Other	
PW-26-08	Valley View Intersection Improvements	Greenview Rd and Franklin Ave			\$800,000									\$800,000	
PW-26-09	E Manawa Sewer Rehab - Phase XIV	Pavement, sewer			\$1,050,000								\$450,000	\$1,500,000	Other = Sewer
PW-26-10	Kanesville Pedestrian Bridge Repairs	Repair bridge structure			\$450,000									\$450,000	
PW-26-12	S 23rd Street Sewer Rehab - Phase II	Pavement, sewer			\$875,000								\$375,000	\$1,250,000	Other = Sewer
PW-26-13	Ave B Reconstruction, Phase II	Pavement, sewer			\$875,000								\$375,000	\$1,250,000	Other = Sewer
PW-26-14	Hillcrest Reconstruction, Phase II	Pavement, sewer			\$650,000								\$250,000	\$900,000	Other = Sewer
PW-26-15	WPCP Digestor Lids	Repair/Replace Digestor Lids			\$1,750,000								\$1,750,000	\$3,500,000	Other = Sewer
PW-26-16	Pump Station Rehab	Forrest Glen Sanitary P.S.			\$1,500,000									\$1,500,000	
PW-26-17	SS4A Planning Grant	City-wide traffic calming and speed study	\$700,000			\$175,000								\$875,000	
PW-26-18	East End Ops Building	Purchase former Pott Co. site on Greenview				\$110,000							\$110,000	\$220,000	Other = Sewer
Total			\$1,350,000	\$2,700,000	\$11,850,000	\$285,000	\$7,691,972	\$1,275,000	\$221,500	\$0	\$3,500,000	\$0	\$0	\$3,360,000	\$32,233,472

City of Council Bluffs
2025 Series Bond Hearing Supplemental Information
FY26 CIP

Essential Corporate Purpose Reso 25-XX (not to exceed \$3,750,000)			ECP Hearing #1
GENERAL OBLIGATION BONDS, SERIES 2025			
Total Purpose	\$3,423,412	\$3,750,000	
FIRST AVE Program (Furthering Interconnections, Revitalization, Streetscapes, Transportation, and Aesthetics for a Vibrant Economy)	CD-26-01	\$500,000	
Vehicles & Heavy Equipment	FD-26-02; PD-26-01; PD-26-02	\$985,658	
PD Equipment:tasers (\$90K of warranty cost)	PD-26-02	\$526,754	
Trolley Park Playground Equipment	PR-26-06	\$261,000	
City Park Improvements: Trails R-26-03; PR-26-04; PR-26-0		\$1,150,000	
General Corporate Purpose Reso 25-XX (not to exceed \$910,000)			GCP Hearing #2
GENERAL OBLIGATION BONDS, SERIES 2025			
Total Purpose	\$885,000	\$910,000	
MAC Arena Upgrades - Phase I	BM-26-02	\$675,000	
MAC Arena Folding Chairs	BM-26-04	\$210,000	
General Corporate Purpose Reso 25-XX (not to exceed \$930,000)			GCP Hearing #3
GENERAL OBLIGATION BONDS, SERIES 2025			
Total Purpose	\$905,000	\$930,000	
SWILE Backup Generator Addition	BM-26-07	\$150,000	
Pirate Cove Improvements	PR-26-05	\$155,000	
Downtown Plan	CD-26-02	\$600,000	
General Corporate Purpose Reso 25-XX (not to exceed \$850,000)			GCP Hearing #4
GENERAL OBLIGATION BONDS, SERIES 2025			
Total Purpose	\$800,000	\$850,000	
Safety and Security	IT-26-01	\$70,000	
Infrastructure & Services	IT-26-02	\$500,000	
Mobile Technology	IT-26-03	\$80,000	
Software Licensing	IT-26-04	\$150,000	
General Corporate Purpose Reso 25-XX (not to exceed \$875,000)			GCP Hearing #5
GENERAL OBLIGATION BONDS, SERIES 2025			
Total Purpose	\$828,560	\$875,000	
Vehicles & Heavy Equipment	BM-26-06; PR-26-09	\$828,560	
General Corporate Purpose Reso 25-XX (not to exceed \$910,000)			GCP Hearing #6
GENERAL OBLIGATION BONDS, SERIES 2025			
Total Purpose	\$850,000	\$910,000	
River's Edge Donor Plaza	PR-26-01	\$600,000	
City Hall Exterior Repair	BM-26-03	\$250,000	
	Total CIP Projects	\$ 7,691,972	
	Total Refunding	-	
	Total GO Bond Funding	\$ 7,691,972	

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
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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

Resolution 25-74

ITEMS TO INCLUDE ON AGENDA

CITY OF COUNCIL BLUFFS, IOWA

Not to exceed \$850,000 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.

March 24, 2025

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

Disalvo, Peterson, Sandau and Shudak

Absent: Gorman

Vacant: n/a

* * * * *

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 \$850,000 General Obligation Bonds, in order to provide funds to pay the costs of the acquisition, improvement, extension and enhancement of City's information technology infrastructure and services, including cameras, computers, servers, software and fiber, 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 \$850,000 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 _____, 2025, at this place.

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

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

Resolution 25-74

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$850,000 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 \$850,000 General Obligation Bonds, for the general corporate purposes, in order to provide funds to pay the costs of the acquisition, improvement, extension and enhancement of City's information technology infrastructure and services, including cameras, computers, servers, software and fiber, 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 \$850,000 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 24th day of March, 2025.

Mayor Pro Tem

ATTEST:

City Clerk

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

WITNESS my hand and the seal of the Council hereto affixed this 25th day of March, 2025.

(SEAL)

Council Communication

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

Resolution 25-75
ITEM 4.F.

Council Action: 3/24/2025

Description

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$875,000 General Obligation Bonds, Series 2025 (GCP-5).

Background/Discussion

issuance of not to exceed \$875,000 General Obligation Bonds, in order to provide funds to pay the costs of:
a) The equipping of city enterprises and departments, including vehicles for the Mid America Center and the Parks department,
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 FY26-FY30 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 FY26.

ATTACHMENTS:

Description	Type	Upload Date
FY26 CIP	Other	3/13/2025
FY26 CIP Supplemental Information	Other	3/13/2025
GO Bond Process	Other	3/13/2025
Resolution 25-75	Resolution	3/20/2025

FY 26

PROJECT #	PROJECT TITLE	DESCRIPTION	Current Year Funding Sources												Current Year Project Cost	Notes/Further information
			Federal	State	Sales	Road Use	GO	General Fund - Gaming	General Fund - Operating	General Fund - Other	Iowa West Grant	Other Grant	Donations	Other		
Building Maintenance			\$0	\$0	\$0	\$0	\$1,375,000	\$1,275,000	\$0	\$0	\$0	\$0	\$0	\$0	\$2,650,000	
BM-26-01	MAC Parking Lot Rehab - Phase VI	Replacement of City owned lots						\$1,000,000							\$1,000,000	
BM-26-02	MAC Arena Upgrades - Phase I	Replace South retractable seating					\$675,000								\$675,000	
BM-26-03	City Hall Exterior Repair	Repair window lentils, clean and seal exterior walls					\$250,000								\$250,000	
BM-26-04	MAC Arena Folding Chairs	Replace arena folding chairs					\$210,000								\$210,000	
BM-26-05	Bass Pro Shops Parking Lot Repairs	Mill and patch, crack seal and seal coat						\$275,000							\$275,000	
BM-26-06	Vehicles & Heavy Equipment	Replace MAC utility vehicle and truck					\$90,000								\$90,000	
BM-26-07	SWILE Backup Generator Addition	Install whole house generator at SWILE to cover network link to WWTP and direct link to PD					\$150,000								\$150,000	
Library			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$50,000	\$50,000	
LI-26-01	Outreach Vehicle	Vehicle to support Library outreaches, including upfitting												\$50,000	\$50,000	PY Bond \$
Community Development Department			\$650,000	\$0	\$0	\$0	\$1,100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,750,000	
CD-26-01	FIRST AVE Program (Furthering Interconnections, Revitalization, Streetscapes, Transportation, and Aesthetics for a Vibrant Economy)	Acquisitions/demolition/trail/infrastructure/studies (31st - 35th St)					\$500,000								\$500,000	
CD-26-02	Downtown Plan	Completion of Downtown Plan Update from 2003					\$600,000								\$600,000	
CD-26-03	East Manawa Development	Planning, design, infrastructure, trail	\$350,000												\$350,000	CDBG
CD-26-04	Old Battery Factory site	Infrastructure	\$300,000												\$300,000	CDBG
Fire Department			\$0	\$0	\$0	\$0	\$280,000	\$0	\$100,000	\$0	\$0	\$0	\$0	\$0	\$380,000	
FD-26-01	Station 2 Precon Plans	Plans for remodel of station 2							\$100,000						\$100,000	
FD-26-02	Vehicles & Heavy Equipment	QRV 22 Replacement, Fire Car 8 Replacement, Fire Car 6 Replacement, Large Diameter Hose Replacement					\$280,000								\$280,000	
Police Department			\$0	\$0	\$0	\$0	\$1,232,412	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,232,412	
PD-26-01	Vehicles & Heavy Equipment	Replacement of 6 cruisers with upfitting costs; department issued rifles					\$705,658								\$705,658	
PD-26-02	Taser Replacement	Replace 80 tasers (with 5-year warranty cost broken out below)					\$436,754								\$436,754	
PD-26-02	Taser Replacement	Taser Warranty cost					\$90,000								\$90,000	
IT			\$0	\$0	\$0	\$0	\$800,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$800,000	
IT-26-01	Safety and Security	Cameras					\$70,000								\$70,000	
IT-26-02	Infrastructure & Services	Fiber, network switches, servers, storage					\$500,000								\$500,000	
IT-26-03	Mobile Technology	MDTs and tablets					\$80,000								\$80,000	
IT-26-04	Software Licensing	Software renewals; permit/licensing software implementation					\$150,000								\$150,000	
Parks and Recreation Department			\$0	\$0	\$0	\$0	\$2,904,560	\$0	\$121,500	\$0	\$3,500,000	\$0	\$0	\$0	\$6,526,060	
PR-26-01	River's Edge Donor Plaza	Construct New Donor Plaza for the Donors of River's Edge					\$600,000								\$600,000	
PR-26-02	Big Lake Park North Field Trails and Dog Park, Ph	Engineering and design of the north field improvements							\$50,000						\$50,000	
PR-26-03	South Expressway Trail Connection	Engineering and design of trail connection					\$375,000								\$375,000	
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PW-26-01	Infrastructure Maintenance	Emergency Repair			\$150,000										\$150,000	
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PW-26-05	NPDES PH II Program Management	Stormwater Utility Study			\$100,000										\$100,000	
PW-26-06	Indian Creek Channel Rehabilitation	Repair of I.C. concrete structure	96	\$2,700,000	\$800,000										\$3,500,000	FMP
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FY 26

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Total			\$1,350,000	\$2,700,000	\$11,850,000	\$285,000	\$7,691,972	\$1,275,000	\$221,500	\$0	\$3,500,000	\$0	\$0	\$3,360,000	\$32,233,472

City of Council Bluffs
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City of Council Bluffs

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

Resolution 25-75

ITEMS TO INCLUDE ON AGENDA

CITY OF COUNCIL BLUFFS, IOWA

Not to exceed \$875,000 General Obligation Bonds (GCP-5)

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- Resolution instituting proceedings to take additional action.

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

Disalvo, Peterson, Sandau and Shudak

Absent: Gorman

Vacant: n/a

* * * * *

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 \$875,000 General Obligation Bonds, in order to provide funds to pay the costs of the equipping of city enterprises and departments, including vehicles for the Mid America Center and the Parks department, 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 \$875,000 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 _____, 2025, at this place.

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

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

Resolution 25-75

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$875,000 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 \$875,000 General Obligation Bonds, for the general corporate purposes, in order to provide funds to pay the costs of the equipping of city enterprises and departments, including vehicles for the Mid America Center and the Parks department, 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 \$875,000 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 24th day of March, 2025.

Mayor Pro Tem

ATTEST:

City Clerk

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

WITNESS my hand and the seal of the Council hereto affixed this 25th day of March, 2025.

City Clerk, City of Council Bluffs, State of
Iowa

(SEAL)

Council Communication

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

Resolution 25-76
ITEM 4.G.

Council Action: 3/24/2025

Description

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$910,000 General Obligation Bonds, Series 2025 (GCP-6).

Background/Discussion

Issuance of not to exceed \$910,000 General Obligation Bonds, in order to provide funds to pay the costs of:

- a) The acquisition, construction, reconstruction, enlargement, improvement and equipping of recreation grounds, recreation buildings, and recreation centers, including River's Edge donor plaza; and
- b) The acquisition, construction, reconstruction, extension, improvement and equipping of city hall, 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 FY26-FY30 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 FY26.

ATTACHMENTS:

Description	Type	Upload Date
FY26 CIP	Other	3/13/2025
FY26 CIP Supplemental Information	Other	3/13/2025
GO Bond Process	Other	3/13/2025
Resolution 25-76	Resolution	3/20/2025

FY 26

PROJECT #	PROJECT TITLE	DESCRIPTION	Current Year Funding Sources												Current Year Project Cost	Notes/Further information
			Federal	State	Sales	Road Use	GO	General Fund - Gaming	General Fund - Operating	General Fund - Other	Iowa West Grant	Other Grant	Donations	Other		
Building Maintenance			\$0	\$0	\$0	\$0	\$1,375,000	\$1,275,000	\$0	\$0	\$0	\$0	\$0	\$0	\$2,650,000	
BM-26-01	MAC Parking Lot Rehab - Phase VI	Replacement of City owned lots						\$1,000,000							\$1,000,000	
BM-26-02	MAC Arena Upgrades - Phase I	Replace South retractable seating					\$675,000								\$675,000	
BM-26-03	City Hall Exterior Repair	Repair window lentils, clean and seal exterior walls					\$250,000								\$250,000	
BM-26-04	MAC Arena Folding Chairs	Replace arena folding chairs					\$210,000								\$210,000	
BM-26-05	Bass Pro Shops Parking Lot Repairs	Mill and patch, crack seal and seal coat						\$275,000							\$275,000	
BM-26-06	Vehicles & Heavy Equipment	Replace MAC utility vehicle and truck					\$90,000								\$90,000	
BM-26-07	SWILE Backup Generator Addition	Install whole house generator at SWILE to cover network link to WWTP and direct link to PD					\$150,000								\$150,000	
Library			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$50,000	\$50,000
LI-26-01	Outreach Vehicle	Vehicle to support Library outreaches, including upfitting													\$50,000	PY Bond \$
Community Development Department			\$650,000	\$0	\$0	\$0	\$1,100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,750,000	
CD-26-01	FIRST AVE Program (Furthering Interconnections, Revitalization, Streetscapes, Transportation, and Aesthetics for a Vibrant Economy)	Acquisitions/demolition/trail/infrastructure/studies (31st - 35th St)					\$500,000								\$500,000	
CD-26-02	Downtown Plan	Completion of Downtown Plan Update from 2003					\$600,000								\$600,000	
CD-26-03	East Manawa Development	Planning, design, infrastructure, trail	\$350,000												\$350,000	CDBG
CD-26-04	Old Battery Factory site	Infrastructure	\$300,000												\$300,000	CDBG
Fire Department			\$0	\$0	\$0	\$0	\$280,000	\$0	\$100,000	\$0	\$0	\$0	\$0	\$0	\$380,000	
FD-26-01	Station 2 Precon Plans	Plans for remodel of station 2							\$100,000						\$100,000	
FD-26-02	Vehicles & Heavy Equipment	QRV 22 Replacement, Fire Car 8 Replacement, Fire Car 6 Replacement, Large Diameter Hose Replacement					\$280,000								\$280,000	
Police Department			\$0	\$0	\$0	\$0	\$1,232,412	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,232,412	
PD-26-01	Vehicles & Heavy Equipment	Replacement of 6 cruisers with upfitting costs; department issued rifles					\$705,658								\$705,658	
PD-26-02	Taser Replacement	Replace 80 tasers (with 5-year warranty cost broken out below)					\$436,754								\$436,754	
PD-26-02	Taser Replacement	Taser Warranty cost					\$90,000								\$90,000	
IT			\$0	\$0	\$0	\$0	\$800,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$800,000	
IT-26-01	Safety and Security	Cameras					\$70,000								\$70,000	
IT-26-02	Infrastructure & Services	Fiber, network switches, servers, storage					\$500,000								\$500,000	
IT-26-03	Mobile Technology	MDTs and tablets					\$80,000								\$80,000	
IT-26-04	Software Licensing	Software renewals; permit/licensing software implementation					\$150,000								\$150,000	
Parks and Recreation Department			\$0	\$0	\$0	\$0	\$2,904,560	\$0	\$121,500	\$0	\$3,500,000	\$0	\$0	\$0	\$6,526,060	
PR-26-01	River's Edge Donor Plaza	Construct New Donor Plaza for the Donors of River's Edge					\$600,000								\$600,000	
PR-26-02	Big Lake Park North Field Trails and Dog Park, Ph	Engineering and design of the north field improvements							\$50,000						\$50,000	
PR-26-03	South Expressway Trail Connection	Engineering and design of trail connection					\$375,000								\$375,000	
PR-26-04	S. 24th Trail Connection	New trail segment from I-29 off ramp to Recreation Complex, along S. 24th Street					\$400,000								\$400,000	
PR-26-05	Pirate Cove Improvements	New concrete plaza and shelter area					\$155,000								\$155,000	
PR-26-06	Trolley Park Playground Improvement	Replace existing play surface and add a couple of stand alone pieces of play equipment					\$261,000								\$261,000	
PR-26-07	Big Lake Park Playground Improvements, Phase 1	Engineering and design of playground and associated park improvements							\$71,500						\$71,500	
PR-26-08	City County Trail Connector	Additional funding for design and construction of City County Trail					\$375,000								\$375,000	
PR-26-09	Vehicles & Heavy Equipment						\$738,560								\$738,560	
PR-26-10	Rivers Edge Gateway Enhancements	Decorative lighting, landscaping, hardscaping, irrigation and entry signage at W. Broadway									\$3,500,000				\$3,500,000	
Public Works Department			\$700,000	\$2,700,000	\$11,850,000	\$285,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,310,000	\$18,845,000	
PW-26-01	Infrastructure Maintenance	Emergency Repair			\$150,000										\$150,000	
PW-26-02	Infrastructure Maintenance	Traffic Signal Improvements			\$200,000										\$200,000	
PW-26-03	Infrastructure Maintenance	HMA Resurfacing, curb & gutter			\$300,000										\$300,000	
PW-26-04	Infrastructure Management	Sanitary Sewer Rate Study			\$100,000										\$100,000	
PW-26-05	NPDES PH II Program Management	Stormwater Utility Study			\$100,000										\$100,000	
PW-26-06	Indian Creek Channel Rehabilitation	Repair of I.C. concrete structure	107	\$2,700,000	\$800,000										\$3,500,000	FMP
PW-26-07	Richard Downing Blvd Reconstruction	Pavement, storm sewer			\$2,250,000										\$2,250,000	

FY 26

PROJECT #	PROJECT TITLE	DESCRIPTION	Current Year Funding Sources												Current Year Project Cost	Notes/Further information
			Federal	State	Sales	Road Use	GO	General Fund - Gaming	General Fund - Operating	General Fund - Other	Iowa West Grant	Other Grant	Donations	Other		
PW-26-08	Valley View Intersection Improvements	Greenview Rd and Franklin Ave			\$800,000										\$800,000	
PW-26-09	E Manawa Sewer Rehab - Phase XIV	Pavement, sewer			\$1,050,000									\$450,000	\$1,500,000	Other = Sewer
PW-26-10	Kanesville Pedestrian Bridge Repairs	Repair bridge structure			\$450,000										\$450,000	
PW-26-12	S 23rd Street Sewer Rehab - Phase II	Pavement, sewer			\$875,000									\$375,000	\$1,250,000	Other = Sewer
PW-26-13	Ave B Reconstruction, Phase II	Pavement, sewer			\$875,000									\$375,000	\$1,250,000	Other = Sewer
PW-26-14	Hillcrest Reconstruction, Phase II	Pavement, sewer			\$650,000									\$250,000	\$900,000	Other = Sewer
PW-26-15	WPCP Digester Lids	Repair/Replace Digester Lids			\$1,750,000									\$1,750,000	\$3,500,000	Other = Sewer
PW-26-16	Pump Station Rehab	Forrest Glen Sanitary P.S.			\$1,500,000										\$1,500,000	
PW-26-17	SS4A Planning Grant	City-wide traffic calming and speed study	\$700,000			\$175,000									\$875,000	
PW-26-18	East End Ops Building	Purchase former Pott Co. site on Greenview				\$110,000								\$110,000	\$220,000	Other = Sewer
Total			\$1,350,000	\$2,700,000	\$11,850,000	\$285,000	\$7,691,972	\$1,275,000	\$221,500	\$0	\$3,500,000	\$0	\$0	\$3,360,000	\$32,233,472	

City of Council Bluffs
2025 Series Bond Hearing Supplemental Information
FY26 CIP

Essential Corporate Purpose Reso 25-XX (not to exceed \$3,750,000)			ECP Hearing #1
GENERAL OBLIGATION BONDS, SERIES 2025			
Total Purpose	\$3,423,412	\$3,750,000	
FIRST AVE Program (Furthering Interconnections, Revitalization, Streetscapes, Transportation, and Aesthetics for a Vibrant Economy)	CD-26-01	\$500,000	
Vehicles & Heavy Equipment	FD-26-02; PD-26-01; PD-26-02	\$985,658	
PD Equipment:tasers (\$90K of warranty cost)	PD-26-02	\$526,754	
Trolley Park Playground Equipment	PR-26-06	\$261,000	
City Park Improvements: Trails R-26-03; PR-26-04; PR-26-0		\$1,150,000	
General Corporate Purpose Reso 25-XX (not to exceed \$910,000)			GCP Hearing #2
GENERAL OBLIGATION BONDS, SERIES 2025			
Total Purpose	\$885,000	\$910,000	
MAC Arena Upgrades - Phase I	BM-26-02	\$675,000	
MAC Arena Folding Chairs	BM-26-04	\$210,000	
General Corporate Purpose Reso 25-XX (not to exceed \$930,000)			GCP Hearing #3
GENERAL OBLIGATION BONDS, SERIES 2025			
Total Purpose	\$905,000	\$930,000	
SWILE Backup Generator Addition	BM-26-07	\$150,000	
Pirate Cove Improvements	PR-26-05	\$155,000	
Downtown Plan	CD-26-02	\$600,000	
General Corporate Purpose Reso 25-XX (not to exceed \$850,000)			GCP Hearing #4
GENERAL OBLIGATION BONDS, SERIES 2025			
Total Purpose	\$800,000	\$850,000	
Safety and Security	IT-26-01	\$70,000	
Infrastructure & Services	IT-26-02	\$500,000	
Mobile Technology	IT-26-03	\$80,000	
Software Licensing	IT-26-04	\$150,000	
General Corporate Purpose Reso 25-XX (not to exceed \$875,000)			GCP Hearing #5
GENERAL OBLIGATION BONDS, SERIES 2025			
Total Purpose	\$828,560	\$875,000	
Vehicles & Heavy Equipment	BM-26-06; PR-26-09	\$828,560	
General Corporate Purpose Reso 25-XX (not to exceed \$910,000)			GCP Hearing #6
GENERAL OBLIGATION BONDS, SERIES 2025			
Total Purpose	\$850,000	\$910,000	
River's Edge Donor Plaza	PR-26-01	\$600,000	
City Hall Exterior Repair	BM-26-03	\$250,000	
	Total CIP Projects	\$ 7,691,972	
	Total Refunding	-	
	Total GO Bond Funding	\$ 7,691,972	

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

Resolution 25-76

ITEMS TO INCLUDE ON AGENDA

CITY OF COUNCIL BLUFFS, IOWA

Not to exceed \$910,000 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.

March 24, 2025

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

Disalvo, Peterson, Sandau and Shudak

Absent: Gorman

Vacant: n/a

* * * * *

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 \$910,000 General Obligation Bonds, in order to provide funds to pay the costs of:

- a) the acquisition, construction, reconstruction, enlargement, improvement and equipping of recreation grounds, recreation buildings, and recreation centers, including River's Edge donor plaza; and
- b) the acquisition, construction, reconstruction, extension, improvement and equipping of city hall,

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 \$910,000 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 _____, 2025, at this place.

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

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

Resolution 25-76

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$910,000 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 \$910,000 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 recreation grounds, recreation buildings, and recreation centers, including River's Edge donor plaza; and
- b) the acquisition, construction, reconstruction, extension, improvement and equipping of city hall,

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 \$910,000 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 24th day of March, 2025.

Mayor Pro Tem

ATTEST:

City Clerk

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

WITNESS my hand and the seal of the Council hereto affixed this 25th day of March, 2025.

(SEAL)

Council Communication

Department: Community
Development

Case/Project No.: URN-25-001
Submitted by: Marianne Collins,
Housing & Economic Development
Planner

Resolution 25-77
ITEM 4.H.

Council Action: 3/24/2025

Description

Resolution determining an area of the city to be an Economic Development Area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the city; designating such area as appropriate for Urban Renewal Projects; and adopting the Power Drive Housing Urban Renewal Plan. URN-25-001

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/14/2025
Attachment 1 - Power Drive Housing Urban Renewal Area Plan	Other	3/14/2025
Resolution 25-77	Resolution	3/20/2025

Council Communication

Department: Community Development Case/Project No.: URN-25-001	Ordinance No.: Resolution No.: 25-	City Council: 2-24-2025 Planning Commission: 3-11-2025 P.H. and First Reading: 3-24-2025
Subject/Title		
Adoption of the Power Drive Housing Urban Renewal Plan		
Location		
Generally located south of 35 th Avenue and north of Veterans Memorial Highway and east of South Expressway and west of Interstate-29		
Background/Discussion		
<p><u>Background</u></p> <p>In 2024 Cornerstone Housing Group approached the City about developing a parcel of land included in the proposed Power Drive Housing Urban Renewal Area. Cornerstone is proposing to construct a 280-unit multi-family project. It has been determined the proposed area meets the definition of “economic development area.” This determination is based on Chapter 403.17 of the Iowa Code.</p> <p>In order to invoke its urban renewal powers, the City Council must agree to designate the subject property an Urban Renewal Area, adopt an Urban Renewal Plan and negotiate a development agreement with the Developer. Assistance in the form of an urban renewal project area, conforming to the Section 403 of Iowa Code, is necessary to acquire land; improve regulatory control; improve public infrastructure and facilities; and to allow for private development of vacant land.</p> <p><u>Discussion</u></p> <p>On February 24, 2025, the City Council passed a resolution of necessity, which directed staff to initiate the process of creating the Power Drive Housing Urban Renewal Plan and Area. This resolution establishes the following timeframe:</p> <div style="margin-left: 40px;"> <p>3-05-2025 Consultation meeting to be held with other taxing jurisdictions</p> <p>3-11-2025 City Planning Commission hearing and review</p> <p>3-24-2025 City Council public hearing on the proposed urban renewal plan</p> </div> <p>The consultation hearing was held on March 5, 2025 and no public attended. Additionally, no written correspondence has been received by the Community Development Department either in support or against the proposed plan.</p> <p>Iowa statutes require the City Planning Commission to review the plan for conformity to the comprehensive plan and to forward a recommendation to City Council prior to the public hearing. This was held 03-11-2025 and Planning Commission recommended approval of the Power Drive Housing URN with a 8-0-3 vote. An urban renewal plan conforming to the requirements of Chapter 403 of the Iowa Code has been prepared and is attached for your review.</p> <p>The Power Drive Housing Urban Renewal Area is being designated as an economic development area that is appropriate for the development of new low and moderate income (LMI) housing units and the provision of public improvements related to housing and residential development conforming to Chapter 403.17 of the Iowa Code. Designation is necessary to assist and promote local commercial enterprises to strengthen and revitalize the economy. Tax Increment Financing (TIF) will be utilized to provide assistance to the City for the infrastructure costs that will be incurred.</p>		
Staff Recommendation		
The Community Development Department recommends concurrence that the Power Drive Housing Urban Renewal Plan and Area is in conformity with the <i>Bluffs Tomorrow: 2030 Comprehensive Plan</i> .		

Council Communication

Planning Commission Recommendation

The City Planning Commission recommended approval of the Power Drive Housing URN with a 8-0-3 vote. VOTE: AYE – Freund, Hutcheson, Knauss, Rater, Rew, Stroebele Van Houten and Watson. NAY – None. ABSTAIN – None. ABSENT – None. VACANT – Three. Motion carried.

Attachments

Attachment 1 - Power Drive Housing Urban Renewal Area Plan

Attachment 2 – Resolution

Attachment 3 - Ordinance

Prepared by: Marianne Collins, Housing & Economic Development Planner

Submitted by: Courtney Harter, Director of Community Development

**POWER DRIVE HOUSING
URBAN RENEWAL PLAN**

for the

**POWER DRIVE HOUSING
URBAN RENEWAL AREA**

CITY OF COUNCIL BLUFFS, IOWA

March 2025

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- B. DESCRIPTION OF THE URBAN RENEWAL AREA
- C. AREA DESIGNATION
- D. BASE VALUE
- E. DEVELOPMENT PLAN
- F. RESIDENTIAL DEVELOPMENT
- G. PLAN OBJECTIVES
- H. TYPES OF RENEWAL ACTIVITIES
- I. ELIGIBLE URBAN RENEWAL PROJECTS
- J. FINANCIAL INFORMATION
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- O. PROPERTY WITHIN AN URBAN REVITALIZATION AREA
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- Q. URBAN RENEWAL PLAN AMENDMENTS
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EXHIBITS

- A. LEGAL DESCRIPTION OF POWER DRIVE HOUSING URBAN RENEWAL AREA
- B. POWER DRIVE HOUSING URBAN RENEWAL AREA MAP

**Power Drive Housing Urban Renewal Plan
for the
Power Drive Housing Urban Renewal Area**

City of Council Bluffs, Iowa

A. INTRODUCTION

The Power Drive Housing Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the Power Drive Housing Urban Renewal Area (“Area” or “Urban Renewal Area”) has been developed to help local officials respond to and promote economic development in the City of Council Bluffs, Iowa (the “City”). The primary goal of the Plan is to stimulate, through public involvement and commitment, private investment in new low to moderate income (LMI) housing and residential development as defined in Iowa Code Section 403.17(12).

In order to achieve this objective, the City intends to undertake urban renewal activities pursuant to the powers granted to it under Chapter 403 and Chapter 15A of the *Code of Iowa*, as amended.

B. DESCRIPTION OF THE URBAN RENEWAL AREA

The Urban Renewal Area is described in Exhibit A. A map of the Urban Renewal Area is included in Exhibit B. The City reserves the right to modify the boundaries of the Area at some future date.

C. AREA DESIGNATION

With the adoption of this Plan, the City designates this Urban Renewal Area as an economic development area that is appropriate for the development of new LMI residential housing units.

D. BASE VALUE

If the Urban Renewal Area is legally established, a Tax Increment Financing (TIF) ordinance is adopted, and debt is certified prior to December 1, 2025, the taxable valuation as of January 1, 2024, will be considered the frozen “base valuation” for purposes of TIF for the portion of the Urban Renewal Area identified in the TIF ordinance. If a TIF ordinance is not adopted until a later date, or debt is not first certified prior to December 1, 2025, then the frozen “base value” will be the assessed value of the taxable property within that area covered by the TIF ordinance as of January 1 of the calendar year preceding the calendar year in which the City first certifies the amount of any debt for urban renewal projects within the Area.

E. DEVELOPMENT PLAN

The City has a general plan for the physical development of the City as a whole outlined in the Bluffs Tomorrow: 2030 Comprehensive Plan, adopted in 2014 and amended in 2015. The goals

and objectives of the Urban Renewal Plan, including the urban renewal projects identified herein, are in conformity with the City's Bluffs Tomorrow: 2030 Comprehensive Plan.

This Urban Renewal Plan does not in any way replace the City's current land use planning or zoning regulation process.

The need, if any, for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area is set forth in this Plan. As the Area continues to develop, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

F. RESIDENTIAL DEVELOPMENT

The City's objective in this Urban Renewal Area is to promote new LMI housing and residential development. The City realizes that the availability of affordable housing is an important component of attracting new business and industry and retaining existing businesses. In order to help stimulate the development of new affordable housing opportunities, one of the City's overall priorities is to investigate and pursue funding options to provide financial support for new residential development.

G. PLAN OBJECTIVES

Renewal activities are designed to provide opportunities, incentives, and sites for new LMI residential development within the Area. More specific objectives for development within the Urban Renewal Area are as follows:

1. To increase the availability of housing opportunities, which may, in turn, attract and retain local industries and commercial enterprises that will strengthen and revitalize the economy of the State of Iowa and the City of Council Bluffs.
2. To stimulate, through public action and commitment, private investment in new housing and residential development. The City realizes that the availability of affordable, decent, safe, and sanitary housing is important to the overall economic viability of the community.
3. To plan for and provide sufficient land for LMI residential development in a manner that is efficient from the standpoint of providing municipal services.
4. To improve housing conditions and increase housing opportunities, particularly for workers, elderly individuals, and/or LMI individuals and families.
5. To provide for the installation and upgrade of public works, infrastructure, and related facilities in support of new LMI housing development.
6. To provide a more marketable and attractive investment climate.

7. To preserve the health, safety, living environment, general character, and general welfare of Council Bluffs, Iowa.
8. To promote development utilizing any other objectives allowed by Chapter 403 of the *Code of Iowa*.

H. TYPES OF RENEWAL ACTIVITIES

To meet the objectives of this Urban Renewal Plan and to encourage the development of the Area, the City intends to utilize the powers conferred under Chapter 403 and Chapter 15A, *Code of Iowa* including, but not limited to, tax increment financing. Activities may include:

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.
2. To acquire property and to hold, clear, or prepare the property for development.
3. To dispose of property so acquired.
4. To provide for the construction of site-specific improvements, such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.
5. To arrange for, or cause to be provided, the construction or repair of public infrastructure, including, but not limited to, streets and sidewalks, traffic lights, pedestrian safety measures, water mains, sanitary sewers, storm sewers, public utilities, or other facilities in connection with urban renewal projects.
6. To make loans, forgivable loans, tax rebate payments, or other types of economic development grants or incentives to private persons or businesses to promote housing projects on such terms as may be determined by the City Council.
7. To use tax increment revenues to help leverage grants, loans, or other assistance from the state and federal governments (such as providing the local match for such assistance) in support of projects or businesses that advance the objectives of this Plan.
8. To use tax increment financing to facilitate urban renewal projects, including, but not limited to, financing to achieve a more marketable and competitive land offering price and to provide for necessary physical improvements and infrastructure.
9. To use tax increment for LMI housing assistance.
10. To borrow money and to provide security therefor.
11. To finance programs that will directly benefit housing conditions and promote the availability of housing affordable to LMI persons in the community.

12. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Program or specific urban renewal projects.
13. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City of Council Bluffs and the State of Iowa.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Urban Renewal Plan.

I. ELIGIBLE URBAN RENEWAL PROJECTS

Although certain project activities may occur over a period of years, the eligible urban renewal projects under this Urban Renewal Plan include:

- 1. Development Agreement with Cornerstone Housing Group, LLC (or a related entity):** The City anticipates entering into a new development agreement with Cornerstone Housing Group, LLC (or a related entity) to provide incentives to assist with the cost of constructing a new LMI residential development project within the Urban Renewal Area. The development is expected to include approximately 280 multi-family residential housing units. The residential housing units will be affordable for LMI individuals or families according to the rules set forth under Chapter 403 of the Code of Iowa as families, including single person households, who earn no more than 80% of the higher of the median family income of Pottawattamie County or the State-wide non-metropolitan area as determined by the latest United States Department of Housing and Urban Development, Section 8 income guidelines. All 280 residential housing units are expected to be affordable to LMI individuals. No incentives will be given for residential housing units that are not affordable to LMI individuals. Additionally, the developer will construct all infrastructure necessary to serve the residential housing units.

The City intends to provide assistance in the form of property tax rebates of potential incremental taxes. Under the proposal, a percentage of the incremental property taxes generated by LMI units within the project (from incremental taxes created by the new buildings in the area covered by the development agreement and collected pursuant to Iowa Code Section 403.19) would be used to fund grants to the developer for up to 20 years. The cumulative amount of the grants provided to the developer shall not exceed \$9,000,000. These rebates will not be general obligations of the City, but will be payable solely from incremental property taxes generated by the project.

- 2. Improvements to 35th Avenue:** The City plans to complete improvements to 35th Avenue within the Urban Renewal Area. The improvements are necessary to promote commercial and industrial development within the Area. The City expects the costs of this project will not exceed \$2,300,000.

- 3. Power Drive Road Extension Project:** The Power Drive project will construct approximately 2,200 lineal feet of new concrete roadway, with curb and gutter and storm sewer. The road is expected to be 39 feet wide, allowing for two 12-foot lanes and a 14-foot two way left turn lane in the middle. A right turn lane will be provided on Power Drive at the intersection of Veterans Memorial Highway. A 10-foot concrete trail will be constructed on the east side of the roadway for the entire length of the project. A concrete box culvert and circular concrete culvert will be constructed to accommodate the existing drainage patterns through the project area. The roadway will cross an existing BNSF railroad track. The intersection of Power Drive and 35th Avenue will include a new traffic signal. This project will increase access to the properties located within the Urban Renewal Area, which will support the development of LMI housing within the Area. The costs of this project are expected not to exceed \$4,500,000.
- 4. Planning, engineering fees (for urban renewal plans), attorney fees, other related costs to support urban renewal projects and planning:**

Project	Date	Estimated Cost to be funded by TIF Funds
Fees and costs	Undetermined	Not to exceed \$50,000

J. FINANCIAL INFORMATION

1.	July 1, 2024 Constitutional Debt Limit	\$354,283,045
2.	Current Outstanding General Obligation Debt	\$71,190,000
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects has not yet been determined. This document is for planning purposes only. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects as described above will be approximately as stated in the next column:	\$15,850,000 (This amount does not include costs related to financing.)

K. URBAN RENEWAL FINANCING

The City intends to utilize various financing tools, such as those described below to successfully undertake the proposed urban renewal actions. The City has the statutory authority to use a variety of tools to finance physical improvements within the Area. These include:

A. **Tax Increment Financing.**

Under Section 403.19 of the *Code of Iowa*, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements, economic development incentives or other urban renewal projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the eligible urban renewal projects. Certain increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City, and in any event upon the expiration of the tax increment district.

B. **General Obligation Bonds.**

Under Division III of Chapter 384 and Chapter 403 of the *Code of Iowa*, the City has the authority to issue and sell general obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area and for other urban renewal projects or incentives for development consistent with this Plan, as may be amended. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City. It may be the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area, as may be amended.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates or other incentives to developers or private entities in connection with the urban renewal projects identified in the Plan, as amended. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area for urban renewal projects. Alternatively, the City may determine to use available funds for making such loans or grants or other incentives related to urban renewal projects. In any event, the City may determine to use tax increment financing to reimburse the City for any obligations or advances.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of the Plan.

L. PROPERTY ACQUISITION/DISPOSITION

The City will follow any applicable requirements for the acquisition and the disposition of property within the Urban Renewal Area.

M. RELOCATION

The City does not expect there to be any relocation required of residents or businesses as part of the eligible urban renewal project; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

N. STATE AND LOCAL REQUIREMENTS

All provisions necessary to conform to State and local laws will be complied with by the City in implementing this Urban Renewal Plan and its supporting documents.

O. PROPERTY WITHIN AN URBAN REVITALIZATION AREA

The Urban Renewal Area is, or may be in the future, located within an established Urban Revitalization Area. No tax abatement incentives under the Urban Revitalization Plan or any other plan, policy, or ordinance will be allowed for development that occurs in this Urban Renewal Area absent express written permission of the City Council.

P. SEVERABILITY

In the event one or more provisions contained in the Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized, or unenforceable in any respect, such invalidity, illegality, un-authorization, or unenforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

Q. URBAN RENEWAL PLAN AMENDMENTS

This Urban Renewal Plan may be amended from time to time for a number of reasons including, but not limited to, adding or deleting land, adding or amending urban renewal projects, or modifying goals or types of renewal activities.

The City Council may amend this Plan in accordance with applicable State law.

R. EFFECTIVE PERIOD

This Urban Renewal Plan will become effective upon its adoption by the City Council and shall remain in effect until terminated by the City Council.

With respect to property included within the Urban Renewal Area, which is also included in an ordinance providing for the division of revenue as set forth in Section 403.19 of the *Code of Iowa* (a “TIF ordinance”), the collection of incremental property tax revenues or the “division of revenue,” as those words are used in Iowa Code Chapter 403 is limited to twenty (20) fiscal years, beginning with the first fiscal year following the calendar year in which the City first certifies to the County Auditor the amount of any loans, advances, indebtedness, or bonds which qualify for payment from the incremental property tax revenues in the Urban Renewal Area.

At all times, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness, or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the *Code of Iowa*) by the City for activities carried out under the Urban Renewal Plan shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

EXHIBIT A
LEGAL DESCRIPTION OF
POWER DRIVE HOUSING URBAN RENEWAL AREA

Lake Manawa Centre Subdivision Lot B

And

Lake Manawa Centre Subdivision, Lot 10 EXCEPT a tract of land located in part of Lot 10, Lake Manawa Centre Subdivision as platted and recorded in Pottawattamie County, Iowa, more particularly described as follows: Beginning at the Northwesterly corner of said Lot 10, said point being on the South Right-of-Way line of 35th Avenue; thence along said South Right-of-Way line on a curve to the right having a radius of 217.00 feet, an arc length of 85.91 feet and a long chord bearing of South 77°19'31" East for 85.35 feet; thence along a nontangent curve to the left having a radius of 525.00 feet, an arc distance of 248.15 feet and a long chord bearing of South 19°34'49" West for 245.85 feet; thence North 83°57'39" West for 2.11 feet to a point on the West line of said Lot 10; thence North 00°16'49" East for 250.14 feet along the West line of said Lot 10 to the Point of Beginning.

And

A PORTION OF UNPLATTED LANDS IN THE SOUTHEAST QUARTER OF SECTION 12 OF T74N, R44W OF THE 5TH P.M., A PORTION OF BURLINGTON NORTHERN RAIL ROAD RIGHT-OF-WAY, A PORTION OF LOT B OF LAKE MANAWA CENTER SUBDIVISION, A PORTION OF LOTS 1 AND 3 OF POWER CENTER SUBDIVISION, AND A PORTION OF LOT 10 OF LAKE MANAWA CENTER SUBDIVISION, ALL IN POTTAWATTAMIE COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 10. THENCE SOUTHEASTERLY ON THE NORTH LINE OF SAID LOT 10 BEING CURVED THE RIGHT HAVING A RADIUS OF 217.00 FEET AND A CENTRAL ANGLE OF 20° 47' 47", AN ARC DISTANCE OF 78.76 FEET (CHORD=78.33', CHORD BEARING=S 53° 42' 44"E) TO THE POINT OF COMPOUND CURVATURE; THENCE SOUTHEASTERLY ON THE NORTH LINE OF SAID LOT 10 BEING CURVED THE LEFT HAVING A RADIUS OF 283.00 FEET AND A CENTRAL ANGLE OF 04° 18' 56", AN ARC DISTANCE OF 21.32 FEET (CHORD=21.31', CHORD BEARING=S 45° 28' 19"E); THENCE SOUTH 87° 53' 54" WEST, A DISTANCE OF 44.92 FEET; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 33.00 FEET AND A CENTRAL ANGLE OF 9° 55' 59", AN ARC DISTANCE OF 5.72 FEET (CHORD=5.71', CHORD BEARING=S 31° 33' 00"W) TO THE POINT OF COMPOUND CURVATURE; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 563.50 FEET AND A CENTRAL ANGLE OF 24° 26' 35", AN ARC DISTANCE OF 240.40 FEET (CHORD=238.58', CHORD BEARING=S 14° 21' 42"W) TO THE POINT OF TANGENCY; THENCE SOUTH 02° 08' 25" WEST, A DISTANCE OF 141.56 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 546.50 FEET AND A CENTRAL ANGLE OF 28° 27' 01", AN ARC DISTANCE OF 271.36 FEET (CHORD=268.59', CHORD BEARING=S 16° 21' 55"W) TO A POINT ON

THE WEST LINE OF SAID LOT 3; THENCE SOUTH 02° 08' 25" WEST ON THE EAST LINE OF SAID LOT 3, A DISTANCE OF 21.94 FEET TO THE SOUTH CORNER OF SAID LOT 3; THENCE NORTH 46° 47' 59" WEST ON THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 10.94 FEET; THENCE SOUTH 33° 02' 29" WEST, A DISTANCE OF 69.71 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID RAIL ROAD RIGHT-OF-WAY; THENCE SOUTH 33° 02' 29" WEST A DISTANCE OF 101.57 FEET TO SOUTH RAIL ROAD RIGHT-OF-WAY OF BURLINGTON NORTHERN RAIL ROAD; THENCE SOUTH 33° 02' 29" WEST, A DISTANCE OF 61.88 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 473.50 AND A CENTRAL ANGLE OF 32° 50' 16", AN ARC DISTANCE OF 271.38 FEET (CHORD=267.68', CHORD BEARING=S 16° 37' 21" W) TO A POINT ON A CURVE; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 473.50 AND A CENTRAL ANGLE OF 7° 32' 37", AN ARC DISTANCE OF 62.34 FEET (CHORD=62.30', CHORD BEARING=S 3° 34' 05" W) TO A POINT ON A CURVE; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 473.50 AND A CENTRAL ANGLE OF 13° 18' 25", AN ARC DISTANCE OF 109.97 FEET (CHORD=109.72', CHORD BEARING=S 13° 59' 36" E) TO THE POINT OF COMPLEX CURVATURE; THENCE SOUTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 1036.50 AND A CENTRAL ANGLE OF 37° 10' 38", AN ARC DISTANCE OF 672.55 FEET (CHORD=660.81', CHORD BEARING=S 02° 03' 30" E) TO A POINT OF TANGENCY; THENCE SOUTH 16° 31' 49" WEST, A DISTANCE OF 38.95 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF VETERANS MEMORIAL HIGHWAY; THENCE NORTH 87° 19' 57" WEST ON SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 128.97 FEET; THENCE NORTH 02° 05' 19" EAST, A DISTANCE OF 765.83 FEET; THENCE NORTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 539.50 AND A CENTRAL ANGLE OF 04° 10' 15", AN ARC DISTANCE OF 39.27 FEET (CHORD=39.26', CHORD BEARING=N 07° 52' 46" W) TO A POINT ON A CURVE; THENCE NORTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 539.50 AND A CENTRAL ANGLE OF 03° 58' 40", AN ARC DISTANCE OF 37.45 FEET (CHORD=37.45', CHORD BEARING=N 03° 48' 19" W) TO A POINT ON A CURVE; THENCE NORTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 539.50 AND A CENTRAL ANGLE OF 28° 51' 36", AN ARC DISTANCE OF 271.75 FEET (CHORD=268.88', CHORD BEARING=N 18° 36' 41" E); THENCE NORTH 33° 02' 29" EAST, A DISTANCE OF 73.62 FEET TO A POINT ON THE SOUTH RAIL ROAD RIGHT-OF-WAY OF BURLINGTON NORTHERN RAIL ROAD; THENCE NORTH 33° 02' 29" EAST, A DISTANCE OF 101.57 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID RAIL ROAD RIGHT-OF-WAY; THENCE NORTH 33° 02' 29" EAST, A DISTANCE OF 51.50 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ON A CURVE THE LEFT HAVING A RADIUS OF 480.50 FEET AND A CENTRAL ANGLE OF 02° 11' 25", AN ARC DISTANCE OF 18.37 FEET (CHORD=18.37', CHORD BEARING=N 31° 56' 47"E) TO A POINT ON SAID SOUTH LINE OF LOT 3; THENCE NORTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 480.50 FEET AND A CENTRAL ANGLE OF 28° 42' 39", AN ARC DISTANCE OF 240.78 FEET (CHORD=238.27', CHORD BEARING=N 16° 29' 44"E) TO A POINT ON THE EAST LINE OF SAID LOT 3; THENCE NORTH 02° 08' 25" EAST ON SAID WEST LINE, A DISTANCE OF 469.80 FEET; THENCE SOUTH 84° 17' 56" EAST ON SAID WEST LINE, A DISTANCE OF 2.20 FEET TO A POINT ON A CURVE; THENCE NORTHERLY ON SAID WEST LINE BEING CURVED

THE RIGHT AND HAVING A RADIUS OF 525.00 FEET AND A CENTRAL ANGLE OF 12° 59' 27", AN ARC DISTANCE OF 119.03 FEET (CHORD=118.78', CHORD BEARING=N 14° 24' 40"E) TO A POINT ON A CURVE; THENCE NORTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 629.50 FEET AND A CENTRAL ANGLE OF 08° 09' 53", AN ARC DISTANCE OF 89.70 FEET (CHORD=89.63', CHORD BEARING=N 23° 12' 05"E); THENCE NORTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 40.00 FEET AND A CENTRAL ANGLE OF 12° 54' 18", AN ARC DISTANCE OF 9.01 FEET (CHORD=8.99', CHORD BEARING=N 20° 49' 52"E); THENCE NORTH 27° 00' 59" WEST, A DISTANCE OF 42.79 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1; THENCE SOUTHEASTERLY ON SAID NORTH LINE BEING CURVED THE RIGHT AND HAVING A RADIUS OF 217.00 FEET AND A CENTRAL ANGLE OF 11° 38' 13", AN ARC DISTANCE OF 44.07 FEET (CHORD=44.00', CHORD BEARING=S 69° 55' 45"E) TO THE NORTHWEST CORNER OF SAID LOT 10 AND THE POINT OF BEGINNING. CONTAINING 199,542 SQUARE FEET (4.5809 ACRES) MORE OR LESS.

And

All adjacent Rights-of-Way

EXHIBIT B
MAP OF POWER DRIVE HOUSING URBAN RENEWAL AREA



Last Amended: 2/10/2025

Resolution 25-77

ITEMS TO INCLUDE ON AGENDA

CITY OF COUNCIL BLUFFS, IOWA

March 24, 2025

7:00 P.M.

Power Drive Housing Urban Renewal Plan

- Public hearing on the proposed Power Drive Housing Urban Renewal Plan
- Resolution determining an area of the City to be an economic development area, and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for urban renewal projects; and adopting the Power Drive Housing Urban Renewal Plan
- Consideration of Ordinance for the division of revenues under Section 403.19, Code of Iowa, for Power Drive Housing Urban Renewal Plan

IMPORTANT INFORMATION

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

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

March 24, 2025

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

Disalvo, Peterson, Sandau and Shudak

Absent: Gorman

Vacant: n/a

* * * * *

This being the time and place fixed for a public hearing on the matter of the adoption of the proposed Power Drive Housing Urban Renewal Plan, the Mayor first asked for the report of the Director of Community Development, or her delegate, with respect to the consultation held with the affected taxing entities to discuss the proposed Plan. The Council was informed that the consultation was duly held as ordered by the Council, and that _____ written recommendations were received from affected taxing entities. The report of the Director of Community Development, or her delegate, with respect to the consultation was placed on file for consideration by the Council.

The City also was informed that the proposed Plan had been approved by the Planning and Zoning Commission as being in conformity with the general plan for development of the City as a whole, as set forth in the minutes or report of the Commission. The Commission's report or minutes were placed on file for consideration by the Council.

The Mayor then asked the City Clerk whether any written comments had been filed with respect to the proposed Plan, and the City Clerk reported that _____ written comments thereto had been filed. The Mayor then called for any oral comments to the adoption of the Power Drive Housing Urban Renewal Plan and _____ were made. The public hearing was then closed.

{ Attach summary of comments here,
or include summary of comments in meeting minutes }

Council Member _____ then introduced the following Resolution entitled "RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING THE POWER DRIVE HOUSING URBAN RENEWAL PLAN" and moved:

- ☐ that the Resolution be adopted.
- ☐ to defer action on the Resolution and the proposal to the meeting to be held at _____ .M. on the _____ day of _____, 2025, at this place.

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

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

RESOLUTION NO. 25-77

RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING THE POWER DRIVE HOUSING URBAN RENEWAL PLAN

WHEREAS, it is hereby found and determined that one or more economic development areas, as defined in Chapter 403, Code of Iowa, exist within the City and the rehabilitation, conservation, redevelopment, development, or combination thereof, of the area is necessary in the interest of the public health, safety, or welfare of the residents of the City; and

WHEREAS, this Council has caused there to be prepared a proposed Power Drive Housing Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Power Drive Housing Urban Renewal Area ("Area" or "Urban Renewal Area"), which proposed Plan is attached hereto as Exhibit 1 and which is incorporated herein by reference; and

WHEREAS, the purpose of the Plan is to form the Power Drive Housing Urban Renewal Area as an area suitable for economic development and to include a list of proposed projects to be undertaken within the Urban Renewal Area, and a copy of the Plan has been placed on file for public inspection in the office of the City Clerk; and

WHEREAS, the property proposed to be included in the Urban Renewal Area is legally described in the Plan and this Council has reasonable cause to believe that the Area described in the Plan satisfies the eligibility criteria for designation as an urban renewal area under Iowa law and; and

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

WHEREAS, it is desirable that the Urban Renewal Area be redeveloped as described in the proposed Urban Renewal Plan to be known hereafter as the "Power Drive Housing Urban Renewal Plan"; and

WHEREAS, the Iowa statutes require the City Council to submit the proposed Urban Renewal Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for development of the City as a whole, prior to City Council approval thereof; and

WHEREAS, creation of the Urban Renewal Area and adoption of the Urban Renewal Plan therefore has been approved by the Planning and Zoning Commission for the City as being in conformity with the general plan for development of the City as a whole, as evidenced by its

written report and recommendation filed herewith, which report and recommendation is hereby accepted, approved in all respects and incorporated herein by this reference; and

WHEREAS, by resolution adopted on February 24, 2025, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Urban Renewal Plan and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Urban Renewal Plan be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the City Council and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of the Director of Community Development, or her delegate, filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by resolution this Council also set a public hearing on the adoption of the proposed Urban Renewal Plan for this meeting of the Council, and due and proper notice of the public hearing was given, as provided by law, by timely publication in The Daily Nonpareil, which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Urban Renewal Plan, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and the public hearing has been closed.

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

Section 1. That the findings and conclusions set forth or contained in the proposed "Power Drive Housing Urban Renewal Plan" for the area of the City of Council Bluffs, State of Iowa, legally described and depicted in the Plan and incorporated herein by reference (which area shall hereinafter be known as the "Power Drive Housing Urban Renewal Area"), be and the same are hereby adopted and approved as the findings of this Council for this area.

Section 2. This Council further finds:

a) Although relocation is not expected, a feasible method exists for the relocation of any families who will be displaced from the Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

b) The Urban Renewal Plan conforms to the general plan for the development of the City as a whole; and

c) Acquisition by the City is not immediately expected, however, as to any areas of open land to be acquired by the City included within the Urban Renewal Area:

i. Residential use is expected and with reference to those portions thereof which are to be developed for residential uses, this City Council hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the City; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

a. That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.

b. That conditions of blight in the municipality and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, or welfare.

c. That the provision of public improvements related to housing and residential development will encourage housing and residential development which is necessary to encourage the retention or relocation of industrial and commercial enterprises in this state and its municipalities.

d. The acquisition of the area is necessary to provide for the construction of housing for low and moderate income families.

ii. Non-residential use is not expected, however, with reference to any portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

Section 3. That the Urban Renewal Area is an economic development area within the meaning of Chapter 403, Code of Iowa; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403, Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this City.

Section 4. That the Urban Renewal Plan, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as the "Power Drive Housing Urban Renewal Plan for the Power Drive Housing Urban Renewal Area"; the Urban Renewal Plan for such area is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of the Urban Renewal Plan with the proceedings of this meeting.

Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, the Urban Renewal Plan shall be in full force and effect from the date of this Resolution until the Council amends or repeals the Plan. Said Urban Renewal Plan shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Pottawattamie County, Iowa, to be filed and recorded in the manner provided by law.

PASSED AND APPROVED this 24th day of March, 2025.

Mayor Pro Tem

ATTEST:

City Clerk

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

ATTACH THE PLAN LABELED AS
EXHIBIT 1 HERE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

WITNESS my hand and the seal of the Council hereto affixed this 25th day of March, 2025.

(SEAL)

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Council Communication

Department: Community
Development

Case/Project No.: URN-25-002
Submitted by: Marianne Collins,
Housing & Economic Development
Planner

Resolution 25-78
ITEM 4.I.

Council Action: 3/24/2025

Description

Resolution determining an area of the city to be an Economic Development Area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the city; designating such area as appropriate for Urban Renewal Projects; and adopting the Kanesville Urban Renewal Plan. URN-25-002

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/14/2025
Attachment 1 - Kanesville Urban Renewal Area Plan	Other	3/14/2025
Resolution 25-78	Resolution	3/20/2025

Council Communication

Department: Community Development	Ordinance No.: Resolution No.: 25-	City Council: 2-24-2025 Planning Commission: 3-11-2025 P.H. and First Reading: 3-24-2025
Case/Project No.: URN-25-002		
Subject/Title		
Adoption of the Kanesville Urban Renewal Plan		
Location		
Generally located south of Yellow Pole Road and north of College Road and east of College Road/Washboard Road and west of Hampton Lane		
Background/Discussion		
<u>Background</u> Several developers have approached the City about developing parcels of land included in the proposed Kanesville Urban Renewal Area for commercial uses. It has been determined the proposed area meets the definition of “economic development area.” This determination is based on Chapter 403.19 of the Iowa Code. In order to invoke its urban renewal powers, the City Council must agree to designate the subject property an Urban Renewal Area, adopt an Urban Renewal Plan and negotiate a development agreement with the Developer. Assistance in the form of an urban renewal project area, conforming to the Section 403 of Iowa Code, is necessary to acquire land; improve regulatory control; improve public infrastructure and facilities; and to allow for private development of vacant land.		
<u>Discussion</u> On February 24, 2025, the City Council passed a resolution of necessity, which directed staff to initiate the process of creating the Kanesville Urban Renewal Plan and Area. This resolution establishes the following timeframe: 3-05-2025 Consultation meeting to be held with other taxing jurisdictions 3-11-2025 City Planning Commission hearing and review 3-24-2025 City Council public hearing on the proposed urban renewal plan The consultation hearing was held on March 5, 2025 and no public attended. Additionally, no written correspondence has been received by the Community Development Department either in support or against the proposed plan. Iowa statutes require the City Planning Commission to review the plan for conformity to the comprehensive plan and to forward a recommendation to City Council prior to the public hearing. This was held 03-11-2025 and Planning Commission recommended approval of the Kanesville URN with a 8-0-3 vote. An urban renewal plan conforming to the requirements of Chapter 403 of the Iowa Code has been prepared and is attached for your review. The Kanesville Urban Renewal Area is being designated as an economic development area that is appropriate for the promotion of economic development, commercial and industrial development, conforming to Chapter 403.19 of the Iowa Code. Designation is necessary to assist and promote local commercial enterprises to strengthen and revitalize the economy. Tax Increment Financing (TIF) will be utilized to provide assistance to the City for the infrastructure costs that will be incurred.		
Staff Recommendation		
The Community Development Department recommends concurrence that the Kanesville Urban Renewal Plan and Area is in conformity with the <i>Bluffs Tomorrow: 2030 Comprehensive Plan</i> .		
Planning Commission Recommendation		
The City Planning Commission recommended approval of the Kanesville URN with a 8-0-3 vote. VOTE: AYE – Freund, Hutcheson, Knauss, Rater, Rew, Stroebele Van Houten and Watson. NAY – None. ABSTAIN – None.		

Council Communication

ABSENT – None. VACANT – Three. Motion carried.
Attachments Attachment 1 - Kanesville Urban Renewal Area Plan Attachment 2 – Resolution Attachment 3 - Ordinance

Prepared by: Marianne Collins, Housing & Economic Development Planner

Submitted by: Courtney Harter, Director of Community Development

**KANESVILLE
URBAN RENEWAL PLAN**

for the

**KANESVILLE
URBAN RENEWAL AREA**

CITY OF COUNCIL BLUFFS, IOWA

March 2025

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- A. LEGAL DESCRIPTION OF KANESVILLE URBAN RENEWAL AREA
- B. KANESVILLE URBAN RENEWAL AREA MAP
- C. AGRICULTURAL LAND CONSENT

**Kanesville Urban Renewal Plan
for the
Kanesville Urban Renewal Area
City of Council Bluffs, Iowa**

A. INTRODUCTION

The Kanesville Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the Kanesville Urban Renewal Area (“Area” or “Urban Renewal Area”) has been developed to help local officials promote commercial and industrial economic development in the City of Council Bluffs, Iowa (the “City”). In order to achieve this objective, the City intends to undertake urban renewal activities pursuant to the powers granted to it under Chapter 403 of the *Code of Iowa*, as amended.

B. DESCRIPTION OF THE URBAN RENEWAL AREA

The Urban Renewal Area is described in Exhibit A and illustrated in Exhibit B. The City reserves the right to modify the boundaries of the Area at some future date.

C. AREA DESIGNATION

With the adoption of this Plan, the City designates this Urban Renewal Area as an area appropriate for the promotion of economic development (commercial and industrial development).

D. BASE VALUE

If the Urban Renewal Area is legally established, a Tax Increment Financing (TIF) Ordinance is adopted, and debt is certified prior to December 1, 2025, the taxable valuation as of January 1, 2024, will be considered the frozen “base valuation” of the taxable property within that area covered by the TIF ordinance. If a TIF Ordinance is not adopted until a later date, or debt is not first certified prior to December 1, 2025, the frozen “base value” will be the assessed value of the taxable property within that area covered by the TIF Ordinance as of January 1 of the calendar year preceding the calendar year in which the City first certifies the amount of any debt on the Area.

E. DEVELOPMENT PLAN/ZONING

Council Bluffs has a general plan for the physical development of the City as a whole, outlined in the Bluffs Tomorrow: 2030 Comprehensive Plan, adopted in 2014 and updated in 2015. The goals and objectives identified in this Plan, and the urban renewal projects described herein, are in conformance with the goals and land use policies identified in the Comprehensive Plan.

This Urban Renewal Plan does not in any way replace the City’s current land use planning or zoning regulation process.

The need, if any, for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area, is set forth in this Plan. As the Area develops, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

F. PLAN OBJECTIVES

Renewal activities are designed to provide opportunities, incentives, and sites to promote economic development (commercial and industrial development). More specific objectives for the development, redevelopment, and rehabilitation within the Urban Renewal Area are as follows:

1. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities, and strengthening the tax base.
2. To plan for and provide sufficient land for commercial and industrial development in a manner that is efficient from the standpoint of providing municipal services.
3. To provide for the installation of public works and facilities including, but not limited to, water, sanitary sewer, roadways, and other public improvements, which contribute to the revitalization of the area and to the sound development of the entire City.
4. To encourage commercial growth and expansion through governmental policies which make it economically feasible to do business.
5. To provide a more marketable and attractive investment climate through the use of various federal, state and local incentives.
6. To stimulate, through public action and commitment, private investment in new and expanded commercial and industrial development.
7. To improve the conditions and opportunities for commercial and industrial economic development.
8. To help develop a sound economic base that will serve as the foundation for future growth and development.
9. To enhance the City by fostering an entrepreneurial climate, diversifying the local economy, encouraging opportunities for new businesses, and supporting retention of existing businesses.
10. To enhance the health, safety, living environment, general character, and general welfare of Council Bluffs, Iowa.

11. To promote development utilizing any other objectives allowed by Chapter 403 of the *Code of Iowa*.

G. TYPES OF RENEWAL ACTIVITIES

To meet the objectives of this Urban Renewal Plan and to encourage the development of the Area, the City intends to utilize the powers conferred under Chapter 403 and Chapter 15A, *Code of Iowa* including, but not limited to, tax increment financing. Activities may include:

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.
2. To arrange for or cause to be provided the construction or repair of public infrastructure including but not limited to streets, curb and gutter, street lighting, water, sanitary sewer, public utilities or other facilities in connection with urban renewal projects.
3. To make loans, forgivable loans, grants, tax rebate payments or other types of economic development grants or incentives to private persons, local development organizations, or businesses for economic development purposes on such terms as may be determined by the City Council.
4. To borrow money and to provide security therefor.
5. To acquire or dispose of property.
6. To provide for the construction of specific site improvements such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.
7. To acquire property through a variety of means (purchase, lease, option, etc.) and to hold, clear, or prepare the property for redevelopment.
8. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Plan or specific urban renewal projects.
9. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City of Council Bluffs and the State of Iowa.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Urban Renewal Plan.

H. ELIGIBLE URBAN RENEWAL PROJECTS

Although certain project activities may occur over a period of years, the eligible urban renewal projects under this Urban Renewal Plan include:

1. Public Improvements

Project	Estimated Project Date	Estimated Cost	How Project Advances Objectives of Plan
Kanesville Sanitary Sewer Extension PH I – PW 24-21	2025	\$2,500,000	Constructing sewer from west of railroad tracks south of Kanesville to the east, just west of the westbound interstate on-ramp to help facilitate commercial and industrial development in the Area
Kanesville Sanitary Sewer Extension PH II	2025-2026	\$1,500,000	Continues the extension of the sewer line to the east, ending at the east side of the interstate interchange to help facilitate commercial and industrial development in the Area
Roadway and utility improvements to that portion of Hunt Avenue from Kanesville north to the City limits	2026	\$3,000,000	Road and utility improvements will help facilitate commercial and industrial development in the Area
	Total:	\$7,000,000	

2. Development Agreements

A. *Development Agreement with KCI Council Bluffs Land, LLC (or a related entity):*
The proposed urban renewal project anticipates the City entering into a development agreement with KCI Council Bluffs Land, LLC (or a related entity) to provide for the construction of a warehouse distribution park. Construction is expected to be completed in 2028 and the project will result in the creation and/or retention of jobs in the Urban Renewal Area. The City expects to make annual grants to KCI Council Bluffs Land, LLC (or a related entity) in the form of rebates of incremental taxes generated by the increased

assessed value created by the project. The cost of such grants are not expected to exceed \$2,000,000 and will be subject to the terms and conditions of a detailed development agreement between the parties.

B. *Development Agreement with EDC Omaha Hold Co, LLC (or a related entity):* The proposed urban renewal project anticipates the City entering into a development agreement with EDC Omaha Hold Co, LLC (or a related entity) to provide for the construction of a data center. Construction is expected to be completed in 2032, and the project will result in the creation and/or retention of jobs in the Urban Renewal Area. The City expects to make annual grants to EDC Omaha Hold Co, LLC (or a related entity) in the form of rebates of incremental taxes generated by the increased assessed value created by the project. The cost of such grants are not expected to exceed \$65,000,000 and will be subject to the terms and conditions of a detailed development agreement between the parties.

C. *Future Development Agreements:* The City expects to consider requests for development agreements for projects that are consistent with this Plan, in the City's sole discretion. Such agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including but not limited to land, loans, grants, tax rebates, infrastructure assistance and other incentives. The costs of such development agreements will not exceed \$5,000,000.

2. Planning, engineering fees (for urban renewal plans), attorney fees, other related costs to support urban renewal projects and planning

Project	Date	Estimated cost
Fees and costs	Undetermined	Not to exceed \$50,000

I. FINANCIAL DATA

1.	Current constitutional debt limit:	\$354,283,045
2.	Current outstanding general obligation debt:	\$71,190,000
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects has not yet been determined. This document is for planning purposes only. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects as described above to be funded by TIF Funds will be approximately as stated in the next column:	<p>\$79,050,000</p> <p>This total does not include financing costs related to debt issuance, which will be incurred over the life of the Area.</p>

J. URBAN RENEWAL FINANCING

The City intends to utilize various financing tools such as those described below to successfully undertake the proposed urban renewal actions. The City has the statutory authority to use a variety of tools to finance physical improvements within the Area. These include:

A. Tax Increment Financing.

Under Section 403.19 of the *Code of Iowa*, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements, economic development incentives, or other urban renewal projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the eligible urban renewal projects. Certain increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City, and in any event upon the expiration of the tax increment district.

B. General Obligation Bonds.

Under Division III of Chapter 384 and Chapter 403 of the *Code of Iowa*, the City has the authority to issue and sell general obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public

improvements within the Area and for other urban renewal projects or incentives for development consistent with this Plan. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City. It may be, the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates, or other incentives to developers or private entities in connection with the urban renewal projects identified in this Plan. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area for urban renewal projects. Alternatively, the City may determine to use available funds for making such loans or grants or other incentives related to urban renewal projects. In any event, the City may determine to use tax increment financing to reimburse the City for any obligations or advances.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Urban Renewal Plan.

K. PROPERTY ACQUISITION/DISPOSITION

The City will follow any applicable requirements for the acquisition and disposition of property within the Urban Renewal Area.

L. RELOCATION

The City does not expect there to be any relocation required of residents or businesses as part of the eligible urban renewal projects; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

M. PROPERTY WITHIN AN URBAN REVITALIZATION AREA

The Urban Renewal Area may (now or in the future) also be located within an established Urban Revitalization Area. Properties within the Urban Renewal Area shall not be eligible for tax abatement under an Urban Revitalization Plan without the City Council's specific approval. The City Council, at its sole discretion, shall determine which incentives, if any, are available through either: (a) this Plan for urban renewal incentives, if any urban renewal incentives are offered by the City, at the City Council's sole discretion; or (b) tax abatement incentives through the City's Urban Revitalization Plan; or (c) a combination of urban renewal incentives and tax abatement incentives.

N. STATE AND LOCAL REQUIREMENTS

All provisions necessary to conform to State and local laws will be complied with by the City in implementing this Urban Renewal Plan and its supporting documents.

O. SEVERABILITY

In the event one or more provisions contained in the Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized, or unenforceable in any respect, such invalidity, illegality, un-authorization, or unenforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

P. URBAN RENEWAL PLAN AMENDMENTS

This Urban Renewal Plan may be amended from time to time for a number of reasons including, but not limited to, adding or deleting land, adding or amending urban renewal projects, or modifying objectives or types of renewal activities. The City Council may amend this Plan in accordance with applicable State law.

Q. EFFECTIVE PERIOD

This Urban Renewal Plan will become effective upon its adoption by the City Council and will remain in effect as a Plan until it is repealed by the City Council.

With respect to the property included within the Urban Renewal Area, which is also included in a TIF Ordinance that provides for the “division of revenue” as those words are used in Chapter 403 of the Code of Iowa, the division of revenue is limited to twenty (20) years beginning with the first calendar year following the calendar year in which the City first certifies to the County Auditor the amount of any loans, advances, indebtedness, or bonds which qualify for payment from the incremental property tax revenues attributable to that property within the TIF Ordinance of the Urban Renewal Area. The division of revenues shall continue on the Urban Renewal Area, for the maximum period allowed by law.

At all times, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the Code of Iowa) by the City for activities carried out under the Urban Renewal Area shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

.R. AGRICULTURAL LAND

Because the Urban Renewal Area contains land that is defined as “agricultural land” by Iowa Code Section 403.17(3), the City must acquire consent from the owner(s) of the agricultural land prior to including such land in the Urban Renewal Area. The City has requested consent from the owner(s) of agricultural land proposed to be included in the Urban Renewal Area. A copy of the agricultural landowner agreements is, or will be, attached hereto as Exhibit “C.” The original signed agreement(s) will be placed on file in the City Clerk’s office.

EXHIBIT A

LEGAL DESCRIPTION OF KANESVILLE URBAN RENEWAL AREA

A PARCEL OF LAND BEING A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 20, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4) OF SECTION 21, A PORTION OF THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4NE1/4) OF SECTION 21, ALL OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE1/4SE1/4) OF SECTION 21, A PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW1/4NW1/4) OF SECTION 22, ALL OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW1/4NW1/4) OF SECTION 22, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) OF SECTION 22, A PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION 22, ALL OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 22, A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) OF SECTION 22, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) OF SECTION 28 AND A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4NE1/4) OF SECTION 28, ALL IN TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE

5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 22;

THENCE SOUTH ON THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) AND ON ITS SOUTHERLY PROLONGATION, 2,220 FEET MORE OR LESS TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 6;

THENCE WEST ON SAID SOUTH RIGHT-OF-WAY LINE AND ON ITS WESTERLY PROLONGATION, 3,267 FEET MORE OR LESS TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 80;

THENCE SOUTHWESTERLY ON SAID WESTERLY RIGHT-OF-WAY LINE, 2,806 FEET MORE OR LESS TO THE NORTHEAST CORNER OF LOT 1, BLACK HILLS SUBDIVISION IN SAID CITY OF COUNCIL BLUFFS;

THENCE WEST ON THE NORTH LINE OF SAID LOT 1, 876 FEET MORE OR LESS TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COLLEGE ROAD;

THENCE NORTH ON SAID EAST RIGHT-OF-WAY LINE, 2,371 FEET MORE OR LESS TO A POINT ON THE EASTERLY PROLONGATION OF THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 6;

THENCE WEST ON SAID EASTERLY PROLONGATION AND ON SAID SOUTH RIGHT-OF-WAY LINE, 4,161 FEET MORE OR LESS TO A POINT ON THE WEST LINE OF SAID AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 20;

THENCE NORTH ON SAID WEST LINE, 286 FEET MORE OR LESS TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID HIGHWAY 6;

THENCE EAST ON SAID NORTH RIGHT-OF-WAY LINE, 4,087 FEET MORE OR LESS TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF WASHBOARD ROAD;

THENCE NORTH ON SAID WEST RIGHT-OF-WAY LINE, 2,100 FEET MORE OR LESS TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID WASHBOARD ROAD;

THENCE NORTHEASTERLY ON SAID NORTHWESTERLY RIGHT-OF-WAY LINE AND ON IT'S NORTHEASTERLY PROLONGATION 1,370 FEET MORE OR LESS TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF YELLOW POLE ROAD;

THENCE EASTERLY ON SAID NORTHERLY RIGHT-OF-WAY LINE AND ON IT'S EASTERLY PROLONGATION 4,467 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION 22;

THENCE SOUTH ON SAID EAST LINE, 86 FEET MORE OR LESS TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 441.7 ACRES, MORE OR LESS.

MAP OF KANESVILLE URBAN RENEWAL AREA

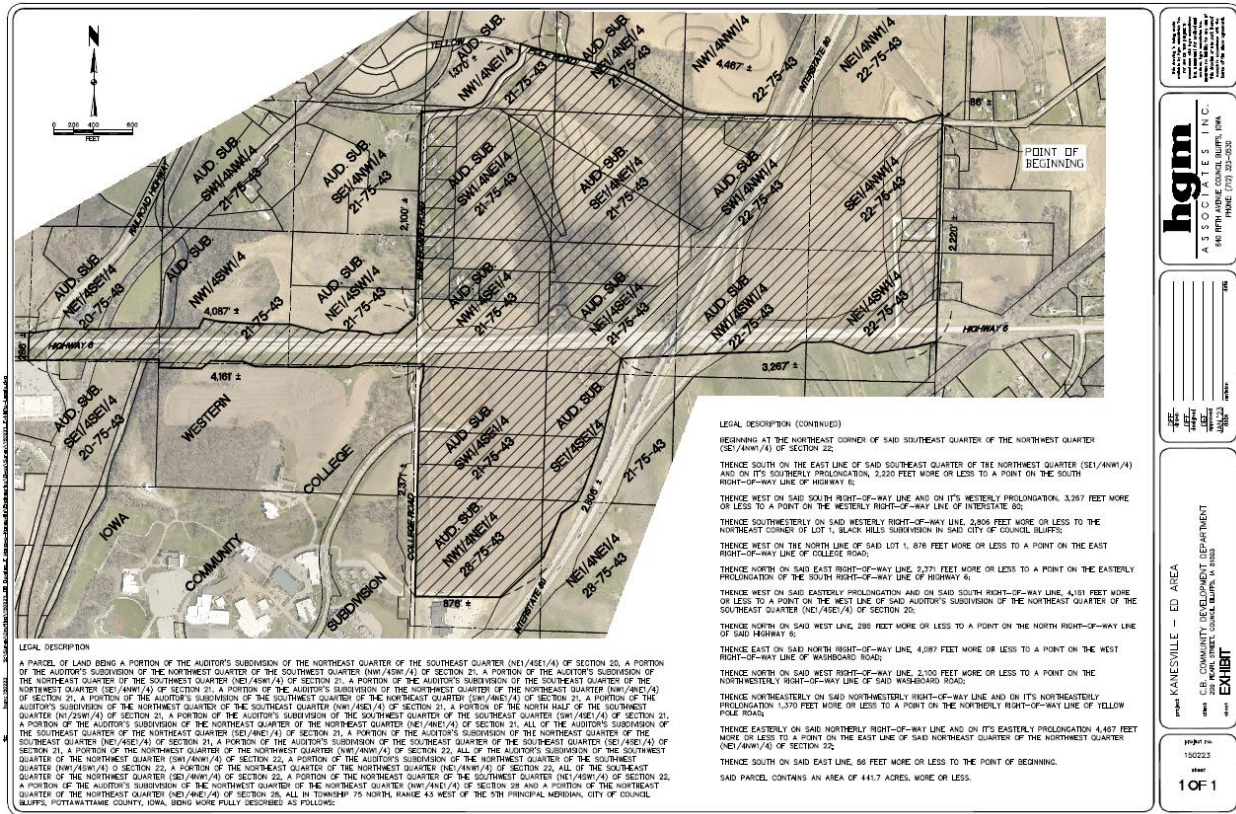


EXHIBIT C
AGRICULTURAL LAND CONSENT

AGREEMENT TO INCLUDE AGRICULTURAL LAND IN
THE KANESVILLE URBAN RENEWAL AREA

WHEREAS, the City of Council Bluffs, Iowa, (the "City") has proposed to establish an Urban Renewal Plan ("Plan") for the Kaneshville Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of land included in the Urban Renewal Area will contain certain property owned by the undersigned Agricultural Land Owner; and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in Section 403.17(3) of "agricultural land" until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property located within the Urban Renewal Area and owned by the Agricultural Land Owner listed below meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa.

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area and agrees that the City of Council Bluffs, Iowa, may include such property within the Urban Renewal Area.

2. The Agricultural Land Owner further authorizes the governing body of the City of Council Bluffs, Iowa, to pass any resolution or ordinance necessary to designate property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED _____, 20____

Agricultural Land Owner's Name (print): _____

Signature: _____

Print Name of Signatory: _____

Resolution 25-78

ITEMS TO INCLUDE ON AGENDA

CITY OF COUNCIL BLUFFS, IOWA

March 24, 2025

7:00 P.M.

Kanesville Urban Renewal Plan

- Public hearing on the proposed Kanesville Urban Renewal Plan
- Resolution determining an area of the City to be an economic development area, and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for urban renewal projects; and adopting the Kanesville Urban Renewal Plan
- Consideration of Ordinance for the division of revenues under Section 403.19, Code of Iowa, for Kanesville Urban Renewal Plan

IMPORTANT INFORMATION

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

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

March 24, 2025

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

Disalvo, Peterson, Sandau and Shudak

Absent: Gorman

Vacant: n/a

* * * * *

This being the time and place fixed for a public hearing on the matter of the adoption of the proposed Kanesville Urban Renewal Plan, the Mayor first asked for the report of the Director of Community Development, or her delegate, with respect to the consultation held with the affected taxing entities to discuss the proposed Plan. The Council was informed that the consultation was duly held as ordered by the Council, and that _____ written recommendations were received from affected taxing entities. The report of the Director of Community Development, or her delegate, with respect to the consultation was placed on file for consideration by the Council.

The City also was informed that the proposed Plan had been approved by the Planning and Zoning Commission as being in conformity with the general plan for development of the City as a whole, as set forth in the minutes or report of the Commission. The Commission's report or minutes were placed on file for consideration by the Council.

The Mayor then asked the City Clerk whether any written comments had been filed with respect to the proposed Plan, and the City Clerk reported that _____ written comments thereto had been filed. The Mayor then called for any oral comments to the adoption of the Kanesville Urban Renewal Plan and _____ were made. The public hearing was then closed.

{ Attach summary of comments here,
or include summary of comments in meeting minutes }

Council Member _____ then introduced the following Resolution entitled "RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING THE KANESVILLE URBAN RENEWAL PLAN" and moved:

- ☐ that the Resolution be adopted.
- ☐ to defer action on the Resolution and the proposal to the meeting to be held at _____ .M. on the _____ day of _____, 2025, at this place.

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

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

RESOLUTION NO. 25-78

RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING THE KANESVILLE URBAN RENEWAL PLAN

WHEREAS, it is hereby found and determined that one or more economic development areas, as defined in Chapter 403, Code of Iowa, exist within the City and the rehabilitation, conservation, redevelopment, development, or combination thereof, of the area is necessary in the interest of the public health, safety, or welfare of the residents of the City; and

WHEREAS, this Council has caused there to be prepared a proposed Kanesville Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Kanesville Urban Renewal Area ("Area" or "Urban Renewal Area"), which proposed Plan is attached hereto as Exhibit 1 and which is incorporated herein by reference; and

WHEREAS, the purpose of the Plan is to form the Kanesville Urban Renewal Area as an area suitable for economic development and to include a list of proposed projects to be undertaken within the Urban Renewal Area, and a copy of the Plan has been placed on file for public inspection in the office of the City Clerk; and

WHEREAS, the property proposed to be included in the Urban Renewal Area is legally described in the Plan and this Council has reasonable cause to believe that the Area described in the Plan satisfies the eligibility criteria for designation as an urban renewal area under Iowa law and; and

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

WHEREAS, the proposed Urban Renewal Area includes land classified as agricultural land and written permission of the current owners has been obtained; and

WHEREAS, it is desirable that the Urban Renewal Area be redeveloped as described in the proposed Urban Renewal Plan to be known hereafter as the "Kanesville Urban Renewal Plan"; and

WHEREAS, the Iowa statutes require the City Council to submit the proposed Urban Renewal Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for development of the City as a whole, prior to City Council approval thereof; and

WHEREAS, creation of the Urban Renewal Area and adoption of the Urban Renewal Plan therefore has been approved by the Planning and Zoning Commission for the City as being in conformity with the general plan for development of the City as a whole, as evidenced by its written report or minutes filed herewith, which report and recommendation is hereby accepted, approved in all respects and incorporated herein by this reference; and

WHEREAS, by resolution adopted on February 24, 2025, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Urban Renewal Plan and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Urban Renewal Plan be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the City Council and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of the Director of Community Development, or her delegate, filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by resolution this Council also set a public hearing on the adoption of the proposed Urban Renewal Plan for this meeting of the Council, and due and proper notice of the public hearing was given, as provided by law, by timely publication in the The Daily Nonpareil, which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Urban Renewal Plan, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and the public hearing has been closed.

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

Section 1. That the findings and conclusions set forth or contained in the proposed "Kanesville Urban Renewal Plan" for the area of the City of Council Bluffs, State of Iowa, legally described and depicted in the Plan and incorporated herein by reference (which area shall hereinafter be known as the "Kanesville Urban Renewal Area"), be and the same are hereby adopted and approved as the findings of this Council for this area.

Section 2. This Council further finds:

a) Although relocation is not expected, a feasible method exists for the relocation of any families who will be displaced from the Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

b) The Urban Renewal Plan conforms to the general plan for the development of the City as a whole; and

c) Acquisition by the City is not immediately expected, however, as to any areas of open land to be acquired by the City included within the Urban Renewal Area:

i. Residential use is not expected, however, with reference to any portions thereof which are to be developed for residential uses, this City Council hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the City; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

a. That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.

b. That conditions of blight in the municipality and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, or welfare.

c. That the provision of public improvements related to housing and residential development will encourage housing and residential development which is necessary to encourage the retention or relocation of industrial and commercial enterprises in this state and its municipalities.

d. The acquisition of the area is necessary to provide for the construction of housing for low and moderate income families.

ii. Non-residential use is expected and with reference to those portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

Section 3. That the Urban Renewal Area is an economic development area within the meaning of Chapter 403, Code of Iowa; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403, Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this City.

Section 4. That the Urban Renewal Plan, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as the "Kanesville Urban Renewal Plan for the Kanesville Urban Renewal Area"; the Urban Renewal Plan for such area is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of the Urban Renewal Plan with the proceedings of this meeting.

Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, the Urban Renewal Plan shall be in full force and effect from the date of this Resolution

until the Council amends or repeals the Plan. Said Urban Renewal Plan shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Pottawattamie County, Iowa, to be filed and recorded in the manner provided by law.

PASSED AND APPROVED this 24th day of March, 2025.

Mayor Pro Tem

ATTEST:

City Clerk

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

ATTACH THE PLAN LABELED AS
EXHIBIT 1 HERE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

WITNESS my hand and the seal of the Council hereto affixed this 25th day of March, 2025.

(SEAL)

171

Council Communication

Department: Community
Development

Case/Project No.: URN-25-003
Submitted by: Marianne Collins,
Housing & Economic Development
Planner

Resolution 25-79
ITEM 4.J.

Council Action: 3/24/2025

Description

Resolution determining an area of the city to be an Economic Development Area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the city; designating such area as appropriate for Urban Renewal Projects; and adopting Amendment No. 2 to the Old Airport Urban Renewal Plan. URN-25-003

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/14/2025
Attachment 1 – Old Airport Urban Renewal Area Plan Amendment #2	Other	3/14/2025
Resolution 25-79	Resolution	3/20/2025

Council Communication

Department: Community Development Case/Project No.: URN-25-003	Ordinance No.: Resolution No.: 25-	City Council: 2-24-2025 Planning Commission: 3-11-2025 P.H. and First Reading: 3-24-2025
Subject/Title		
Amendment #2 for the Old Airport Urban Renewal Plan		
Location		
Generally located south of 35 th Avenue and north of Veterans Memorial Highway and east of South Expressway and west of Interstate-29		
Background/Discussion		
<p><u>Background</u></p> <p>In February of 2006, City Council adopted the Old Airport Urban Renewal Plan in order to accommodate the Metro Crossing retail project. The urban renewal originally only contained land north of Highway 275/92, from Interstate 29 to the South Expressway. In April 2008 Amendment #1 was done to add land south of Highway 275/92, from the South Expressway to E. Manawa Drive. However, this urban renewal plan now needs amended again to remove several parcels to create a new urban renewal area specific to creating new housing.</p> <p><u>Discussion</u></p> <p>On February 24, 2025, the City Council passed a resolution of necessity, which directed staff to initiate the process of amending the Old Airport Urban Renewal Plan and Area. This resolution establishes the following timeframe:</p> <div style="margin-left: 40px;"> <p>3-05-2025 Consultation meeting to be held with other taxing jurisdictions</p> <p>3-11-2025 City Planning Commission hearing and review</p> <p>3-24-2025 City Council public hearing on the proposed urban renewal plan</p> </div> <p>The consultation hearing was held on March 5, 2025 and no public attended. Additionally, no written correspondence has been received by the Community Development Department either in support or against the proposed plan.</p> <p>Iowa statutes require the City Planning Commission to review the plan for conformity to the comprehensive plan and to forward a recommendation to City Council prior to the public hearing. An urban renewal plan conforming to the requirements of Chapter 403 of the Iowa Code has been prepared and is attached for your review.</p>		
Staff Recommendation		
The Community Development Department recommends removing the land from the Old Airport Urban Renewal Area and is in conformity with the <i>Bluffs Tomorrow: 2030 Comprehensive Plan</i> .		
Planning Commission Recommendation		
<p>The City Planning Commission recommended approval amendment #2 to the Old Airport URN with a 8-0-3 vote. VOTE: AYE – Freund, Hutcheson, Knauss, Rater, Rew, Stroebele Van Houten and Watson. NAY – None. ABSTAIN – None. ABSENT – None. VACANT – Three. Motion carried.</p>		
Attachments		
Attachment 1 – Old Airport Urban Renewal Area Plan Amendment #2 Attachment 2 – Resolution		

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

AMENDMENT NO. 2

to the

**OLD AIRPORT
URBAN RENEWAL PLAN**

for the

**OLD AIRPORT
URBAN RENEWAL AREA**

COUNCIL BLUFFS, IOWA

Original Area – 2006
Amendment No. 1 – 2008
Amendment No. 2 – 2025

**Amendment No. 2
to the
Old Airport Urban Renewal Plan
for the
Old Airport Urban Renewal Area**

City of Council Bluffs, Iowa

INTRODUCTION AND HISTORY

The Old Airport Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the Old Airport Urban Renewal Area (“Area” or “Urban Renewal Area”) was adopted by the City of Council Bluffs (the “City”) in February 2006, and was previously amended by an Amendment No. 1 in 2008. The Plan is being further amended by this Amendment No. 2 to the Plan (“Amendment No. 2” or “Amendment”) to remove land from the Urban Renewal Area and to remove a voluntary termination date for the Plan and Area. This Amendment does not make any other changes to the Plan or Area.

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

DESCRIPTION OF AREA

The land being removed from the Urban Renewal Area by this Amendment may be referred to as the "Amendment No. 2 Removal Area." The legal description of the Amendment No. 2 Removal Area is attached hereto as Exhibit A.

AREA DESIGNATION

The Urban Renewal Area, as amended, continues to be an economic development area that is appropriate for commercial and industrial development

DEVELOPMENT PLAN

The Urban Renewal Plan, as amended, and this Amendment, are in conformity with the Bluffs Tomorrow: 2030 Comprehensive Plan, adopted in 2014 and amended in 2015, which is the City’s general plan for the development of the City as a whole.

This Amendment does not in any way replace or modify the City’s current land use planning or zoning regulation process. Any need for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area is set forth in the Plan.

FINANCIAL DATA

1.	July 1, 2024 constitutional debt limit:	\$354,283,045
2.	Current outstanding general obligation debt:	\$71,190,000
3.	There is no proposed indebtedness to be incurred, as no urban renewal projects are proposed by this Amendment.	N/A

EFFECTIVE PERIOD

This Amendment No. 2 will become effective upon its adoption by the City Council.

The original Urban Renewal Plan stated that the Plan and the Urban Renewal Area would be in effect only until December 31, 2025. This voluntary termination date/expiration date for the Plan and the Area is not required by Iowa Code Chapter 403 (the Urban Renewal Act). The City has determined that ongoing efforts for economic development within the Urban Renewal Area would benefit the City and the Area, and would further the objectives of the Plan and the Urban Renewal Act. Accordingly, the City hereby repeals the voluntary termination date stated in the original Plan. Notwithstanding anything to the contrary in the original Plan, Amendment No. 1 to the Plan, any prior resolution, or document, the Urban Renewal Plan, as amended, and the Urban Renewal Area shall remain in effect until it is repealed or otherwise terminated by the City Council.

Furthermore, notwithstanding anything to the contrary in the original Plan and Amendment No. 1, any prior resolution, or document, the use of incremental property tax revenues, or the "division of revenue," as those words are used in Chapter 403 of the Code of Iowa, will be consistent with Iowa Code Chapter 403 (2025). The division of revenues shall continue on the Area for the maximum period allowed by law.

REPEALER AND SEVERABILITY CLAUSE

Any parts of the previous Plan in conflict with this Amendment are hereby repealed.

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

EXHIBIT A
LAND TO BE **REMOVED** FROM THE OLD AIRPORT
URBAN RENEWAL AREA BY AMENDMENT NO. 2

Lake Manawa Centre Subdivision, Lot 10 EXCEPT a tract of land located in part of Lot 10, Lake Manawa Centre Subdivision as platted and recorded in Pottawattamie County, Iowa, more particularly described as follows: Beginning at the Northwestern corner of said Lot 10, said point being on the South Right-of-Way line of 35th Avenue; thence along said South Right-of-Way line on a curve to the right having a radius of 217.00 feet, an arc length of 85.91 feet and a long chord bearing of South 77°19'31" East for 85.35 feet; thence along a nontangent curve to the left having a radius of 525.00 feet, an arc distance of 248.15 feet and a long chord bearing of South 19°34'49" West for 245.85 feet; thence North 83°57'39" West for 2.11 feet to a point on the West line of said Lot 10; thence North 00°16'49" East for 250.14 feet along the West line of said Lot 10 to the Point of Beginning.

Resolution 25-79

ITEMS TO INCLUDE ON AGENDA

CITY OF COUNCIL BLUFFS, IOWA

March 24, 2025

7:00 P.M.

Old Airport Urban Renewal Plan

- Public hearing on the proposed Amendment No. 2 to the Old Airport Urban Renewal Plan
- Resolution determining an area of the City to be an economic development area, and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for urban renewal projects; and adopting the Amendment No. 2 to the Old Airport Urban Renewal Plan

IMPORTANT INFORMATION

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

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

March 24, 2025

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

Disalvo, Peterson, Sandau and Shudak

Absent: Gorman

Vacant: n/a

* * * * *

This being the time and place fixed for a public hearing on the matter of the adoption of the proposed Amendment No. 2 to the Old Airport Urban Renewal Plan, the Mayor first asked for the report of the Director of Community Development, or her delegate, with respect to the consultation held with the affected taxing entities to discuss the proposed Amendment. The Council was informed that the consultation was duly held as ordered by the Council, and that _____ written recommendations were received from affected taxing entities. The report of the Director of Community Development, or her delegate, with respect to the consultation was placed on file for consideration by the Council.

The Mayor then asked the City Clerk whether any written comments had been filed with respect to the proposed Amendment, and the City Clerk reported that _____ written comments thereto had been filed. The Mayor then called for any oral comments to the adoption of the Amendment No. 2 to the Old Airport Urban Renewal Plan and _____ were made. The public hearing was then closed.

{ Attach summary of comments here,
or include summary of comments in meeting minutes }

Council Member _____ then introduced the following Resolution entitled "RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 2 TO THE OLD AIRPORT URBAN RENEWAL PLAN" and moved:

- ☐ that the Resolution be adopted.
- ☐ to defer action on the Resolution and the proposal to the meeting to be held at _____ .M. on the _____ day of _____, 2025, at this place.

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

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

RESOLUTION NO. 25-79

RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 2 TO THE OLD AIRPORT URBAN RENEWAL PLAN

WHEREAS, by Resolution No. 06-57, adopted February 27, 2006, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Old Airport Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the Old Airport Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Pottawattamie County; and

WHEREAS, by Resolution No. 08-165, adopted June 9, 2008, this City Council approved and adopted an Amendment No. 1 to the Plan; and

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

ORIGINAL AREA

Beginning at the intersection of the South right-of-way line of Highway 275/92 and the Westerly right-of-way line of Interstate 29;

Thence westerly along said South right-of-way line to the West right-of-way line of the South Expressway (Highway 192);

Thence north along said West right-of-way line to the Northerly righty-of-way line of 35th Avenue;

Thence easterly, north and east along said Northerly righty-ow-way line to the West 1/4 Corner of Section 7-74-43;

Thence continuing east along the North line of the SW1/4 of said Section 7-74-43 to the Westerly righty-of-way line of Interstate 29;

Thence southeasterly along said Westerly line to the South right-of-way line of Highway 275/92 and the Point of Beginning.

AMENDMENT NO. 1 AREA

Beginning at the intersection of the South right-of-way line of Highway 275/92 and the East line of the SW1/4 SE1/4 of Section 12-74-44; thence south to the South line of said SW1/4 SE1/4; thence west along said south line to the West right-of-way line of Piute Street; thence north to the South right-of-way line of Highway 275/92; thence Easterly to the Point of Beginning.

WHEREAS, a proposed Amendment No. 2 to the Plan ("Amendment No. 2" or "Amendment") for the Urban Renewal Area described above has been prepared, which proposed Amendment has been on file in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to remove land from the Urban Renewal Area and to remove a voluntary termination date for the Plan and Area; and

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

WHEREAS, this proposed Amendment No. 2 removes the following land from the Urban Renewal Area:

Lake Manawa Centre Subdivision, Lot 10 EXCEPT a tract of land located in part of Lot 10, Lake Manawa Centre Subdivision as platted and recorded in Pottawattamie County, Iowa, more particularly described as follows: Beginning at the Northwesterly corner of said Lot 10, said point being on the South Right-of-Way line of 35th Avenue; thence along said South Right-of-Way line on a curve to the right having a radius of 217.00 feet, an arc length of 85.91 feet and a long chord bearing of South 77°19'31" East for 85.35 feet; thence along a nontangent curve to the left having a radius of 525.00 feet, an arc distance of 248.15 feet and a long chord bearing of South 19°34'49" West for 245.85 feet; thence North 83°57'39" West for 2.11 feet to a point on the West line of said Lot 10; thence North 00°16'49" East for 250.14 feet along the West line of said Lot 10 to the Point of Beginning.

WHEREAS, by resolution adopted on February 24, 2025, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Amendment No. 2 and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Amendment No. 2 be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the City Council and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of the Director of Community Development, or her delegate, filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by resolution this Council also set a public hearing on the adoption of the proposed Amendment No. 2 for this meeting of the Council, and due and proper notice of the public hearing was given, as provided by law, by timely publication in The Daily Nonpareil, which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Amendment No. 2, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and the public hearing has been closed.

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

Section 1. That the findings and conclusions set forth or contained in Amendment No. 2 concerning the area of the City of Council Bluffs, State of Iowa, described in the preamble hereof, be and the same are hereby ratified and confirmed in all respects as the findings of this Council for this area.

Section 2. This Council further finds:

a) Although relocation is not expected, a feasible method exists for the relocation of any families who will be displaced from the Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

b) The Plan, as amended, and Amendment No. 2 conform to the general plan for the development of the City as a whole; and

c) Acquisition by the City is not immediately expected, however, as to any areas of open land to be acquired by the City included within the Urban Renewal Area:

i. Residential use is not expected, however, with reference to any portions thereof which are to be developed for residential uses, this City Council hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the City; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

a. That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.

b. That conditions of blight in the municipality and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, or welfare.

c. That the provision of public improvements related to housing and residential development will encourage housing and residential development which is necessary to encourage the retention or relocation of industrial and commercial enterprises in this state and its municipalities.

d. The acquisition of the area is necessary to provide for the construction of housing for low and moderate income families.

ii. Non-residential use is expected and with reference to those portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

Section 3. That the Urban Renewal Area, as amended, continues to be an economic development area within the meaning of Chapter 403, Code of Iowa; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403, Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this City.

Section 4. That Amendment No. 2 to the Old Airport Urban Renewal Plan of the City of Council Bluffs, State of Iowa, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as "Amendment No. 2 to the Old Airport Urban Renewal Plan for the City of Council Bluffs, State of Iowa"; Amendment No. 2, including all of the exhibits attached thereto, is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of Amendment No. 2 with the proceedings of this meeting.

Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, Amendment No. 2 shall be in full force and effect from the date of this Resolution until the Council amends or repeals the Plan. The proposed Amendment No. 2 shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Pottawattamie County, Iowa, to be filed and recorded in the manner provided by law.

Section 6. That all other provisions of the Plan not affected or otherwise revised by the terms of Amendment No. 2, as well as all resolutions previously adopted by this City Council related to the Plan be and the same are hereby ratified, confirmed and approved in all respects.

PASSED AND APPROVED this 24th day of March, 2025.

Mayor Pro Tem

ATTEST:

City Clerk

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

ATTACH THE AMENDMENT
LABELED AS EXHIBIT 1 HERE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

WITNESS my hand and the seal of the Council hereto affixed this 25th day of March, 2025.

(SEAL)

188

Council Communication

Department: Community

Development

Case/Project No.: SUB-25-002

Submitted by: Moises Monrroy,

Planner

Resolution 25-80

ITEM 4.K.

Council Action: 3/24/2025

Description

Resolution granting final plat approval of a one-lot residential subdivision to be known as The Hills of Cedar Creek Phase 1 Replat 6, being a replat of Outlot 'J', the Hills of Cedar Creek Phase 1. Location: West of 1422 Abercorn Drive. SUB-25-002

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/14/2025
Attachment A: Location/Zoning Map	Map	3/14/2025
Attachment B: The Hills of Cedar Creek Phase 1 – Replat 6 Final Plat	Other	3/14/2025
Attachment C: Conceptual Site Plan	Other	3/14/2025
Resolution 25-80	Resolution	3/20/2025

City Council Communication

Department: Community Development CASE #SUB-25-002 Applicant/Owner: HCC Investments, LLC James M. Duggan 10730 Pacific Street, Suite 230 Omaha, NE 68114 Engineer/Surveyor: Bill White Ehrhart Griffin & Associates 3552 Farnam Street Omaha, NE 68131	Resolution No. _____	City Council: 3/24/2025
<p style="text-align: center;">Subject/Title</p> <p>Request: Public hearing on the request of HCC Investments, LLC, represented by James M. Duggan, for final plat approval of a one-lot residential subdivision to be known as The Hills of Cedar Creek Phase 1 Replat 6, being a replat of Outlot ‘J’, The Hills of Cedar Creek Phase 1, City of Council Bluffs, Pottawattamie County, Iowa.</p> <p>Location: West of 1422 Abercorn Drive.</p>		
<p style="text-align: center;">Background/Discussion</p> <p>The Community Development Department has received a request from HCC Investments, LLC, represented by James M. Duggan, for final plat approval of a one-lot residential subdivision to be known as The Hills of Cedar Creek Phase 1 Replat 6, being a replat of Outlot ‘J’, The Hills of Cedar Creek Phase 1, City of Council Bluffs, Pottawattamie County, Iowa. The proposed subdivision is comprised of 7,935 square feet, more or less, of land.</p> <p>The subject property is Outlot ‘J’ of The Hills of Cedar Creek Phase 1 subdivision. This land was designated as an outlot for storm sewer/drainage purposes. The purpose of this request is to convert the subject property into a buildable lot. The applicant intends to construct a single-family home on the subject property, as shown on Attachment ‘C.’</p> <p><u>Land Use and Zoning</u> – The subject property is zoned R-1/Single-Family Residential District. All properties in the vicinity of the subject property are also zoned R-1 District and primarily consist of single-family homes. The Future Land Use Plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property as ‘Low Density Residential.’</p> <p style="text-align: center;">Comments</p> <p>A. The proposed subdivision is comprised of 7,935 square feet, more or less, of land. The proposed subdivision is generally consistent with the purpose and intent of Title 14: <u>Subdivisions</u> and Title 15: <u>Zoning</u> of the Council Bluffs Municipal Code.</p> <p>B. Proposed Lot 1 will comply with the minimum lot size requirements in the R-1 District.</p>		

- C. All construction activity that occurs on the proposed subdivision shall comply with the site development standards set forth in Section 15.08B.050, Site Development Regulations, R-1/Single-Family Residential District, of the Council Bluffs Municipal Code (Zoning Ordinance).
1. Based on the submitted site plan (see Attachment ‘C’), the proposed home will comply with the minimum setback requirements and the maximum lot coverage allowed in the R-1 District.
- D. Proposed Lot 1 will have direct frontage onto Abercorn Drive. No new public roadway extensions are proposed at this time.
- E. There is adequate access to utilities (i.e., water, sanitary sewer, storm sewers, electricity, gas, cable, communication facilities, etc.) to service the proposed single-family. All utilities shall be installed underground. All costs to construct, remove and/or relocate any utilities in this subdivision shall be the responsibility of the developer, and not the City.
- F. Sidewalk installation along the frontage(s) of proposed Lot 1 shall be completed prior to issuance of the Certificate of Occupancy for the single-family home, at no cost to the City.
- G. A blanket easement for storm sewer and drainage was retained over the subject property when The Hills of Cedar Creek Phase 1 was originally platted. This easement shall be released as part of the proposed replatting.
- H. The plat does not indicate if any private restrictions and/or covenants will be established for the subdivision. The plat shall be updated to state if any private restrictions and/or covenants will be recorded. A copy of said private restrictions and/or covenants shall be provided to the City. If none are proposed, a note shall be placed on the final plat indicating none will be recorded.
- I. The Council Bluffs Public Works Department stated that they do not have any issues with the requested replat as there are no infrastructure improvements required until the proposed home is built. They also stated that they will coordinate a sewer connection with the home builder.
- J. The Council Bluffs Police Department stated that they have no comments or objections to the request.
- K. The Council Bluffs Fire Department stated that they have no comments on the request.
- L. Council Bluffs Water Works stated that they have no comments on the request.
- M. MidAmerican Energy stated that they have no conflicts or concerns with the request.

Recommendation

The Community Development Department recommends final plat approval of a one-lot residential subdivision to be known as The Hills of Cedar Creek Phase 1 Replat 6, being a replat of Outlot ‘J’, The Hills of Cedar Creek Phase 1, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments stated above and the following conditions:

- A. The final plat shall be recorded within 90 days of City Council approval or the plat will become null and void unless an extension has been requested and granted by the Community Development Department Director.

- B. Conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements.
- C. All utilities shall be installed underground. Any costs to construct, remove and/or relocate any utilities shall be the responsibility of the applicant and/or developer, and not the City.
- D. Sidewalk installation along the frontage(s) of proposed Lot 1 shall be completed prior to issuance of the Certificate of Occupancy for the single-family home, at no cost to the City.
- E. The applicant shall provide a copy of any proposed covenants and/or private restrictions associated with the subdivision to the City, or place a note on the final plat indicating none will be recorded.
- F. The blanket easement for storm sewer and drainage retained over Outlot 'J', The Hills of Cedar Creek Phase 1 shall be released as part of the replatting process.

Attachments

Attachment A: Location/Zoning Map

Attachment B: The Hills of Cedar Creek Phase 1 – Replat 6 Final Plat

Attachment C: Conceptual Site Plan

Prepared by: Moises Monrroy, Planner, Community Development Department

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION

CASE #SUB-25-002 LOCATION/ZONING MAP

Legend

 Subject Property

0 25 50



1 inch = 42 feet

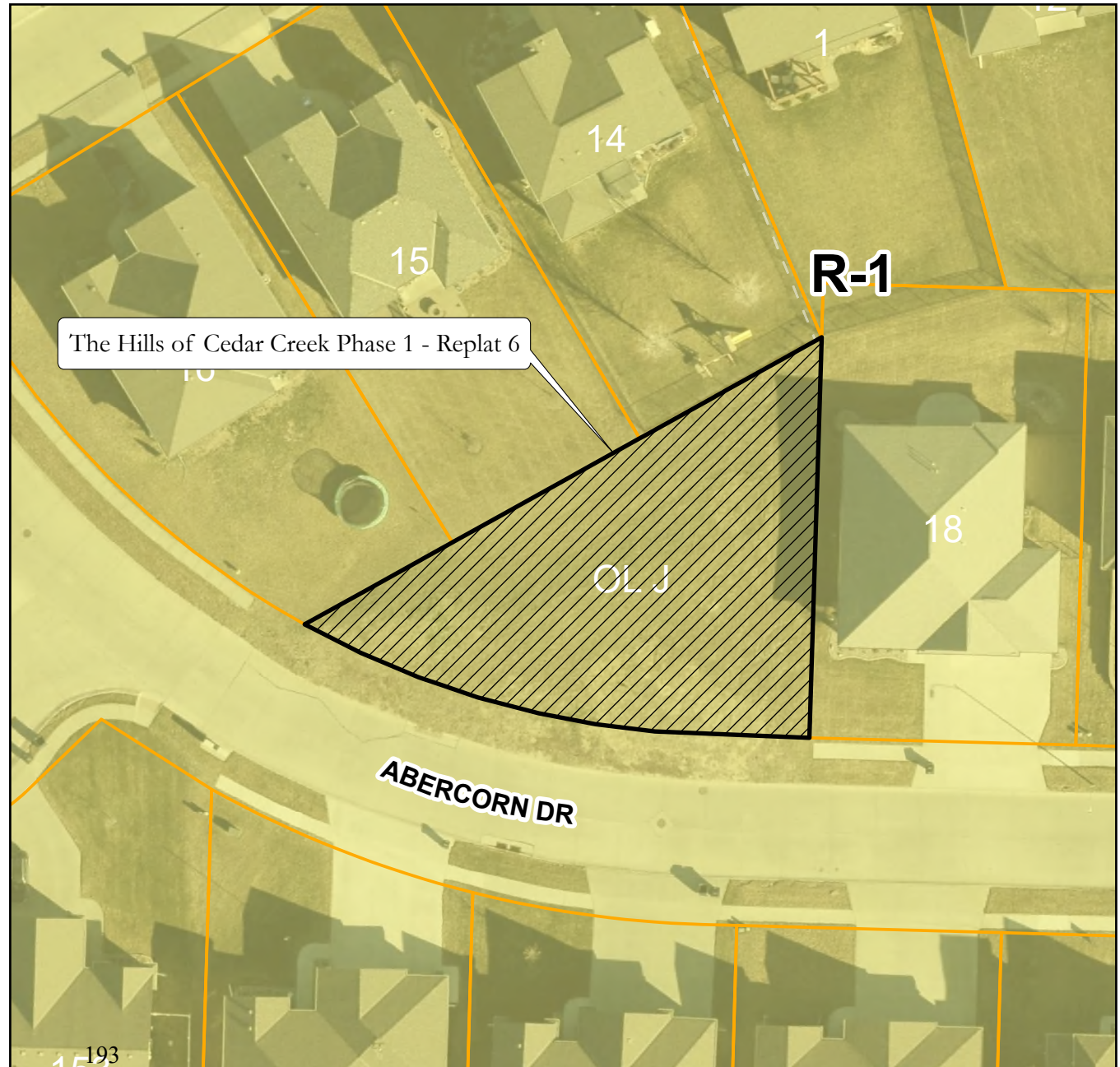


Last Amended: 3/6/25



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

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



THE HILLS OF CEDAR CREEK, PHASE 1, REPLAT 6

FINAL PLAT

PROJECT NO.
EGA251032**LEGAL DESCRIPTION:**

THE HILLS OF CEDAR CREEK, PHASE 1, REPLAT 6, LOT 1, BEING A REPLAT OF OUT LOT 'J' OF THE HILLS OF CEDAR CREEK, PHASE 1, IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, T75N, R43W OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA. CONTAINING 7935 SQUARE FEET.

CONTAINING LOT 1,
BEING A REPLAT OF OUT LOT 'J' OF
THE HILLS OF CEDAR CREEK, PHASE 1,
IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER
OF SECTION 34, T75N, R43W OF THE 5TH P.M.,
POTTAWATTAMIE COUNTY, IOWA

DEDICATION

KNOW ALL PEOPLE OF THESE PRESENTS: THAT
HCC INVESTMENTS, LLC

BEING THE SOLE OWNER AND PROPRIETOR OF THE LAND DESCRIBED IN THE LEGAL DESCRIPTION
AND EMBRACED WITHIN THIS PLAT, HAS CAUSED WITH OUR FREE CONSENT AND IN ACCORD WITH
OUR DESIRE, THE SAME TO BE SUBDIVIDED INTO LOT 1 AND TO BE KNOWN AS:

THE HILLS OF CEDAR CREEK, PHASE 1, REPLAT 6

AND SAID LIMITED LIABILITY COMPANY DOES HEREBY RATIFY AND APPROVE OF THE DISPOSITION
OF OUR PROPERTY AS SHOWN ON THIS PLAT.

IN WITNESS WHEREOF WE DO HEREUNTO SET OUR HANDS, FOR: HCC INVESTMENTS, LLC, AN
IOWA LIMITED LIABILITY COMPANY

JAMES M DUGGAN AS: MEMBER OF HCC INVESTMENTS, LLC

DATE: _____

ACKNOWLEDGEMENT TO DEDICATION

STATE OF _____)

COUNTY OF _____)

ON THIS _____ DAY OF _____ 20____
BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY, PERSONALLY CAME,

JAMES M DUGGAN, AS MEMBER OF HCC INVESTMENTS, LLC, AN IOWA LIMITED LIABILITY COMPANY,
PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THE ABOVE
DEDICATION, AND HE ACKNOWLEDGES THE EXECUTION THEREOF TO BE HIS VOLUNTARY ACT AND
DEED AS SUCH MEMBER, AND VOLUNTARY ACT AND DEED OF SAID HCC INVESTMENTS, LLC.

WITNESS MY HAND AND NOTARIAL SEAL AT _____

NOTARY PUBLIC _____ DATE _____



SCALE 1" = 30'

30 0 30 60 90 FEET

NOTE: STANDARD UTILITY EASEMENTS

A PERPETUAL EASEMENT IS RESERVED FOR STORM DRAINAGE AND THE
INSTALLATION AND MAINTENANCE OF UTILITIES 5 FEET WIDE ALONG EACH SIDE
OF INTERIOR LOT LINES AND 10 FEET IN WIDTH ALONG ALL FRONT AND REAR
LOT LINES. THE DRAINAGE AREAS AND INCLUDED DRAINAGE SYSTEMS, IF ANY,
ARE PRIVATE AND ARE TO BE MAINTAINED BY THE OWNERS OF THE LOTS
ADJOINING THE SAME.

ERECTION OF STRUCTURES PROHIBITED: HCC INVESTMENTS, LLC, OR ITS
SUCCESSORS OR ASSIGNS SHALL NOT ERECT ANY STRUCTURE OVER OR WITHIN
EASEMENT AREAS WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE
CITY ENGINEER.

CHANGE OF GRADE PROHIBITED: HCC INVESTMENTS, LLC, OR ITS SUCCESSORS
OR ASSIGNS SHALL NOT CHANGE THE GRADE ELEVATION, OR CONTOUR OF ANY
PART OF THESE EASEMENT AREAS WITHOUT OBTAINING THE PRIOR WRITTEN
CONSENT OF THE CITY ENGINEER.

RIGHT OF ACCESS: THE CITY SHALL HAVE THE RIGHT OF ACCESS TO THE
EASEMENT AREA AND HAVE ALL RIGHTS OF INGRESS AND EGRESS REASONABLY
NECESSARY FOR THE USE AND ENJOYMENT OF THE EASEMENT AREA HEREIN
DESCRIBED.

REMOVAL AND REPLACEMENT: THE COST OF REMOVAL AND REPLACEMENT OF
ANY UNAUTHORIZED IMPROVEMENT OR STRUCTURES WITHIN THE EASEMENT
AREAS, NECESSITATED BY THE EXERCISE OF THE RIGHTS UNDER THIS
DEDICATION, SHALL BE BORNE BY THE SAID LIMITED LIABILITY COMPANY OR ITS
SUCCESSORS OR ASSIGNS.

SURFACE RESTORATION: CITY'S LIABILITY TO RESTORE THE SURFACE WITHIN THE
EASEMENT AREAS SHALL BE LIMITED ONLY TO GRADING AND SEEDING.

DUTY TO REPAIR: CITY AGREES THAT ANY DRAIN TILE, DRIVE OR ACCESS WAY,
FENCE, YARD OR OTHER IMPROVEMENTS OUTSIDE OF THE EASEMENT AREAS
WHICH MAY BE DAMAGED AS A RESULT OF ANY ENTRY MADE THROUGH AN
EXERCISE OF THE CITY'S RIGHT OF ACCESS, SHALL BE REPAIRED AT NO EXPENSE
TO THE SAID LIMITED LIABILITY COMPANY OR ITS SUCCESSORS OR ASSIGNS.

EASEMENTS RUN WITH THE LAND: THESE EASEMENTS SHALL BE DEEMED TO RUN
WITH THE LAND AND SHALL BE BINDING ON HCC INVESTMENTS, LLC, OR ITS
SUCCESSORS OR ASSIGNS.

CERTIFICATIONS AND APPROVALS

WE HEREBY CERTIFY THE FOLLOWING DOCUMENTS WILL BE RECORDED WITH
THE POTTAWATTAMIE COUNTY RECORDER CONTEMPORANEOUS WITH THE FINAL
PLAT:

A. ALL PRIVATE RESTRICTIONS AND/OR COVENANTS, IF ANY, WHICH WILL BE A
PART OF THE SUBJECT DEVELOPMENT.

B. TITLE OPINION LETTER OF ATTORNEY.

C. CERTIFIED RESOLUTION OF EACH GOVERNING BODY AS REQUIRED BY IOWA
CODE SEC. 354.8

WE HEREBY CERTIFY THAT WE WILL MEET ALL EQUAL OPPORTUNITY AND FAIR
MEETING OBJECTIVES CONSISTENT WITH FEDERAL, STATE AND LOCAL
GUIDELINES.

HCC INVESTMENTS, LLC, JAMES M DUGGAN, MEMBER _____ DATE _____

COMMUNITY DEVELOPMENT
DATE _____
APPROVED BY DIRECTOR, COMMUNITY DEVELOPMENT, COURTNEY HARTER

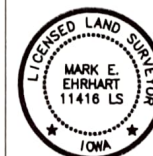
CITY COUNCIL: APPROVED BY MAYOR, _____ DATE _____
THE HONORABLE MATTHEW J. WALSH

ATTESTED TO BY: CITY CLERK, JODI QUAKENBUSH _____ DATE _____

CERTIFICATE OF TREASURER OF POTTAWATTAMIE COUNTY, IOWA

I, LEA A. VOSS, THE TREASURER OF POTTAWATTAMIE COUNTY, IOWA,
HEREBY CERTIFY THAT THE PROPERTY INCLUDED IN THE HILLS OF CEDAR
CREEK, PHASE 1, REPLAT 6, IS FREE FROM CERTIFIED TAXES AND CERTIFIED
SPECIAL ASSESSMENTS.

TREASURER OF POTTAWATTAMIE COUNTY, IOWA, LEA A. VOSS _____ DATE _____

LAND SURVEYOR'S CERTIFICATE

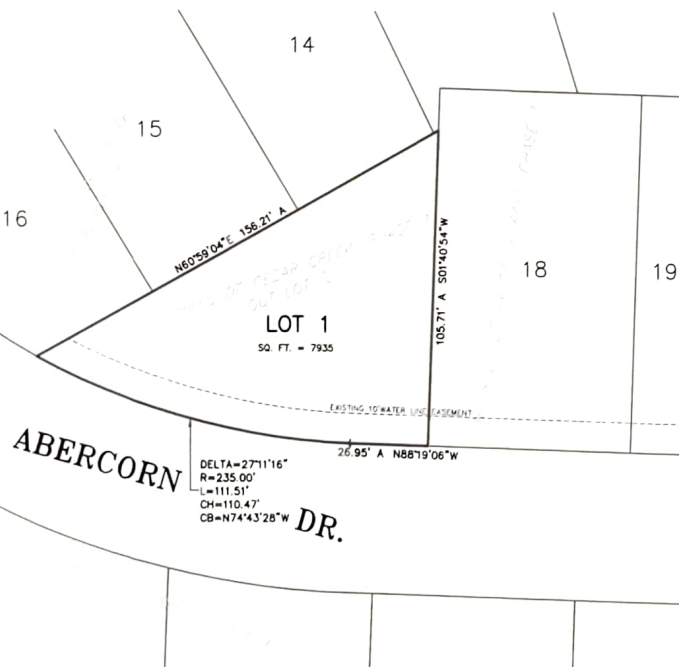
I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED
AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY
DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND
SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

Mark E. Ehrhart _____ 2/10/25
DATE
MARK E. EHRHART
LICENSE NO. 11416
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2025

SURVEYOR'S NOTES:

1. DISTANCES SHOWN ALONG A CURVE ARE ARC DISTANCES UNLESS NOTED OTHERWISE.

3. 5/8" X 30" (IRON PINS) WITH ALUMINUM CAPS STAMPED #11416 HAVE BEEN FOUND OR
SET AT THE CORNERS OF ALL LOTS, STREETS, ANGLE POINTS, AND THE TERMINAL POINTS OF
ALL CURVES, AND CUT 'X's IN THE CENTER OF ALL CUL-DE-SACS



INDEX LEGEND	
DATE OF SURVEY	2/10/25
SURVEYOR	MARK E. EHRHART
COUNTY	POTTAWATTAMIE
SECTION	34 TOWNSHIP 75N RANGE 43W
ALLOT PART	SE OF THE SE
PARCEL DESIGNATION(S)	LOTS 31-55
TAX ADDRESS	
PROPRIETOR(S)	HCC INVESTMENTS, LLC
REQUESTED BY	HCC INVESTMENTS, LLC

REVISIONS	BY	DATE	DESCRIPTION
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

EHRHART
GRIFFIN &
ASSOCIATES

142 West Broadway
Suite 136
Council Bluffs, IA 51503
712 / 256-5248

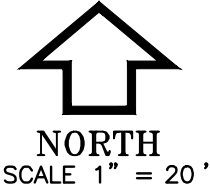
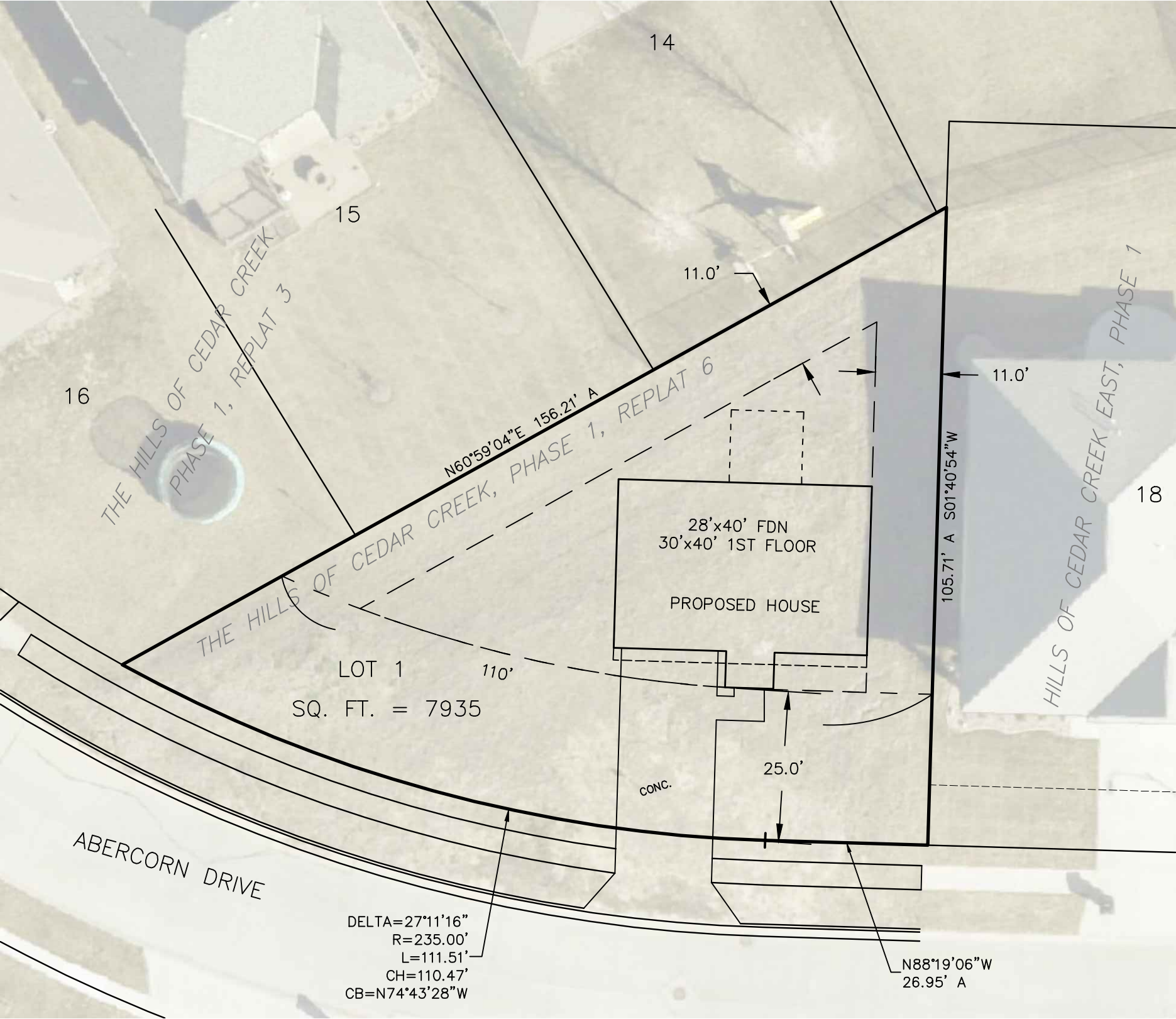
- ENGINEERING
- PLANNING
- LAND SURVEYING

THE HILLS OF CEDAR CREEK,
PHASE 1, REPLAT 6
FINAL PLAT
COUNCIL BLUFFS, IOWA

DATE:
DESIGNED BY:
DRAWN BY:
CHECKED BY:
CREW:


SHEET NO.

1 OF 1



LEGAL DESCRIPTION:

THE HILLS OF CEDAR CREEK, PHASE 1, REPLAT 6, LOT 1, IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, T75N, R43W OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA. CONTAINING 7935 SQUARE FEET.

 EHRHART GRIFFIN & ASSOCIATES	Project No. EGA251032	GENERAL SITE PLAN 1424 ABERCORN DR (APPROXIMATED—UNASSIGNED)	
	ENGINEERING	PLANNING	LAND SURVEYING
	149 West Broadway — Council Bluffs, IA 51503 712 / 256—5691		

RESOLUTION NO. 25-80

A RESOLUTION GRANTING FINAL PLAT APPROVAL OF A ONE-LOT RESIDENTIAL SUBDIVISION TO BE KNOWN AS THE HILLS OF CEDAR CREEK PHASE 1 REPLAT 6, BEING A REPLAT OF OUTLOT 'J', THE HILLS OF CEDAR CREEK PHASE 1, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, HCC Investments, LLC is requesting this final plat approval for a proposed subdivision comprised of 7,935 square feet, more or less, of land located west of 1422 Abercorn Drive; and

WHEREAS, All comments received are outlined in the City Council Communication report and its Attachments; and

WHEREAS, The Community Development Department recommends final plat approval of a one-lot residential subdivision to be known as The Hills of Cedar Creek Phase 1 Replat 6, being a replat of Outlot 'J', The Hills of Cedar Creek Phase 1, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments stated above and the following conditions:

- A. The final plat shall be recorded within 90 days of City Council approval or the plat will become null and void unless an extension has been requested and granted by the Community Development Department Director.
- B. Conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements.
- C. All utilities shall be installed underground. Any costs to construct, remove and/or relocate any utilities shall be the responsibility of the applicant and/or developer, and not the City.
- D. Sidewalk installation along the frontage(s) of proposed Lot 1 shall be completed prior to issuance of the Certificate of Occupancy for the single-family home, at no cost to the City.
- E. The applicant shall provide a copy of any proposed covenants and/or private restrictions associated with the subdivision to the City, or place a note on the final plat indicating none will be recorded.
- F. The blanket easement for storm sewer and drainage retained over Outlot 'J', The Hills of Cedar Creek Phase 1 shall be released as part of the replatting process.

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

That the request for final plat approval of a one-lot residential subdivision to be known as The Hills of Cedar Creek Phase 1 Replat 6, being a replat of Outlot 'J', The Hills of Cedar Creek Phase 1, City of Council Bluffs, Pottawattamie County, Iowa, is hereby approved.

BE IT FURTHER RESOLVED

That the Mayor and City Clerk are hereby authorized and directed to endorse the final plat.

ADOPTED
AND
APPROVED

March 25, 2025.

ROGER C. SANDAU

Mayor Pro Tem

Attest: _____

JODI QUAKENBUSH

City Clerk

Council Communication

Department: Community
Development

Case/Project No.:

Submitted by: Dessie Redmond,
Housing & Economic Development
Planner

Resolution 25-81
ITEM 4.L.

Council Action: 3/24/2025

Description

Resolution approving the plans, specifications and form of contract for the multi-family phase of the E. Manawa Subdivision.

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/14/2025
Resolution 25-81	Resolution	3/20/2025

Council Communication

Department Community Development	Ordinance No.: N/A Resolution No.: 25-	Set Public Hearing: March 10, 2025 Public Hearing: March 24, 2025 Award Contract: June 9, 2025
Subject/Title		
Public hearing to approve the plans, specifications and form of contract for the multi-family phase of the E. Manawa Subdivision.		
<u>Background</u>		
In 2022, using ARPA funds of \$4,190,000, the City purchased approximately 93 acres along E. Manawa Drive to develop for housing. Overall conceptual plans show a range of 600 to 900 housing units on the property depending on design and developer selection. The overall subdivision will be developed in phases to respond to market demand. This RFP is for the northernly 8.5 acres portion that is situated south of Hwy 275 and between E. Manawa Drive and the Council Bluffs Country Club, and is intended for the development of a multi-family housing project consisting of approximately 180 units. This area should feature higher-density housing, establishing a distinct edge area within the overall 93 acre site that complements future phases of the development. The site is part of land that has been designated as the east Manawa Drive Residential Urban Renewal Area and has been prioritized for economic and housing development. Directly south of Veteran’s Memorial Highway, the site is within 2.5 miles of the following local amenities:		
<ul style="list-style-type: none">• Lake Manawa City Park (0.5 miles)• Council Bluffs Power Center and Metro Crossing (1.2 miles)• Metro Area Transit Yellow Line (0.4 miles)• Interstate-29 (0.8 miles)• Lewis Central Community School District Campus (2.2 miles)• Council Bluffs trail system (0.1 miles)		
<u>Discussion</u>		
The City is ready to bid the above described multi-family phase of the E. Manawa Subdivision. The timeline shall be as follows:		
March 24, 2025	RFP released on IonWave	
May 22, 2025	RFP closed on IonWave	
June 9, 2025	City Council Award Contract	
July 2025	Start construction	
Staff Recommendation		
Staff recommends approval of the resolution for the public hearing for the plans, specifications and form of contract for the multi-family phase of the E. Manawa Subdivision.		
Attachment		
Resolution Notice to Public Hearing		

RESOLUTION NO. 25-81

A RESOLUTION APPROVING THE PLANS, SPECIFICATIONS AND FORM OF CONTRACT FOR THE MULTI-FAMILY PHASE OF THE E. MANAWA SUBDIVISION.

WHEREAS, The City used \$4,190,000 of ARPA funds to purchase approximately 93 acres along E. Manawa Drive to develop for housing; and

WHEREAS, This project is known as the multi-family phase of the overall E. Manawa Subdivision; and

WHEREAS, The City wishes to develop the 8.5 acre multi-family phase of the E. Manawa Subdivision; and

WHEREAS, The plans, specifications and form of contract for the improvements are on file in the office of the City Clerk, and

WHEREAS, A notice of Public Hearing was published as required by law and public hearing was opened on March 10, 2025.

NOW, THEREFORE, BE IT RESOLVED

BY THE CITY COUNCIL

OF THE

CITY OF COUNCIL BLUFFS, IOWA

That the plans, specifications and form of contract for the multi-family phase of the E. Manawa Subdivision are hereby approved and the Community Development Department is hereby authorized to advertise for bids for such project via the online portal.

ADOPTED

AND

APPROVED:

March 24, 2025

Roger C. Sandau Mayor Pro Tem

ATTEST:

Jodi Quakenbush City Clerk

Council Communication

Department: Community

Development

Case/Project No.: URN-25-001

Submitted by: Marianne Collins,

Housing & Economic Development

Planner

Ordinance 6643

ITEM 5.A.

Council Action: 3/24/2025

Description

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

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/14/2025
Attachment 1 - Power Drive Housing Urban Renewal Area Plan	Other	3/14/2025
Ordinance	Ordinance	3/14/2025

Council Communication

Department: Community Development Case/Project No.: URN-25-001	Ordinance No.: Resolution No.: 25-	City Council: 2-24-2025 Planning Commission: 3-11-2025 P.H. and First Reading: 3-24-2025
Subject/Title		
Adoption of the Power Drive Housing Urban Renewal Plan		
Location		
Generally located south of 35 th Avenue and north of Veterans Memorial Highway and east of South Expressway and west of Interstate-29		
Background/Discussion		
<p><u>Background</u></p> <p>In 2024 Cornerstone Housing Group approached the City about developing a parcel of land included in the proposed Power Drive Housing Urban Renewal Area. Cornerstone is proposing to construct a 280-unit multi-family project. It has been determined the proposed area meets the definition of “economic development area.” This determination is based on Chapter 403.17 of the Iowa Code.</p> <p>In order to invoke its urban renewal powers, the City Council must agree to designate the subject property an Urban Renewal Area, adopt an Urban Renewal Plan and negotiate a development agreement with the Developer. Assistance in the form of an urban renewal project area, conforming to the Section 403 of Iowa Code, is necessary to acquire land; improve regulatory control; improve public infrastructure and facilities; and to allow for private development of vacant land.</p> <p><u>Discussion</u></p> <p>On February 24, 2025, the City Council passed a resolution of necessity, which directed staff to initiate the process of creating the Power Drive Housing Urban Renewal Plan and Area. This resolution establishes the following timeframe:</p> <div style="margin-left: 40px;"> <p>3-05-2025 Consultation meeting to be held with other taxing jurisdictions</p> <p>3-11-2025 City Planning Commission hearing and review</p> <p>3-24-2025 City Council public hearing on the proposed urban renewal plan</p> </div> <p>The consultation hearing was held on March 5, 2025 and no public attended. Additionally, no written correspondence has been received by the Community Development Department either in support or against the proposed plan.</p> <p>Iowa statutes require the City Planning Commission to review the plan for conformity to the comprehensive plan and to forward a recommendation to City Council prior to the public hearing. This was held 03-11-2025 and Planning Commission recommended approval of the Power Drive Housing URN with a 8-0-3 vote. An urban renewal plan conforming to the requirements of Chapter 403 of the Iowa Code has been prepared and is attached for your review.</p> <p>The Power Drive Housing Urban Renewal Area is being designated as an economic development area that is appropriate for the development of new low and moderate income (LMI) housing units and the provision of public improvements related to housing and residential development conforming to Chapter 403.17 of the Iowa Code. Designation is necessary to assist and promote local commercial enterprises to strengthen and revitalize the economy. Tax Increment Financing (TIF) will be utilized to provide assistance to the City for the infrastructure costs that will be incurred.</p>		
Staff Recommendation		
The Community Development Department recommends concurrence that the Power Drive Housing Urban Renewal Plan and Area is in conformity with the <i>Bluffs Tomorrow: 2030 Comprehensive Plan</i> .		

Council Communication

Planning Commission Recommendation

The City Planning Commission recommended approval of the Power Drive Housing URN with a 8-0-3 vote. VOTE: AYE – Freund, Hutcheson, Knauss, Rater, Rew, Stroebele Van Houten and Watson. NAY – None. ABSTAIN – None. ABSENT – None. VACANT – Three. Motion carried.

Attachments

Attachment 1 - Power Drive Housing Urban Renewal Area Plan

Attachment 2 – Resolution

Attachment 3 - Ordinance

Prepared by: Marianne Collins, Housing & Economic Development Planner

Submitted by: Courtney Harter, Director of Community Development

**POWER DRIVE HOUSING
URBAN RENEWAL PLAN**

for the

**POWER DRIVE HOUSING
URBAN RENEWAL AREA**

CITY OF COUNCIL BLUFFS, IOWA

March 2025

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- B. POWER DRIVE HOUSING URBAN RENEWAL AREA MAP

**Power Drive Housing Urban Renewal Plan
for the
Power Drive Housing Urban Renewal Area**

City of Council Bluffs, Iowa

A. INTRODUCTION

The Power Drive Housing Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the Power Drive Housing Urban Renewal Area (“Area” or “Urban Renewal Area”) has been developed to help local officials respond to and promote economic development in the City of Council Bluffs, Iowa (the “City”). The primary goal of the Plan is to stimulate, through public involvement and commitment, private investment in new low to moderate income (LMI) housing and residential development as defined in Iowa Code Section 403.17(12).

In order to achieve this objective, the City intends to undertake urban renewal activities pursuant to the powers granted to it under Chapter 403 and Chapter 15A of the *Code of Iowa*, as amended.

B. DESCRIPTION OF THE URBAN RENEWAL AREA

The Urban Renewal Area is described in Exhibit A. A map of the Urban Renewal Area is included in Exhibit B. The City reserves the right to modify the boundaries of the Area at some future date.

C. AREA DESIGNATION

With the adoption of this Plan, the City designates this Urban Renewal Area as an economic development area that is appropriate for the development of new LMI residential housing units.

D. BASE VALUE

If the Urban Renewal Area is legally established, a Tax Increment Financing (TIF) ordinance is adopted, and debt is certified prior to December 1, 2025, the taxable valuation as of January 1, 2024, will be considered the frozen “base valuation” for purposes of TIF for the portion of the Urban Renewal Area identified in the TIF ordinance. If a TIF ordinance is not adopted until a later date, or debt is not first certified prior to December 1, 2025, then the frozen “base value” will be the assessed value of the taxable property within that area covered by the TIF ordinance as of January 1 of the calendar year preceding the calendar year in which the City first certifies the amount of any debt for urban renewal projects within the Area.

E. DEVELOPMENT PLAN

The City has a general plan for the physical development of the City as a whole outlined in the Bluffs Tomorrow: 2030 Comprehensive Plan, adopted in 2014 and amended in 2015. The goals

and objectives of the Urban Renewal Plan, including the urban renewal projects identified herein, are in conformity with the City's Bluffs Tomorrow: 2030 Comprehensive Plan.

This Urban Renewal Plan does not in any way replace the City's current land use planning or zoning regulation process.

The need, if any, for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area is set forth in this Plan. As the Area continues to develop, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

F. RESIDENTIAL DEVELOPMENT

The City's objective in this Urban Renewal Area is to promote new LMI housing and residential development. The City realizes that the availability of affordable housing is an important component of attracting new business and industry and retaining existing businesses. In order to help stimulate the development of new affordable housing opportunities, one of the City's overall priorities is to investigate and pursue funding options to provide financial support for new residential development.

G. PLAN OBJECTIVES

Renewal activities are designed to provide opportunities, incentives, and sites for new LMI residential development within the Area. More specific objectives for development within the Urban Renewal Area are as follows:

1. To increase the availability of housing opportunities, which may, in turn, attract and retain local industries and commercial enterprises that will strengthen and revitalize the economy of the State of Iowa and the City of Council Bluffs.
2. To stimulate, through public action and commitment, private investment in new housing and residential development. The City realizes that the availability of affordable, decent, safe, and sanitary housing is important to the overall economic viability of the community.
3. To plan for and provide sufficient land for LMI residential development in a manner that is efficient from the standpoint of providing municipal services.
4. To improve housing conditions and increase housing opportunities, particularly for workers, elderly individuals, and/or LMI individuals and families.
5. To provide for the installation and upgrade of public works, infrastructure, and related facilities in support of new LMI housing development.
6. To provide a more marketable and attractive investment climate.

7. To preserve the health, safety, living environment, general character, and general welfare of Council Bluffs, Iowa.
8. To promote development utilizing any other objectives allowed by Chapter 403 of the *Code of Iowa*.

H. TYPES OF RENEWAL ACTIVITIES

To meet the objectives of this Urban Renewal Plan and to encourage the development of the Area, the City intends to utilize the powers conferred under Chapter 403 and Chapter 15A, *Code of Iowa* including, but not limited to, tax increment financing. Activities may include:

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.
2. To acquire property and to hold, clear, or prepare the property for development.
3. To dispose of property so acquired.
4. To provide for the construction of site-specific improvements, such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.
5. To arrange for, or cause to be provided, the construction or repair of public infrastructure, including, but not limited to, streets and sidewalks, traffic lights, pedestrian safety measures, water mains, sanitary sewers, storm sewers, public utilities, or other facilities in connection with urban renewal projects.
6. To make loans, forgivable loans, tax rebate payments, or other types of economic development grants or incentives to private persons or businesses to promote housing projects on such terms as may be determined by the City Council.
7. To use tax increment revenues to help leverage grants, loans, or other assistance from the state and federal governments (such as providing the local match for such assistance) in support of projects or businesses that advance the objectives of this Plan.
8. To use tax increment financing to facilitate urban renewal projects, including, but not limited to, financing to achieve a more marketable and competitive land offering price and to provide for necessary physical improvements and infrastructure.
9. To use tax increment for LMI housing assistance.
10. To borrow money and to provide security therefor.
11. To finance programs that will directly benefit housing conditions and promote the availability of housing affordable to LMI persons in the community.

12. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Program or specific urban renewal projects.
13. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City of Council Bluffs and the State of Iowa.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Urban Renewal Plan.

I. ELIGIBLE URBAN RENEWAL PROJECTS

Although certain project activities may occur over a period of years, the eligible urban renewal projects under this Urban Renewal Plan include:

- 1. Development Agreement with Cornerstone Housing Group, LLC (or a related entity):** The City anticipates entering into a new development agreement with Cornerstone Housing Group, LLC (or a related entity) to provide incentives to assist with the cost of constructing a new LMI residential development project within the Urban Renewal Area. The development is expected to include approximately 280 multi-family residential housing units. The residential housing units will be affordable for LMI individuals or families according to the rules set forth under Chapter 403 of the Code of Iowa as families, including single person households, who earn no more than 80% of the higher of the median family income of Pottawattamie County or the State-wide non-metropolitan area as determined by the latest United States Department of Housing and Urban Development, Section 8 income guidelines. All 280 residential housing units are expected to be affordable to LMI individuals. No incentives will be given for residential housing units that are not affordable to LMI individuals. Additionally, the developer will construct all infrastructure necessary to serve the residential housing units.

The City intends to provide assistance in the form of property tax rebates of potential incremental taxes. Under the proposal, a percentage of the incremental property taxes generated by LMI units within the project (from incremental taxes created by the new buildings in the area covered by the development agreement and collected pursuant to Iowa Code Section 403.19) would be used to fund grants to the developer for up to 20 years. The cumulative amount of the grants provided to the developer shall not exceed \$9,000,000. These rebates will not be general obligations of the City, but will be payable solely from incremental property taxes generated by the project.

- 2. Improvements to 35th Avenue:** The City plans to complete improvements to 35th Avenue within the Urban Renewal Area. The improvements are necessary to promote commercial and industrial development within the Area. The City expects the costs of this project will not exceed \$2,300,000.

- 3. Power Drive Road Extension Project:** The Power Drive project will construct approximately 2,200 lineal feet of new concrete roadway, with curb and gutter and storm sewer. The road is expected to be 39 feet wide, allowing for two 12-foot lanes and a 14-foot two way left turn lane in the middle. A right turn lane will be provided on Power Drive at the intersection of Veterans Memorial Highway. A 10-foot concrete trail will be constructed on the east side of the roadway for the entire length of the project. A concrete box culvert and circular concrete culvert will be constructed to accommodate the existing drainage patterns through the project area. The roadway will cross an existing BNSF railroad track. The intersection of Power Drive and 35th Avenue will include a new traffic signal. This project will increase access to the properties located within the Urban Renewal Area, which will support the development of LMI housing within the Area. The costs of this project are expected not to exceed \$4,500,000.
- 4. Planning, engineering fees (for urban renewal plans), attorney fees, other related costs to support urban renewal projects and planning:**

Project	Date	Estimated Cost to be funded by TIF Funds
Fees and costs	Undetermined	Not to exceed \$50,000

J. FINANCIAL INFORMATION

1.	July 1, 2024 Constitutional Debt Limit	\$354,283,045
2.	Current Outstanding General Obligation Debt	\$71,190,000
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects has not yet been determined. This document is for planning purposes only. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects as described above will be approximately as stated in the next column:	\$15,850,000 (This amount does not include costs related to financing.)

K. URBAN RENEWAL FINANCING

The City intends to utilize various financing tools, such as those described below to successfully undertake the proposed urban renewal actions. The City has the statutory authority to use a variety of tools to finance physical improvements within the Area. These include:

A. **Tax Increment Financing.**

Under Section 403.19 of the *Code of Iowa*, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements, economic development incentives or other urban renewal projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the eligible urban renewal projects. Certain increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City, and in any event upon the expiration of the tax increment district.

B. **General Obligation Bonds.**

Under Division III of Chapter 384 and Chapter 403 of the *Code of Iowa*, the City has the authority to issue and sell general obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area and for other urban renewal projects or incentives for development consistent with this Plan, as may be amended. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City. It may be the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area, as may be amended.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates or other incentives to developers or private entities in connection with the urban renewal projects identified in the Plan, as amended. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area for urban renewal projects. Alternatively, the City may determine to use available funds for making such loans or grants or other incentives related to urban renewal projects. In any event, the City may determine to use tax increment financing to reimburse the City for any obligations or advances.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of the Plan.

L. PROPERTY ACQUISITION/DISPOSITION

The City will follow any applicable requirements for the acquisition and the disposition of property within the Urban Renewal Area.

M. RELOCATION

The City does not expect there to be any relocation required of residents or businesses as part of the eligible urban renewal project; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

N. STATE AND LOCAL REQUIREMENTS

All provisions necessary to conform to State and local laws will be complied with by the City in implementing this Urban Renewal Plan and its supporting documents.

O. PROPERTY WITHIN AN URBAN REVITALIZATION AREA

The Urban Renewal Area is, or may be in the future, located within an established Urban Revitalization Area. No tax abatement incentives under the Urban Revitalization Plan or any other plan, policy, or ordinance will be allowed for development that occurs in this Urban Renewal Area absent express written permission of the City Council.

P. SEVERABILITY

In the event one or more provisions contained in the Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized, or unenforceable in any respect, such invalidity, illegality, un-authorization, or unenforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

Q. URBAN RENEWAL PLAN AMENDMENTS

This Urban Renewal Plan may be amended from time to time for a number of reasons including, but not limited to, adding or deleting land, adding or amending urban renewal projects, or modifying goals or types of renewal activities.

The City Council may amend this Plan in accordance with applicable State law.

R. EFFECTIVE PERIOD

This Urban Renewal Plan will become effective upon its adoption by the City Council and shall remain in effect until terminated by the City Council.

With respect to property included within the Urban Renewal Area, which is also included in an ordinance providing for the division of revenue as set forth in Section 403.19 of the *Code of Iowa* (a “TIF ordinance”), the collection of incremental property tax revenues or the “division of revenue,” as those words are used in Iowa Code Chapter 403 is limited to twenty (20) fiscal years, beginning with the first fiscal year following the calendar year in which the City first certifies to the County Auditor the amount of any loans, advances, indebtedness, or bonds which qualify for payment from the incremental property tax revenues in the Urban Renewal Area.

At all times, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness, or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the *Code of Iowa*) by the City for activities carried out under the Urban Renewal Plan shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

EXHIBIT A
LEGAL DESCRIPTION OF
POWER DRIVE HOUSING URBAN RENEWAL AREA

Lake Manawa Centre Subdivision Lot B

And

Lake Manawa Centre Subdivision, Lot 10 EXCEPT a tract of land located in part of Lot 10, Lake Manawa Centre Subdivision as platted and recorded in Pottawattamie County, Iowa, more particularly described as follows: Beginning at the Northwesterly corner of said Lot 10, said point being on the South Right-of-Way line of 35th Avenue; thence along said South Right-of-Way line on a curve to the right having a radius of 217.00 feet, an arc length of 85.91 feet and a long chord bearing of South 77°19'31" East for 85.35 feet; thence along a nontangent curve to the left having a radius of 525.00 feet, an arc distance of 248.15 feet and a long chord bearing of South 19°34'49" West for 245.85 feet; thence North 83°57'39" West for 2.11 feet to a point on the West line of said Lot 10; thence North 00°16'49" East for 250.14 feet along the West line of said Lot 10 to the Point of Beginning.

And

A PORTION OF UNPLATTED LANDS IN THE SOUTHEAST QUARTER OF SECTION 12 OF T74N, R44W OF THE 5TH P.M., A PORTION OF BURLINGTON NORTHERN RAIL ROAD RIGHT-OF-WAY, A PORTION OF LOT B OF LAKE MANAWA CENTER SUBDIVISION, A PORTION OF LOTS 1 AND 3 OF POWER CENTER SUBDIVISION, AND A PORTION OF LOT 10 OF LAKE MANAWA CENTER SUBDIVISION, ALL IN POTTAWATTAMIE COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 10. THENCE SOUTHEASTERLY ON THE NORTH LINE OF SAID LOT 10 BEING CURVED THE RIGHT HAVING A RADIUS OF 217.00 FEET AND A CENTRAL ANGLE OF 20° 47' 47", AN ARC DISTANCE OF 78.76 FEET (CHORD=78.33', CHORD BEARING=S 53° 42' 44"E) TO THE POINT OF COMPOUND CURVATURE; THENCE SOUTHEASTERLY ON THE NORTH LINE OF SAID LOT 10 BEING CURVED THE LEFT HAVING A RADIUS OF 283.00 FEET AND A CENTRAL ANGLE OF 04° 18' 56", AN ARC DISTANCE OF 21.32 FEET (CHORD=21.31', CHORD BEARING=S 45° 28' 19"E); THENCE SOUTH 87° 53' 54" WEST, A DISTANCE OF 44.92 FEET; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 33.00 FEET AND A CENTRAL ANGLE OF 9° 55' 59", AN ARC DISTANCE OF 5.72 FEET (CHORD=5.71', CHORD BEARING=S 31° 33' 00"W) TO THE POINT OF COMPOUND CURVATURE; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 563.50 FEET AND A CENTRAL ANGLE OF 24° 26' 35", AN ARC DISTANCE OF 240.40 FEET (CHORD=238.58', CHORD BEARING=S 14° 21' 42"W) TO THE POINT OF TANGENCY; THENCE SOUTH 02° 08' 25" WEST, A DISTANCE OF 141.56 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 546.50 FEET AND A CENTRAL ANGLE OF 28° 27' 01", AN ARC DISTANCE OF 271.36 FEET (CHORD=268.59', CHORD BEARING=S 16° 21' 55"W) TO A POINT ON

THE WEST LINE OF SAID LOT 3; THENCE SOUTH 02° 08' 25" WEST ON THE EAST LINE OF SAID LOT 3, A DISTANCE OF 21.94 FEET TO THE SOUTH CORNER OF SAID LOT 3; THENCE NORTH 46° 47' 59" WEST ON THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 10.94 FEET; THENCE SOUTH 33° 02' 29" WEST, A DISTANCE OF 69.71 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID RAIL ROAD RIGHT-OF-WAY; THENCE SOUTH 33° 02' 29" WEST A DISTANCE OF 101.57 FEET TO SOUTH RAIL ROAD RIGHT-OF-WAY OF BURLINGTON NORTHERN RAIL ROAD; THENCE SOUTH 33° 02' 29" WEST, A DISTANCE OF 61.88 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 473.50 AND A CENTRAL ANGLE OF 32° 50' 16", AN ARC DISTANCE OF 271.38 FEET (CHORD=267.68', CHORD BEARING=S 16° 37' 21" W) TO A POINT ON A CURVE; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 473.50 AND A CENTRAL ANGLE OF 7° 32' 37", AN ARC DISTANCE OF 62.34 FEET (CHORD=62.30', CHORD BEARING=S 3° 34' 05" W) TO A POINT ON A CURVE; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 473.50 AND A CENTRAL ANGLE OF 13° 18' 25", AN ARC DISTANCE OF 109.97 FEET (CHORD=109.72', CHORD BEARING=S 13° 59' 36" E) TO THE POINT OF COMPLEX CURVATURE; THENCE SOUTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 1036.50 AND A CENTRAL ANGLE OF 37° 10' 38", AN ARC DISTANCE OF 672.55 FEET (CHORD=660.81', CHORD BEARING=S 02° 03' 30" E) TO A POINT OF TANGENCY; THENCE SOUTH 16° 31' 49" WEST, A DISTANCE OF 38.95 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF VETERANS MEMORIAL HIGHWAY; THENCE NORTH 87° 19' 57" WEST ON SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 128.97 FEET; THENCE NORTH 02° 05' 19" EAST, A DISTANCE OF 765.83 FEET; THENCE NORTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 539.50 AND A CENTRAL ANGLE OF 04° 10' 15", AN ARC DISTANCE OF 39.27 FEET (CHORD=39.26', CHORD BEARING=N 07° 52' 46" W) TO A POINT ON A CURVE; THENCE NORTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 539.50 AND A CENTRAL ANGLE OF 03° 58' 40", AN ARC DISTANCE OF 37.45 FEET (CHORD=37.45', CHORD BEARING=N 03° 48' 19" W) TO A POINT ON A CURVE; THENCE NORTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 539.50 AND A CENTRAL ANGLE OF 28° 51' 36", AN ARC DISTANCE OF 271.75 FEET (CHORD=268.88', CHORD BEARING=N 18° 36' 41" E); THENCE NORTH 33° 02' 29" EAST, A DISTANCE OF 73.62 FEET TO A POINT ON THE SOUTH RAIL ROAD RIGHT-OF-WAY OF BURLINGTON NORTHERN RAIL ROAD; THENCE NORTH 33° 02' 29" EAST, A DISTANCE OF 101.57 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID RAIL ROAD RIGHT-OF-WAY; THENCE NORTH 33° 02' 29" EAST, A DISTANCE OF 51.50 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ON A CURVE THE LEFT HAVING A RADIUS OF 480.50 FEET AND A CENTRAL ANGLE OF 02° 11' 25", AN ARC DISTANCE OF 18.37 FEET (CHORD=18.37', CHORD BEARING=N 31° 56' 47"E) TO A POINT ON SAID SOUTH LINE OF LOT 3; THENCE NORTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 480.50 FEET AND A CENTRAL ANGLE OF 28° 42' 39", AN ARC DISTANCE OF 240.78 FEET (CHORD=238.27', CHORD BEARING=N 16° 29' 44"E) TO A POINT ON THE EAST LINE OF SAID LOT 3; THENCE NORTH 02° 08' 25" EAST ON SAID WEST LINE, A DISTANCE OF 469.80 FEET; THENCE SOUTH 84° 17' 56" EAST ON SAID WEST LINE, A DISTANCE OF 2.20 FEET TO A POINT ON A CURVE; THENCE NORTHERLY ON SAID WEST LINE BEING CURVED

THE RIGHT AND HAVING A RADIUS OF 525.00 FEET AND A CENTRAL ANGLE OF 12° 59' 27", AN ARC DISTANCE OF 119.03 FEET (CHORD=118.78', CHORD BEARING=N 14° 24' 40"E) TO A POINT ON A CURVE; THENCE NORTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 629.50 FEET AND A CENTRAL ANGLE OF 08° 09' 53", AN ARC DISTANCE OF 89.70 FEET (CHORD=89.63', CHORD BEARING=N 23° 12' 05"E); THENCE NORTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 40.00 FEET AND A CENTRAL ANGLE OF 12° 54' 18", AN ARC DISTANCE OF 9.01 FEET (CHORD=8.99', CHORD BEARING=N 20° 49' 52"E); THENCE NORTH 27° 00' 59" WEST, A DISTANCE OF 42.79 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1; THENCE SOUTHEASTERLY ON SAID NORTH LINE BEING CURVED THE RIGHT AND HAVING A RADIUS OF 217.00 FEET AND A CENTRAL ANGLE OF 11° 38' 13", AN ARC DISTANCE OF 44.07 FEET (CHORD=44.00', CHORD BEARING=S 69° 55' 45"E) TO THE NORTHWEST CORNER OF SAID LOT 10 AND THE POINT OF BEGINNING. CONTAINING 199,542 SQUARE FEET (4.5809 ACRES) MORE OR LESS.

And

All adjacent Rights-of-Way

EXHIBIT B
MAP OF POWER DRIVE HOUSING URBAN RENEWAL AREA



Last Amended: 2/10/2025

ORDINANCE NO. _____

AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE POWER DRIVE HOUSING URBAN RENEWAL AREA, IN CITY OF COUNCIL BLUFFS, COUNTY OF POTTAWATTAMIE STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF COUNCIL BLUFFS, COUNTY OF POTTAWATTAMIE, COUNCIL BLUFFS COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE POWER DRIVE HOUSING URBAN RENEWAL AREA (**THE POWER DRIVE HOUSING URBAN RENEWAL PLAN**)

WHEREAS, the City Council of the City of Council Bluffs, State of Iowa, after public notice and hearing as prescribed by law and pursuant to Resolution No. _____ passed and approved on the 24th day of March, 2025, adopted an Urban Renewal Plan (the "Urban Renewal Plan") for an urban renewal area known as the Power Drive Housing Urban Renewal Area (the "Urban Renewal Area"), which Urban Renewal Area includes the lots and parcels located within the area legally described as follows:

Lake Manawa Centre Subdivision Lot B

And

Lake Manawa Centre Subdivision, Lot 10 EXCEPT a tract of land located in part of Lot 10, Lake Manawa Centre Subdivision as platted and recorded in Pottawattamie County, Iowa, more particularly described as follows: Beginning at the Northwesterly corner of said Lot 10, said point being on the South Right-of-Way line of 35th Avenue; thence along said South Right-of-Way line on a curve to the right having a radius of 217.00 feet, an arc length of 85.91 feet and a long chord bearing of South 77°19'31" East for 85.35 feet; thence along a nontangent curve to the left having a radius of 525.00 feet, an arc distance of 248.15 feet and a long chord bearing of South 19°34'49" West for 245.85 feet; thence North 83°57'39" West for 2.11 feet to a point on the West line of said Lot 10; thence North 00°16'49" East for 250.14 feet along the West line of said Lot 10 to the Point of Beginning.

And

A PORTION OF UNPLATTED LANDS IN THE SOUTHEAST QUARTER OF SECTION 12 OF T74N, R44W OF THE 5TH P.M., A PORTION OF BURLINGTON NORTHERN RAIL ROAD RIGHT-OF-WAY, A PORTION OF LOT B OF LAKE MANAWA CENTER SUBDIVISION, A PORTION OF LOTS

1 AND 3 OF POWER CENTER SUBDIVISION, AND A PORTION OF LOT 10 OF LAKE MANAWA CENTER SUBDIVISION, ALL IN POTTAWATTAMIE COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 10. THENCE SOUTHEASTERLY ON THE NORTH LINE OF SAID LOT 10 BEING CURVED THE RIGHT HAVING A RADIUS OF 217.00 FEET AND A CENTRAL ANGLE OF 20° 47' 47", AN ARC DISTANCE OF 78.76 FEET (CHORD=78.33', CHORD BEARING=S 53° 42' 44"E) TO THE POINT OF COMPOUND CURVATURE; THENCE SOUTHEASTERLY ON THE NORTH LINE OF SAID LOT 10 BEING CURVED THE LEFT HAVING A RADIUS OF 283.00 FEET AND A CENTRAL ANGLE OF 04° 18' 56", AN ARC DISTANCE OF 21.32 FEET (CHORD=21.31', CHORD BEARING=S 45° 28' 19"E); THENCE SOUTH 87° 53' 54" WEST, A DISTANCE OF 44.92 FEET; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 33.00 FEET AND A CENTRAL ANGLE OF 9° 55' 59", AN ARC DISTANCE OF 5.72 FEET (CHORD=5.71', CHORD BEARING=S 31° 33' 00"W) TO THE POINT OF COMPOUND CURVATURE; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 563.50 FEET AND A CENTRAL ANGLE OF 24° 26' 35", AN ARC DISTANCE OF 240.40 FEET (CHORD=238.58', CHORD BEARING=S 14° 21' 42"W) TO THE POINT OF TANGENCY; THENCE SOUTH 02° 08' 25" WEST, A DISTANCE OF 141.56 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 546.50 FEET AND A CENTRAL ANGLE OF 28° 27' 01", AN ARC DISTANCE OF 271.36 FEET (CHORD=268.59', CHORD BEARING=S 16° 21' 55"W) TO A POINT ON THE WEST LINE OF SAID LOT 3; THENCE SOUTH 02° 08' 25" WEST ON THE EAST LINE OF SAID LOT 3, A DISTANCE OF 21.94 FEET TO THE SOUTH CORNER OF SAID LOT 3; THENCE NORTH 46° 47' 59" WEST ON THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 10.94 FEET; THENCE SOUTH 33° 02' 29" WEST, A DISTANCE OF 69.71 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID RAIL ROAD RIGHT-OF-WAY; THENCE SOUTH 33° 02' 29" WEST A DISTANCE OF 101.57 FEET TO SOUTH RAIL ROAD RIGHT-OF-WAY OF BURLINGTON NORTHERN RAIL ROAD; THENCE SOUTH 33° 02' 29" WEST, A DISTANCE OF 61.88 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 473.50 AND A CENTRAL ANGLE OF 32° 50' 16", AN ARC DISTANCE OF 271.38 FEET (CHORD=267.68', CHORD BEARING=S 16° 37' 21" W) TO A POINT ON A CURVE; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 473.50 AND A CENTRAL ANGLE OF 7° 32' 37", AN ARC DISTANCE OF 62.34 FEET (CHORD=62.30', CHORD BEARING=S 3° 34' 05" W) TO A POINT ON A CURVE; THENCE SOUTHERLY ON A CURVE THE LEFT HAVING A RADIUS OF 473.50 AND A CENTRAL ANGLE OF 13° 18' 25", AN ARC DISTANCE OF 109.97 FEET (CHORD=109.72', CHORD BEARING=S 13° 59' 36" E) TO THE POINT OF COMPLEX CURVATURE; THENCE SOUTHERLY ON A CURVE THE RIGHT HAVING A RADIUS OF 1036.50 AND A CENTRAL ANGLE OF 37° 10' 38", AN ARC DISTANCE OF

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And

All adjacent Rights-of-Way

WHEREAS, expenditures and indebtedness are anticipated to be incurred by the City of Council Bluffs, State of Iowa, in the future to finance urban renewal project activities carried out in furtherance of the objectives of the Urban Renewal Plan; and

WHEREAS, the City Council of the City of Council Bluffs, State of Iowa, desires to provide for the division of revenue from taxation in the Urban Renewal Area, as above described, in accordance with the provisions of Section 403.19, Code of Iowa, as amended.

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

Section 1. That the taxes levied on the taxable property in the Urban Renewal Area legally described in the preamble hereof, by and for the benefit of the State of Iowa, City of Council Bluffs, County of Pottawattamie, Council Bluffs Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 2. That portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City of Council Bluffs, State of Iowa, certifies to the Auditor of Pottawattamie County, Iowa the amount of loans, advances, indebtedness, or bonds payable from the division of property tax revenue described herein, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for the taxing district into which all other property taxes are paid.

Section 3. That portion of the taxes each year in excess of the base period taxes determined as provided in Section 2 of this Ordinance shall be allocated to and when collected be paid into a special tax increment fund of the City of Council Bluffs, State of Iowa, hereby established, to pay the principal of and interest on loans, monies advanced to, indebtedness, whether funded, refunded, assumed or otherwise, including bonds or obligations issued under the authority of Section 403.9 or 403.12, Code of Iowa, as amended, incurred by the City of Council Bluffs, State of Iowa, to finance or refinance, in whole or in part, urban renewal projects undertaken within the Urban Renewal Area pursuant to the Urban Renewal Plan, except that (i) taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2, Code of Iowa, and taxes for the instructional support program of a school district imposed pursuant to Section 257.19, Code of Iowa, (but in each case only to the extent required under Section 403.19(2), Code of Iowa); (ii) taxes for the payment of bonds and interest of each taxing district; (iii) taxes imposed under Section 346.27(22), Code of Iowa, related to joint county-city buildings;

and (iv) any other exceptions under Section 403.19, Code of Iowa, shall be collected against all taxable property within the Urban Renewal Area without any limitation as hereinabove provided.

Section 4. Unless or until the total assessed valuation of the taxable property in the Urban Renewal Area exceeds the total assessed value of the taxable property in the Urban Renewal Area as shown by the assessment roll referred to in Section 2 of this Ordinance, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for the taxing districts in the same manner as all other property taxes.

Section 5. At such time as the loans, advances, indebtedness, bonds and interest thereon of the City of Council Bluffs, State of Iowa, referred to in Section 3 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 6. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to fully implement the provisions of Section 403.19, Code of Iowa, as amended, with respect to the division of taxes from property within the Urban Renewal Area as described above. In the event that any provision of this Ordinance shall be determined to be contrary to law, it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19, Code of Iowa, with reference to the Urban Renewal Area and the territory contained therein.

Section 7. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this _____ day of _____, 2025.

Mayor

ATTEST:

City Clerk

Read First Time: _____, 2025

Read Second Time: _____, 2025

Read Third Time: _____, 2025

PASSED AND APPROVED: _____, 2025.

I, _____, City Clerk of the City of Council Bluffs, State of Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. _____ passed and approved by the City Council of the City at a meeting held _____, 2025, signed by the Mayor on _____, 2025, and published in The Daily Nonpareil on _____, 2025.

City Clerk, City of Council Bluffs, State of Iowa

(SEAL)

Council Communication

Department: Community

Development

Case/Project No.: URN-25-002

Submitted by: Marianne Collins,
Housing & Economic Development
Planner

Ordinance 6644

ITEM 5.B.

Council Action: 3/24/2025

Description

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

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/14/2025
Attachment 1 - Kaneshville Urban Renewal Area Plan	Other	3/14/2025
Ordinance 6644	Ordinance	3/20/2025

Council Communication

Department: Community Development	Ordinance No.: Resolution No.: 25-	City Council: 2-24-2025 Planning Commission: 3-11-2025 P.H. and First Reading: 3-24-2025
Case/Project No.: URN-25-002		
Subject/Title		
Adoption of the Kanesville Urban Renewal Plan		
Location		
Generally located south of Yellow Pole Road and north of College Road and east of College Road/Washboard Road and west of Hampton Lane		
Background/Discussion		
<p><u>Background</u></p> <p>Several developers have approached the City about developing parcels of land included in the proposed Kanesville Urban Renewal Area for commercial uses. It has been determined the proposed area meets the definition of “economic development area.” This determination is based on Chapter 403.19 of the Iowa Code.</p> <p>In order to invoke its urban renewal powers, the City Council must agree to designate the subject property an Urban Renewal Area, adopt an Urban Renewal Plan and negotiate a development agreement with the Developer. Assistance in the form of an urban renewal project area, conforming to the Section 403 of Iowa Code, is necessary to acquire land; improve regulatory control; improve public infrastructure and facilities; and to allow for private development of vacant land.</p> <p><u>Discussion</u></p> <p>On February 24, 2025, the City Council passed a resolution of necessity, which directed staff to initiate the process of creating the Kanesville Urban Renewal Plan and Area. This resolution establishes the following timeframe:</p> <div style="margin-left: 40px;"> <p>3-05-2025 Consultation meeting to be held with other taxing jurisdictions</p> <p>3-11-2025 City Planning Commission hearing and review</p> <p>3-24-2025 City Council public hearing on the proposed urban renewal plan</p> </div> <p>The consultation hearing was held on March 5, 2025 and no public attended. Additionally, no written correspondence has been received by the Community Development Department either in support or against the proposed plan.</p> <p>Iowa statutes require the City Planning Commission to review the plan for conformity to the comprehensive plan and to forward a recommendation to City Council prior to the public hearing. This was held 03-11-2025 and Planning Commission recommended approval of the Kanesville URN with a 8-0-3 vote. An urban renewal plan conforming to the requirements of Chapter 403 of the Iowa Code has been prepared and is attached for your review.</p> <p>The Kanesville Urban Renewal Area is being designated as an economic development area that is appropriate for the promotion of economic development, commercial and industrial development, conforming to Chapter 403.19 of the Iowa Code. Designation is necessary to assist and promote local commercial enterprises to strengthen and revitalize the economy. Tax Increment Financing (TIF) will be utilized to provide assistance to the City for the infrastructure costs that will be incurred.</p>		
Staff Recommendation		
The Community Development Department recommends concurrence that the Kanesville Urban Renewal Plan and Area is in conformity with the <i>Bluffs Tomorrow: 2030 Comprehensive Plan</i> .		
Planning Commission Recommendation		
The City Planning Commission recommended approval of the Kanesville URN with a 8-0-3 vote. VOTE: AYE – Freund, Hutcheson, Knauss, Rater, Rew, Stroebele Van Houten and Watson. NAY – None. ABSTAIN – None.		

Council Communication

ABSENT – None. VACANT – Three. Motion carried.
Attachments Attachment 1 - Kanesville Urban Renewal Area Plan Attachment 2 – Resolution Attachment 3 - Ordinance

Prepared by: Marianne Collins, Housing & Economic Development Planner

Submitted by: Courtney Harter, Director of Community Development

**KANESVILLE
URBAN RENEWAL PLAN**

for the

**KANESVILLE
URBAN RENEWAL AREA**

CITY OF COUNCIL BLUFFS, IOWA

March 2025

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- B. KANESVILLE URBAN RENEWAL AREA MAP
- C. AGRICULTURAL LAND CONSENT

**Kanesville Urban Renewal Plan
for the
Kanesville Urban Renewal Area
City of Council Bluffs, Iowa**

A. INTRODUCTION

The Kanesville Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the Kanesville Urban Renewal Area (“Area” or “Urban Renewal Area”) has been developed to help local officials promote commercial and industrial economic development in the City of Council Bluffs, Iowa (the “City”). In order to achieve this objective, the City intends to undertake urban renewal activities pursuant to the powers granted to it under Chapter 403 of the *Code of Iowa*, as amended.

B. DESCRIPTION OF THE URBAN RENEWAL AREA

The Urban Renewal Area is described in Exhibit A and illustrated in Exhibit B. The City reserves the right to modify the boundaries of the Area at some future date.

C. AREA DESIGNATION

With the adoption of this Plan, the City designates this Urban Renewal Area as an area appropriate for the promotion of economic development (commercial and industrial development).

D. BASE VALUE

If the Urban Renewal Area is legally established, a Tax Increment Financing (TIF) Ordinance is adopted, and debt is certified prior to December 1, 2025, the taxable valuation as of January 1, 2024, will be considered the frozen “base valuation” of the taxable property within that area covered by the TIF ordinance. If a TIF Ordinance is not adopted until a later date, or debt is not first certified prior to December 1, 2025, the frozen “base value” will be the assessed value of the taxable property within that area covered by the TIF Ordinance as of January 1 of the calendar year preceding the calendar year in which the City first certifies the amount of any debt on the Area.

E. DEVELOPMENT PLAN/ZONING

Council Bluffs has a general plan for the physical development of the City as a whole, outlined in the Bluffs Tomorrow: 2030 Comprehensive Plan, adopted in 2014 and updated in 2015. The goals and objectives identified in this Plan, and the urban renewal projects described herein, are in conformance with the goals and land use policies identified in the Comprehensive Plan.

This Urban Renewal Plan does not in any way replace the City’s current land use planning or zoning regulation process.

The need, if any, for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area, is set forth in this Plan. As the Area develops, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

F. PLAN OBJECTIVES

Renewal activities are designed to provide opportunities, incentives, and sites to promote economic development (commercial and industrial development). More specific objectives for the development, redevelopment, and rehabilitation within the Urban Renewal Area are as follows:

1. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities, and strengthening the tax base.
2. To plan for and provide sufficient land for commercial and industrial development in a manner that is efficient from the standpoint of providing municipal services.
3. To provide for the installation of public works and facilities including, but not limited to, water, sanitary sewer, roadways, and other public improvements, which contribute to the revitalization of the area and to the sound development of the entire City.
4. To encourage commercial growth and expansion through governmental policies which make it economically feasible to do business.
5. To provide a more marketable and attractive investment climate through the use of various federal, state and local incentives.
6. To stimulate, through public action and commitment, private investment in new and expanded commercial and industrial development.
7. To improve the conditions and opportunities for commercial and industrial economic development.
8. To help develop a sound economic base that will serve as the foundation for future growth and development.
9. To enhance the City by fostering an entrepreneurial climate, diversifying the local economy, encouraging opportunities for new businesses, and supporting retention of existing businesses.
10. To enhance the health, safety, living environment, general character, and general welfare of Council Bluffs, Iowa.

11. To promote development utilizing any other objectives allowed by Chapter 403 of the *Code of Iowa*.

G. TYPES OF RENEWAL ACTIVITIES

To meet the objectives of this Urban Renewal Plan and to encourage the development of the Area, the City intends to utilize the powers conferred under Chapter 403 and Chapter 15A, *Code of Iowa* including, but not limited to, tax increment financing. Activities may include:

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.
2. To arrange for or cause to be provided the construction or repair of public infrastructure including but not limited to streets, curb and gutter, street lighting, water, sanitary sewer, public utilities or other facilities in connection with urban renewal projects.
3. To make loans, forgivable loans, grants, tax rebate payments or other types of economic development grants or incentives to private persons, local development organizations, or businesses for economic development purposes on such terms as may be determined by the City Council.
4. To borrow money and to provide security therefor.
5. To acquire or dispose of property.
6. To provide for the construction of specific site improvements such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.
7. To acquire property through a variety of means (purchase, lease, option, etc.) and to hold, clear, or prepare the property for redevelopment.
8. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Plan or specific urban renewal projects.
9. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City of Council Bluffs and the State of Iowa.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Urban Renewal Plan.

H. ELIGIBLE URBAN RENEWAL PROJECTS

Although certain project activities may occur over a period of years, the eligible urban renewal projects under this Urban Renewal Plan include:

1. Public Improvements

Project	Estimated Project Date	Estimated Cost	How Project Advances Objectives of Plan
Kanesville Sanitary Sewer Extension PH I – PW 24-21	2025	\$2,500,000	Constructing sewer from west of railroad tracks south of Kanesville to the east, just west of the westbound interstate on-ramp to help facilitate commercial and industrial development in the Area
Kanesville Sanitary Sewer Extension PH II	2025-2026	\$1,500,000	Continues the extension of the sewer line to the east, ending at the east side of the interstate interchange to help facilitate commercial and industrial development in the Area
Roadway and utility improvements to that portion of Hunt Avenue from Kanesville north to the City limits	2026	\$3,000,000	Road and utility improvements will help facilitate commercial and industrial development in the Area
	Total:	\$7,000,000	

2. Development Agreements

A. *Development Agreement with KCI Council Bluffs Land, LLC (or a related entity):*
The proposed urban renewal project anticipates the City entering into a development agreement with KCI Council Bluffs Land, LLC (or a related entity) to provide for the construction of a warehouse distribution park. Construction is expected to be completed in 2028 and the project will result in the creation and/or retention of jobs in the Urban Renewal Area. The City expects to make annual grants to KCI Council Bluffs Land, LLC (or a related entity) in the form of rebates of incremental taxes generated by the increased

assessed value created by the project. The cost of such grants are not expected to exceed \$2,000,000 and will be subject to the terms and conditions of a detailed development agreement between the parties.

B. *Development Agreement with EDC Omaha Hold Co, LLC (or a related entity):* The proposed urban renewal project anticipates the City entering into a development agreement with EDC Omaha Hold Co, LLC (or a related entity) to provide for the construction of a data center. Construction is expected to be completed in 2032, and the project will result in the creation and/or retention of jobs in the Urban Renewal Area. The City expects to make annual grants to EDC Omaha Hold Co, LLC (or a related entity) in the form of rebates of incremental taxes generated by the increased assessed value created by the project. The cost of such grants are not expected to exceed \$65,000,000 and will be subject to the terms and conditions of a detailed development agreement between the parties.

C. *Future Development Agreements:* The City expects to consider requests for development agreements for projects that are consistent with this Plan, in the City's sole discretion. Such agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including but not limited to land, loans, grants, tax rebates, infrastructure assistance and other incentives. The costs of such development agreements will not exceed \$5,000,000.

2. Planning, engineering fees (for urban renewal plans), attorney fees, other related costs to support urban renewal projects and planning

Project	Date	Estimated cost
Fees and costs	Undetermined	Not to exceed \$50,000

I. FINANCIAL DATA

1.	Current constitutional debt limit:	\$354,283,045
2.	Current outstanding general obligation debt:	\$71,190,000
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects has not yet been determined. This document is for planning purposes only. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects as described above to be funded by TIF Funds will be approximately as stated in the next column:	<p>\$79,050,000</p> <p>This total does not include financing costs related to debt issuance, which will be incurred over the life of the Area.</p>

J. URBAN RENEWAL FINANCING

The City intends to utilize various financing tools such as those described below to successfully undertake the proposed urban renewal actions. The City has the statutory authority to use a variety of tools to finance physical improvements within the Area. These include:

A. Tax Increment Financing.

Under Section 403.19 of the *Code of Iowa*, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements, economic development incentives, or other urban renewal projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the eligible urban renewal projects. Certain increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City, and in any event upon the expiration of the tax increment district.

B. General Obligation Bonds.

Under Division III of Chapter 384 and Chapter 403 of the *Code of Iowa*, the City has the authority to issue and sell general obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public

improvements within the Area and for other urban renewal projects or incentives for development consistent with this Plan. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City. It may be, the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates, or other incentives to developers or private entities in connection with the urban renewal projects identified in this Plan. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area for urban renewal projects. Alternatively, the City may determine to use available funds for making such loans or grants or other incentives related to urban renewal projects. In any event, the City may determine to use tax increment financing to reimburse the City for any obligations or advances.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Urban Renewal Plan.

K. PROPERTY ACQUISITION/DISPOSITION

The City will follow any applicable requirements for the acquisition and disposition of property within the Urban Renewal Area.

L. RELOCATION

The City does not expect there to be any relocation required of residents or businesses as part of the eligible urban renewal projects; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

M. PROPERTY WITHIN AN URBAN REVITALIZATION AREA

The Urban Renewal Area may (now or in the future) also be located within an established Urban Revitalization Area. Properties within the Urban Renewal Area shall not be eligible for tax abatement under an Urban Revitalization Plan without the City Council's specific approval. The City Council, at its sole discretion, shall determine which incentives, if any, are available through either: (a) this Plan for urban renewal incentives, if any urban renewal incentives are offered by the City, at the City Council's sole discretion; or (b) tax abatement incentives through the City's Urban Revitalization Plan; or (c) a combination of urban renewal incentives and tax abatement incentives.

N. STATE AND LOCAL REQUIREMENTS

All provisions necessary to conform to State and local laws will be complied with by the City in implementing this Urban Renewal Plan and its supporting documents.

O. SEVERABILITY

In the event one or more provisions contained in the Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized, or unenforceable in any respect, such invalidity, illegality, un-authorization, or unenforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

P. URBAN RENEWAL PLAN AMENDMENTS

This Urban Renewal Plan may be amended from time to time for a number of reasons including, but not limited to, adding or deleting land, adding or amending urban renewal projects, or modifying objectives or types of renewal activities. The City Council may amend this Plan in accordance with applicable State law.

Q. EFFECTIVE PERIOD

This Urban Renewal Plan will become effective upon its adoption by the City Council and will remain in effect as a Plan until it is repealed by the City Council.

With respect to the property included within the Urban Renewal Area, which is also included in a TIF Ordinance that provides for the “division of revenue” as those words are used in Chapter 403 of the Code of Iowa, the division of revenue is limited to twenty (20) years beginning with the first calendar year following the calendar year in which the City first certifies to the County Auditor the amount of any loans, advances, indebtedness, or bonds which qualify for payment from the incremental property tax revenues attributable to that property within the TIF Ordinance of the Urban Renewal Area. The division of revenues shall continue on the Urban Renewal Area, for the maximum period allowed by law.

At all times, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the Code of Iowa) by the City for activities carried out under the Urban Renewal Area shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

.R. AGRICULTURAL LAND

Because the Urban Renewal Area contains land that is defined as “agricultural land” by Iowa Code Section 403.17(3), the City must acquire consent from the owner(s) of the agricultural land prior to including such land in the Urban Renewal Area. The City has requested consent from the owner(s) of agricultural land proposed to be included in the Urban Renewal Area. A copy of the agricultural landowner agreements is, or will be, attached hereto as Exhibit “C.” The original signed agreement(s) will be placed on file in the City Clerk’s office.

EXHIBIT A

LEGAL DESCRIPTION OF KANESVILLE URBAN RENEWAL AREA

A PARCEL OF LAND BEING A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 20, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4) OF SECTION 21, A PORTION OF THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4NE1/4) OF SECTION 21, ALL OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE1/4SE1/4) OF SECTION 21, A PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW1/4NW1/4) OF SECTION 22, ALL OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW1/4NW1/4) OF SECTION 22, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) OF SECTION 22, A PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION 22, ALL OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 22, A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) OF SECTION 22, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) OF SECTION 28 AND A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4NE1/4) OF SECTION 28, ALL IN TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE

5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 22;

THENCE SOUTH ON THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) AND ON ITS SOUTHERLY PROLONGATION, 2,220 FEET MORE OR LESS TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 6;

THENCE WEST ON SAID SOUTH RIGHT-OF-WAY LINE AND ON ITS WESTERLY PROLONGATION, 3,267 FEET MORE OR LESS TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 80;

THENCE SOUTHWESTERLY ON SAID WESTERLY RIGHT-OF-WAY LINE, 2,806 FEET MORE OR LESS TO THE NORTHEAST CORNER OF LOT 1, BLACK HILLS SUBDIVISION IN SAID CITY OF COUNCIL BLUFFS;

THENCE WEST ON THE NORTH LINE OF SAID LOT 1, 876 FEET MORE OR LESS TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COLLEGE ROAD;

THENCE NORTH ON SAID EAST RIGHT-OF-WAY LINE, 2,371 FEET MORE OR LESS TO A POINT ON THE EASTERLY PROLONGATION OF THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 6;

THENCE WEST ON SAID EASTERLY PROLONGATION AND ON SAID SOUTH RIGHT-OF-WAY LINE, 4,161 FEET MORE OR LESS TO A POINT ON THE WEST LINE OF SAID AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 20;

THENCE NORTH ON SAID WEST LINE, 286 FEET MORE OR LESS TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID HIGHWAY 6;

THENCE EAST ON SAID NORTH RIGHT-OF-WAY LINE, 4,087 FEET MORE OR LESS TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF WASHBOARD ROAD;

THENCE NORTH ON SAID WEST RIGHT-OF-WAY LINE, 2,100 FEET MORE OR LESS TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID WASHBOARD ROAD;

THENCE NORTHEASTERLY ON SAID NORTHWESTERLY RIGHT-OF-WAY LINE AND ON IT'S NORTHEASTERLY PROLONGATION 1,370 FEET MORE OR LESS TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF YELLOW POLE ROAD;

THENCE EASTERLY ON SAID NORTHERLY RIGHT-OF-WAY LINE AND ON IT'S EASTERLY PROLONGATION 4,467 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION 22;

THENCE SOUTH ON SAID EAST LINE, 86 FEET MORE OR LESS TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 441.7 ACRES, MORE OR LESS.

MAP OF KANESVILLE URBAN RENEWAL AREA

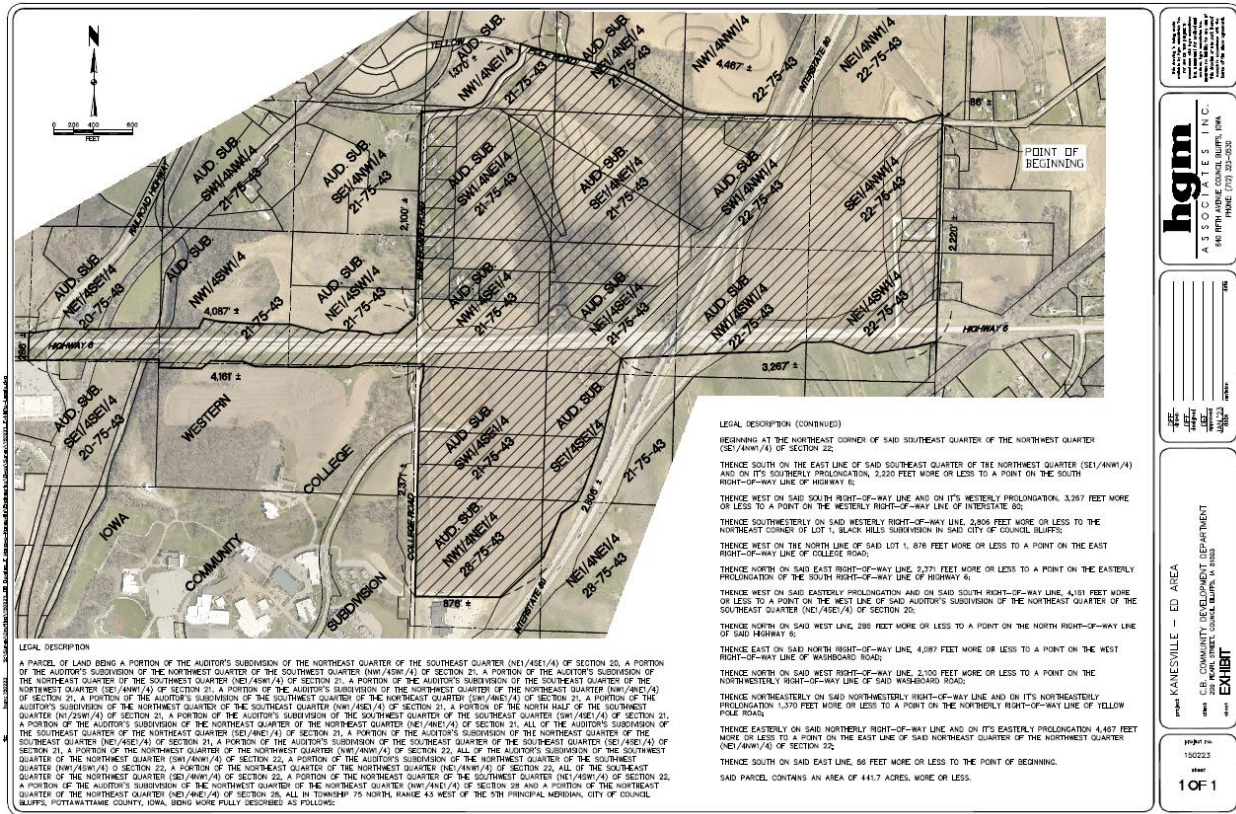


EXHIBIT C
AGRICULTURAL LAND CONSENT

AGREEMENT TO INCLUDE AGRICULTURAL LAND IN
THE KANESVILLE URBAN RENEWAL AREA

WHEREAS, the City of Council Bluffs, Iowa, (the "City") has proposed to establish an Urban Renewal Plan ("Plan") for the Kaneshville Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of land included in the Urban Renewal Area will contain certain property owned by the undersigned Agricultural Land Owner; and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in Section 403.17(3) of "agricultural land" until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property located within the Urban Renewal Area and owned by the Agricultural Land Owner listed below meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa.

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area and agrees that the City of Council Bluffs, Iowa, may include such property within the Urban Renewal Area.

2. The Agricultural Land Owner further authorizes the governing body of the City of Council Bluffs, Iowa, to pass any resolution or ordinance necessary to designate property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED _____, 20____

Agricultural Land Owner's Name (print): _____

Signature: _____

Print Name of Signatory: _____

ORDINANCE NO. 6644

AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE KANESVILLE URBAN RENEWAL AREA, IN CITY OF COUNCIL BLUFFS, COUNTY OF POTTAWATTAMIE STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF COUNCIL BLUFFS, COUNTY OF POTTAWATTAMIE, COUNCIL BLUFFS COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE KANESVILLE URBAN RENEWAL AREA (**THE KANESVILLE URBAN RENEWAL PLAN**)

WHEREAS, the City Council of the City of Council Bluffs, State of Iowa, after public notice and hearing as prescribed by law and pursuant to Resolution No. 25-78 passed and approved on the 24th day of March, 2025, adopted an Urban Renewal Plan (the "Urban Renewal Plan") for an urban renewal area known as the Kaneshville Urban Renewal Area (the "Urban Renewal Area"), which Urban Renewal Area includes the lots and parcels located within the area legally described as follows:

A PARCEL OF LAND BEING A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 20, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4) OF SECTION 21, A PORTION OF THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4NE1/4) OF SECTION 21, ALL OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4) OF

SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE1/4SE1/4) OF SECTION 21, A PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW1/4NW1/4) OF SECTION 22, ALL OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW1/4NW1/4) OF SECTION 22, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) OF SECTION 22, A PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION 22, ALL OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 22, A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) OF SECTION 22, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) OF SECTION 28 AND A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4NE1/4) OF SECTION 28, ALL IN TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 22;

THENCE SOUTH ON THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) AND ON IT'S SOUTHERLY PROLONGATION, 2,220 FEET MORE OR LESS TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 6;

THENCE WEST ON SAID SOUTH RIGHT-OF-WAY LINE AND ON IT'S WESTERLY PROLONGATION, 3,267 FEET MORE OR LESS TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 80;

THENCE SOUTHWESTERLY ON SAID WESTERLY RIGHT-OF-WAY LINE, 2,806 FEET MORE OR LESS TO THE NORTHEAST CORNER OF LOT 1, BLACK HILLS SUBDIVISION IN SAID CITY OF COUNCIL BLUFFS;

THENCE WEST ON THE NORTH LINE OF SAID LOT 1, 876 FEET MORE OR LESS TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COLLEGE ROAD;

THENCE NORTH ON SAID EAST RIGHT-OF-WAY LINE, 2,371 FEET MORE OR LESS TO A POINT ON THE EASTERLY PROLONGATION OF THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 6;

THENCE WEST ON SAID EASTERLY PROLONGATION AND ON SAID SOUTH RIGHT-OF-WAY LINE, 4,161 FEET MORE OR LESS TO A POINT ON THE WEST LINE OF SAID AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 20;

THENCE NORTH ON SAID WEST LINE, 286 FEET MORE OR LESS TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID HIGHWAY 6;

THENCE EAST ON SAID NORTH RIGHT-OF-WAY LINE, 4,087 FEET MORE OR LESS TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF WASHBOARD ROAD;

THENCE NORTH ON SAID WEST RIGHT-OF-WAY LINE, 2,100 FEET MORE OR LESS TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID WASHBOARD ROAD;

THENCE NORTHEASTERLY ON SAID NORTHWESTERLY RIGHT-OF-WAY LINE AND ON IT'S NORTHEASTERLY PROLONGATION 1,370 FEET MORE OR LESS TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF YELLOW POLE ROAD;

THENCE EASTERLY ON SAID NORTHERLY RIGHT-OF-WAY LINE AND ON IT'S EASTERLY PROLONGATION 4,467 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION 22;

THENCE SOUTH ON SAID EAST LINE, 86 FEET MORE OR LESS TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 441.7 ACRES, MORE OR LESS.

WHEREAS, expenditures and indebtedness are anticipated to be incurred by the City of Council Bluffs, State of Iowa, in the future to finance urban renewal project activities carried out in furtherance of the objectives of the Urban Renewal Plan; and

WHEREAS, the City Council of the City of Council Bluffs, State of Iowa, desires to provide for the division of revenue from taxation in the Urban Renewal Area, as above described, in accordance with the provisions of Section 403.19, Code of Iowa, as amended.

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

Section 1. That the taxes levied on the taxable property in the Urban Renewal Area legally described in the preamble hereof, by and for the benefit of the State of Iowa, City of Council Bluffs, County of Pottawattamie, Council Bluffs Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 2. That portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City of Council Bluffs, State of Iowa, certifies to the Auditor of Pottawattamie County, Iowa the amount of loans, advances, indebtedness, or bonds payable from the division of property tax revenue described herein, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for the taxing district into which all other property taxes are paid.

Section 3. That portion of the taxes each year in excess of the base period taxes determined as provided in Section 2 of this Ordinance shall be allocated to and when collected be paid into a special tax increment fund of the City of Council Bluffs, State of Iowa, hereby established, to pay the principal of and interest on loans, monies advanced to, indebtedness, whether funded, refunded, assumed or otherwise, including bonds or obligations issued under the authority of Section 403.9 or 403.12, Code of Iowa, as amended, incurred by the City of Council Bluffs, State of Iowa, to finance or refinance, in whole or in part, urban renewal projects undertaken within the Urban Renewal Area pursuant to the Urban Renewal Plan, except that (i) taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2, Code of Iowa, and taxes for the instructional support program of a school district imposed pursuant to Section 257.19, Code of Iowa, (but in each case only to the extent required under Section 403.19(2), Code of Iowa); (ii) taxes for the payment of bonds and interest of each taxing district; (iii) taxes imposed under Section 346.27(22), Code of Iowa, related to joint county-city buildings; and (iv) any other exceptions under Section 403.19, Code of Iowa, shall be collected against all taxable property within the Urban Renewal Area without any limitation as hereinabove provided.

Section 4. Unless or until the total assessed valuation of the taxable property in the Urban Renewal Area exceeds the total assessed value of the taxable property in the Urban Renewal Area as shown by the assessment roll referred to in Section 2 of this Ordinance, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for the taxing districts in the same manner as all other property taxes.

Section 5. At such time as the loans, advances, indebtedness, bonds and interest thereon of the City of Council Bluffs, State of Iowa, referred to in Section 3 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 6. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to fully implement the provisions of Section 403.19, Code of Iowa, as amended, with respect to the division of taxes from property within the Urban Renewal Area as described

above. In the event that any provision of this Ordinance shall be determined to be contrary to law, it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19, Code of Iowa, with reference to the Urban Renewal Area and the territory contained therein.

Section 7. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this _____ day of _____, 2025.

Mayor

ATTEST:

City Clerk

Read First Time: March 24, 2025

Read Second Time: April 7, 2025

Read Third Time: _____, 2025

PASSED AND APPROVED: _____, 2025.

I, Jodi Quakenbush, City Clerk of the City of Council Bluffs, State of Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. 6644 passed and approved by the City Council of the City at a meeting held _____, 2025, signed by the Mayor on _____, 2025, and published in The Daily Nonpareil on _____, 2025.

City Clerk, City of Council Bluffs, State of Iowa

(SEAL)

Council Communication

Department: City Clerk

Case/Project No.:

Submitted by: Malina Dobson on
behalf of PD

Ordinance 6632

ITEM 6.A.

Council Action: 3/24/2025

Description

Ordinance to amend Title 3 Business Regulation and Licenses of the 2020 Municipal Code of Council Bluffs, Iowa by enacting new Chapter 3.20 "Massage Therapy".

Background/Discussion

At the request of Council Bluffs law enforcement seeking tools to address a growing problem in our community, this ordinance would strengthen local law enforcement's ability to combat human trafficking and sexual exploitation by establishing criminal penalties for businesses operating outside the Iowa Board of Massage Therapy's regulatory framework. While the Board can issue fines for violations, they have expressed support for municipal criminal sanctions to more effectively deter and punish bad actors who use massage businesses as fronts for prostitution and trafficking. Drawing from the most effective elements of various Iowa municipal ordinances, this proposed regulation creates targeted criminal penalties focusing on business owners and property managers rather than potential trafficking victims, disrupting the economic incentives that drive these illegal operations. The ordinance complements existing state-level regulation while providing law enforcement with stronger tools to investigate and prosecute those who exploit vulnerable individuals through illicit massage businesses.

Recommendation

Approval is recommended.

ATTACHMENTS:

Description	Type	Upload Date
Ordinance 6632	Ordinance	3/5/2025

ORDINANCE NO. 6632

AN ORDINANCE TO AMEND TITLE 3 BUSINESS REGULATIONS AND LICENSES OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY ENACTING NEW CHAPTER 3.20 "MASSAGE THERAPY".

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

SECTION 1. That Title 3 Business Regulations and Licenses is hereby amended by enacting new Chapter 3.20 "Massage Therapy" to read as follows:

CHAPTER 3.20 MASSAGE THERAPY

3.20.010 Purpose

3.20.020 Definitions

3.20.030 State License Required

3.20.040 Display of License

3.20.050 Maintaining Public Nuisance

3.20.060 Hours of Operation

3.20.070 Penalties

3.20.010 Purpose

The State of Iowa licenses massage therapists at Iowa Code Chapter 152C. State licensed massage therapists and businesses offering massage therapy services perform an important service in addressing the health and well-being of Council Bluffs residents. Unfortunately, there are businesses that advertise they provide massage therapy and/or other therapeutic services, but engage in various illegal activities, which may include prostitution and/or human trafficking. This article is not intended to discourage legitimate, licensed massage therapists or massage therapy businesses from providing their services within Council Bluffs. The purpose of this ordinance is to identify and address businesses that engage in the practice of massage therapy without valid licenses and/or are involved in illegal activities, which may include prostitution and/or human trafficking. Businesses providing massage therapy, but also conducting various types of illegal activity, are harmful to the health, safety, and welfare of the city and negatively impact the massage therapy profession.

3.20.020 Definitions

For the purposes of this article, the following words and phrases have the meanings herein set forth, unless it is apparent from the context that a different meaning is intended.

- A. *"Massage therapist"* means a person licensed under Iowa Code Chapter 152C to practice the health care service of the healing art of massage therapy in the City of Council Bluffs.
- B. *"Massage therapy business"* means any business or place of business, including mobile, temporary, and transient businesses, wherein, or on whose behalf, any of the treatments, techniques, or methods of treatment referred to as "massage therapy" are administered, practiced, used, given, advertised or applied.

3.20.030 State License Required

The practice of massage therapy, as defined in Iowa Code Chapter 152C, is prohibited by unlicensed individuals. It is unlawful for a person to engage in or offer to engage in the practice of massage therapy, or use in connection with the person's name, the initials "L.M.T." or the words "licensed massage therapist", "masseur", "masseuse", or any other word or title that implies or represents that the person practices massage therapy, unless the person possesses a license issued under the provisions of Iowa Code § 152C.3.

3.20.040 Display of License

Each massage therapist shall keep his/her license in possession at all times while doing business in the city and shall, upon request of a prospective customer or city official, exhibit the license as evidence of compliance with all requirements of this article.

3.20.050 Maintaining Public Nuisance

Any building used, operated, or maintained as a massage establishment in violation of this article with the intentional, knowing, reckless or negligent permission of the owner, licensee, or person managing or supervising the building, together with all fixtures and other property used in violation of this article, are hereby declared to be a nuisance.

3.20.060 Hours of Operation

Massage Therapy Businesses shall not be open for business nor shall patrons be permitted on the premises between the hours of 10:00 p.m. and 5:00 a.m.

3.20.070 Penalties

- A. A violation under this article is declared to be a municipal infraction in addition to a misdemeanor and any person, or in connection with one or more persons or as principle, agent, or accessory found violating any provision of this article, shall be subject to the general penalty provisions of CBMC 1.95 and CBMC 8.02 to include both criminal and/or civil penalties.
- B. The chief of police, or designee, shall place in a highly noticeable location a placard stating "Unsafe to Enter; Unlicensed Massage Therapy Must Cease and is subject to criminal and/or civil penalty per Council Bluffs Municipal Code § 3.56.050." This notice shall remain posted until a valid state license is obtained or other legal use has been established.
- C. No person shall remove the placard posted pursuant to subsection (b) of this section without approval of the chief of police or designee.
- D. No person, or in connection with one or more persons or as principle, agent, or accessory shall continue to offer "massage therapy" services after a massage therapy business has been placarded as unsafe for entry unless the chief of police or designee has approved removal of the placard.

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

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable

from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

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

PASSED
AND
APPROVED

March 24, 2025.

MATTHEW J. WALSH
Mayor

Attest:

JODI QUAKENBUSH City Clerk

First Consideration: 3-10-25
Second Consideration: 3-24-25
Public Hearing: n/a
Third Consideration: _____

Council Communication

Department: City Clerk

Case/Project No.:

Submitted by: Legal on behalf of
Rodney Schultz

Ordinance 6633
ITEM 6.B.

Council Action: 3/24/2025

Description

An Ordinance to amend Chapter 17.01 "Housing Definitions" of the 2020 Municipal Code of Council Bluffs, Iowa, by amending Section 17.01.040 "Punishment For Violations of CBMC 17".

Background/Discussion

Iowa Code Section 903.1 changed the maximum fine amount for simple misdemeanors to \$855.00 some time ago and this Chapter still indicates a maximum fine amount of \$500.00. In order to remain consistent with the Iowa Code, we've removed the specific monetary amount from this Chapter and included language referencing Iowa Code Section 903.1 so we don't have multiple changes to this Chapter in the future.

Recommendation

Approval is recommended.

ATTACHMENTS:

Description	Type	Upload Date
Ordinance-red line version	Other	2/25/2025
Iowa Code Chapter 903.1	Other	2/25/2025
Ordinance 6633	Ordinance	3/5/2025

17.01.040 Punishment For Violations Of CBMC 17

Any violation of any provision of this title shall be punished as a simple misdemeanor and shall be punished by a fine or imprisonment as established under Iowa Code Section 903.1. ~~wherein the penalty is a fine not to exceed five hundred dollars (\$500.00) or a jail sentence not to exceed thirty (30) days.~~ At the sole discretion of the city attorney, the city may elect to pursue any violation of any provision of this title as a municipal infraction, as set forth in CBMC 1.95.

(Ord. No. 6224, 1-26-2015)

903.1 Maximum sentence for misdemeanants.

1. If a person eighteen years of age or older is convicted of a simple or serious misdemeanor and a specific penalty is not provided for or if a person under eighteen years of age has been waived to adult court pursuant to [section 232.45](#) on a felony charge and is subsequently convicted of a simple, serious, or aggravated misdemeanor, the court shall determine the sentence, and shall fix the period of confinement or the amount of fine, which fine shall not be suspended by the court, within the following limits:

a. For a simple misdemeanor, there shall be a fine of at least one hundred five dollars but not to exceed eight hundred fifty-five dollars. The court may order imprisonment not to exceed thirty days in lieu of a fine or in addition to a fine.

b. For a serious misdemeanor, there shall be a fine of at least four hundred thirty dollars but not to exceed two thousand five hundred sixty dollars. In addition, the court may also order imprisonment not to exceed one year.

2. When a person is convicted of an aggravated misdemeanor, and a specific penalty is not provided for, the maximum penalty shall be imprisonment not to exceed two years. There shall be a fine of at least eight hundred fifty-five dollars but not to exceed eight thousand five hundred forty dollars. When a judgment of conviction of an aggravated misdemeanor is entered against any person and the court imposes a sentence of confinement for a period of more than one year the term shall be an indeterminate term.

3. A person under eighteen years of age convicted of a simple misdemeanor under [chapter 321](#), [321G](#), [321I](#), [453A](#), [461A](#), [461B](#), [462A](#), [481A](#), [481B](#), [483A](#), [484A](#), or [484B](#), or a violation of a county or municipal curfew or traffic ordinance, except for an offense subject to [section 805.8](#), may be required to pay a fine, not to exceed one hundred dollars, as fixed by the court, or may be required to perform community service as ordered by the court.

4. The surcharges required by [sections 911.1](#), [911.2A](#), and [911.5](#) shall be added to a fine imposed on a misdemeanant as provided in those sections, and are not a part of or subject to the maximums set in [this section](#).

[C51, §2676; R60, §4303; C73, §3967; C97, §4906; C24, 27, 31, 35, 39, §12894; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, §687.7; C79, 81, §903.1]

83 Acts, ch 183, §2, 3; 84 Acts, ch 1219, §39; 87 Acts, ch 149, §7; 88 Acts, ch 1158, §100; 88 Acts, ch 1167, §8, 9; 90 Acts, ch 1251, §66; 91 Acts, ch 240, §10; 92 Acts, ch 1160, §25; 93 Acts, ch 110, §10; 99 Acts, ch 153, §24; 2001 Acts, ch 168, §5; 2004 Acts, ch 1111, §8; 2004 Acts, ch 1119, §7; 2004 Acts, ch 1132, §95; 2006 Acts, ch 1166, §10, 11; 2014 Acts, ch 1097, §13; 2020 Acts, ch 1074, §17, 46, 93

Referred to in [§124.401](#), [207.15](#), [228.7](#), [232.8](#), [331.302](#), [331.909](#), [364.3](#), [380.10](#), [709.15](#), [724.4A](#), [907.14](#)

See also [§701.8](#)

Enhanced penalties in weapons free zones, see [§724.4A](#)

Fines, see [chapter 909](#)

Surcharge on penalty, [chapter 911](#)

ORDINANCE NO. 6633

AN ORDINANCE TO AMEND CHAPTER 17.01 “HOUSING DEFINITIONS” OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 17.01.040 “PUNISHMENT FOR VIOLATIONS OF CBMC 17.”

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

SECTION 1. That Chapter 17.01 “Housing Definitions” of the 2020 Municipal Code of Council Bluffs, Iowa, is hereby amended by amending Section 17.01.040 “Punishment for Violations of CBMC 17” to read as follows:

17.01.040 Punishment For Violations Of CBMC 17

Any violation of any provision of this title shall be punished as a simple misdemeanor and shall be punished by a fine or imprisonment as established under Iowa Code Section 903.1. At the sole discretion of the city attorney, the city may elect to pursue any violation of any provision of this title as a municipal infraction, as set forth in CBMC 1.95.

(Ord. No. 6224, 1-26-2015)

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

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

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

PASSED
AND
APPROVED

March 24, 2025.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

First Consideration: 3-10-25
Second Consideration: 3-24-25
Public Hearing: n/a
Third Consideration: _____

Council Communication

Department: City Clerk

Case/Project No.:

Submitted by: Legal on behalf of
Rodney Schultz

Ordinances 6634, 6635, 6636, 6637,
6638, 6639 and 6640
ITEM 6.C.

Council Action: 3/24/2025

Description

Amending Title 13 Buildings and Construction to enact new Chapter 13.45 "Insurance" and by amending several other Chapters to remove insurance requirements within each chapter.

Background/Discussion

City Legal was contacted by Community Development to update certain chapters under Title 13 of the Council Bluffs Municipal Code related to proof of insurance and minimum levels of insurance required for licenses/permits. This proposed group of ordinances creates a new Chapter 13.45 "Insurance" setting forth insurance requirements relative to all licenses/permits under Title 13, and amends all current chapters to remove individual references to insurance requirements and refers to the requirements of new Chapter 13.45.

Recommendation

Approval is recommended.

ATTACHMENTS:

Description	Type	Upload Date
Ordinances-red line versions combined	Other	2/27/2025
Ordinance 6634	Ordinance	3/5/2025
Ordinance 6635	Ordinance	3/5/2025
Ordinance 6636	Ordinance	3/5/2025
Ordinance 6637	Ordinance	3/5/2025
Ordinance 6638	Ordinance	3/5/2025
Ordinance 6639	Ordinance	3/5/2025
Ordinance 6640	Ordinance	3/5/2025

AMEND

Chapter 13.02 - TEMPORARY LICENSING PROCEDURES - 2011 FLOOD EVENT

13.02.040 Insurance Required

All insurance required under this Chapter shall be kept in accordance with CBMC 13.45.

~~All temporary contractors shall furnish to the city clerk a certificate of insurance, subject to approval by the city attorney, evidencing commercial general liability insurance coverage or its equivalent in the minimum amount of one million dollars (\$1,000,000.00) per occurrence for bodily injury, including death or damage to property of others, arising out of work performed or responsibilities assumed under the license. The aggregate limit shall be no less than one million dollars (\$1,000,000.00). In addition, the general contractor shall furnish a certificate of insurance, subject to approval by the city attorney, evidencing worker's compensation insurance sufficient to satisfy the laws of the state of Iowa; employer's liability insurance in the minimum amount of one hundred thousand dollars (\$100,000.00); and auto liability insurance in the minimum amount of one million dollars (\$1,000,000.00).~~

~~These limits may be provided by any combination of primary and excess policies. The insurance company shall endeavor to provide thirty (30) days' notice of cancellation or nonrenewal to the city clerk.~~

~~In addition, the temporary contractor shall furnish a bond in the amount of twenty thousand dollars (\$20,000.00).~~

(Ord. No. 6137, § 1, 8-22-2011)

AMEND

Chapter 13.05 - DEMOLITION OF BUILDINGS AND STRUCTURES

13.05.100 Insurance Required

All insurance required under this Chapter shall be kept in accordance with CBMC 13.45.

~~A demolition contractor shall furnish to the city clerk a certificate of insurance, subject to approval by the city attorney, evidencing commercial general liability insurance coverage or its equivalent in the minimum amount of one million dollars (\$1,000,000.00) per occurrence for bodily injury, including death or damage to property of others, arising out of work performed or responsibilities assumed under the license. The aggregate limit shall be no less than one million dollars (\$1,000,000.00). In addition, the demolition contractor shall furnish a certificate of insurance, subject to approval by the city attorney, evidencing worker's compensation insurance sufficient to satisfy the laws of the state of Iowa; employer's liability insurance in the minimum amount of one hundred thousand dollars (\$100,000.00); and auto liability insurance in the minimum amount of one million dollars (\$1,000,000.00).~~

~~These limits may be provided by any combination of primary and excess policies. The insurance company shall endeavor to provide thirty (30) days' notice of cancellation or nonrenewal to the city clerk.~~

(Ord. 5842 § 1 (part), 2005)

AMEND

Chapter 13.07 - GENERAL CONTRACTOR'S LICENSING

13.07.155 Special License For One Job Only

Whenever the building official deems it advisable he may, at his discretion, issue a special building contractor's license to an individual who is not otherwise licensed by the city to perform construction work, but who can provide proof of competency as a licensed building contractor in another city's jurisdiction. The special license, so issued, shall allow the licensee to perform building construction work in or on the building or property for which it is issued and no other. The fee for such special license shall be as stated in the "schedule of fees." Such fees shall be paid to the city treasurer before the special license is issued. **All insurance required under this Chapter shall be kept in accordance with CBMC 13.45.** ~~A certificate of insurance which provides combined coverage for bodily injury and property damage in a minimum amount of one million dollars (\$1,000,000.00).~~ Upon the completion of the work, for which a special license was issued, such license shall expire and become null and void. Any individual who is issued a license under this provision shall be limited to one license per calendar year.

(Ord. No. 6172, § 1, 4-22-2013)

13.07.170 Insurance Required

All insurance required under this Chapter shall be kept in accordance with CBMC 13.45.

~~Before a general contractor's license may be issued under the provisions of this chapter, the applicant shall furnish a certificate, such certificate subject to approval by the city, evidencing general liability insurance coverage in the minimum amount of one hundred thousand dollars (\$100,000.00) for personal injury of one person in any one accident; in the minimum amount of five hundred thousand dollars (\$500,000.00) for personal injury or death of more than one person; and the minimum amount of one hundred thousand dollars (\$100,000.00) for property damage, all arising out of work performed or responsibilities under the license. A combination coverage policy will be accepted in the minimum amount of five hundred thousand dollars (\$500,000.00) umbrella for personal injury of one person in any one accident, personal injury or death of more than one person, or property damage. The insurance company shall give written notification to the building official ten (10) days prior to termination.~~

(Ord. No. 6172, § 1, 4-22-2013)

AMEND

Chapter 13.13 - LICENSING/REGISTRATION OF THE UTILITY AND LAWN IRRIGATION TRADE AND PLUMBING REQUIREMENTS

13.13.360 Master - Insurance Required

All insurance required under this Chapter shall be kept in accordance with CBMC 13.45.

~~A Utility master contractor shall furnish to the city clerk a certificate of insurance, subject to approval by the city attorney, evidencing commercial general liability insurance coverage or its equivalent in the minimum amount of one million dollars (\$1,000,000.00) per occurrence for bodily injury, including death or damage to property of others, arising out of work performed or responsibilities assumed under the license. The aggregate limit shall be no less than one million dollars (\$1,000,000.00). In addition, the Utility master contractor shall furnish a certificate of insurance, subject to approval by the city attorney, evidencing worker's compensation insurance sufficient to satisfy the laws of the state of Iowa; employer's liability insurance in the minimum amount of one hundred thousand dollars (\$100,000.00); and auto liability insurance in the minimum amount of one million dollars (\$1,000,000.00).~~

~~These limits may be provided by any combination of primary and excess policies. The insurance company shall endeavor to provide thirty (30) days' notice of cancellation or nonrenewal to the city clerk.~~

(Ord. 5850 § 2, 2005)

HISTORY

Amended by Ord. 6552 on 3/13/2023

AMEND

Chapter 13.33 - GRADING AND EXCAVATION

13.33.050 Grading Permit Requirements

- A. Permits Required. As provided in CBMC 13.33.040, no person shall do any grading without first obtaining permit from the building official. A separate permit shall be required for each site and may cover both excavations and fills.
- B. Application for Permit. The provisions of the building code, as amended, are applicable to grading and shall state an estimate of the cubic yards of earth material to be graded and area in the amount of acres of land disturbing activity.
- C. Plans and Specifications. Each application for a grading permit, whether regular grading or engineered grading, shall be accompanied by two sets of plans and specifications. Supporting data consisting of a soils report and geology report shall be submitted when required by the building official. When engineered grading is required pursuant to paragraph D of this section, the plans and specifications shall be prepared and signed by a civil engineer.
- D. Grading Designation. All grading of five thousand (5,000) cubic yards or more shall be performed in accordance with the approved grading plan prepared by a civil engineer and shall be designated as "engineered grading." Grading involving less than five thousand (5,000) cubic yards shall be designated "regular grading" unless the permittee, with the approval of the building official, chooses to have the grading performed as "engineered grading" or the building official requires "engineered grading" pursuant to paragraph G of this section.
- E. Information on Plans and Specifications.
 - 1. Plans shall be drawn to scale upon stable, reproducible media and shall be of sufficient clarity to indicate the nature and extent of the work proposed. The plans shall also show, in detail, that the grading activities will conform to the provisions of the building code, as amended, and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans shall give the location of the proposed grading work, the name and address of the person by whom they were prepared and the name and address of the property owner or of the responsible party for the property.
 - 2. The plans shall include the following information:
 - a. General vicinity of the proposed site.
 - b. Names and addresses of adjacent property owners.

- c. Property limits and accurate topographic map of the existing terrain with contour intervals of five feet or less and details of area drainage.
- d. Limiting dimensions, elevations of finish contours to be achieved by the grading and proposed drainage channels and related construction.
- e. Detailed plans of all surface and subsurface drainage devices, including walls, cribbing, dams and other protective devices to be constructed with, or as part of, the proposed grading work, together with a map showing the drainage areas and the estimated runoff for a five-year return and a one hundred (100) year flood event of the area served by any drains to be installed.
- f. Location of any buildings or structures on the property where the proposed grading is to be performed, together with any buildings or structures on property adjacent to the proposed grading to the extent the buildings or structures are within fifteen (15) feet of the proposed grading. In addition, location of any property which may be substantially and materially affected by the proposed grading shall also be noted and shown on the plans.
- g. Existing trees that are to be retained pursuant to CBMC 13.33.100. Specifications shall contain information covering construction and material requirements.
- h. Plans and proposed methods for the prevention and control of soil erosion for the proposed work. See paragraph M of this section.

F. Engineered Grading Requirements.

- 1. For engineered grading, it shall be the responsibility of the civil engineer to design the grading plan using sound engineering practices and to incorporate all recommendations from the soils and geology reports into the grading plan. The civil engineer shall also be responsible for the professional inspection during the grading process and final approval of the grading when completed. This responsibility includes, but need not be limited to, inspection and approval as to the establishment of line, grade and drainage of the grading area. The civil engineer is the coordinating agent between any responsible party doing the actual grading work and the building official. Further, the civil engineer shall be responsible for the preparation of revised plans and the submission of an updated grading plan upon completion of the work. Finally, the civil engineer shall submit a statement of compliance pursuant to CBMC 13.33.140 Paragraph A.
- 2. Soils and geology reports shall be required as specified in paragraphs H and I of this section. During grading, the civil engineer shall submit all necessary reports, compaction data and soils and geology recommendations to the building official.

3. The civil engineer's inspection and approval concerning the adequacy and preparation of ground for the proposed grading operations shall include, but need not be limited to, the adequacy of the ground to receive fill, testing for required compaction, stability of all finish slopes, the design of buttress fills, where required, the stability of cut slopes with respect to geological matters and the need for subdrains or other ground water drainage devices.
4. The building official shall review the grading project at the various stages of the work in order to monitor compliance with the approved plans.

G. Regular Grading Requirements.

1. The building official may require inspection and testing by an approved testing agency of any proposed or approved grading operation. Any such required inspection or testing shall be carried out at the building official's direction.
2. When the building official has cause to believe that geologic factors may be involved in the proposed or regular grading activities, the grading operation will be required to conform to "engineered grading" requirements as defined in this chapter.

H. Soils Report.

1. The soils report required by paragraph C of this section shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures and design criteria for corrective measures, including buttress fills, if needed.
2. Recommendations included in the report shall be incorporated in the grading plans or specifications unless the building official has waived all or some of the recommendations or has approved revised recommendations.

I. Geology Report.

1. The geology report required by paragraph C of this section shall include an adequate description of the geology of the site and conclusions and recommendations regarding the effect of geologic conditions on the proposed development.
2. Recommendations included in the report shall be incorporated in the grading plans or specifications unless the building official has waived all or some of the recommendations or has approved revised recommendations.

- J. Issuance. The provisions of the building code, as amended, are applicable to grading permits. The building official may require that the grading operations and project designs be modified if delays occur which result from weather-generated problems not considered at the time the permit was issued.

K. Fees. All fees associated with each required permit shall be paid to the city as established by the city council. The fee schedule shall be as per CBMC 2.08.

L. **All insurance required under this Chapter shall be kept in accordance with CBMC 13.45.**

~~A grading contractor shall furnish to the city clerk a certificate of insurance, subject to approval by the city attorney, evidencing commercial general liability insurance coverage or its equivalent in the minimum amount of one million dollars (\$1,000,000.00) per occurrence for bodily injury, including death or damage to property of others, arising out of work performed or responsibilities assumed under the license. The aggregate limit shall be no less than one million dollars (\$1,000,000.00). In addition, the grading contractor shall furnish a certificate of insurance, subject to approval by the city attorney, evidencing worker's compensation insurance sufficient to satisfy the laws of the state of Iowa; employer's liability insurance in the minimum amount of one hundred thousand dollars (\$100,000.00); and auto liability insurance in the minimum amount of one million dollars (\$1,000,000.00).~~

~~These limits may be provided by any combination of primary and excess policies. The insurance company shall endeavor to provide thirty (30) days' notice of cancellation or nonrenewal to the city clerk.~~

M. Stormwater Pollution Prevention Plan and NPDES Permit. All applicants doing grading of one acre or more shall submit a stormwater pollution prevention plan and a copy of their NPDES permit. Plan submittal shall be completed in similar fashion to grading plan submittal and contain the following in detail:

Location and dimension of all proposed land development and land disturbing activities.

Location and dimensions of all temporary soil or dirt stockpiles.

Schedule of anticipated starting and completion date of each land development or land disturbing activity, including the installation of best management practices; provision for maintenance of best management practices during construction; and description of vegetation and other materials to be used to stabilize the site, including a schedule for installation and maintenance.

(Ord. 5848 § 1, 2005)

AMEND

Chapter 13.40 - SIGN CODE

13.40.052 Sign Contractor's Insurance

All insurance required under this Chapter shall be kept in accordance with CBMC 13.45.

~~A sign contractor shall furnish to the city a certificate of insurance, subject to the approval of the city attorney, evidencing commercial general liability insurance coverage, or its equivalent, in the minimum amount of one million dollars (\$1,000,000.00) per occurrence for bodily injury, including death, or damage to property of other arising out of work performed or responsibilities assumed under the license. The aggregate limit shall be no less than one million dollars (\$1,000,000.00). In addition, the sign contractor shall furnish a certificate of insurance, subject to approval by the city attorney, evidencing worker's compensation insurance sufficient to satisfy the laws of the state of Iowa; employer's liability insurance in the minimum amount of one hundred thousand dollars (\$100,000.00); and auto liability insurance in the minimum amount of one million dollars (\$1,000,000.00).~~

~~These limits may be provided by any combination of primary and excess policies. The insurance company shall endeavor to provide thirty (30) days notice of cancellation or nonrenewal to the city. The insurance company is to notify the city within five calendar days whenever their insured contractor becomes not covered by insurance in the minimum amounts specified.~~

~~The fee for a sign contractor shall be as set forth in "schedule of fees" of the municipal code. All sign contractors shall be registered being renewable bi-annually on July 1st of odd numbered years and the fee can be prorated quarterly.~~

(Ord. 5926 § 1 (part), 2007)

ORDINANCE NO. 6634

AN ORDINANCE TO AMEND TITLE 13 BUILDINGS AND CONSTRUCTION OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY ENACTING NEW CHAPTER 13.45 “INSURANCE”.

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

SECTION 1. That Title 13 Buildings and Construction is hereby amended by enacting new Chapter 13.45 “Insurance” to read as follows:

Chapter 13.45 –INSURANCE

3.45.010 Purpose

3.45.010 Insurance Required

3.45.010 Purpose

The purpose of this chapter is to establish minimum insurance requirements for all contractors and/or licensed professionals covered under CBMC Title 13.

3.45.010 Insurance Required

A. All contractors and/or licensed professionals seeking permits to conduct work under Chapter 13 of the Council Bluffs Municipal Code shall be required to maintain commercial general liability insurance coverage or its equivalent in the minimum amount of one million dollars (\$1,000,000.00) per occurrence for bodily injury, including death or damage to property of others, arising out of work performed or responsibilities assumed under the license. The aggregate limit shall be no less than one million dollars (\$1,000,000.00).

B. In addition, when required by the Chief Building Official or his/her designee, all contractors and/or licensed professionals seeking permits to conduct work under Chapter 13 of the Council Bluffs Municipal Code shall furnish a certificate of insurance, subject to approval by the city attorney, evidencing worker's compensation insurance sufficient to satisfy the laws of the state of Iowa; employer's liability insurance in the minimum amount of one hundred thousand dollars (\$100,000.00); and auto liability insurance in the minimum amount of one million dollars (\$1,000,000.00).

C. Prior to the issuance of any permit under Chapter 13, all contractors and/or licensed professionals shall stipulate and affirm, on a form to be provided by the City, that permittee shall maintain the required insurance under this section throughout the duration of the permit, that the permittee shall maintain all certificates of insurance and shall provide them to the City upon request, and that permittee shall notify the City of any changes, renewals or lapses to the insurance coverage throughout the duration of the permit. Failure to perform any duty or action under this paragraph shall result in immediate revocation of the permit, and all work pursuant to such permit shall be ordered ceased.

D. City reserves the right to require additional insurance or increased insurance limit coverage, subject to the discretion of the Chief Building Official or his/her designee.

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

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

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

PASSED
AND
APPROVED

March 24, 2025.

MATTHEW J. WALSH
Mayor

Attest:

JODI QUAKENBUSH City Clerk

First Consideration: 3-10-25
Second Consideration: 3-24-25
Public Hearing: N/A
Third Consideration: _____

ORDINANCE NO. 6635

AN ORDINANCE TO AMEND TITLE 13 BUILDINGS AND CONSTRUCTION BY AMENDING CHAPTER 13.02 “TEMPORARY LICENSING PROCEDURES-2011 FLOOD EVENT” OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 13.02.040 “INSURANCE REQUIRED.”

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

SECTION 1. That Title 13 Buildings and Construction is hereby amended by amending Chapter 13.02 “Temporary Licensing Procures-2011 Flood Event” of the 2020 Municipal Code of Council Bluffs, Iowa, by amending Section 13.02.040 “Insurance Required” to read as follows:

13.02.040 Insurance Required

All insurance required under this Chapter shall be kept in accordance with CBMC 13.45.

(Ord. No. 6137, § 1, 8-22-2011)

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

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

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

PASSED
AND
APPROVED

March 24, 2025.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

First Consideration: 3-10-25

Second Consideration: 3-24-25

Public Hearing: N/A

Third Consideration: _____

ORDINANCE NO. 6636

AN ORDINANCE TO AMEND TITLE 13 BUILDINGS AND CONSTRUCTION BY AMENDING CHAPTER 13.05 “DEMOLITION OF BUILDINGS AND STRUCTURES” OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 13.05.100 “INSURANCE REQUIRED.”

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

SECTION 1. That Title 13 Buildings and Construction is hereby amended by amending Chapter 13.05 “Demolition of Buildings and Structures” of the 2020 Municipal Code of Council Bluffs, Iowa, by amending Section 13.05.100 “Insurance Required” to read as follows:

13.05.100 Insurance Required

All insurance required under this Chapter shall be kept in accordance with CBMC 13.45.

(Ord. 5842 § 1 (part), 2005)

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

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

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

PASSED
AND
APPROVED

March 24, 2025.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

First Consideration: 3-10-25

Second Consideration: 3-24-25

Public Hearing: N/A

Third Consideration: _____

ORDINANCE NO. 6637

AN ORDINANCE TO AMEND TITLE 13 BUILDINGS AND CONSTRUCTION BY AMENDING CHAPTER 13.07 “GENERAL CONTRACTOR’S LICENSING” OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 13.07.155 “SPECIAL LICENSE FOR ONE JOB ONLY” AND SECTION 13.07.170 “INSURANCE REQUIRED”.

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

SECTION 1. That Title 13 Buildings and Construction is hereby amended by amending Chapter 13.07 “General Contractor’s Licensing” of the 2020 Municipal Code of Council Bluffs, Iowa, by amending Section 13.07.155 “Special License For One Job Only” and Section 13.07.170 “Insurance Required” to read as follows:

13.07.155 Special License For One Job Only

Whenever the building official deems it advisable he may, at his discretion, issue a special building contractor's license to an individual who is not otherwise licensed by the city to perform construction work, but who can provide proof of competency as a licensed building contractor in another city's jurisdiction. The special license, so issued, shall allow the licensee to perform building construction work in or on the building or property for which it is issued and no other. The fee for such special license shall be as stated in the "schedule of fees." Such fees shall be paid to the city treasurer before the special license is issued. All insurance required under this Chapter shall be kept in accordance with CBMC 13.45. Upon the completion of the work, for which a special license was issued, such license shall expire and become null and void. Any individual who is issued a license under this provision shall be limited to one license per calendar year.

(Ord. No. 6172, § 1, 4-22-2013)

13.07.170 Insurance Required

All insurance required under this Chapter shall be kept in accordance with CBMC 13.45.

(Ord. No. 6172, § 1, 4-22-2013)

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

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

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

PASSED
AND
APPROVED

March 24, 2025.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

First Consideration: 3-10-25

Second Consideration: 3-24-25

Public Hearing: N/A

Third Consideration: _____

ORDINANCE NO. 6638

AN ORDINANCE TO AMEND TITLE 13 BUILDINGS AND CONSTRUCTION BY AMENDING CHAPTER 13.13 “LICENSING/REGISTRATION OF THE UTILITY AND LAWN IRRIGATION TRADE AND PLUMBING REQUIREMENTS” OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 13.13.360 “MASTER-INSURANCE REQUIRED”.

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

SECTION 1. That Title 13 Buildings and Construction is hereby amended by amending Chapter 13.13 “Licensing/Registration of the Utility and Lawn Irrigation Trade and Plumbing Requirements” of the 2020 Municipal Code of Council Bluffs, Iowa, by amending Section 13.13.360 “Master-Insurance Required” to read as follows:

13.13.360 Master - Insurance Required

All insurance required under this Chapter shall be kept in accordance with CBMC 13.45.

(Ord. 5850 § 2, 2005)

HISTORY

Amended by Ord. 6552 on 3/13/2023

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

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

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

PASSED AND APPROVED March 24, 2025

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

First Consideration: 3-10-25

Second Consideration: 3-24-25

Public Hearing: N/A

Third Consideration: _____

ORDINANCE NO. 6639

AN ORDINANCE TO AMEND TITLE 13 BUILDINGS AND CONSTRUCTION BY AMENDING CHAPTER 13.33 “GRADING AND EXCAVATION” OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 13.33.050 “GRADING PERMIT REQUIREMENTS”.

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

SECTION 1. That Title 13 Buildings and Construction is hereby amended by amending Chapter 13.33 “Grading and Excavation” of the 2020 Municipal Code of Council Bluffs, Iowa, by amending Section 13.33.050 “Grading Permit Requirements” to read as follows:

13.33.050 Grading Permit Requirements

- A. Permits Required. As provided in CBMC 13.33.040, no person shall do any grading without first obtaining permit from the building official. A separate permit shall be required for each site and may cover both excavations and fills.
- B. Application for Permit. The provisions of the building code, as amended, are applicable to grading and shall state an estimate of the cubic yards of earth material to be graded and area in the amount of acres of land disturbing activity.
- C. Plans and Specifications. Each application for a grading permit, whether regular grading or engineered grading, shall be accompanied by two sets of plans and specifications. Supporting data consisting of a soils report and geology report shall be submitted when required by the building official. When engineered grading is required pursuant to paragraph D of this section, the plans and specifications shall be prepared and signed by a civil engineer.
- D. Grading Designation. All grading of five thousand (5,000) cubic yards or more shall be performed in accordance with the approved grading plan prepared by a civil engineer and shall be designated as "engineered grading." Grading involving less than five thousand (5,000) cubic yards shall be designated "regular grading" unless the permittee, with the approval of the building official, chooses to have the grading performed as "engineered grading" or the building official requires "engineered grading" pursuant to paragraph G of this section.
- E. Information on Plans and Specifications.
 - 1. Plans shall be drawn to scale upon stable, reproducible media and shall be of sufficient clarity to indicate the nature and extent of the work proposed. The plans shall also show, in detail, that the grading activities will conform to the provisions of the building code, as amended, and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans shall give the location of the proposed grading work, the name and address of the person by whom they were prepared and the name and address of the property owner or of the responsible party for the property.

2. The plans shall include the following information:
 - a. General vicinity of the proposed site.
 - b. Names and addresses of adjacent property owners.
 - c. Property limits and accurate topographic map of the existing terrain with contour intervals of five feet or less and details of area drainage.
 - d. Limiting dimensions, elevations of finish contours to be achieved by the grading and proposed drainage channels and related construction.
 - e. Detailed plans of all surface and subsurface drainage devices, including walls, cribbing, dams and other protective devices to be constructed with, or as part of, the proposed grading work, together with a map showing the drainage areas and the estimated runoff for a five-year return and a one hundred (100) year flood event of the area served by any drains to be installed.
 - f. Location of any buildings or structures on the property where the proposed grading is to be performed, together with any buildings or structures on property adjacent to the proposed grading to the extent the buildings or structures are within fifteen (15) feet of the proposed grading. In addition, location of any property which may be substantially and materially affected by the proposed grading shall also be noted and shown on the plans.
 - g. Existing trees that are to be retained pursuant to CBMC 13.33.100. Specifications shall contain information covering construction and material requirements.
 - h. Plans and proposed methods for the prevention and control of soil erosion for the proposed work. See paragraph M of this section.

F. Engineered Grading Requirements.

1. For engineered grading, it shall be the responsibility of the civil engineer to design the grading plan using sound engineering practices and to incorporate all recommendations from the soils and geology reports into the grading plan. The civil engineer shall also be responsible for the professional inspection during the grading process and final approval of the grading when completed. This responsibility includes, but need not be limited to, inspection and approval as to the establishment of line, grade and drainage of the grading area. The civil engineer is the coordinating agent between any responsible party doing the actual grading work and the building official. Further, the civil engineer shall be responsible for the preparation of revised plans and the submission of an updated grading plan upon completion of the work. Finally, the civil engineer shall submit a statement of compliance pursuant to CBMC 13.33.140 Paragraph A.
2. Soils and geology reports shall be required as specified in paragraphs H and I of this section. During grading, the civil engineer shall submit all necessary reports, compaction data and soils and geology recommendations to the building official.

3. The civil engineer's inspection and approval concerning the adequacy and preparation of ground for the proposed grading operations shall include, but need not be limited to, the adequacy of the ground to receive fill, testing for required compaction, stability of all finish slopes, the design of buttress fills, where required, the stability of cut slopes with respect to geological matters and the need for subdrains or other ground water drainage devices.
4. The building official shall review the grading project at the various stages of the work in order to monitor compliance with the approved plans.

G. Regular Grading Requirements.

1. The building official may require inspection and testing by an approved testing agency of any proposed or approved grading operation. Any such required inspection or testing shall be carried out at the building official's direction.
2. When the building official has cause to believe that geologic factors may be involved in the proposed or regular grading activities, the grading operation will be required to conform to "engineered grading" requirements as defined in this chapter.

H. Soils Report.

1. The soils report required by paragraph C of this section shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures and design criteria for corrective measures, including buttress fills, if needed.
2. Recommendations included in the report shall be incorporated in the grading plans or specifications unless the building official has waived all or some of the recommendations or has approved revised recommendations.

I. Geology Report.

1. The geology report required by paragraph C of this section shall include an adequate description of the geology of the site and conclusions and recommendations regarding the effect of geologic conditions on the proposed development.
2. Recommendations included in the report shall be incorporated in the grading plans or specifications unless the building official has waived all or some of the recommendations or has approved revised recommendations.

J. Issuance. The provisions of the building code, as amended, are applicable to grading permits. The building official may require that the grading operations and project designs be modified if delays occur which result from weather-generated problems not considered at the time the permit was issued.

K. Fees. All fees associated with each required permit shall be paid to the city as established by the city council. The fee schedule shall be as per CBMC 2.08.

L. All insurance required under this Chapter shall be kept in accordance with CBMC 13.45.

M. Stormwater Pollution Prevention Plan and NPDES Permit. All applicants doing grading of one acre or more shall submit a stormwater pollution prevention plan and a copy of their NPDES permit. Plan submittal shall be completed in similar fashion to grading plan submittal and contain the following in detail:

Location and dimension of all proposed land development and land disturbing activities.
Location and dimensions of all temporary soil or dirt stockpiles.

Schedule of anticipated starting and completion date of each land development or land disturbing activity, including the installation of best management practices; provision for maintenance of best management practices during construction; and description of vegetation and other materials to be used to stabilize the site, including a schedule for installation and maintenance.

(Ord. 5848 § 1, 2005)

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

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

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

PASSED
AND
APPROVED

March 24, 2025.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

First Consideration: 3-10-25

Second Consideration: 3-24-25

Public Hearing: N/A

Third Consideration: _____

ORDINANCE NO. 6640

AN ORDINANCE TO AMEND TITLE 13 BUILDINGS AND CONSTRUCTION BY AMENDING CHAPTER 13.40 “SIGN CODE” OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 13.40.052 “SIGN CONTRACTOR’S INSURANCE”.

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

SECTION 1. That Title 13 Buildings and Construction is hereby amended by amending Chapter 13.40 “Sign Code” of the 2020 Municipal Code of Council Bluffs, Iowa, by amending Section 13.40.052 “Sign Contractor’s Insurance” to read as follows:

13.40.052 Sign Contractor's Insurance

All insurance required under this Chapter shall be kept in accordance with CBMC 13.45.

(Ord. 5926 § 1 (part), 2007)

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

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

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

PASSED
AND
APPROVED

March 24, 2025.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

First Consideration: 3-10-25

Second Consideration: 3-24-25

Public Hearing: N/A

Third Consideration: _____

Council Communication

Department: City Clerk

Case/Project No.:

Submitted by: Legal on behalf of
Rodney Schultz

Ordinance 6641
ITEM 6.D.

Council Action: 3/24/2025

Description

Ordinance to amend Title 13 Buildings and Construction of the 2020 Municipal Code of Council Bluffs, Iowa by amending and repealing several sections in Chapter 13.17 "Licensing of the Electrical Trade".

Background/Discussion

While Legal and Community Development were updating other sections of Title 13, it was determined that several sections of Chapter 13.17 are no longer relevant. The State of Iowa has administered the licensing of Electrical contractors for over 10 years and it is no longer necessary to retain the local licensing language. The updated insurance language has also been included to be consistent with other Chapters being amended and currently before this Council.

Recommendation

Approval is Recommended.

ATTACHMENTS:

Description	Type	Upload Date
Ordinance-red line version	Other	2/27/2025
Ordinance 6641	Ordinance	3/5/2025

Chapter 13.17 - LICENSING OF THE ELECTRICAL TRADE

13.17.010 Title

13.17.020 Purpose And Scope

~~13.17.030 Definitions—Licensing Of The Electrical Trade~~

~~13.17.040 General Provisions~~

~~13.17.100 Examination—Application~~

~~13.17.110 Examination—Fee~~

~~13.17.120 Examination—Methods~~

~~13.17.130 Examination—Failure~~

~~13.17.200 License—Generally~~

~~13.17.210 License—Fees~~

~~13.17.220 License—Reciprocity Conditions~~

~~13.17.230 License—Suspension Or Revocation~~

13.17.240 License - Transfer Prohibited

~~13.17.300 Continuing Education For Contractors And Journeymen~~

~~13.17.400 Apprentice~~

~~13.17.500 Journeymen~~

~~13.17.510 Residential Wireman~~

~~13.17.520 Maintenance Electrician~~

~~13.17.600 Contractor~~

~~13.17.700 Master Contractor-Requirements -'s License Required~~

13.17.720 Contractor - Insurance Requirements

~~13.17.740 Contractor's Advertising~~

13.17.800 Violation - Penalty

13.17.010 Title

This chapter shall be known as the licensing of the electrical trade, and may be so cited.

(Ord. 5281 § 1 (part), 1996)

13.17.020 Purpose And Scope

The purpose of this chapter is to provide for the ~~examining and~~ licensing of the electrical trade doing electrical work in Council Bluffs, Iowa, in order to protect public safety, health, and welfare of the citizens. ~~All electrical licenses are issued through the State of Iowa.~~

(Ord. 5281 § 1 (part), 1996)

~~13.17.030 Definitions—Licensing Of The Electrical Trade~~

~~As used in this chapter:~~

~~Electrical contractor: A person who has met all the requirements of this chapter (license, bond and insurance) showing him/her qualified to engage in the business of installing, maintaining, repairing, servicing, or altering electrical equipment, independently or employed (full time) by a firm, partnership or corporation.~~

~~Inactive contractor: A person who has met the license requirements for an electrical contractor (only), pursuant to this chapter, who may labor at the trade of installing, maintaining, repairing, servicing, or altering electrical equipment as an employee.~~

~~Journeyman electrician: A person who labors at the trade of installing, maintaining, repairing, servicing, or altering electrical equipment as an employee.~~

~~Residential wireman: A person having the necessary qualifications (training, experience and technical knowledge) to install wiring, apparatus and equipment for systems of not over four hundred (400) amps capacity for heat, light, power and other purposes in any structure used and maintained as a residential dwelling.~~

~~Maintenance electrician: A person who labors at maintaining and/or repairing electrical equipment, who is employed by an individual, firm, corporation or association.~~

~~Apprentice electrician: A person who labors at the trade of installing, maintaining, repairing, servicing or altering electrical equipment as an employee under the direct supervision and in the immediate presence of a journeyman electrician.~~

~~(Ord. 5281 § 1 (part), 1996)~~

13.17.040 General Provisions

- ~~A. "Purpose" means to provide for the examination and licensing of persons doing electrical work in the city of Council Bluffs, Iowa.~~
- ~~B. It is unlawful for any person, partnership, firm or corporation to engage in the business of installing, maintaining, repairing, servicing or altering electrical equipment as an electrical contractor unless they are or have in their employ the holder of a valid electrical contractor's license for the city of Council Bluffs.~~
- ~~C. It is unlawful for any person to labor at the trade of journeyman electrician without a valid city license and employed by a licensed electrical contractor.~~
- ~~D. It is unlawful for any person to labor at the trade of residential wireman without a valid city license and employed by a licensed electrical contractor.~~
- ~~E. It is unlawful for any person holding an inactive electrical contractor's license to obtain permits or engage in the business of electrical contracting. If found contracting with an inactive license, immediate revocation of said license will occur.~~
- ~~F. It is unlawful for any person to labor at the trade of maintenance electrician without a valid city license and regularly employed by an individual, firm, corporation or association.~~

~~(Ord. 5281 § 1 (part), 1996)~~

13.17.100 Examination – Application

~~Any person desiring a license shall make application to the electrical board of appeals for an examination. The administrative authority shall provide forms for this purpose. Applicants will apply for~~

testing to be an electrical contractor, journeyman, wireman, or maintenance electrician in certain areas of work (classifications). Applicants applying to be a contractor will be tested over all areas of work.

(Ord. 5779 § 1 (part), 2004)

13.17.110 Examination—Fee

Every person making application for each date of examination or reexamination for a license shall pay an examination fee for each test as set forth in the prevailing schedule of fees, CBMC 2.08. The fees shall be paid and attached to each application for the license classification(s) desired. Fees for testing are not refundable.

(Ord. 5281 § 1 (part), 1996)

13.17.120 Examination—Methods

The electrical board of appeals shall review and approve the experience of applicants for examination. The applicants shall clearly demonstrate in writing their qualifications for the particular classification of license desired, and shall show satisfactory knowledge of the methods and standards for doing work under the code of the city of Council Bluffs, Iowa. The examination shall be from a third-party testing agency, practical, and shall be of such a nature as to uniformly test the capabilities of all applicants for the same type of license. With special permission from the electrical official, applicants may take the locally prepared examination. The passing percentage grade for all examinations shall be seventy-five (75) percent correct.

(Ord. 5779 § 1 (part), 2004)

13.17.130 Examination—Failure

When an applicant fails to pass the examination required by this chapter, the following waiting periods shall be required before such applicant shall be eligible to again take such examinations:

Grade of 0% to 49%	3-month waiting period
Grade of 50% to 75%	1-month waiting period

(Ord. 5281 § 1 (part), 1996)

13.17.200 License—Generally

A.—Classifications for the electrical trade are as follows:

Electrical contractor, electrical journeyman, electrical apprentice, inactive electrical contractor, residential wireman, and maintenance electrician.

B.—All licenses shall expire on March 31st of each odd-numbered year and may be renewed thereafter biennially upon application of the licensee and payment of the biennial fee to the city clerk.

C.—If an expired license is not renewed by March 31st of each odd-numbered year, there will be a penalty fee as specified in CBMC 2.08.

- ~~D.—Any licensee whose license has expired shall have the right to renew such license, without examination, on or before the following June 1st of each odd-numbered year.~~
- ~~E.—New licenses may be prorated on a half-year basis.~~
- ~~F.—An identification card shall be furnished a licensee by the city of Council Bluffs at the time of the issuance of such license, and the identification card shall be worn or carried on the person of such licensee at all times during the working period of the licensee, and failure to do so shall be deemed a violation of the provisions of this chapter.~~
- ~~G.—On or before February 28th of each odd-numbered year, the city will send notice to the licensee's last known address informing them that their license is nearing expiration.~~
- ~~H.—All electrical contractors, journeymen, apprentices, wireman, and maintenance electricians shall be subject to the laws of the state of Iowa and the Municipal Code for the city of Council Bluffs.~~
- ~~I.—In order to provide opportunity for the next available exam date, a craftsman meeting the qualifications to test as a journeyman or residential wireman and licensed as such by other jurisdictions can be issued a temporary license for a period of up to four months with the administrative authority's authorization.~~

~~(Ord. 5779 § 1 (part), 2004)~~

13.17.210 License—Fees

~~Before a biennial license shall be issued under this chapter, the applicant shall pay the biennial license fees as set forth in the prevailing schedule of fees, CBMC 2.08.~~

~~(Ord. 5779 § 1 (part), 2004)~~

13.17.220 License—Reciprocation Conditions

~~Any licensee from another jurisdiction that uses the same proctored third-party test and passing score (minimum) as Council Bluffs, and who can produce written credentials showing proper accreditation (test scores) and a valid license from that jurisdiction to work as a contractor or journeyman, shall be exempt from the examination required of this chapter, and a license shall be issued upon payment of the required fee.~~

~~(Ord. 5281 § 1 (part), 1996)~~

13.17.230 License—Suspension Or Revocation

~~In addition to the penalties provided in this chapter, the board may suspend or revoke the license of any licensed electrical contractor, journeyman, apprentice, residential wireman, or maintenance electrician issued under the provision of this chapter if the licensee has violated this chapter or the Electrical Code of the city of Council Bluffs, Iowa. The licensee shall surrender the license either in person or by sending it by certified mail to the administrative authority within five days after the board sends notice of the suspension or revocation to the licensee's last known address. Any electrical contractor, journeyman, apprentice, residential wireman, or maintenance electrician whose license has been suspended or revoked shall not be permitted to apply for another license for a period as determined by the board, not to exceed one year for the date of such suspension or revocation.~~

~~(Ord. 5281 § 1 (part), 1996)~~

13.17.240 License - Transfer Prohibited

If any licensee should or should attempt to transfer his/her license or to allow or permit the same to be used, directly or indirectly, by any other person for any purpose whatsoever, the licensee shall be subject to the penalties as outlined in this chapter.

~~(Ord. 5281 § 1 (part), 1996)~~

13.17.300 Continuing Education For Contractors And Journeymen

- ~~A.—Before the expiration date of any contractor or journeyman license issued under the provisions of this chapter or before the renewal thereof, the holder of such license shall have completed twelve (12) hours of continuing education. Six hours of this continuing education shall concern the National Electrical Code with certification of completion required. This certification of completion shall be submitted to the electrical inspector prior to renewal of the license.~~
- ~~B.—The electrical contractors will be responsible to convey this classroom information to their journeymen and apprentices.~~

~~(Ord. 5779 § 1 (part), 2004)~~

13.17.400 Apprentice

~~Apprentice electricians will be permitted to do electrical work within the city limits of Council Bluffs, Iowa, only if the qualifications and requirements are met as follows:~~

- ~~A.—They must be employed by an electrical contractor licensed by the city of Council Bluffs;~~
- ~~B.—All electrical work performed by the apprentice must be under the direct supervision of an electrician licensed by the city of Council Bluffs;~~
- ~~C.—Every electrical apprentice shall register his or her name and address and contractor who he or she is working for with the electrical board;~~
- ~~D.—Every electrical apprentice shall register his or her name and address and the electrical contractor who he or she is working for with the electrical board of appeals annually;~~
- ~~E.—The fees for original registration and annual renewal shall be as set forth in the prevailing schedule of fees;~~
- ~~F.—Every electrical apprentice shall be involved in an apprentice training or technical school certified by the city's electrical board;~~
- ~~G.—Certification of Apprenticeship Programs. The electrical board shall use guidelines established by the B.A.T. to establish standards for certification of apprenticeship programs and shall certify apprenticeship programs annually. Any certified apprenticeship program in the city must conform with the following minimum requirements:~~

- ~~1.—An organized written plan shall include the following minimum provisions: qualifications for apprenticeship entry, classroom instruction, safety, apprenticeship agreement, certificate of completion, credit for previous experience, equal opportunity, term, probationary period, tentative work schedule, and annual review,~~
- ~~2.—A specific affirmative action plan, stating methods to recruit members of minority groups and women into apprenticeship positions and including measurable performance objectives,~~
- ~~3.—Not less than four years with not less than eight thousand hours of practical employment experience for each apprentice,~~
- ~~4.—An outline of the work process in which the apprentice will receive supervised on-the-job training or classroom instruction and the approximate time on each process,~~
- ~~5.—Provision for a minimum of five hundred seventy-six (576) hours of organized related instruction in technical subjects related to the electrical trade,~~
- ~~6.—A numeric ratio of apprentices to licensed electricians, which may not be greater than two apprentices for each licensed electrician. The ratio language shall be specific and clear as to application in terms of job site and work force, and may specify conditions for temporary exceptions, as determined by the electrical board,~~
- ~~7.—Periodic review and evaluation of each apprentice's progress in job performance and related instruction,~~
- ~~8.—The grading of advanced standing or credit for experience, training or skills acquired outside a city-certified apprenticeship program,~~
- ~~9.—Any program which is certified by the United States Department of Labor's Bureau of Apprenticeship and Training shall be automatically certified by the city,~~
- ~~10. All apprentices currently registered with the city electrical board will be exempt for a two-year period following the date of passage.~~

(Ord. 5281 § 1 (part), 1996)

13.17.500 Journeymen

An electrical contractor may employ a licensed electrical journeyman to be responsible for the classifications and area(s) of work for which his or her journeyman's license was issued. All journeymen shall be examined as provided in this chapter. The minimum experience required for a journeyman shall be:

Years of Work Experience	And Years of Board-Approved Schooling
4	4

5	2
6	0

The journeyman shall be required to pass an examination as provided in this chapter before being issued a license.

(Ord. 5281 § 1 (part), 1996)

13.17.510 Residential Wireman

A residential wireman is to be responsible for the classifications and area(s) of work for which his or her residential wireman's license was issued. All residential wiremen shall be examined as provided in this chapter. The minimum experience required for a residential wireman shall be:

Years of Work Experience	And Years of Board-Approved Schooling
2	2
3	0

The residential wireman shall be required to pass an examination as provided in this chapter before being issued a license.

(Ord. 5281 § 1 (part), 1996)

13.17.520 Maintenance Electrician

A maintenance electrician is to be responsible for the classifications and area(s) of work for which his or her maintenance electrician's license was issued. All maintenance electricians shall be examined as provided in this chapter. The minimum experience required for a maintenance electrician shall be two years (four thousand hours) of work experience (will take schooling into consideration for actual work experience). The maintenance electrician shall be required to pass an examination as provided in this chapter before being issued a license.

(Ord. 5281 § 1 (part), 1996)

13.17.600 Contractor

All electrical contractors shall be examined as provided in this chapter. The minimum experience required in order to obtain a contractor's license shall be six years of work experience in the area of work classification desired to be licensed (an alternative is a maximum of three years technical schooling); however, two years of which shall have been as a licensed journeyman.

(Ord. 5779 § 1 (part), 2004)

13.17.700 Master Contractor Requirements -~~'s License Required~~

No company, firm, partnership, firm, corporation and/or association shall engage in business as a contractor doing electrical work within the City of Council Bluffs, unless said company, firm, partnership, firm, corporation and/or association has detained an Electrical Master/Contractor's License issued by the State of Iowa. All electrical license holders shall be subject to the laws of the State of Iowa and the ordinances of the City of Council Bluffs.

~~No electrical contractor shall engage in business as a contractor to do work in this licensed trade within the city of Council Bluffs, unless such person shall have obtained a Council Bluffs electrical contractor's license.~~

(Ord. 5281 § 1 (part), 1996)

13.17.720 Contractor - Insurance Requirements

All insurance required under this Chapter shall be kept in accordance with CBMC 13.45.

~~An electrical contractor shall furnish to the city clerk a certificate of insurance, subject to approval by the city attorney, evidencing commercial general liability insurance coverage or its equivalent in the minimum amount of one million dollars (\$1,000,000.00) per occurrence for bodily injury, including death or damage to property of others, arising out of work performed or responsibilities assumed under the license. The aggregate limit shall be no less than one million dollars (\$1,000,000.00). In addition, the electrical contractor shall furnish a certificate of insurance, subject to approval by the city attorney, evidencing worker's compensation insurance sufficient to satisfy the laws of the state of Iowa; employer's liability insurance in the minimum amount of one hundred thousand dollars (\$100,000.00); and auto liability insurance in the minimum amount of one million dollars (\$1,000,000.00).~~

~~These limits may be provided by any combination of primary and excess policies. The insurance company shall endeavor to provide thirty (30) days' notice of cancellation or nonrenewal to the city clerk.~~

(Ord. 5849 § 2, 2005)

13.17.730 Contractors—Bond Requirements

- ~~A.—Before an electrical contractor's license may be issued under the provisions of this code, the applicant therefor shall furnish a corporate surety bond to be approved under the provisions of this code in the sum of not less than ten thousand dollars (\$10,000.00) to secure the city and the public against damages that may arise by virtue of carelessness or neglect of such person to properly execute and protect the work or for any penalties that may be imposed under the provisions of this code.~~
- ~~B.—The bond shall be executed by a qualified surety company licensed to do business in the state of Iowa.~~
- ~~C.—The bond shall further be conditioned that the applicant shall install all things, by him/her or his/her firm or corporation furnished and installed, in strict compliance with the terms of this code.~~

~~D. The bond shall include both the name of the person who holds the electrical contractor's license and the firm or corporate name said bond is issued to.~~

~~(Ord. 5281 § 1 (part), 1996)~~

13.17.740 Contractor's Advertising

Any contractor who advertises in a print medium distributed in Council Bluffs to do work in this licensed trade shall also include in the advertisement their contractor's license number.

(Ord. 5281 § 1 (part), 1996)

13.17.800 Violation - Penalty

Any person found guilty of a violation of any of the provisions of this chapter shall, upon conviction, be subject to the penalty provisions of CBMC 8.02.020. Each day that a violation is allowed to continue shall constitute a separate and distinct violation. At the discretion of the city attorney, any violation of the provisions of this chapter may be pursued as a municipal infraction according to the terms of CBMC 1.95 in lieu of criminal prosecution.

(Ord. 5580 § 1, 2001)

ORDINANCE NO. 6641

AN ORDINANCE TO AMEND TITLE 13, BUILDINGS AND CONSTRUCTION OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA BY AMENDING AND REPEALING SEVERAL SECTIONS IN CHAPTER 13.17 “LICENSING OF THE ELECTRICAL TRADE”.

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

SECTION 1. That Title 13, Buildings and Construction of the 2020 Municipal Code of Council Bluffs, Iowa is amended by amending and repealing several sections in Chapter 13.17 “Licensing/Registration of the Electrical Trade” to read as follows:

Chapter 13.17 - LICENSING OF THE ELECTRICAL TRADE

13.17.010 Title

13.17.020 Purpose And Scope

13.17.240 License - Transfer Prohibited

13.17.700 Master Contractor-Requirements

13.17.720 Contractor - Insurance Requirements

13.17.740 Contractor's Advertising

13.17.800 Violation - Penalty

13.17.010 Title

This chapter shall be known as the licensing of the electrical trade, and may be so cited.

(Ord. 5281 § 1 (part), 1996)

13.17.020 Purpose And Scope

The purpose of this chapter is to provide for the ~~examining and~~ licensing of the electrical trade doing electrical work in Council Bluffs, Iowa, in order to protect public safety, health, and welfare of the citizens. All electrical licenses are issued through the State of Iowa.

(Ord. 5281 § 1 (part), 1996)

13.17.240 License - Transfer Prohibited

If any licensee should or should attempt to transfer his/her license or to allow or permit the same to be used, directly or indirectly, by any other person for any purpose whatsoever, the licensee shall be subject to the penalties as outlined in this chapter.

(Ord. 5281 § 1 (part), 1996)

13.17.700 Master Contractor-Requirements

No company, firm, partnership, firm, corporation and/or association shall engage in business as a contractor doing electrical work within the City of Council Bluffs, unless said company, firm, partnership, firm, corporation and/or association has detained an Electrical Master/Contractor's License issued by the State of Iowa. All electrical license holders shall be subject to the laws of the State of Iowa and the ordinances of the City of Council Bluffs.

(Ord. 5281 § 1 (part), 1996)

13.17.720 Contractor - Insurance Requirements

All insurance required under this Chapter shall be kept in accordance with CBMC 13.45.

(Ord. 5849 § 2, 2005)

13.17.740 Contractor's Advertising

Any contractor who advertises in a print medium distributed in Council Bluffs to do work in this licensed trade shall also include in the advertisement their contractor's license number.

(Ord. 5281 § 1 (part), 1996)

13.17.800 Violation - Penalty

Any person found guilty of a violation of any of the provisions of this chapter shall, upon conviction, be subject to the penalty provisions of CBMC 8.02.020. Each day that a violation is allowed to continue shall constitute a separate and distinct violation. At the discretion of the city attorney, any violation of the provisions of this chapter may be pursued as a municipal infraction according to the terms of CBMC 1.95 in lieu of criminal prosecution.

(Ord. 5580 § 1, 2001)

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

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

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

PASSED
AND
APPROVED

March 24, 2025.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

First Consideration: 3-10-25

Second Consideration: 3-24-25

Public Hearing: N/A

Third Consideration: _____

Council Communication

Department: Legal
Case/Project No.:
Submitted by: Graham Jura

Resolution 25-82
ITEM 7.A.

Council Action: 3/24/2025

Description

Resolution authorizing the Mayor to execute the Order Accepting the Acknowledgment/Settlement Agreements from Casey's #6127, 2711 S. 24th Street, Council Bluffs, Iowa 51501 and Jerusalem Petroleum d/b/a Speedy Gas N Shop, 420 S. 35th Street #1, Council Bluffs, Iowa 51501, for violations of Iowa Code Section 453A.2.

Background/Discussion

On or about January 28, 2025, citations were issued to an employee of both of these businesses for selling tobacco to a minor. We pursued a civil penalty against the permit holders. The civil penalty for a first violation is \$300.00 and payment has been received along with their signed Acknowledgement/Settlement Agreements. A resolution has been prepared authorizing the Mayor to execute the Orders to Accept the Acknowledgement/Settlement Agreements from these businesses.

Recommendation

Approval is recommended.

ATTACHMENTS:

Description	Type	Upload Date
Order (Casey's)	Other	3/7/2025
Order (Speedy Gas)	Other	3/7/2025
Resolution 25-82	Resolution	3/20/2025

BEFORE THE CITY COUNCIL
FOR THE CITY OF COUNCIL BLUFFS, IOWA

IN RE:

Casey's General Store #6127
2711 S. 24th Street
Council Bluffs, IA 51501

**ORDER ACCEPTING THE
ACKNOWLEDGEMENT/SETTLEMENT
AGREEMENT**

ON this _____ day of March, 2025, in lieu of a public hearing on the matter, the City Council approves the attached Acknowledgment/Settlement Agreement between the above-captioned permittee and the City of Council Bluffs, Iowa.

THEREFORE, the City Council for the City of Council Bluffs, Iowa, FINDS that the above-captioned permittee has remitted to the City of Council Bluffs, Iowa, a civil penalty in the amount of three hundred dollars (\$300.00). Be advised that this sanction will count as a first violation of Iowa Code Section 453A.2(1), pursuant to Iowa Code Section 453A.22(2)(a).

IT IS THEREFORE ORDERED that the judgment in this matter is hereby satisfied.

MATTHEW J. WALSH Mayor

Attest:

JODI QUAKENBUSH City Clerk

BEFORE THE CITY COUNCIL
FOR THE CITY OF COUNCIL BLUFFS, IOWA

IN RE:

Speedy Gas N Shop
420 S. 35th Street, #1
Council Bluffs, IA 51501

**ORDER ACCEPTING THE
ACKNOWLEDGEMENT/SETTLEMENT
AGREEMENT**

ON this _____ day of March, 2025, in lieu of a public hearing on the matter, the City Council approves the attached Acknowledgment/Settlement Agreement between the above-captioned permittee and the City of Council Bluffs, Iowa.

THEREFORE, the City Council for the City of Council Bluffs, Iowa, FINDS that the above-captioned permittee has remitted to the City of Council Bluffs, Iowa, a civil penalty in the amount of three hundred dollars (\$300.00). Be advised that this sanction will count as a first violation of Iowa Code Section 453A.2(1), pursuant to Iowa Code Section 453A.22(2)(a).

IT IS THEREFORE ORDERED that the judgment in this matter is hereby satisfied.

MATTHEW J. WALSH Mayor

Attest:

JODI QUAKENBUSH City Clerk

RESOLUTION NO. 25-82

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE ORDERS ACCEPTING THE ACKNOWLEDGMENT/SETTLEMENT AGREEMENTS FROM CASEY'S #6127, 2711 S. 24TH STREET, COUNCIL BLUFFS, IOWA 51501 AND JERUSALEM PETROLEUM D/B/A SPEEDY GAS N SHOP, 420 S. 35TH STREET #1, COUNCIL BLUFFS, IOWA 51501 FOR VIOLATIONS OF IOWA CODE SECTION 453A.2.

WHEREAS, the Iowa Alcoholic Beverages Division has enacted a comprehensive program aimed at reducing underage tobacco use; and

WHEREAS, compliance checks in Council Bluffs earlier this year resulted in a citation being issued to an employee of each of the following businesses:

1. Casey's #6127, 2711 S. 24th Street, Council Bluffs, Iowa 51501 on or about January 28, 2025;
2. Jerusalem Petroleum d/b/a Speedy Gas N Shop, 420 S. 35th Street #1, Council Bluffs, Iowa 51501 on or about January 28, 2025; and

WHEREAS, the mandatory civil penalty of \$300.00 has been paid by each of these listed businesses and it is in the best interest of the City to execute an Order accepting the Acknowledgment/Settlement Agreements from each of these businesses.

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

That the Mayor is hereby authorized to execute the Order Accepting the Acknowledgment/Settlement Agreements from Casey's #6127 and Jerusalem Petroleum d/b/a Speedy Gas N Shop for violations of Iowa Code Section 453A.2.

ADOPTED
AND
APPROVED

March 24, 2025.

ROGER C. SANDAU

Mayor Pro Tem

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

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

Resolution 25-83
ITEM 7.B.

Council Action: 3/24/2025

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 FY26 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 FY26 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 FY26.

ATTACHMENTS:

Description	Type	Upload Date
GO Bond Process	Other	3/13/2025
FY26 CIP	Other	3/13/2025
Resolution 25-83	Resolution	3/20/2025

City of Council Bluffs

GO Bonding Process

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

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

Step 2 – Set public hearing for bond purposes

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

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

Step 4 – Reimbursement resolution

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

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

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

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

Step 8 – Sale of Bonds public hearing

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

FY 26

PROJECT #	PROJECT TITLE	DESCRIPTION	Current Year Funding Sources												Current Year Project Cost	Notes/Further information
			Federal	State	Sales	Road Use	GO	General Fund - Gaming	General Fund - Operating	General Fund - Other	Iowa West Grant	Other Grant	Donations	Other		
Building Maintenance			\$0	\$0	\$0	\$0	\$1,375,000	\$1,275,000	\$0	\$0	\$0	\$0	\$0	\$0	\$2,650,000	
BM-26-01	MAC Parking Lot Rehab - Phase VI	Replacement of City owned lots						\$1,000,000							\$1,000,000	
BM-26-02	MAC Arena Upgrades - Phase I	Replace South retractable seating					\$675,000								\$675,000	
BM-26-03	City Hall Exterior Repair	Repair window lentils, clean and seal exterior walls					\$250,000								\$250,000	
BM-26-04	MAC Arena Folding Chairs	Replace arena folding chairs					\$210,000								\$210,000	
BM-26-05	Bass Pro Shops Parking Lot Repairs	Mill and patch, crack seal and seal coat						\$275,000							\$275,000	
BM-26-06	Vehicles & Heavy Equipment	Replace MAC utility vehicle and truck					\$90,000								\$90,000	
BM-26-07	SWILE Backup Generator Addition	Install whole house generator at SWILE to cover network link to WWTP and direct link to PD					\$150,000								\$150,000	
Library			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$50,000	\$50,000
LI-26-01	Outreach Vehicle	Vehicle to support Library outreaches, including upfitting													\$50,000	PY Bond \$
Community Development Department			\$650,000	\$0	\$0	\$0	\$1,100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,750,000	
CD-26-01	FIRST AVE Program (Furthering Interconnections, Revitalization, Streetscapes, Transportation, and Aesthetics for a Vibrant Economy)	Acquisitions/demolition/trail/infrastructure/studies (31st - 35th St)					\$500,000								\$500,000	
CD-26-02	Downtown Plan	Completion of Downtown Plan Update from 2003					\$600,000								\$600,000	
CD-26-03	East Manawa Development	Planning, design, infrastructure, trail	\$350,000												\$350,000	CDBG
CD-26-04	Old Battery Factory site	Infrastructure	\$300,000												\$300,000	CDBG
Fire Department			\$0	\$0	\$0	\$0	\$280,000	\$0	\$100,000	\$0	\$0	\$0	\$0	\$0	\$380,000	
FD-26-01	Station 2 Precon Plans	Plans for remodel of station 2							\$100,000						\$100,000	
FD-26-02	Vehicles & Heavy Equipment	QRV 22 Replacement, Fire Car 8 Replacement, Fire Car 6 Replacement, Large Diameter Hose Replacement					\$280,000								\$280,000	
Police Department			\$0	\$0	\$0	\$0	\$1,232,412	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,232,412	
PD-26-01	Vehicles & Heavy Equipment	Replacement of 6 cruisers with upfitting costs; department issued rifles					\$705,658								\$705,658	
PD-26-02	Taser Replacement	Replace 80 tasers (with 5-year warranty cost broken out below)					\$436,754								\$436,754	
PD-26-02	Taser Replacement	Taser Warranty cost					\$90,000								\$90,000	
IT			\$0	\$0	\$0	\$0	\$800,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$800,000	
IT-26-01	Safety and Security	Cameras					\$70,000								\$70,000	
IT-26-02	Infrastructure & Services	Fiber, network switches, servers, storage					\$500,000								\$500,000	
IT-26-03	Mobile Technology	MDTs and tablets					\$80,000								\$80,000	
IT-26-04	Software Licensing	Software renewals; permit/licensing software implementation					\$150,000								\$150,000	
Parks and Recreation Department			\$0	\$0	\$0	\$0	\$2,904,560	\$0	\$121,500	\$0	\$3,500,000	\$0	\$0	\$0	\$6,526,060	
PR-26-01	River's Edge Donor Plaza	Construct New Donor Plaza for the Donors of River's Edge					\$600,000								\$600,000	
PR-26-02	Big Lake Park North Field Trails and Dog Park, Ph	Engineering and design of the north field improvements							\$50,000						\$50,000	
PR-26-03	South Expressway Trail Connection	Engineering and design of trail connection					\$375,000								\$375,000	
PR-26-04	S. 24th Trail Connection	New trail segment from I-29 off ramp to Recreation Complex, along S. 24th Street					\$400,000								\$400,000	
PR-26-05	Pirate Cove Improvements	New concrete plaza and shelter area					\$155,000								\$155,000	
PR-26-06	Trolley Park Playground Improvement	Replace existing play surface and add a couple of stand alone pieces of play equipment					\$261,000								\$261,000	
PR-26-07	Big Lake Park Playground Improvements, Phase 1	Engineering and design of playground and associated park improvements							\$71,500						\$71,500	
PR-26-08	City County Trail Connector	Additional funding for design and construction of City County Trail					\$375,000								\$375,000	
PR-26-09	Vehicles & Heavy Equipment						\$738,560								\$738,560	
PR-26-10	Rivers Edge Gateway Enhancements	Decorative lighting, landscaping, hardscaping, irrigation and entry signage at W. Broadway									\$3,500,000				\$3,500,000	
Public Works Department			\$700,000	\$2,700,000	\$11,850,000	\$285,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,310,000	\$18,845,000	
PW-26-01	Infrastructure Maintenance	Emergency Repair			\$150,000										\$150,000	
PW-26-02	Infrastructure Maintenance	Traffic Signal Improvements			\$200,000										\$200,000	
PW-26-03	Infrastructure Maintenance	HMA Resurfacing, curb & gutter			\$300,000										\$300,000	
PW-26-04	Infrastructure Management	Sanitary Sewer Rate Study			\$100,000										\$100,000	
PW-26-05	NPDES PH II Program Management	Stormwater Utility Study			\$100,000										\$100,000	
PW-26-06	Indian Creek Channel Rehabilitation	Repair of I.C. concrete structure	297	\$2,700,000	\$800,000										\$3,500,000	FMP
PW-26-07	Richard Downing Blvd Reconstruction	Pavement, storm sewer			\$2,250,000										\$2,250,000	

FY 26

PROJECT #	PROJECT TITLE	DESCRIPTION	Current Year Funding Sources											Current Year Project Cost	Notes/Further information
			Federal	State	Sales	Road Use	GO	General Fund - Gaming	General Fund - Operating	General Fund - Other	Iowa West Grant	Other Grant	Donations	Other	
PW-26-08	Valley View Intersection Improvements	Greenview Rd and Franklin Ave			\$800,000									\$800,000	
PW-26-09	E Manawa Sewer Rehab - Phase XIV	Pavement, sewer			\$1,050,000									\$450,000	Other = Sewer
PW-26-10	Kanesville Pedestrian Bridge Repairs	Repair bridge structure			\$450,000									\$450,000	
PW-26-12	S 23rd Street Sewer Rehab - Phase II	Pavement, sewer			\$875,000									\$375,000	Other = Sewer
PW-26-13	Ave B Reconstruction, Phase II	Pavement, sewer			\$875,000									\$375,000	Other = Sewer
PW-26-14	Hillcrest Reconstruction, Phase II	Pavement, sewer			\$650,000									\$250,000	Other = Sewer
PW-26-15	WPCP Digestor Lids	Repair/Replace Digestor Lids			\$1,750,000									\$1,750,000	Other = Sewer
PW-26-16	Pump Station Rehab	Forrest Glen Sanitary P.S.			\$1,500,000										\$1,500,000
PW-26-17	SS4A Planning Grant	City-wide traffic calming and speed study	\$700,000			\$175,000									\$875,000
PW-26-18	East End Ops Building	Purchase former Pott Co. site on Greenview				\$110,000								\$110,000	Other = Sewer
Total			\$1,350,000	\$2,700,000	\$11,850,000	\$285,000	\$7,691,972	\$1,275,000	\$221,500	\$0	\$3,500,000	\$0	\$0	\$3,360,000	\$32,233,472

Resolution 25-83

ITEMS TO INCLUDE ON AGENDA

CITY OF COUNCIL BLUFFS, IOWA

General Obligation Bonds, Series 2025

- 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.

March 24, 2025

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

Disalvo, Peterson, Sandau and Shudak

Absent: Gorman

Vacant: n/a

* * * * *

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 25-83

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	1,375,000	1,375,000	Q4 FY26
<u>Community Development Reconstruction</u>	Capital	1,100,000	1,100,000	Q4 FY26
<u>IT Software Hardware</u>	Capital	800,000	800,000	Q4 FY26
<u>Parks & Rec Rehab</u>	Capital	2,904,560	2,904,560	Q4 FY26
<u>Public Safety Vehicles and Heavy Equipment</u>	Capital	1,512,412	1,512,412	Q4 FY26

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 24th day of March, 2025.

Mayor Pro Tem

ATTEST:

City Clerk

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

WITNESS my hand and the seal of the Council hereto affixed this 25th day of March, 2025.

(SEAL)

Council Communication

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

Resolution 25-84
ITEM 7.C.

Council Action: 3/24/2025

Description

Resolution authorizing the issuance of \$7,855,000 General Obligation Bonds, Series 2025 and levying a tax for the payment thereof.

Background/Discussion

General Obligation Bonds, Series 2025, in the amount of \$7,855,000 shall be issued pursuant to the provisions of Iowa Code Section 384.25, 284.26, and 384.28 for the purposes covered by the hearings.

For the purpose of providing funds to pay the principal and interest as required under Chapter 76.2, there is levied for each future year following direct annual tax upon all the taxable property in the City of Council Bluffs, State of Iowa.

Recommendation

The City is currently at Step 5 of the General Obligation Bonding process, which is to request approval of the resolution to collect a tax levy to pay for principal and interest payments. 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 FY26.

ATTACHMENTS:

Description	Type	Upload Date
GO Bond Process	Other	3/13/2025
Resolution 25-84	Resolution	3/20/2025

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

Resolution 25-84

ITEMS TO INCLUDE ON AGENDA

CITY OF COUNCIL BLUFFS, IOWA

\$7,855,000 General Obligation Bonds, Series 2025

- Resolution authorizing the issuance and levying a tax for the payment thereof.

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

March 24, 2025

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

Disalvo, Peterson, Sandau and Shudak

Absent: Gorman

Vacant: n/a

* * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION AUTHORIZING THE ISSUANCE OF \$7,855,000 GENERAL OBLIGATION BONDS, SERIES 2025, AND LEVYING A TAX FOR THE PAYMENT THEREOF", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

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

Resolution 25-84

RESOLUTION AUTHORIZING THE ISSUANCE OF
\$7,855,000 GENERAL OBLIGATION BONDS, SERIES 2025,
AND LEVYING A TAX FOR THE PAYMENT THEREOF

WHEREAS, the City of Council Bluffs, State of Iowa ("Issuer"), is a municipal corporation, organized and existing under the Constitution and laws of the State of Iowa, and is not affected by any special legislation; and

WHEREAS, the Issuer is in need of funds to pay costs of:

- a) the acquisition, restoration, or demolition of abandoned, dilapidated, or dangerous buildings, structures or properties or the abatement of a nuisance;
- b) the equipping of the police and fire departments;
- c) the rehabilitation and improvement of parks already owned, and facilities, equipment, and improvements commonly found in city parks;
- d) opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys and public grounds, and market places, with related utility and site improvements, and the removal and replacement of dead or diseased trees thereon; the construction, reconstruction, and repairing of any street improvements, grade crossing separations and approaches; the acquisition, installation, construction, reconstruction and repair of sidewalks, pedestrian underpasses and overpasses, trails, bridges, and culverts, acquisition of any real estate needed for any of the foregoing purposes;
- e) the improvement and equipping city facilities, including the law enforcement training and utility facilities;
- f) the acquisition, construction, reconstruction, enlargement, improvement, and

- equipping of swimming pools and recreation grounds, including Pirates Cove;
- g) planning for development of public improvements, including streets, flood plain, traffic control, public art;
- h) the acquisition, improvement, extension and enhancement of City's information technology infrastructure and services, including cameras, computers, servers, software and fiber;
- i) the equipping of city enterprises and departments, including vehicles for the Mid America Center and the Parks department;
- j) the acquisition, construction, reconstruction, enlargement, improvement and equipping of recreation grounds, recreation buildings, and recreation centers, including River's Edge donor plaza; and
- k) the acquisition, construction, reconstruction, extension, improvement and equipping of city hall

(the "Project"), and it is deemed necessary and advisable that General Obligation Bonds, Series 2025, dated June 4, 2025, in the amount of \$7,855,000 be issued; and

WHEREAS, the City Council has taken such acts as are necessary to authorize issuance of the Bonds.

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

Section 1. Authorization of the Issuance. General Obligation Bonds, Series 2025, in the amount of \$7,855,000 shall be issued pursuant to the provisions of Iowa Code Sections 384.25, 384.26 and 384.28 for the purposes covered by the hearing.

Section 2. Levy of Annual Tax. For the purpose of providing funds to pay the principal and interest as required under Chapter 76.2, there is levied for each future year the following direct annual tax upon all the taxable property in the City of Council Bluffs, State of Iowa, to wit:

AMOUNT	FISCAL YEAR (JULY 1 TO JUNE 30) YEAR OF COLLECTION
\$2,391,356.25	2025/2026
\$1,822,062.50	2026/2027
\$ 672,750.00	2027/2028
\$ 675,000.00	2028/2029
\$ 676,000.00	2029/2030
\$ 675,750.00	2030/2031
\$ 674,250.00	2031/2032
\$ 671,500.00	2032/2033
\$ 672,500.00	2033/2034
\$ 672,000.00	2034/2035

Principal and interest coming due at any time when the proceeds of the tax on hand are insufficient to pay the amount due shall be promptly paid when due from current funds available for that purpose and reimbursement must be made.

Section 3. Amendment of Levy of Annual Tax. Based upon the terms of the future sale of the Bonds to be issued, this Council will file an amendment to this Resolution ("Amended Resolution") with the County Auditor.

Section 4. Filing. A certified copy of this Resolution shall be filed with the County Auditor of County of Pottawattamie, State of Iowa, who shall, pursuant to Iowa Code Section 76.2, levy, assess and collect the tax in the same manner as other taxes and, when collected, these taxes shall be used only for the purpose of paying principal and interest on the Bonds.

PASSED AND APPROVED this 24th day of March, 2025.

Mayor Pro Tem

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 25th day of March, 2025.

City Clerk, City of Council Bluffs, State of
Iowa

(SEAL)

COUNTY AUDITOR'S CERTIFICATE

I, _____, County Auditor of Pottawattamie County, State of Iowa, hereby certify that on the _____ day of _____, 2025 there was filed in my office the Resolution of the City Council of the City of Council Bluffs, State of Iowa, adopted on the 24th day of March, 2025, such Resolution levying a tax for the purpose of paying principal and interest on \$7,855,000 of General Obligation Bonds, Series 2025, dated June 4, 2025, and authorizing the issuance of the Bonds.

(COUNTY SEAL)

County Auditor of Pottawattamie County, State
of Iowa

4937-6265-3733-1\10342-203

Council Communication

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

Resolution 25-85
ITEM 7.D.

Council Action: 3/24/2025

Description

Resolution authorizing the City Legal Department to proceed as proposed in Executive Session held on March 10, 2025.

Background/Discussion

City Legal Department has been in discussions regarding mediation scheduled for March 21, 2025, in the Adams matter

Recommendation

Approval

ATTACHMENTS:

Description	Type	Upload Date
Resolution 25-85	Resolution	3/20/2025

RESOLUTION NO. 25-85

**A RESOLUTION AUTHORIZING THE CITY LEGAL DEPARTMENT TO PROCEED
AS PROPOSED IN EXECUTIVE SESSION HELD ON MARCH 10, 2025.**

WHEREAS, the City's Legal Department has been in discussions regarding mediation scheduled on March 21, 2025; and

WHEREAS, direction and parameters were provided to the City's Legal Department at the City Council's Executive Session held on March 10, 2025; and

WHEREAS, the City's Legal Department has come to an agreement within the parameters discussed during said Executive Session.

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

That the City's Legal Department is hereby authorized to proceed forward with the discussed course of action regarding the matter.

ADOPTED
AND
APPROVED

March 24, 2025.

ROGER C. SANDAU

Mayor Pro Tem

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

Department: Public Works Admin
Case/Project No.: BM25-03
Submitted by: Cody Smith, Public
Works Facilities Superintendent

Resolution 25-86
ITEM 7.E.

Council Action: 3/24/2025

Description

Resolution accepting the bid of Engineered Controls Inc. in the amount of \$184,650.00 for the Council Bluffs Public Library Automation Upgrade. Project # BM-25-03

Background/Discussion

On March 12, 2025 one bid was received through the City bidding software, IonWave, as follows:

Engineered Controls Inc., Omaha, NE	\$184,650.00
Optimized Systems (Engineer's Estimate)	\$240,000.00

The Council Bluffs Public Library was constructed in 1998 with 70,951 square feet of available space that allows the Library to provide a large selection of reading materials, archival material viewing, meeting spaces and other services available to the general public.

The building automation system for the structure was designed to operate the heating, ventilation and air conditioning equipment to maintain the building environment including the temperature, humidity, building pressure and fresh air. This not only provides a comfortable space to work and learn in but also provides protection of the building contents. The current system was originally installed with Johnson Controls and in 2010 the head end equipment was overlaid with a Siemens system to incorporate into the building automation system the city is utilizing for multiple facilities.

The current automation system has components that are failing and are no longer supported. Some components are currently being controlled and adjusted manually to maintain the building environment due to failure. The failed components do not have direct replacements available and would require additional system programming to replace.

The recommendation is to replace the entire building automation system with a new system. This allows multiple vendors to bid the installation for replacement components and programming of the system in the local field panel. This will then be integrated into a main control system that is capable of integrating locally installed systems from multiple vendors at multiple locations. This approach will allow for a more competitive bidding process both for this facility and for future building automation projects.

This project was included in the FY25 CIP and identified as BM-25-03, with funding from GO Bonds and General Fund Gaming. The estimated cost of this project is \$250,050.00 which includes \$22,000.00 for commissioning of the new system, \$38,500 for professional services provided by Optimized Systems and Engineering Technologies Inc. and \$4,900.00 for the purchase of the main control software known as Niagara N4 Supervisor.

The project schedule is as follows:	Construction Start	April 2025
	Construction End	June 13, 2025

Recommendation

Approval of this resolution. This project includes the replacement of the failing building automation system to provide continued use of the Library structure and protection of the building contents.

ATTACHMENTS:

Description

Resolution 25-86

Type

Resolution

Upload Date

3/20/2025

RESOLUTION NO. 25-86

**RESOLUTION AUTHORIZING THE MAYOR AND CITY
CLERK TO EXECUTE AN AGREEMENT WITH
ENGINEERED CONTROLS INC. FOR THE
COUNCIL BLUFFS PUBLIC LIBRARY AUTOMATION UPGRADE
PROJECT #BM-25-03**

- WHEREAS, the city wishes to make improvements known as the Council Bluffs Public Library Automation Upgrade within the city, as therein described; and
- WHEREAS, funding for this project will be provided by GO Bonds and General Fund Gaming; and
- WHEREAS, the plans, specifications, form of contract, and cost estimate as prepared by Optimized Systems and Engineering Technologies Inc. are on file in the office of the city clerk; and
- WHEREAS, a notice of public hearing was published as required by law, and a public hearing was held on February 24, 2025 and the plans, specifications, form of contract and cost estimate were approved; and
- WHEREAS, Engineered Controls Inc. has submitted a low bid in the amount of \$184,650.00 for this contract.

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

That the bid of Engineered Controls Inc. in the amount of \$184,650.00 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 Council Bluffs Public Library Automation Upgrades. Project #BM-25-03; and

BE IT FURTHER RESOLVED

That the Mayor and City Clerk are hereby authorized, empowered, and directed to execute an agreement with Engineered Controls Inc. 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.

**ADOPTED
AND
APPROVED**

March 24, 2025

Roger C. Sandau, Mayor Pro Tem

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

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

Resolution 25-87
ITEM 7.F.

Council Action: 3/24/2025

Description

Resolution to amend the adopted planned commercial development plan relative to signage, for properties legally described as Lot 2, Lake Manawa Centre Subdivision Phase V and Lot 19, Lake Manawa Centre Subdivision Phase 3. Location: 3125 and 3145 Manawa Centre Drive. PC-25-001

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/14/2025
Attachment A: Letter of Intent	Letter	3/14/2025
Attachment B: Signage Renderings	Other	3/14/2025
Attachment C: Site Plan	Other	3/14/2025
Attachment D: Location/Zoning Map	Map	3/14/2025
Resolution 25-87	Resolution	3/20/2025

City Council Communication

Department: Community Development CASE #PC-25-001 Applicant/Property Owner: H&S Council Bluffs 3125, LLC and H&S Council Bluffs 3145, LLC 10730 Pacific Street, Suite 230 Omaha, NE 68114 Representative: Justin Crawford Access Project Management 10730 Pacific Street, Suite 230 Omaha, NE 68114	Resolution No. _____	City Council: 3/24/2025 Planning Commission: 3/11/2025
<p style="text-align: center;">Subject/Title</p> <p>Request: Public hearing on the request of H&S Council Bluffs 3125, LLC and H&S Council Bluffs 3145, LLC, to amend the adopted planned commercial development plan, relative to signage, for properties legally described as Lot 2, Lake Manawa Centre Subdivision Phase V and Lot 19, Lake Manawa Centre Subdivision Phase 3, City of Council Bluffs, Pottawattamie County, Iowa.</p> <p>Location: 3125 and 3145 Manawa Centre Drive</p>		
<p style="text-align: center;">Background</p> <p>The Community Development Department has received a request from H&S Council Bluffs 3125, LLC and H&S Council Bluffs 3145, LLC to amend the adopted planned commercial development plan, relative to signage, for properties legally described above.</p> <p>The subject properties consist of two parcels located in the Lake Manawa Power Center shopping center and contain the former Gordman's (3125 Manawa Centre Drive) and Toys-R-Us (3145 Manawa Centre Drive) buildings. The conjoined buildings have largely sat vacant since the former big box retailers closed. The subject properties are now under ownership by the one property owner who is in the process of dividing the buildings into four tenant bays for new retail users (Ross, HomeGoods, Sierra Trading Co. and one additional future tenant) to be operated under one property management entity. The purpose of the subject request is to adopt site specific signage standards for the re-activated retail space to allow attached signage for the four tenant spaces and a shared pole sign. The applicant's letter of intent is included as Attachment 'A'. The proposed signage is outlined below and shown in Attachment 'B':</p> <p><u><i>Proposed Detached Signage</i></u></p> <p>The applicant has proposed one 280 square foot pole sign measuring 60-feet in height to be located in a parking lot landscape island north of 3125 Manawa Centre Drive (see site plan included as Attachment 'C'). Said pole sign is intended to provide signage for all four (4) tenants of 3125 and 3145 Manawa Centre Drive. As the sign will be located at 3125 Manawa Centre Drive and will provide advertising for two (2) tenants located at 3145 Manawa Centre Drive, the sign is considered an off-premises sign. Typically, billboards are the only off-premises signage type permitted within City limits and are subject to Section 15.33.190, <i>Off-Premises Signs (Billboards)</i>, of the Council Bluffs Municipal Code (Zoning Ordinance). Per Section 15.33.190, billboards are only allowed</p>		

on properties zoned I-1, I-2, or I-3 District. Therefore, in order to allow the proposed pole sign, the applicant is requesting that the development plan be modified to allow for one (1) shared pole sign between the two subject properties.

Proposed Attached Signage - Proposed attached signage is outlined in the table below:

<u>Address</u>	<u>Tenant</u>	<u>Sign Location</u>	<u>Size (Sq. Ft.)</u>
3125 Manawa Centre Drive	Ross	West Façade (Front Façade)	311
		North Facade	230.25
		East Façade (Facing I-29)	144
		Ross Total:	685.25
	HomeGoods	West Facade	235.5
		East Façade (Facing I-29)	58.5
		HomeGoods Total:	294
	3125 Manawa Centre Dr. Total:		979.25
3145 Manawa Centre Drive	Sierra	West Facade	268.37
		East Façade (Facing I-29)	45.89
		Sierra Total:	314.26
	Future Tenant	No specific signage renderings proposed. 560 square feet of attached signage is requested in the submitted Letter of Intent (see Attachment 'X')	560
		3145 Manawa Centre Dr. Total:	
	Total Proposed Attached Signage:		1,853.51

Note – Sheet SH in Attachment 'X' shows proposed window signage for Ross. Per Section 15.33.0801, Exempt Signs, of the Council Bluffs Municipal Code (Zoning Ordinance), the proposed window signs are considered exempt signs and do not count towards the maximum allowed signage for the properties.

Total proposed signage:

1,853.51 sq. ft. (Attached Signage)
+ 280 sq. ft. (Detached Signage)
2,133.51 sq. ft. of Total Proposed Signage

Land Use and Zoning – The subject properties are zoned P-C/Planned Commercial District and are surrounded by commercial retail uses and like zoning on all sides, as noted below:

Direction	Zoning District(s)	Land Uses
North	P-C/Planned Commercial District	Retail Shopping Establishments (Harbor Freight, Home Depot) and Interstate 29
South	P-C/Planned Commercial District	Retail Shopping Establishments (Walmart, Sam's Club, U.S. Cellular)
East	P-C/Planned Commercial District	Undeveloped land and Interstate 29
West	P-C/Planned Commercial District	Retail Shopping Establishments (Aldi, Home Depot)

A location/zoning map is included as Attachment ‘D.’

The Future Land Use Plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject properties as ‘Regional Commercial.’

City Departments and Utilities – All appropriate City departments and utilities were notified of the proposed planned commercial development plan. The following comments were received:

- A. The Council Bluffs Public Works Department stated they had no comments on the request as it appears all signage will be located on private property.
- B. The Council Bluffs Police Department stated they had no comments or objections to the request.
- C. The Council Bluffs Fire Department stated they had no comments on the request.
- D. Council Bluffs Water Works stated they had no comments on the request.
- E. MidAmerican Energy stated they had no conflicts or concerns with the request and noted that the developer or their agents are required to contact MidAmerican Energy directly to identify costs and responsibilities associated with the electric service requirements for the redevelopment of the site.
- F. The Community Development Department provided the following comments:

- 1. The Lake Manawa Power Center development plan was approved by City Council on May 4, 1992 via Resolution #92-104 (see Case #PC-92-001) and has been amended on several occasions as the center developed and new tenants/users located within the shopping center. As a general standard, the Lake Manawa Power Center development plan allowed a maximum of 15 percent of the street facing façade for attached signage; 60-foot tall pole signs for lots abutting the Interstate; and a total maximum permitted sign area per lot equivalent to two times the street frontage.

Certain sites, as they were developed with new users, adopted signage standards specific to each lot. Resolution No. 02-348 was adopted by City Council on December 16, 2002 and included the following signage standard for Lot 2, Lake Manawa Centre Subdivision (3125 Manawa Centre Drive):

“Approval of two wall signs as presented, for the Gordmans store on Lot 20 or as replatted. No additional signage will be permitted without prior consideration by the Planning Commission and City Council approval.” This allowed a maximum of 772 square feet of attached signage for the property. Gordmans did not propose a detached sign; therefore, no specific detached signage standards were adopted for this property.

3125 and 3145 Manawa Centre Drive do not have any street frontage. However, historically, the west “front” façade of 3145 Manawa Centre Drive has been treated as the property’s street frontage for signage calculation purposes. This allowed the property a maximum of 517.5 square feet of attached signage.

- 2. The below table summarizes the most recent permanent signage on the subject properties, based on permit data and previous adopted development plans. All signage of the former tenants has since been removed.

<u>Address</u>	<u>Tenant</u>	<u>Sign Location</u>	<u>Size (Sq. Ft.)</u>
3125 Manawa Centre Drive	Gordmans	West Façade (Front)	472
		East Façade (Facing I-29)	300
		<i>Gordmans Total:</i>	772
3145 Manawa Centre Drive	Toys-R-Us	West Façade (Front)	332.89
		East Façade (Facing I-29)	61
		Pole Sign*	150 sq. ft.
		<i>Toys-R-Us Total:</i>	543.89

**Note – The Toys-R-Us pole sign along their Interstate frontage was removed in 2010 when the wall sign was installed on the rear façade facing I-29.*

3. The former big box store buildings on the subject properties are currently in the process of being converted into four tenant bays under one property management entity. The applicant has proposed new signage for the property which includes attached signage for each of the four tenants and one shared pole sign between the tenants to be located at 3125 Manawa Centre Drive. The requested amendment to the development plan is necessary to accommodate the proposed request for the following reasons:
 - a. In order to allow one shared pole sign, as currently each property is only allowed one 60-foot tall pole sign;
 - b. The proposed total signage amount at 3125 Manawa Centre Drive exceeds the 772 square foot maximum by 457.25 square feet; and
 - c. The proposed total signage amount at 3145 Manawa Centre Drive exceeds the 517.5 square foot maximum by 356.76 square feet.
4. The Community Development Department recommends the following signage standards for the subject properties:
 - a. *The total combined signage allotment for all attached and detached signage shall be limited to a maximum of 1,900 square feet total for both properties;*
 - b. *One, 60-foot tall pole sign shared between the two properties limited to a maximum of 280 square feet, per sign face, shall be allowed to be utilized by only the tenants of the subject properties; and*
 - c. *In order to maintain visibility to the tenant spaces, a maximum of 50 percent of the storefront windows shall remain unobstructed by signage and shall allow for clear visibility into stores for public safety purposes.*

The above maximum signage standard increases the 15 percent maximum of the Lake Manawa Power Center to a 20 percent maximum for the subject properties. Staff is supportive of this increase as it accounts for 1) the reuse of two vacant big box stores as four tenant bays; 2) the

use of a shared pole sign as opposed to two additional new pole signs within the shopping center; and 3) compatibility of new signage to existing development within the Lake Manawa Power Center.

5. In 1993, Menards proposed a detached sign which included signage for Menards and three additional tenants of the Lake Manawa Power Center. At that time, it was noted that the Iowa Department of Transportation (IDOT) has authority for permitting signs located within 660 feet of federal and state highway rights-of-way and that IDOT's regulations prohibit placement of off-premises advertising within this area. It was noted that the proposed signage at that time would have been allowed if they advertise only the business located on the lot upon which the sign sits. The applicant shall coordinate with IDOT to ensure all proposed signage complies with all current federal and state regulations.

The City has discussed with the applicant the option of replatting the properties into one lot of record so that any shared signage for the tenants would not be considered off-premises. If IDOT is not supportive of a shared pole sign (i.e. off-premises signage) at this location, the applicant would still have the option to replat the properties into a single lot of record to install a shared sign.

Development Plan

The previously approved signage plan as described in the planned commercial development plan for the Lake Manawa Power Center, as adopted on May 4, 1992, shall remain in effect with the exception that signage for properties legally described as Lot 2, Lake Manawa Centre Subdivision Phase V and Lot 19, Lake Manawa Centre Subdivision Phase 3, City of Council Bluffs, Pottawattamie County, Iowa, shall be as follows:

- A. The total combined signage allotment for all attached and detached signage shall be limited to a maximum of 1,900 square feet total for both properties;
- B. One, 60-foot tall pole sign shared between the two properties limited to a maximum of 280 square feet, per sign face, shall be allowed to be utilized by only the tenants of the subject properties; and
- C. In order to maintain visibility to the tenant spaces, a maximum of 50 percent of the storefront windows shall remain unobstructed by signage and shall allow for clear visibility into stores for public safety purposes.

Recommendation

The Community Development Department recommends approval of the request to amend the adopted planned commercial development plan for property legally described as Lot 2, Lake Manawa Centre Subdivision Phase V and Lot 19, Lake Manawa Centre Subdivision Phase 3, City of Council Bluffs, Pottawattamie County, Iowa, as follows:

- A. The total combined signage allotment for all attached and detached signage shall be limited to a maximum of 1,900 square feet total for both properties;
- B. One, 60-foot tall pole sign shared between the two properties limited to a maximum of 280 square feet, per sign face, shall be allowed to be utilized by only the tenants of the subject properties; and
- C. In order to maintain visibility to the tenant spaces, a maximum of 50 percent of the storefront windows shall remain unobstructed by signage and shall allow for clear visibility into stores for public safety purposes.

Public Hearing

Staff speakers for the request:

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

Speakers in favor:

1. Justin Crawford, Access Commercial, 10730 Pacific Street, Omaha, NE 68114

Speakers against: None

The Planning Commission recommended approval of the request to amend the adopted planned commercial development plan for property legally described as Lot 2, Lake Manawa Centre Subdivision Phase V and Lot 19, Lake Manawa Centre Subdivision Phase 3, City of Council Bluffs, Pottawattamie County, Iowa, as follows:

- A. The total combined signage allotment for all attached and detached signage shall be limited to a maximum of 1,900 square feet total for both properties;
- B. One, 60-foot tall pole sign shared between the two properties limited to a maximum of 280 square feet, per sign face, shall be allowed to be utilized by only the tenants of the subject properties; and
- C. In order to maintain visibility to the tenant spaces, a maximum of 50 percent of the storefront windows shall remain unobstructed by signage and shall allow for clear visibility into stores for public safety purposes.

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

Attachments

Attachment A: Letter of Intent
Attachment B: Signage Renderings
Attachment C: Site Plan
Attachment D: Location/Zoning Map

Prepared by: Haley Weber, Planner, Community Development Department



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

Council Bluffs Planning Commission,

On behalf of H&S Council Bluffs 3125, LLC and H&S Council Bluffs 3145, LLC, Access Project Management is requesting the following Amendment to the Planned Commercial Development Agreement of the properties at 3125 Manawa Centre Drive and 3145 Manawa Centre Drive.

It is the property owner's intention to increase the allowable square footage of signage on the properties to meet the needs of the new project tenants per the following totals for a grand total of 2,582 SF:

- 3125 Manawa Centre Drive: 946 SF
 - Sierra: 433 SF
 - Future Tenant: 513 SF
- 3145 Manawa Centre Drive: 1076 SF
 - Ross: 777 SF
 - HomeGoods: 299 SF
- Combined Pylon Sign: 560 SF

Attached you will find the following documents to exhibits to depict the signage planned for the redevelopment:

- Site Plan with Tenant locations and potential pylon sign location.
- Pylon Sign Exhibit
- Ross Signage Exhibit
- HomeGoods Signage Exhibit
- Sierra Signage Exhibit

Sincerely,

Justin Crawford
Project Manager
Access Project Management
justin@accesscommercial.com
402.943.8821



Type of Signage:

Specifications:

Color Schedule:

Signed & Dated customer approval MUST be on file before production is started.	This is an original drawing by American Lift & Sign Service. This design is the property of American Lift and is not to be reproduced or shared without our written consent.
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Date of Original Drawing:
 Revision: _____
 Revision: _____
 Revision: _____
 Revision: _____

Drawn By: Amy Cox


Changes to design after approval may result in additional charges

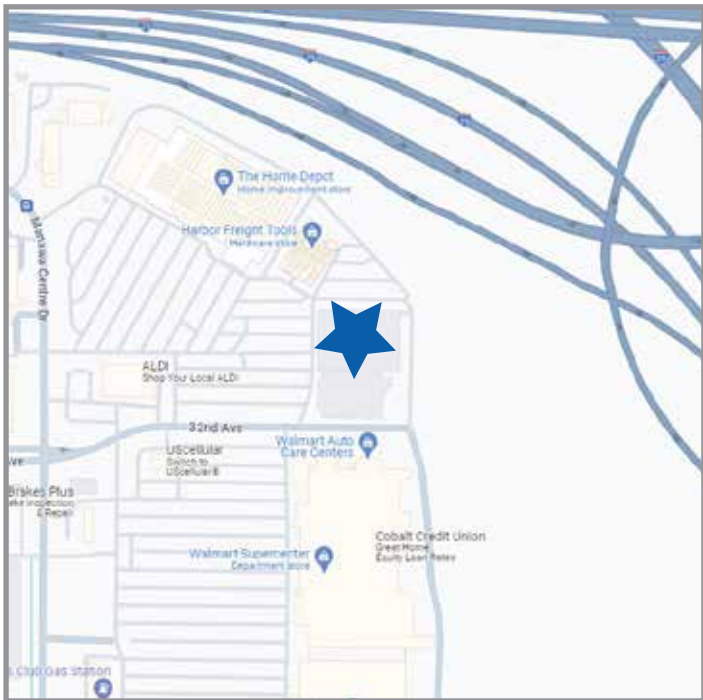
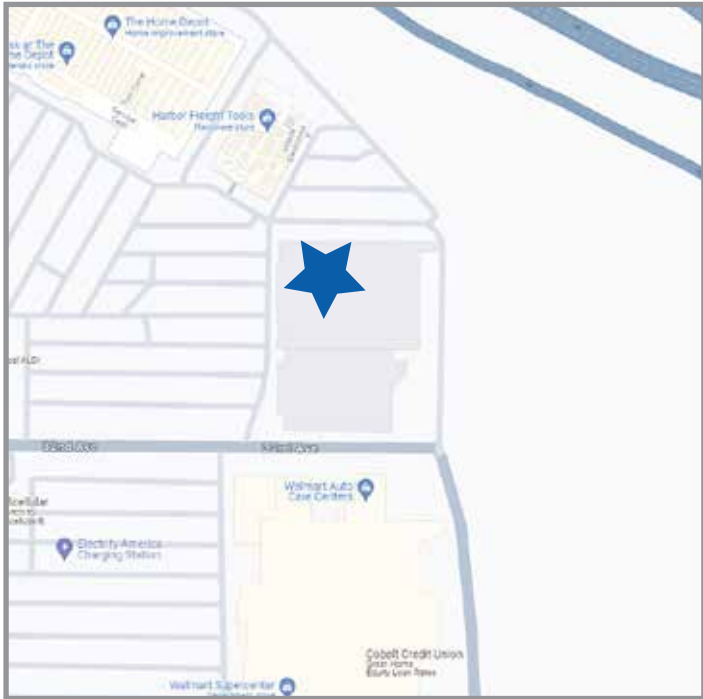
Customer Approval

☐ Approved as drawn
 ☐ Make noted corrections and resubmit

Date: _____ Signature: _____

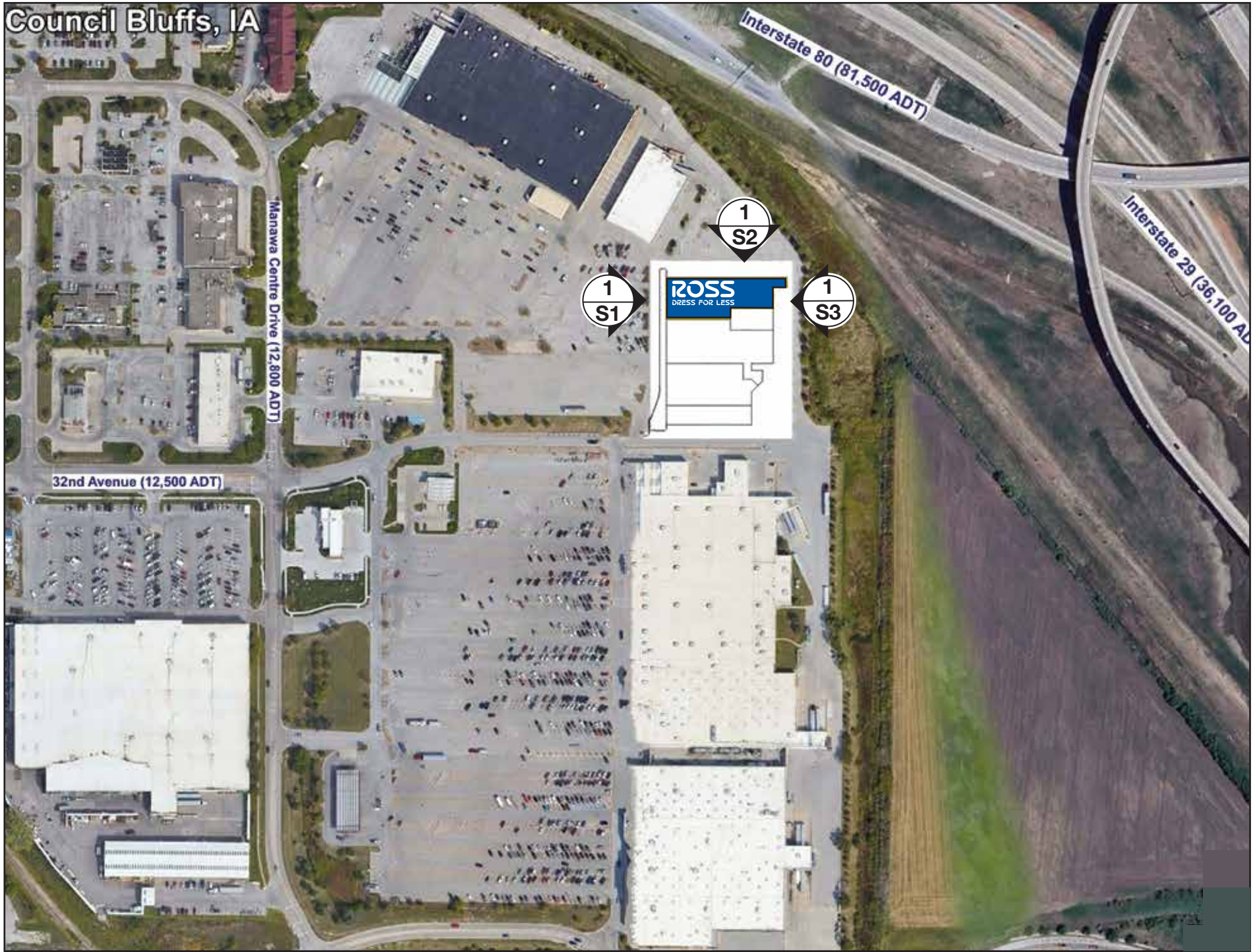
DRAWING NO.
20034





VICINITY MAPS

NOT TO SCALE



SITE PLAN

NOT TO SCALE



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Manawa Power Center
NEC Manawa Centre Dr. & 32nd Ave.
Council Bluffs, IA 51501

FH-BMA 08/13/24

SHEET
K

Notes:

- LANDLORD TO PROVIDE:
- ADEQUATE ACCESS BEHIND LOGO LETTERS FOR INSTALLATION AND MAINTENANCE, PER ARTICLE 600 OF THE N.E.C.
 - ONE (1) 20 AMP 120V ISOLATED SIGN CIRCUIT AND JUNCTION BOX TO AREA BEHIND SIGN LETTERS CONNECTED TO THE ENERGY MANAGEMENT SYSTEM
 - AT LEAST 1/2" THICK PLYWOOD BACKING BEHIND ALL E.I.F.S. WALL SYSTEMS FOR SIGN AND BANNER SUPPORT

SIGN FASCIA TO BE FREE OF JOINTS & REVEALS, AND OF A LIGHT COLOR (MINIMUM 80% L.R.V.) TO PROVIDE HIGH CONTRAST AND VISIBILITY FOR THE SIGN.

ALL COLORS ARE SUBJECT TO ROSS STORES, INC. REVIEW AND APPROVAL. COLOR APPEARANCE MAY BE ALTERED BY PRINTING, SEE APPROVED FINAL CONSTRUCTION DRAWINGS FOR COLOR SPECIFICATIONS.

IF ANY SIGNAGE PROPOSED IN THIS EXHIBIT IS ALTERED BY LOCAL GOVERNMENT AUTHORITIES, ROSS STORES INC. RESERVES THE RIGHT TO, AT NO COST, ADJUST ARCHITECTURAL FEATURES TO BEST ACCOMMODATE THE ALTERED SIGNAGE.

SIGN INSTALLER TO CONFIRM SIGN FASCIA DIMENSIONS IN THE FIELD BEFORE INSTALLING SIGNAGE. IF ANY DISCREPANCIES, NOTIFY ROSS STORE DESIGN.

A 72"H INDIVIDUAL "ROSS" PAN CHANNEL LETTER-LOK LOGO LETTERS:
FACES: PLASKOLITE OPTIX.LD 2406 WHITE
WITH 3M 3730-167L BLUE VINYL FILM OVERLAY.
RETURNS: 8"D ALUM. W/ WHITE FINISH
TRIM CAP: 2" WHITE JEWELITE
LETTER BACKS: ALUMINUM
LEDs: PRINCIPAL TRUE WHITE QWIK MOD 3 (7100K)
MOUNTING: 1/4"-20 GALV. THRU BOLTS
PEG OFF: 1/2" SPACERS

B 42"H INDIVIDUAL "DFL" LOGO LETTERS:
ALL CALLOUTS SAME AS "ROSS" EXCEPT:
RETURNS: 5"D ALUM. W/ WHITE FINISH
TRIM CAP: 1" WHITE JEWELITE

C 12"H X 48"W X 10"D DOUBLE-FACE INTERNALLY ILLUMINATED UNDER-CANOPY SIGN, SEE SHEET UC FOR DETAILS.

D 24"H X 48"W X 1"D KOMACEL OVAL "ROSS" LOGO WALL PLAQUE
TWO (2) REQUIRED AS SHOWN, SEE SHEET EL FOR DETAILS.

E N/A

1 SIGN FASCIA BY LANDLORD, SEE NOTES

2 CLEAR ANODIZED ALUMINUM STOREFRONT & DOORS BY LANDLORD

3 FROSTED FILM BY LANDLORD

4 (2) SETS OF FIVE (5) EYE-BOLTS FOR BANNER ATTACHMENT BY LANDLORD

5 STORE HOURS; INCLUDES STORE HOURS, OPERATIONAL DECAL, EBT, GUARD & RESERVE LTR. 55 & OVER AND EXIT/ENTER DECALS. SEE SHEET SH FOR DETAILS.

6 N/A

7 N/A

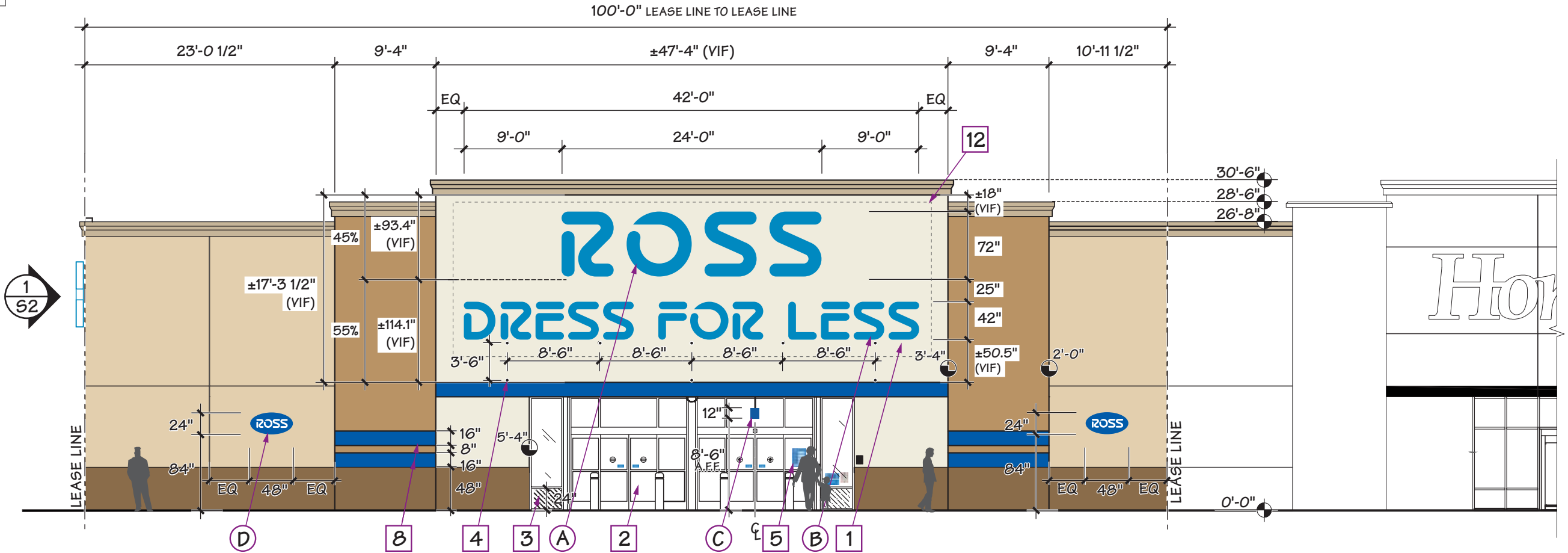
8 TYPICAL ROSS BLUE IDENTITY BANDS BY LANDLORD

9 N/A

10 N/A

11 N/A

12 ROSS CONTRACTOR TO ADD 1 1/4" V-GROOVE REVEAL, SIGN BORDER AROUND THE SIGN ONLY IF SMALLER THAN PROTOTYPE SIGN IS APPROVED. FINAL DIMENSIONS ARE TO BE DETERMINED.



SIGN AREA CALCULATION : AMENDMENT REQUIRED :

ROSS
DRESS FOR LESS

SIGN AREA ALLOWED: 386 sf (FOR ALL ELEVATIONS)
SIGN AREA PROPOSED: 364.22 sf
TOTAL FOR ALL ELEVATIONS : 776.22 sf

STOREFRONT SIGN = 341 sf

WALL PLAQUES: 2' X 4' X 2 = 16 sf
UC SIGN: 1 3/4' X 3.8' = 7.22 sf

1 STOREFRONT • WEST • MANAWA CENTRE DRIVE • ELEVATION

SCALE: 3/32" = 1'- 0"

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MEMBER
SA
California Sign Association
ISA

ROSS
DRESS FOR LESS

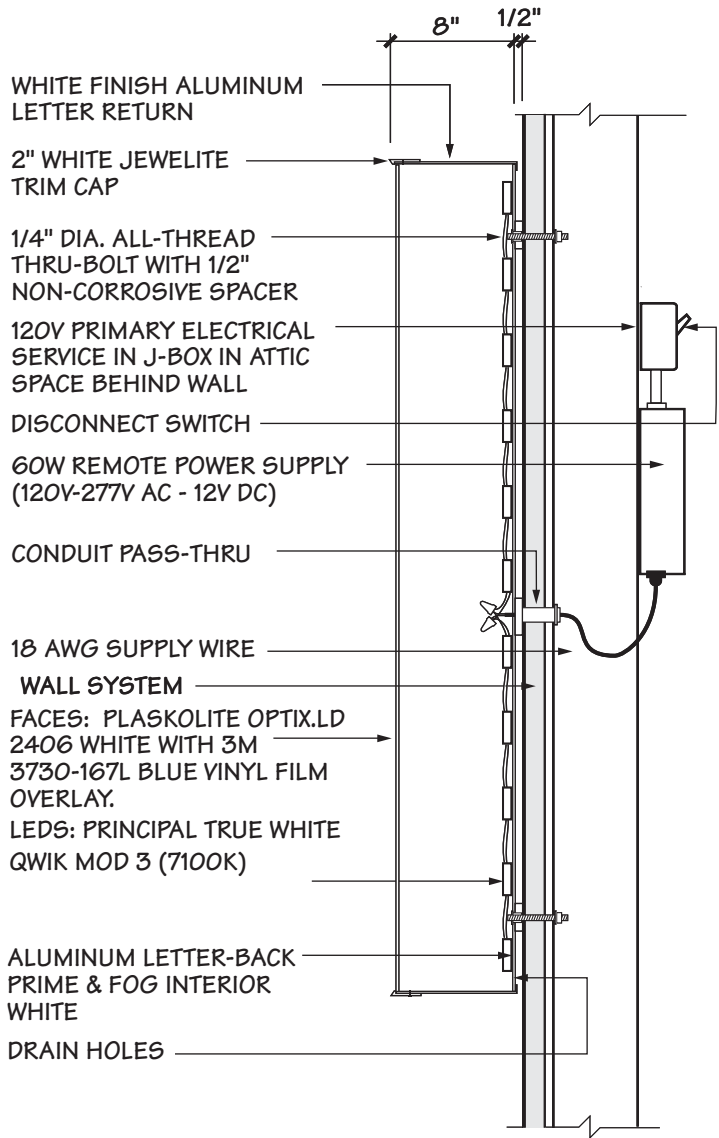
#2744 COUNCIL BLUFFS
Manawa Power Center
NEC Manawa Centre Dr. & 32nd Ave.
Council Bluffs, IA 51501

drawn 08/19/24
Exhibit J 09/19/24
REV. placement 11/05/24

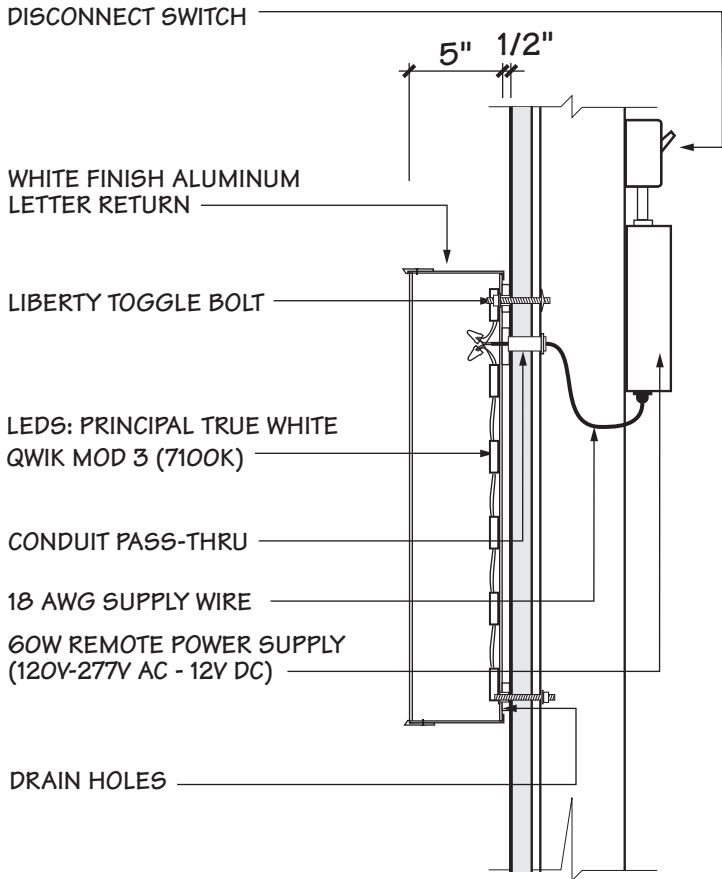
RB-E/H
SHEET
S1

Notes:

- ROSS CONTRACTOR TO PROVIDE:
- ADEQUATE STRUCTURE BEHIND WALL FASCIA FOR SIGN ATTACHMENT. PLYWOOD BACKING OR BLOCKING IS REQUIRED BEHIND E.I.F.S. WALL SYSTEMS AT ALL SIGN ATTACHMENT POINTS.
 - ACCESS TO AREA BEHIND ENTIRE SIGN FOR INSTALLATION, WIRING AND MAINTENANCE PER N.E.C. ARTICLE 600.
 - ISOLATED 20 AMP, 120V SINGLE-PHASE SIGN CIRCUIT TERMINATED IN JUNCTION BOXES WITHIN FIVE FEET OF THE SIGN LOCATION AND CONTROLLED BY THE E.M.S.



1 SECTION AT 'ROSS' LETTERS
MIDDLE FEED N.T.S.



2 SECTION AT 'DRESS FOR LESS' LETTERS
TOP FEED 'DRESS FOR LESS' N.T.S.

ANCHOR SCHEDULE: 1/4" DIA. ANCHORS - MINIMUM FIVE (5) PER "ROSS" LETTER, MINIMUM FOUR (4) PER "DRESS FOR LESS" LETTER	
ANCHORS TO BE THRU BOLTS IF POSSIBLE, ALTERNATE ANCHORS PER WALL TYPE SHOWN BELOW FOR USE IF THRU BOLTING IS NOT POSSIBLE	
WALL STRUCTURE	ANCHOR TYPE
WOOD BLOCKING	LAG BOLT (1-1/2" EMBEDMENT)
EIFS OVER 5/8" PLYWOOD	LIBERTY TOGGLE BOLT
HOLLOW CONCRETE BLOCK	SLEEVE ANCHOR (1-1/2" EMBEDMENT)
SOLID CONCRETE / MASONRY	WEDGE ANCHOR (2-1/2" EMBEDMENT)



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info@billmoore.com



#2744 COUNCIL BLUFFS
Manawa Power Center
NEC Manawa Centre Dr. & 32nd Ave.
Council Bluffs, IA 51501

drawn 11/11/24

SHEET
SD1

Notes:

- LANDLORD TO PROVIDE:
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 - ONE (1) 20 AMP 120V ISOLATED SIGN CIRCUIT AND JUNCTION BOX TO AREA BEHIND SIGN LETTERS CONNECTED TO THE ENERGY MANAGEMENT SYSTEM
 - AT LEAST 1/2" THICK PLYWOOD BACKING BEHIND ALL E.I.F.S. WALL SYSTEMS FOR SIGN AND BANNER SUPPORT

SIGN FASCIA TO BE OF A LIGHT COLOR (MINIMUM 80% L.R.V.) TO PROVIDE HIGH CONTRAST AND VISIBILITY FOR THE SIGN.

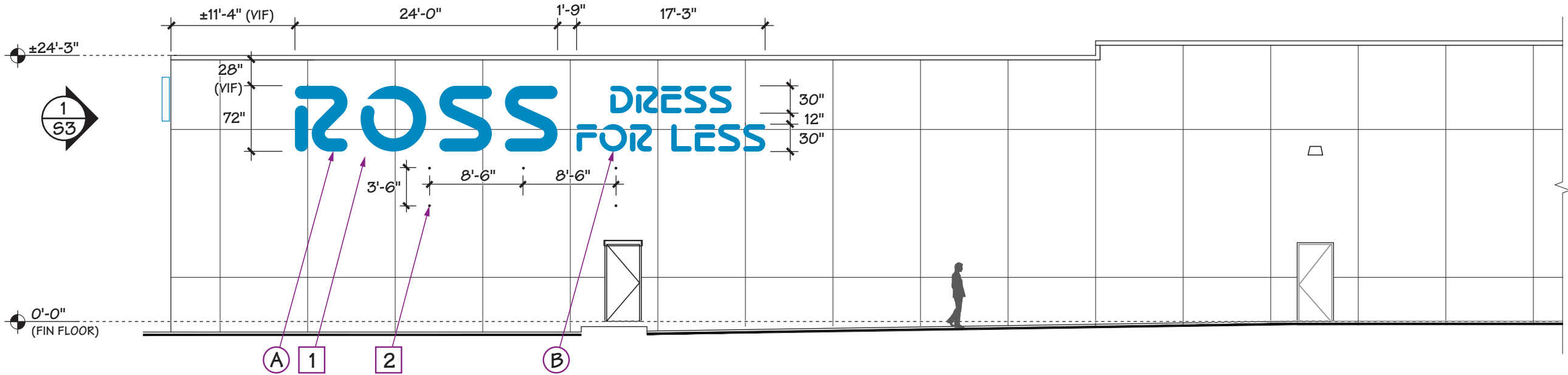
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SIGN INSTALLER TO CONFIRM SIGN FASCIA DIMENSIONS IN THE FIELD BEFORE INSTALLING SIGNAGE. IF ANY DISCREPANCIES, NOTIFY ROSS STORE DESIGN.

- A** 72"H INDIVIDUAL "ROSS" PAN CHANNEL LETTER-LOK LOGO LETTERS:
FACES: PLASKOLITE OPTIX.LD 2406 WHITE
WITH 3M 3730-167L BLUE VINYL FILM OVERLAY.
RETURNS: 8"D ALUM. W/ WHITE FINISH
TRIM CAP: 2" WHITE JEWELITE
LETTER BACKS: ALUMINUM
LEDs: PRINCIPAL TRUE WHITE QWIK MOD 3 (7100K)
MOUNTING: 1/4"-20 GALV. THRU BOLTS
PEG OFF: 1/2" SPACERS
- B** 30"H INDIVIDUAL "DFL" LOGO LETTERS:
ALL CALLOUTS SAME AS "ROSS" EXCEPT:
RETURNS: 5"D ALUM. W/ WHITE FINISH
TRIM CAP: 1" WHITE JEWELITE

- 1** SIGN FASCIA BY LANDLORD, SEE NOTES
- 2** (1) SET OF FIVE (5) EYE-BOLTS FOR BANNER ATTACHMENT BY LANDLORD



SIGN AREA CALCULATION : AMMENDMENT REQUIRED :

SIGN AREA ALLOWED: 386 sf (FOR ALL ELEVATIONS)	
SIGN AREA PROPOSED: 258.0 sf	
TOTAL FOR ALL ELEVATIONS : 776.22 sf	
ROSS-D/FL 6.0'H x 43.0'W	= 258 sf
331	

1 SIDE • NORTH • INTERSTATE 80 • ELEVATION

SCALE: 3/32" = 1'- 0"

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MEMBER

SA

California Sign Association

ISA

ROSS

DRESS FOR LESS

#2744 COUNCIL BLUFFS

Manawa Power Center
NEC Manawa Centre Dr. & 32nd Ave.
Council Bluffs, IA 51501

drawn 08/21/24
Exhibit J 09/19/24

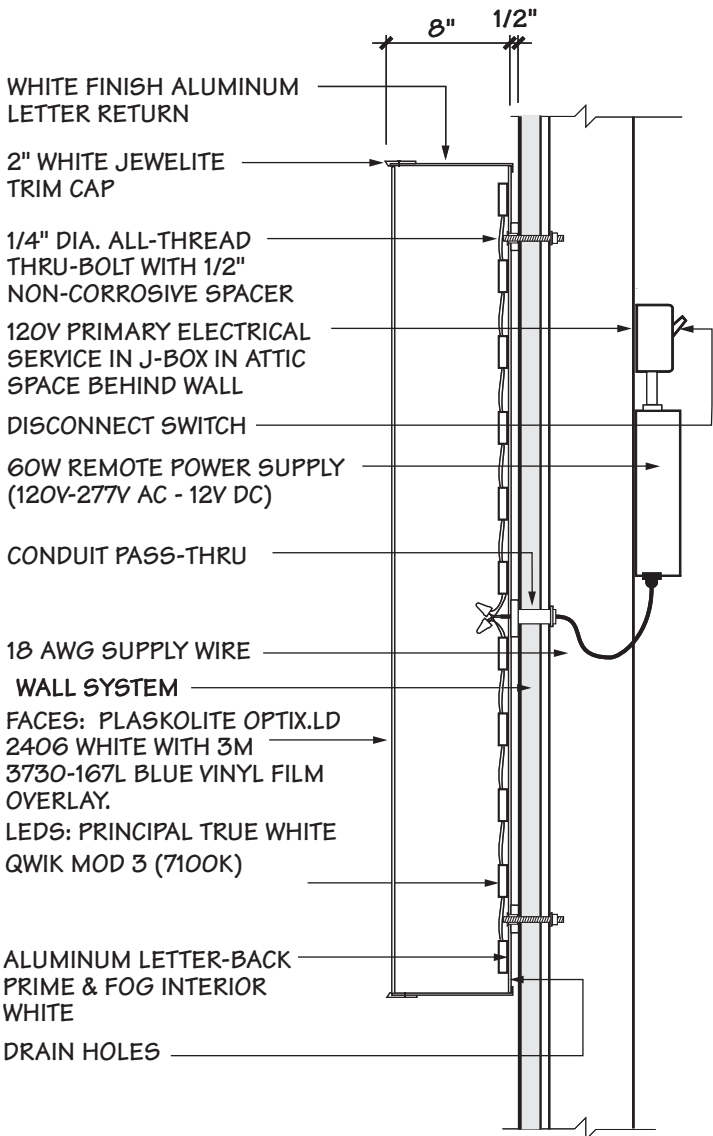
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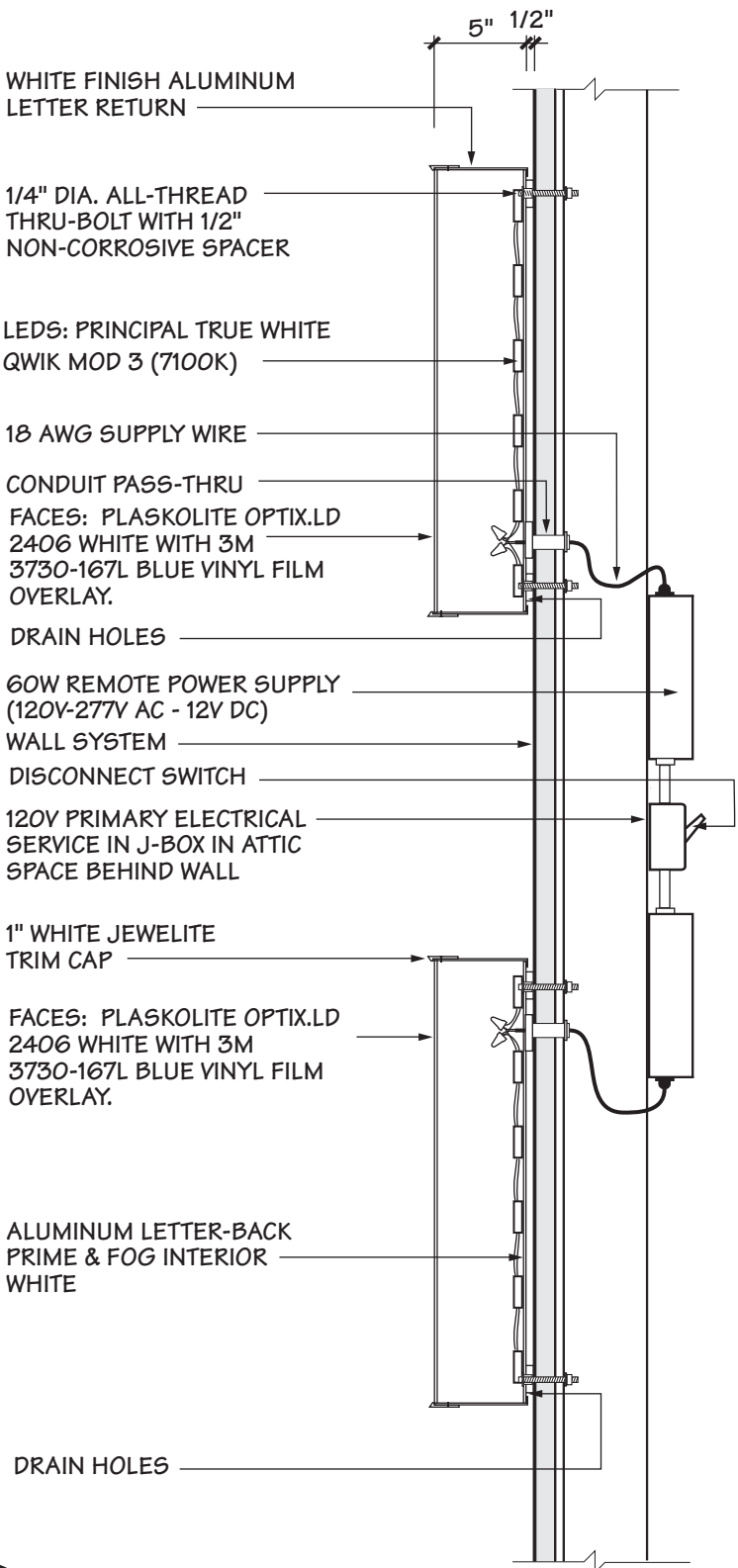
S2

Notes:

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1 SECTION AT 'ROSS' LETTERS
MIDDLE FEED N.T.S.



2 SECTION AT 'DRESS FOR LESS' LETTERS
BOTTOM FEED 'DRESS' / TOP FEED 'FOR LESS' N.T.S.

ANCHOR SCHEDULE: 1/4" DIA. ANCHORS - MINIMUM FIVE (5) PER "ROSS" LETTER, MINIMUM FOUR (4) PER "DRESS FOR LESS" LETTER	
ANCHORS TO BE THRU BOLTS IF POSSIBLE, ALTERNATE ANCHORS PER WALL TYPE SHOWN BELOW FOR USE IF THRU BOLTING IS NOT POSSIBLE	
WALL STRUCTURE	ANCHOR TYPE
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EIFS OVER 5/8" PLYWOOD	LIBERTY TOGGLE BOLT
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SOLID CONCRETE / MASONRY	WEDGE ANCHOR (2-1/2" EMBEDMENT)



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Manawa Power Center
NEC Manawa Centre Dr. & 32nd Ave.
Council Bluffs, IA 51501

drawn 11/11/24

SHEET
SD2

Notes:

LANDLORD TO PROVIDE:

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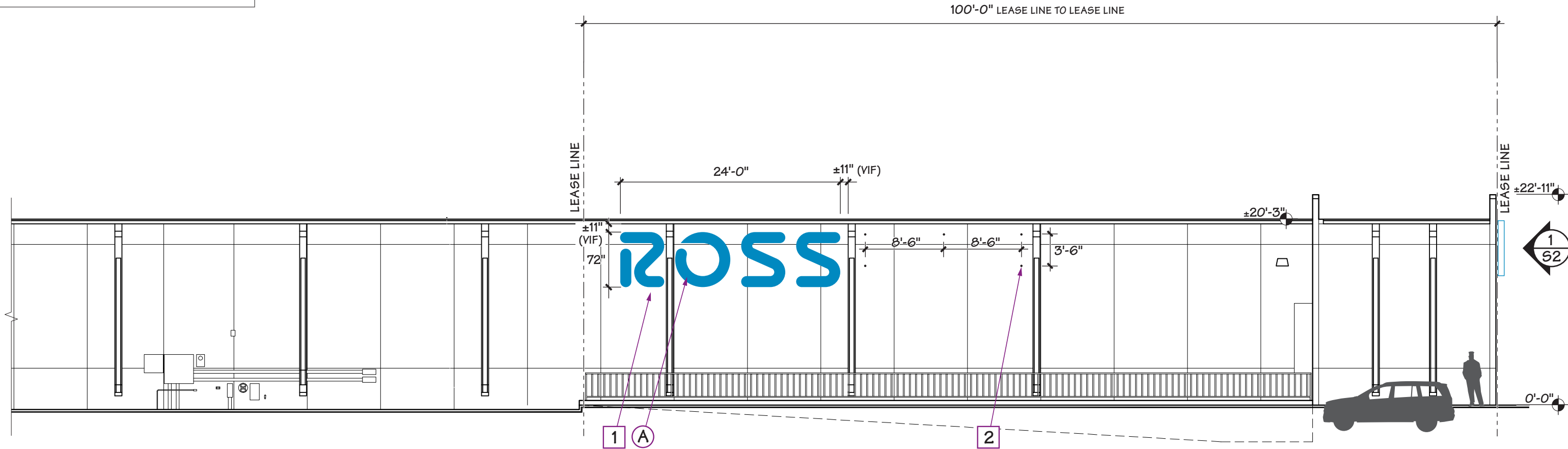
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WITH 3M 3730-167L BLUE VINYL FILM OVERLAY.
RETURNS: 8"D ALUM. W/ WHITE FINISH
TRIM CAP: 2" WHITE JEWELITE
LETTER BACKS: ALUMINUM
LEDs: PRINCIPAL TRUE WHITE QWIK MOD 3 (7100K)
MOUNTING: 1/4"-20 GALV. THRU BOLTS
PEG OFF: 1/2" SPACERS

- 1 SIGN FASCIA BY LANDLORD, SEE NOTES
- 2 ONE (1) SET OF FIVE (5) EYE-BOLTS FOR BANNER ATTACHMENT BY LANDLORD



SIGN AREA CALCULATION : AMMENDMENT REQUIRED :

SIGN AREA **ALLOWED**: 386 sf (FOR ALL ELEVATIONS)
SIGN AREA **PROPOSED**: 144 sf
TOTAL FOR ALL ELEVATIONS : 776.22 sf

ROSS

ROSS 6'H x 24'W = 144 sf

333

1 REAR • EAST • INTERSTATE 29 ON-RAMP • ELEVATION

SCALE: 3/32" = 1'- 0"



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www.billmoore.com



ROSS
DRESS FOR LESS

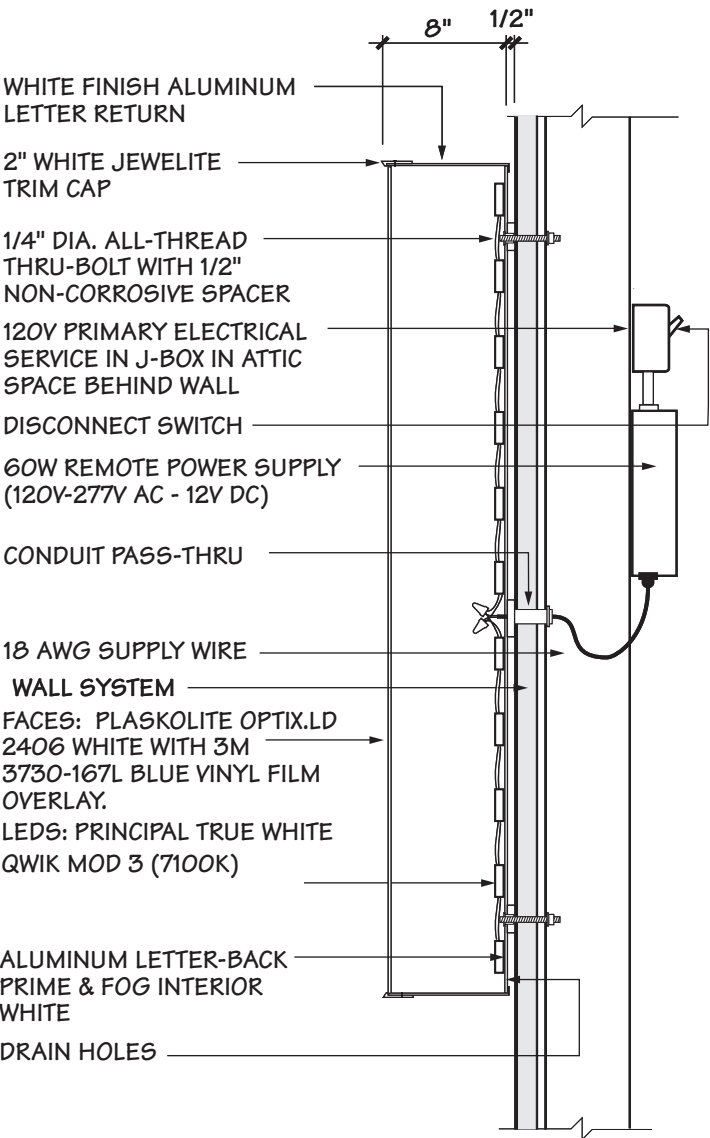
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Manawa Power Center
NEC Manawa Centre Dr. & 32nd Ave.
Council Bluffs, IA 51501

drawn (initial) 08/19/24
72" "ROSS" 09/19/24
Exhibit J 09/19/24

RB-E/H
SHEET
S3

Notes:

- ROSS CONTRACTOR TO PROVIDE:
- ADEQUATE STRUCTURE BEHIND WALL FASCIA FOR SIGN ATTACHMENT. PLYWOOD BACKING OR BLOCKING IS REQUIRED BEHIND E.I.F.S. WALL SYSTEMS AT ALL SIGN ATTACHMENT POINTS.
 - ACCESS TO AREA BEHIND ENTIRE SIGN FOR INSTALLATION, WIRING AND MAINTENANCE PER N.E.C. ARTICLE 600.
 - ISOLATED 20 AMP, 120V SINGLE-PHASE SIGN CIRCUIT TERMINATED IN JUNCTION BOXES WITHIN FIVE FEET OF THE SIGN LOCATION AND CONTROLLED BY THE E.M.S.



1 SECTION AT 'ROSS' LETTERS
MIDDLE FEED N.T.S.

ANCHOR SCHEDULE: 1/4" DIA. ANCHORS - MINIMUM FIVE (5) PER "ROSS" LETTER, MINIMUM FOUR (4) PER "DRESS FOR LESS" LETTER	
ANCHORS TO BE THRU BOLTS IF POSSIBLE, ALTERNATE ANCHORS PER WALL TYPE SHOWN BELOW FOR USE IF THRU BOLTING IS NOT POSSIBLE	
WALL STRUCTURE	ANCHOR TYPE
WOOD BLOCKING	LAG BOLT (1-1/2" EMBEDMENT)
EIFS OVER 5/8" PLYWOOD	LIBERTY TOGGLE BOLT
HOLLOW CONCRETE BLOCK	SLEEVE ANCHOR (1-1/2" EMBEDMENT)
SOLID CONCRETE / MASONRY	WEDGE ANCHOR (2-1/2" EMBEDMENT)



Ideas to Identity
www.billmoore.com
tel. 510-526-0296
info@billmoore.com

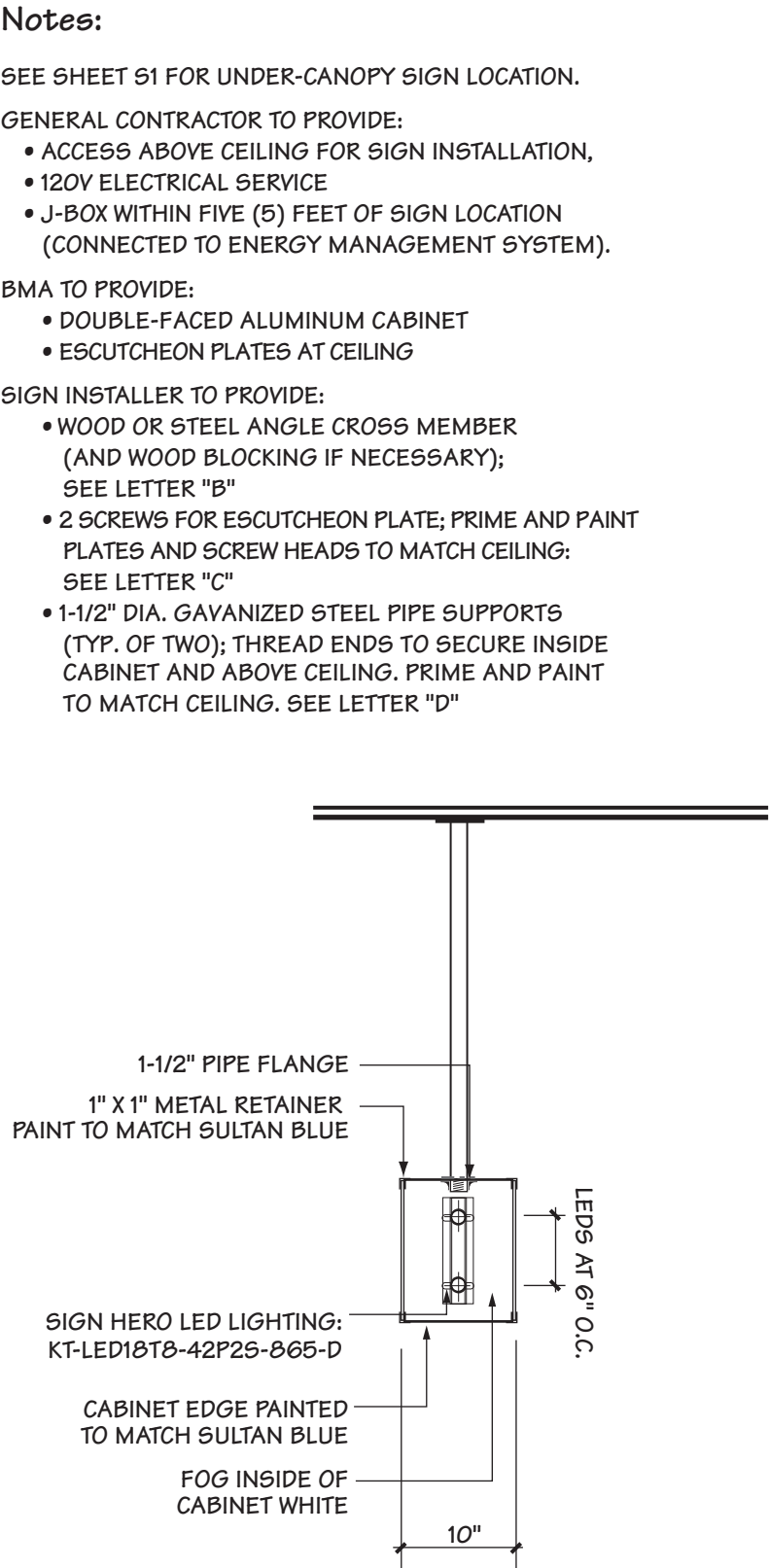
bill moore & associates



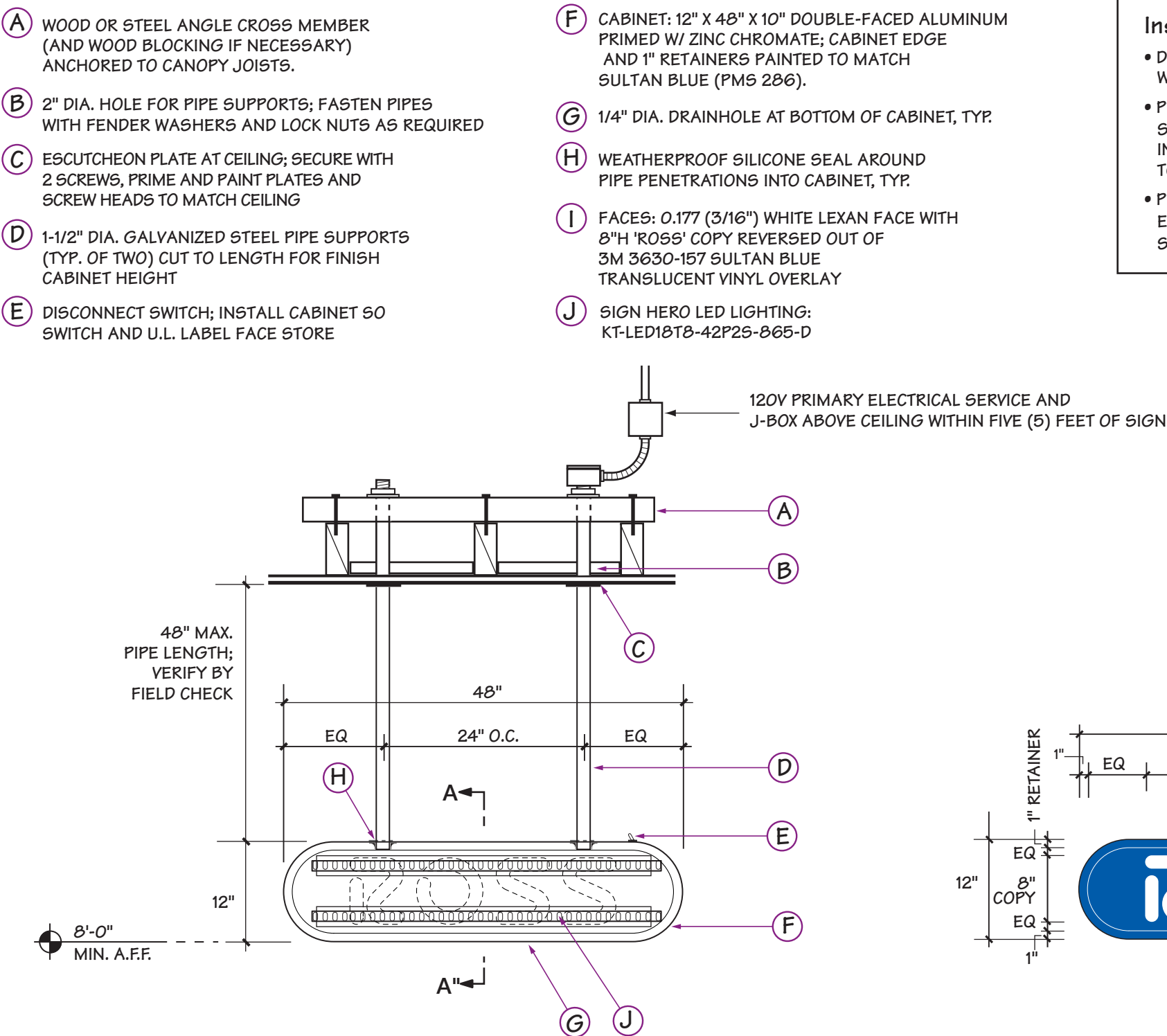
#2744 COUNCIL BLUFFS
Manawa Power Center
NEC Manawa Centre Dr. & 32nd Ave.
Council Bluffs, IA 51501

drawn 11/11/24

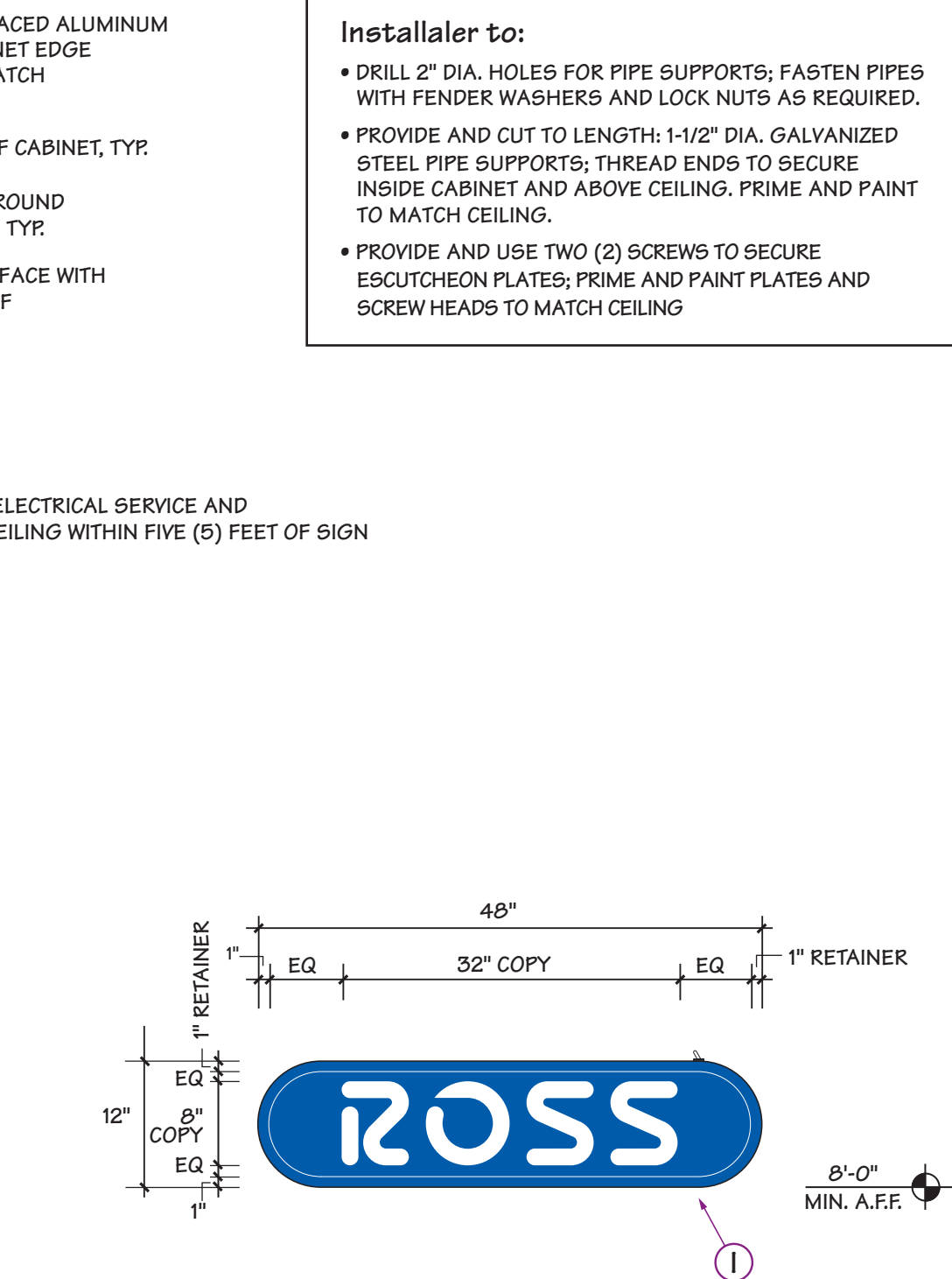
SHEET
SD3



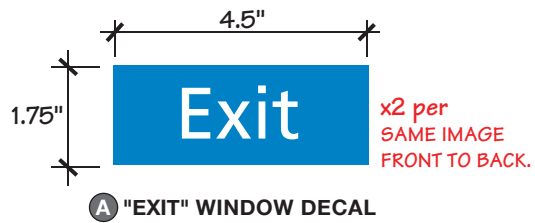
3 SECTION A-A'
SCALE: 3/4" = 1'- 0"



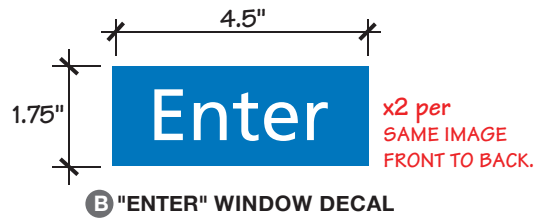
2 D/F UNDER-CANOPY FRAMING ELEVATION
SCALE: 3/4" = 1'- 0"



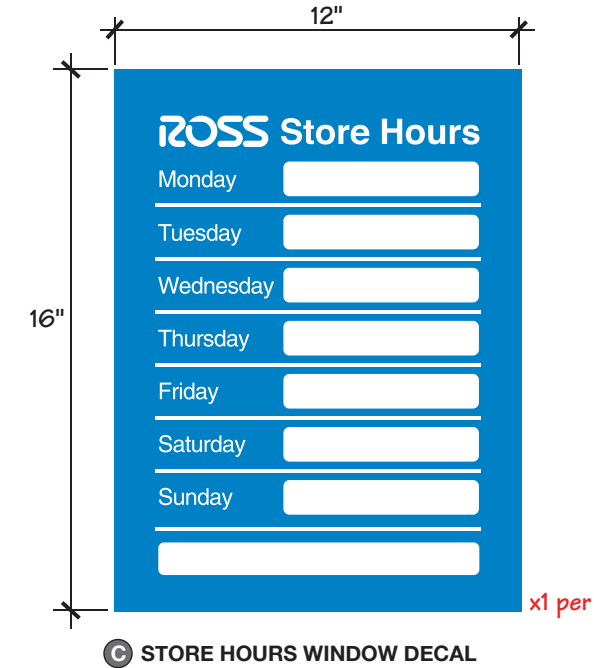
- Installaler to:**
- DRILL 2" DIA. HOLES FOR PIPE SUPPORTS; FASTEN PIPES WITH FENDER WASHERS AND LOCK NUTS AS REQUIRED.
 - PROVIDE AND CUT TO LENGTH: 1-1/2" DIA. GALVANIZED STEEL PIPE SUPPORTS; THREAD ENDS TO SECURE INSIDE CABINET AND ABOVE CEILING. PRIME AND PAINT TO MATCH CEILING.
 - PROVIDE AND USE TWO (2) SCREWS TO SECURE ESCUTCHEON PLATES; PRIME AND PAINT PLATES AND SCREW HEADS TO MATCH CEILING



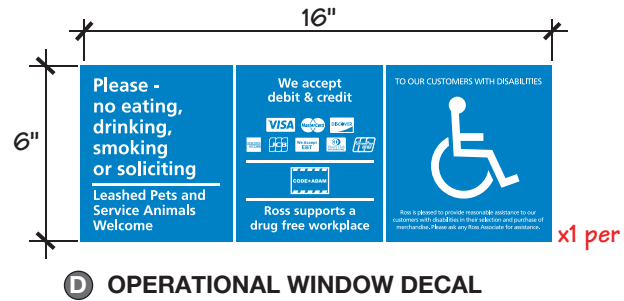
A "EXIT" WINDOW DECAL



B "ENTER" WINDOW DECAL



C STORE HOURS WINDOW DECAL



D OPERATIONAL WINDOW DECAL



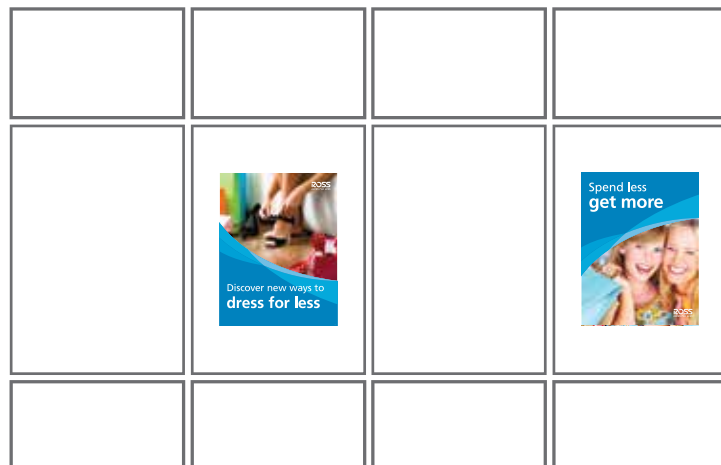
E "55 & OVER" WINDOW DECAL



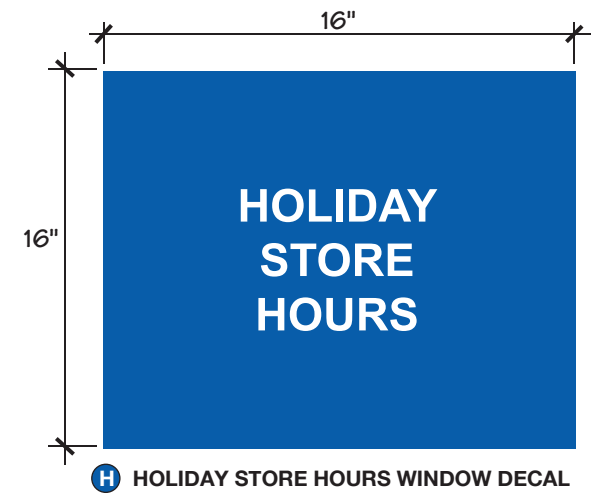
F CUSTOMER SURVEY WINDOW DECAL

2 EVERY DAY ALL STORES WINDOW DECAL • DETAIL

NO SCALE



G HIRING WINDOW DECAL

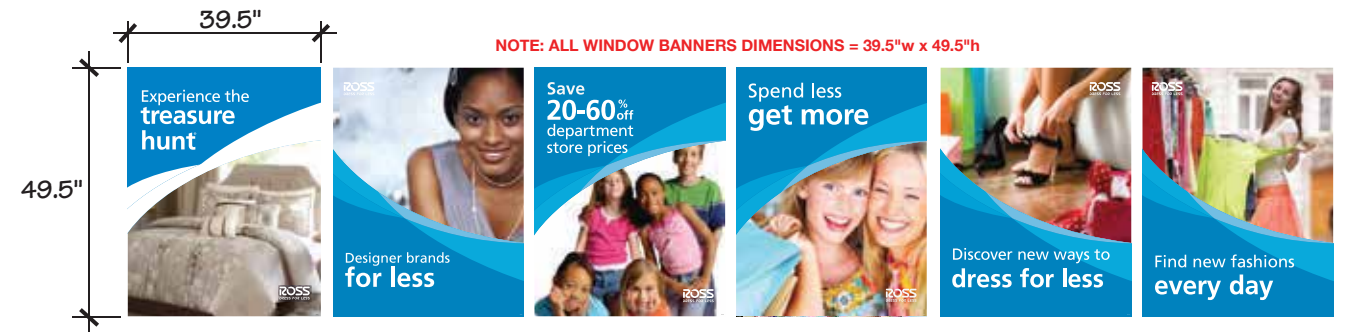


H HOLIDAY STORE HOURS WINDOW DECAL

3 PROMOTIONAL ALL STORES WINDOW DECAL • DETAIL

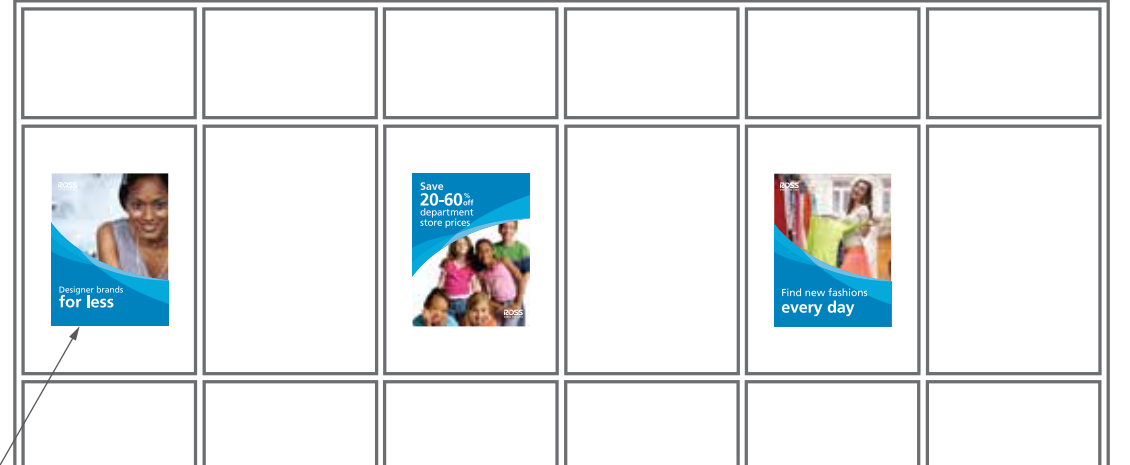
ALL = x1 per

NO SCALE



4 WINDOW BANNERS • DETAIL

NO SCALE



1 STORE ENTRY ELEVATION - STORE HOURS DECALS

NO SCALE

Notes:

SEE SHEET S1 FOR PLAQUE LOCATIONS.

GENERAL CONTRACTOR TO PROVIDE:

- VERIFICATION AND PREPARATION OF WALL SURFACE - IF WALL SURFACE IS UNEVEN (EXAMPLE: SPLIT-FACE CMU OR STONE VENEER), GENERAL CONTRACTOR TO KNOCK DOWN ROUGH SURFACE 2" BEYOND EDGE OF PLAQUE SO IT WILL SIT FLUSH AGAINST THE WALL. SEE SECTION A-A BELOW.

BMA TO PROVIDE:

- PLAQUES, HARDWARE AND INSTALLATION PATTERNS TO SIGN INSTALLER
- FULL-SIZED OVAL TEMPLATE TO GENERAL CONTRACTOR TO FACILITATE RESURFACING OF WALL AREA BEHIND PLAQUES. BMA TO VERIF WALL FINISH BEFORE SENDING PATTERN

SIGN INSTALLER TO PROVIDE:

- GE CONSTRUCTION SCS1200 SILICONE SEALANT

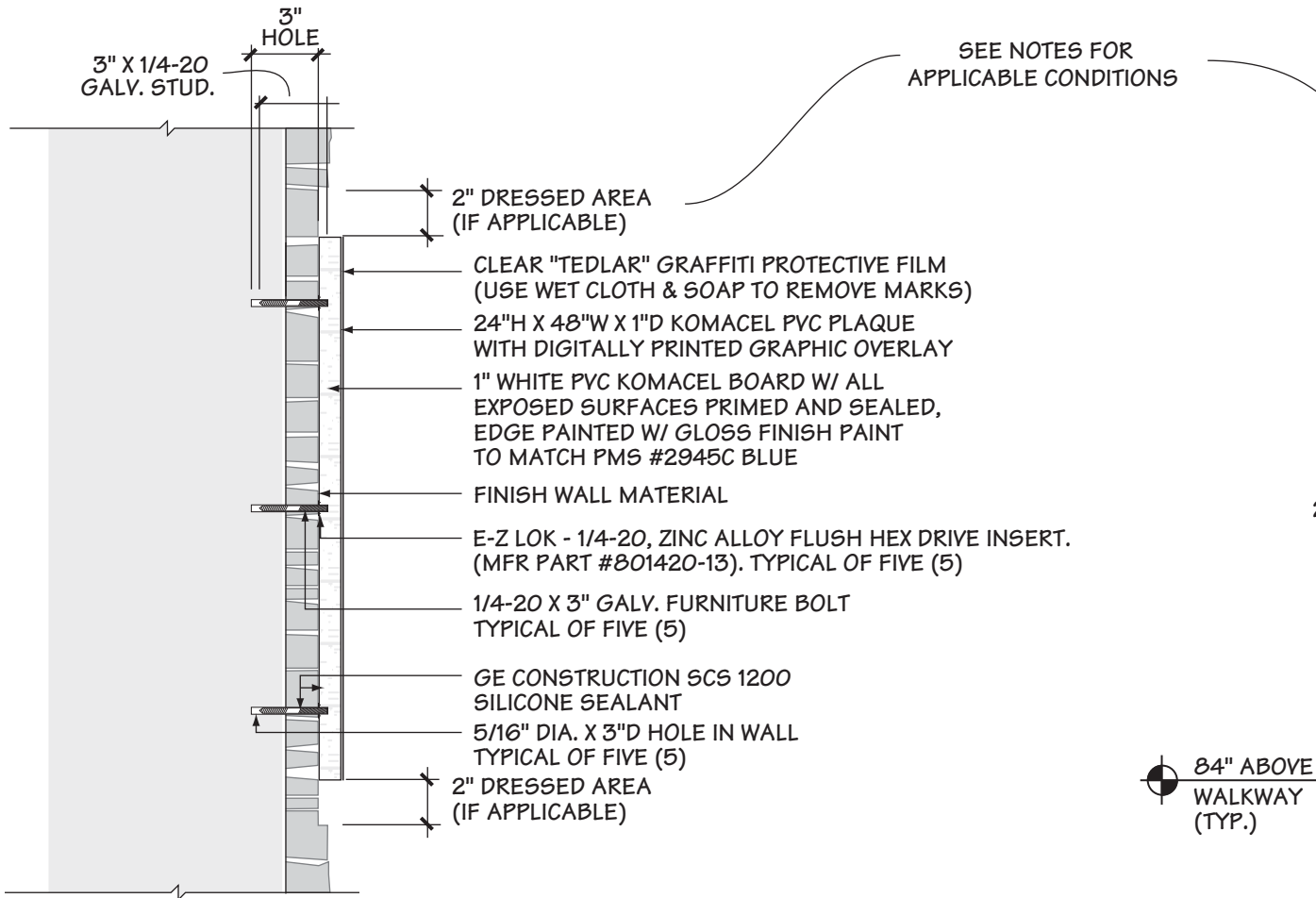
- A** 24"H X 48"W X 1"D KOMACEL OVAL "ROSS" LOGO WALL PLAQUE; SEE SHEET S1 FOR LOCATION(S).
- B** DIGITALLY PRINTED 3M CONTROL TAC GRAPHIC: 9.6"H x 35"W WHITE "ROSS" COPY .25" PMS #296C DARK BLUE COPY OUTLINE PMS #2945C BLUE BACKGROUND .25" PMS #296C DARK BLUE 1ST OUTLINE, .625" WHITE 2ND OUTLINE .875" PMS #2945C BLUE 3RD OUTLINE

- C** CLEAR "TEDLAR" GRAFFITI GUARD FILM OVERLAY

- D** 2" DRESSED AREA (IF NECESSARY)

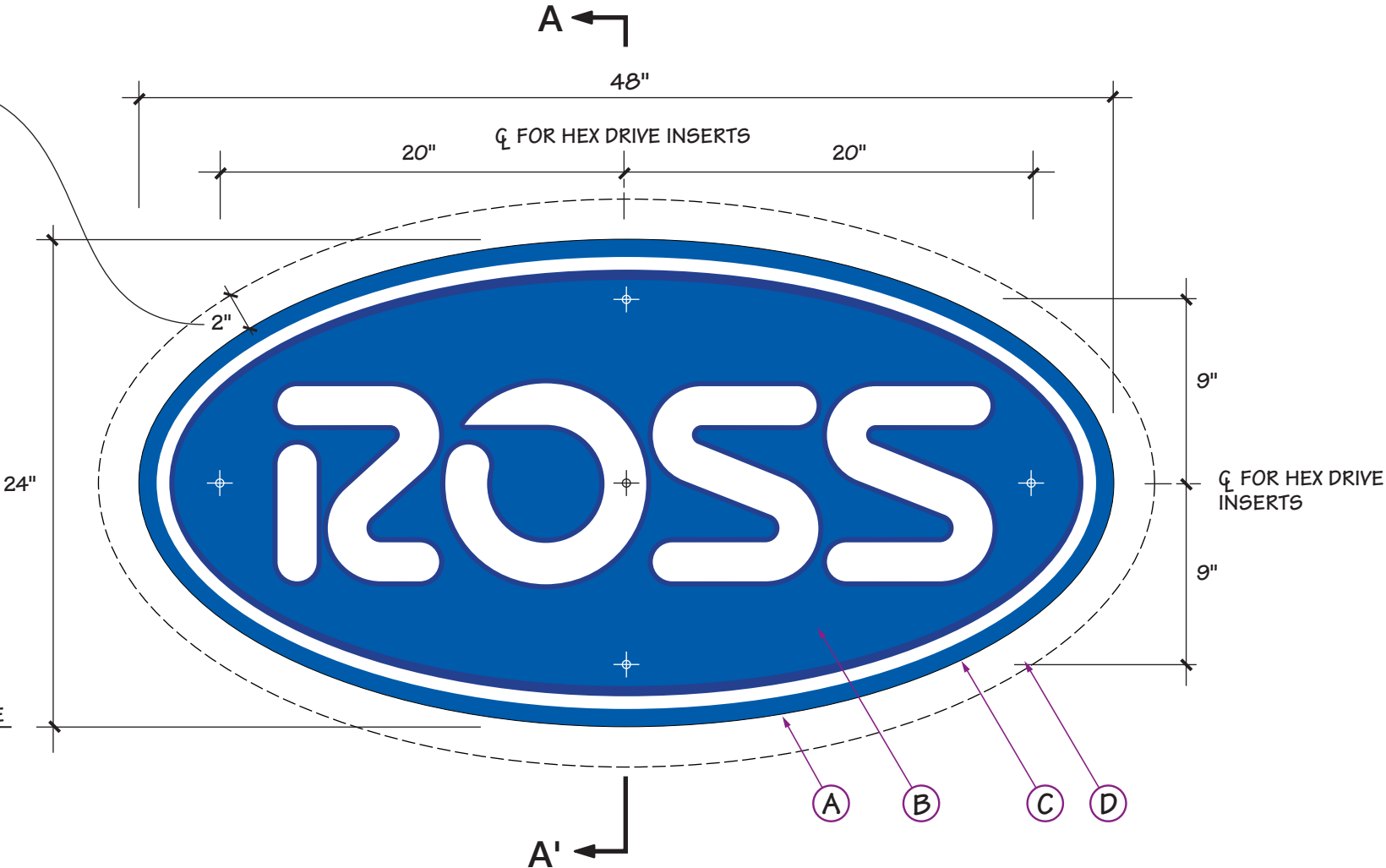
Installation Instructions:

- DRILL FIVE (5) 5/16" DIA. X 3" DEEP HOLES INTO WALL AS PER PATTERN.
- SCREW 3" X 1/4-20 MACHINE-THREAD END OF GALV. FURNITURE BOLTS INTO EMPTY HEX DRIVE INSERTS INTO BACK OF PLAQUE UNTIL THEY CONTACT THE PVC. (DO NOT OVER-TIGHTEN).
- USING GE CONSTRUCTION SCS 1200 SILICONE SEALANT, FILL HOLES IN WALL, COAT SCREW-THREAD ENDS OF FURNITURE BOLTS AND APPLY HEAVY BEAD TO BACK OF PLAQUE
- MOUNT PLAQUE ONTO WALL BY PUSHING BOLTS INTO HOLES UNTIL PLAQUE IS FLUSH AGAINST WALL SURFACE.



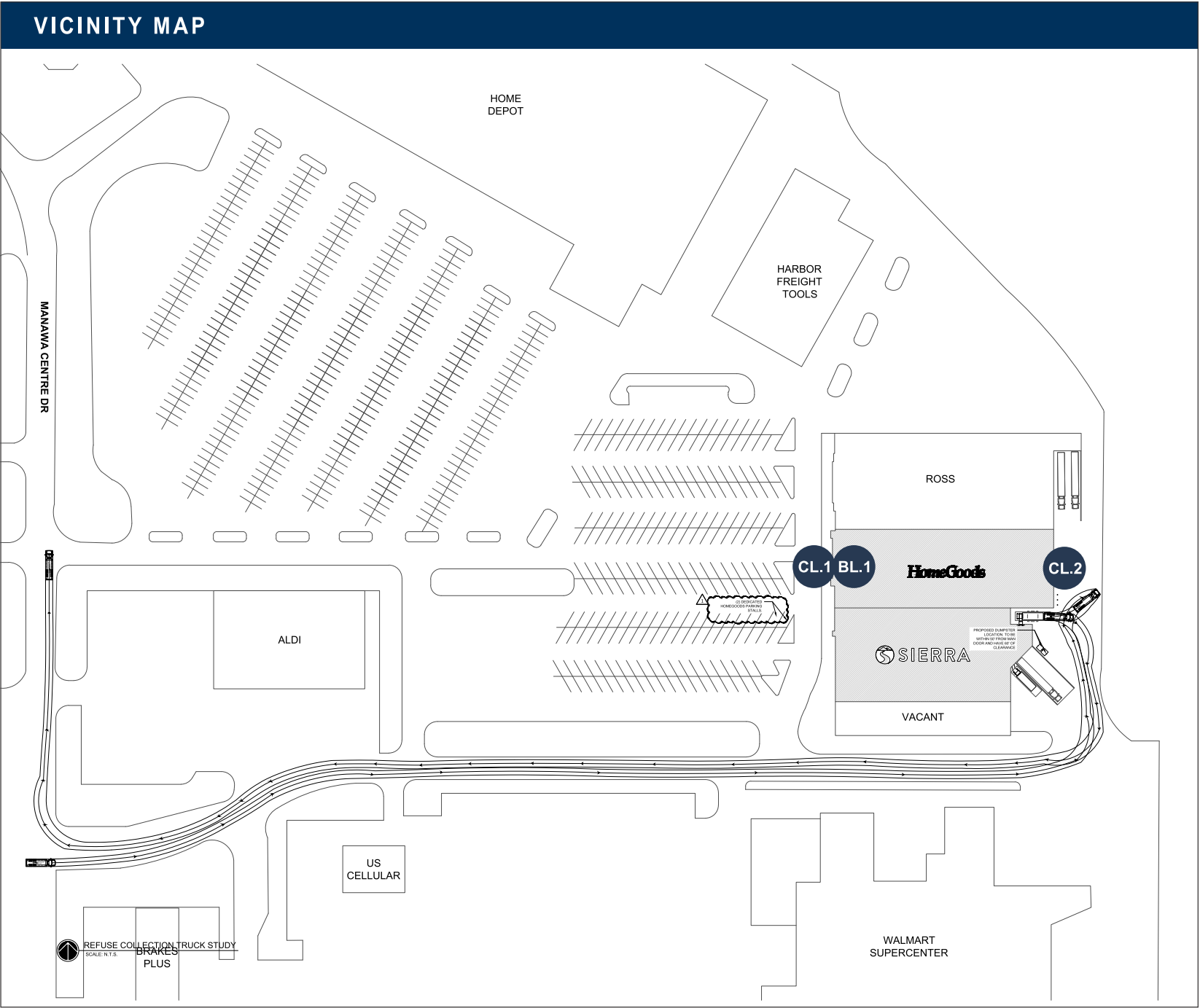
2 SECTION A-A' AT MOUNT

SCALE: 1-1/2" = 1'-0"



1 OVAL ENTRANCE LOGO PLAQUE ELEVATION

SCALE: 1-1/2" = 1'-0"



SCALE: N.T.S.

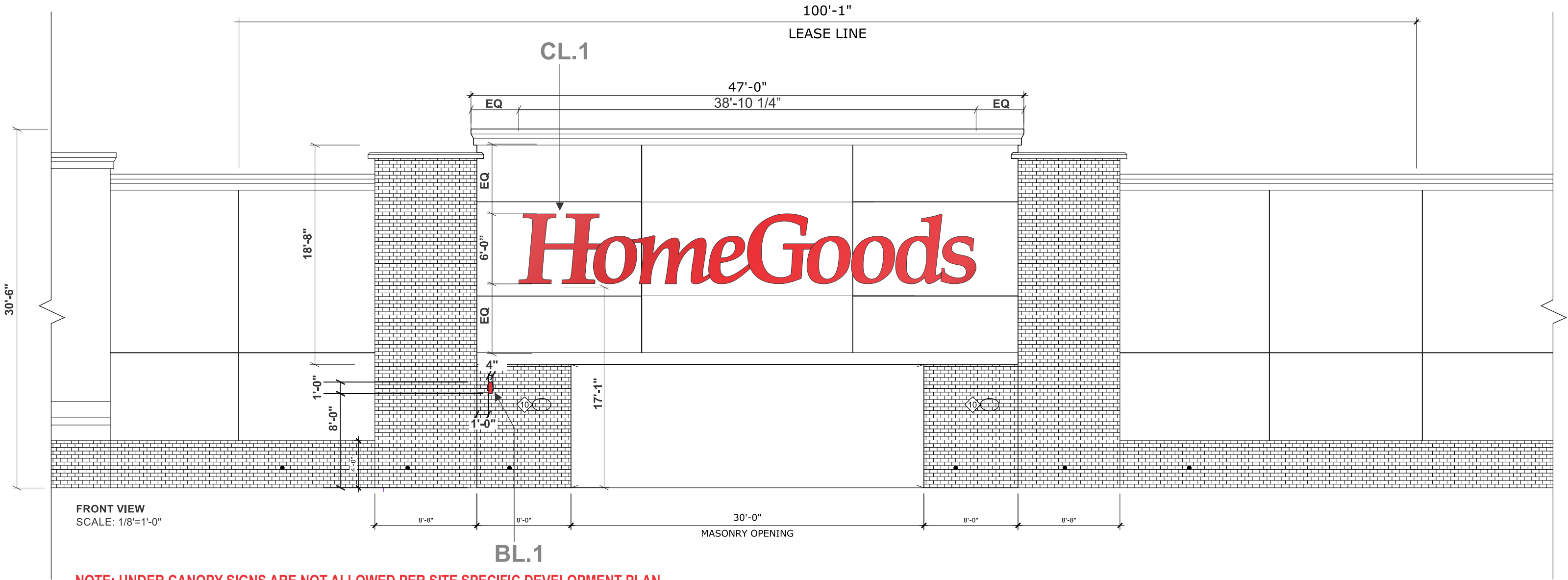
SCOPE OF WORK		
EXTERIOR SIGNS		QTY
CL.1	6'-0" FACE LIT CHANNEL LETTERS - FRONT	1
CL.2	3'-0" FACE LIT CHANNEL LETTERS - REAR	1
BL.1	DF ILLUMINATED BLADE SIGN - FRONT	1
SIGN CODE REVIEW		
site code has total aggregate area of 100 sq ft of signage allowed		

<div>JONES SIGN</div> <div>Your Vision. Accomplished.</div> <div>A MORTENSEN COMPANY</div>	JOB #: 293183_R3 WANT	REQUIRED: <div><div><input type="checkbox"/> FIELD SURVEY</div><div><input type="checkbox"/> VECTOR ARTWORK</div></div> <div><input type="checkbox"/> PAINT COLOR</div> <div><input type="checkbox"/> CLIENT PMS COLOR</div> <div><input type="checkbox"/> FONTS</div> <div><input type="checkbox"/> ENGINEERING</div>
--	-----------------------	--

OTHER:

CL.1 6'-0" FACE LIT CHANNEL LETTERS (Qty. 1) PART# HG1CL72-467-5L

Allowable Square Footage this Elevation:	TBD
Boxed Square Footage this Elevation:	233.1
Actual Square Footage this Elevation:	188.1

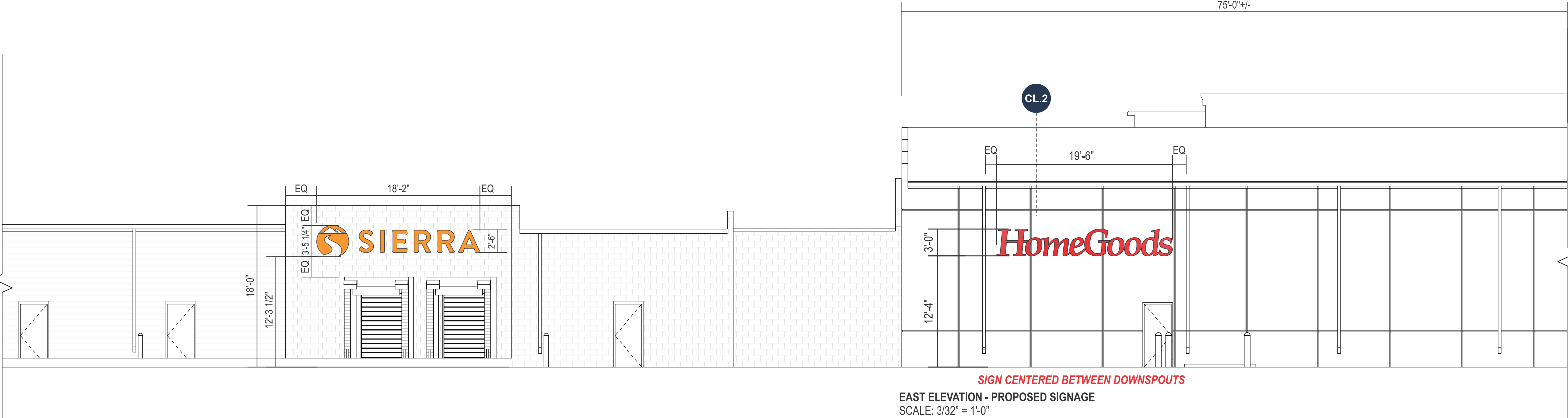


NOTE: UNDER CANOPY SIGNS ARE NOT ALLOWED PER SITE SPECIFIC DEVELOPMENT PLAN.
BLADE SIGNS ARE PERMITTED IN AN MCR AND PC DISTRICT, SUBJECT TO AN APPROVED AMENDED DEVELOPMENT PLAN
ALLOWABLE SQ FT THIS ELEVATION: TBD

<div>JONES SIGN</div> <div>Your Vision. Accomplished.</div> <div>A MORTENSEN COMPANY</div>	JOB #: 293183_R3 WANT DATE: 10.29.00 DESIGNER: JM SALES REP: House PROJ MGR: L HAWKINS	REQUIRED:	LANDLORD APPROVAL	DATE	<div>HomeGoods</div>	ADDRESS: 32ND AVE & MANAWA CENTER DRIVE COUNCIL BLUFFS, IA 51501	SHEET NUMBER <div>3.0</div>
		<div><div><input type="checkbox"/> FIELD SURVEY</div><div><input type="checkbox"/> VECTOR ARTWORK</div></div> <div><div><input type="checkbox"/> PAINT COLOR</div><div><input type="checkbox"/> CLIENT PMS COLOR</div></div> <div><div><input type="checkbox"/> FONTS</div><div><input type="checkbox"/> ENGINEERING</div></div>	CLIENT APPROVAL	DATE			
		OTHER:					

EAST ELEVATION

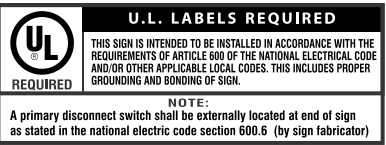
Allowable Square Footage this Elevation:	
Boxed Square Footage this Elevation:	58.5
Actual Square Footage this Elevation:	46.9



<div><div>JONES SIGN</div><div>Your Vision. Accomplished.</div><div>A MORTENSEN COMPANY</div></div>	JOB #: 293183_R3 WANT DATE: 10.29.00 DESIGNER: JM SALES REP: House PROJ MGR: L HAWKINS	REQUIRED: <div><div><input type="checkbox"/> FIELD SURVEY<input type="checkbox"/> PAINT COLOR<input type="checkbox"/> FONTS</div><div><input type="checkbox"/> VECTOR ARTWORK<input type="checkbox"/> CLIENT PMS COLOR<input type="checkbox"/> ENGINEERING</div></div> OTHER: <div></div>	LANDLORD APPROVAL DATE	<div>HomeGoods</div>	ADDRESS: 32ND AVE & MANAWA CENTER DRIVE COUNCIL BLUFFS, IA 51501	SHEET NUMBER <div>4.0</div>
			CLIENT APPROVAL DATE			

CL.1 6'-0" FACE LIT CHANNEL LETTERS (Qty. 1) PART# HG1CL72-467-5L

Allowable Square Footage this Elevation:	TBD
Boxed Square Footage this Elevation:	233.1
Actual Square Footage this Elevation:	188.1

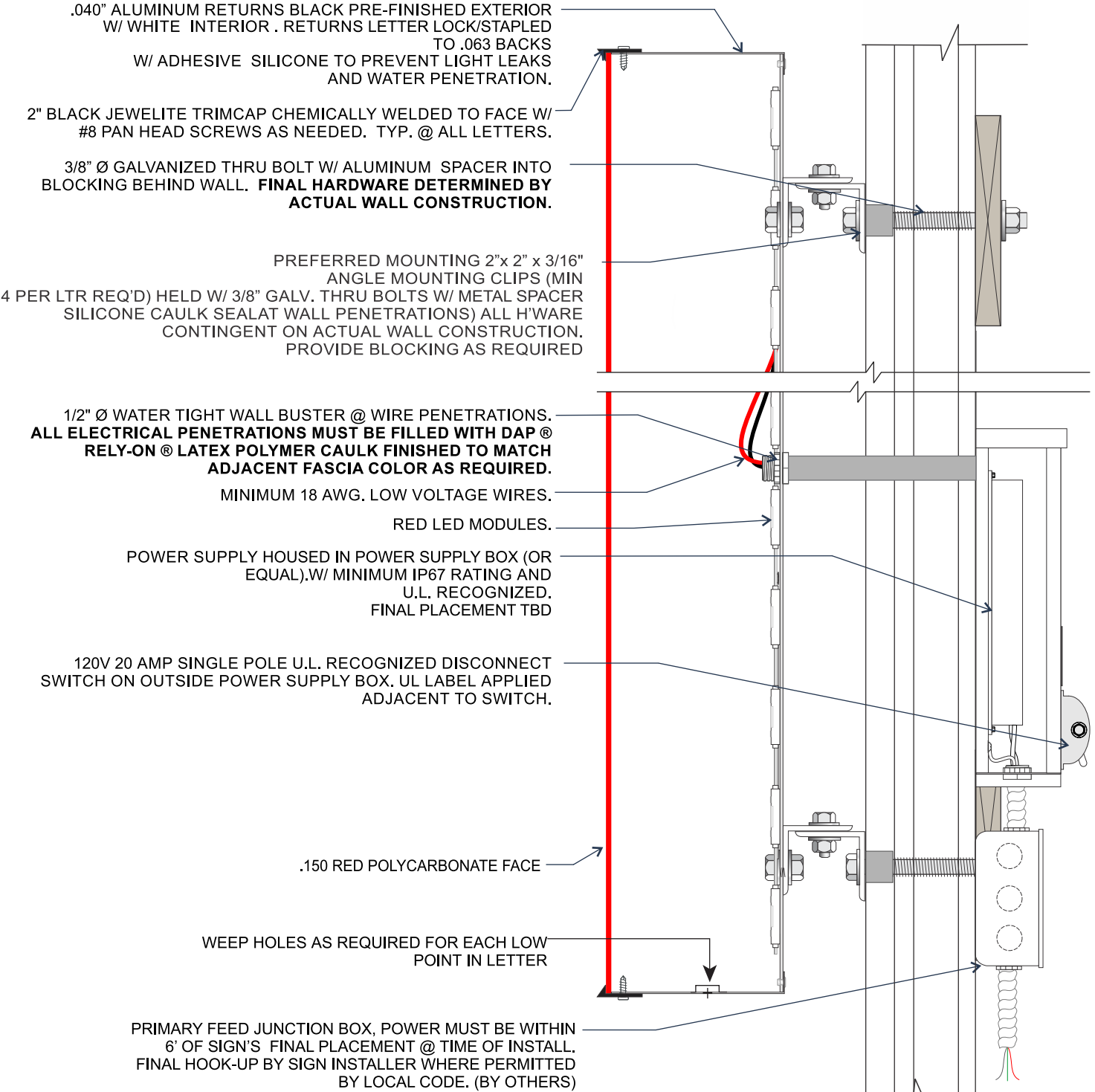


ELECTRICAL NOTES:

- U.L. LISTED
- ALL ELECTRICAL WORK SHALL BE PERFORMED IN ACCORDANCE WITH "NEC" REF. SECTION 600 TO MEET LOCAL CODE.
- ALL ELECTRICAL SIGN SECTIONS TO HAVE U.L. LABELS IN ACCORDANCE WITH "NEC" 600.3 AND MANUFACTURERS LABEL LOCATED NEXT TO DISCONNECT SWITCH
- ALL NON-CURR/BWENT CARR/BWYING METAL PARTS OF SIGN SHALL BE GROUNDED & BONDED IN ACCORDANCE WITH "NEC" 250
- SPlicing OF CONDUCTORS SHALL BE MADE IN JUNCTION BOXES OR SIMILAR METAL ENCLOSURES
- AT THE POINT THAT ELECTRICAL CABLE PASSES THRU THE SIGN BOX, IT SHALL PASS THRU A U.L. LISTED GROMMET.
- FINAL PRIMARY HOOK-UP BY SIGN INSTALLER WHERE ALLOWED BY CODE.

GENERAL NOTES:

- NO EXPOSED FASTENERS TO BE USED. IF EXPOSED FASTENERS MUST BE USED THEN THEY MUST BE COUNTER SUNK AND PAINTED TO MATCH ADJACENT FINISH, UNLESS NOTED OTHERWISE.
- ALL HARDWARE TO BE NON CORR/BWOSIVE.
- ALL VISIBLE EDGES TO BE FILLED AND FINISHED.
- ALL WELDS TO BE GROUND SMOOTH.
- SIGNAGE TO CONTAIN BAFFLES AND DRAIN HOLES AS NEEDED.
- INSTALL TEMPLATE TO BE INCLUDED WITH LETTER BY FABRICATOR.



CHANNEL LETTER - VERTICAL SECTION
SCALE: 3"=1'-0"

SPECIFICATIONS:

1. FABRICATE FACE-LIT CHANNEL LETTERS M-1
2. RETURNS: 5" P-1
3. TRIMCAP: 2" BLACK JEWELITE
4. LED'S: RED

COLORS / FINISHES:

- M-1 3/16" #2793 RED POLYCARB FACES.
- P-1 MP BLACK (SATIN FINISH)

ALL CONDITIONS MUST BE FIELD VERIFIED


JONES SIGN Your Vision. Accomplished. <small>A MORTENSEN COMPANY</small>	JOB #: 293183_R3 WANT DATE: 10.29.00 DESIGNER: JM SALES REP: House PROJ MGR: L HAWKINS	REQUIRED: <input type="checkbox"/> FIELD SURVEY <input type="checkbox"/> PAINT COLOR <input type="checkbox"/> FONTS <input type="checkbox"/> VECTOR ARTWORK <input type="checkbox"/> CLIENT PMS COLOR <input type="checkbox"/> ENGINEERING OTHER:	LANDLORD APPROVAL DATE		ADDRESS: 32ND AVE & MANAWA CENTER DRIVE COUNCIL BLUFFS, IA 51501	SHEET NUMBER 5.0
			CLIENT APPROVAL DATE			

CL.2 3'-0" FACE LIT CHANNEL LETTERS (Qty 1) PART# HG1CL36-234-5L

Allowable Square Footage this Elevation:	
Boxed Square Footage this Elevation:	58.5
Actual Square Footage this Elevation:	46.9



NIGHT VIEW
SCALE: NTS



REQUIRED

U.L. LABELS REQUIRED

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF SIGN.

NOTE:
A primary disconnect switch shall be externally located at end of sign as stated in the national electric code section 600.6 (by sign fabricator)

ELECTRICAL NOTES:

- U.L. LISTED
- ALL ELECTRICAL WORK SHALL BE PERFORMED IN ACCORDANCE WITH "NEC" REF. SECTION 600 TO MEET LOCAL CODE.
- ALL ELECTRICAL SIGN SECTIONS TO HAVE U.L. LABELS IN ACCORDANCE WITH "NEC" 600.3 AND MANUFACTURERS LABEL LOCATED NEXT TO DISCONNECT SWITCH
- ALL NON-CURR/BWENT CARR/BWYING METAL PARTS OF SIGN SHALL BE GROUNDED & BONDED IN ACCORDANCE WITH "NEC" 250
- SPlicing OF CONDUCTORS SHALL BE MADE IN JUNCTION BOXES OR SIMILAR METAL ENCLOSURES
- AT THE POINT THAT ELECTRICAL CABLE PASSES THRU THE SIGN BOX, IT SHALL PASS THRU A U.L. LISTED GROMMET.
- FINAL PRIMARY HOOK-UP BY SIGN INSTALLER WHERE ALLOWED BY CODE.

GENERAL NOTES:

- NO EXPOSED FASTENERS TO BE USED. IF EXPOSED FASTENERS MUST BE USED THEN THEY MUST BE COUNTER SUNK AND PAINTED TO MATCH ADJACENT FINISH, UNLESS NOTED OTHERWISE.
- ALL HARDWARE TO BE NON CORR/BWOSIVE.
- ALL VISIBLE EDGES TO BE FILLED AND FINISHED.
- ALL WELDS TO BE GROUND SMOOTH.
- SIGNAGE TO CONTAIN BAFFLES AND DRAIN HOLES AS NEEDED.
- INSTALL TEMPLATE TO BE INCLUDED WITH LETTER BY FABRICATOR.

- .040" ALUMINUM RETURNS BLACK PRE-FINISHED EXTERIOR W/ WHITE INTERIOR . RETURNS LETTER LOCK/STAPLED TO .063 BACKS
- W/ ADHESIVE SILICONE TO PREVENT LIGHT LEAKS AND WATER PENETRATION.
- 1" BLACK JEWELITE TRIMCAP CHEMICALLY WELDED TO FACE W/ #8 PAN HEAD SCREWS AS NEEDED. TYP. @ ALL LETTERS.
- 3/8" Ø GALVANIZED THRU BOLT W/ ALUMINUM SPACER INTO BLOCKING BEHIND WALL. **FINAL HARDWARE DETERMINED BY ACTUAL WALL CONSTRUCTION.**
- PREFERRED MOUNTING 2"x 2" x 3/16" ANGLE MOUNTING CLIPS (MIN 4 PER LTR REQ'D) HELD W/ 3/8" GALV. THRU BOLTS W/ METAL SPACER SILICONE CAULK SEALAT WALL PENETRATIONS) ALL H'WARE CONTINGENT ON ACTUAL WALL CONSTRUCTION. PROVIDE BLOCKING AS REQUIRED

- 1/2" Ø WATER TIGHT WALL BUSTER @ WIRE PENETRATIONS. **ALL ELECTRICAL PENETRATIONS MUST BE FILLED WITH DAP® RELY-ON® LATEX POLYMER CAULK FINISHED TO MATCH ADJACENT FASCIA COLOR AS REQUIRED.**
- MINIMUM 18 AWG. LOW VOLTAGE WIRES.
- RED LED MODULES.
- POWER SUPPLY HOUSED IN POWER SUPPLY BOX (OR EQUAL).W/ MINIMUM IP67 RATING AND U.L. RECOGNIZED. FINAL PLACEMENT TBD
- 120V 20 AMP SINGLE POLE U.L. RECOGNIZED DISCONNECT SWITCH ON OUTSIDE POWER SUPPLY BOX. UL LABEL APPLIED ADJACENT TO SWITCH.

3/16" THK. #2793 RED TRANSLUCENT ACRYLIC FACE.

WEEP HOLES AS REQUIRED FOR EACH LOW POINT IN LETTER

PRIMARY FEED JUNCTION BOX, POWER MUST BE WITHIN 6' OF SIGN'S FINAL PLACEMENT @ TIME OF INSTALL. FINAL HOOK-UP BY SIGN INSTALLER WHERE PERMITTED BY LOCAL CODE. (BY OTHERS)

CHANNEL LETTER - VERTICAL SECTION
SCALE: 3"=1'-0"

SPECIFICATIONS:

1. FABRICATE FACE-LIT CHANNEL LETTERS M-1
2. RETURNS: 5" P-1
3. TRIMCAP: 1" BLACK JEWELITE
4. LED'S: RED

COLORS / FINISHES:

- M-1 3/16" #2793 RED PLEX FACES.
- P-1 MP BLACK (SATIN FINISH)

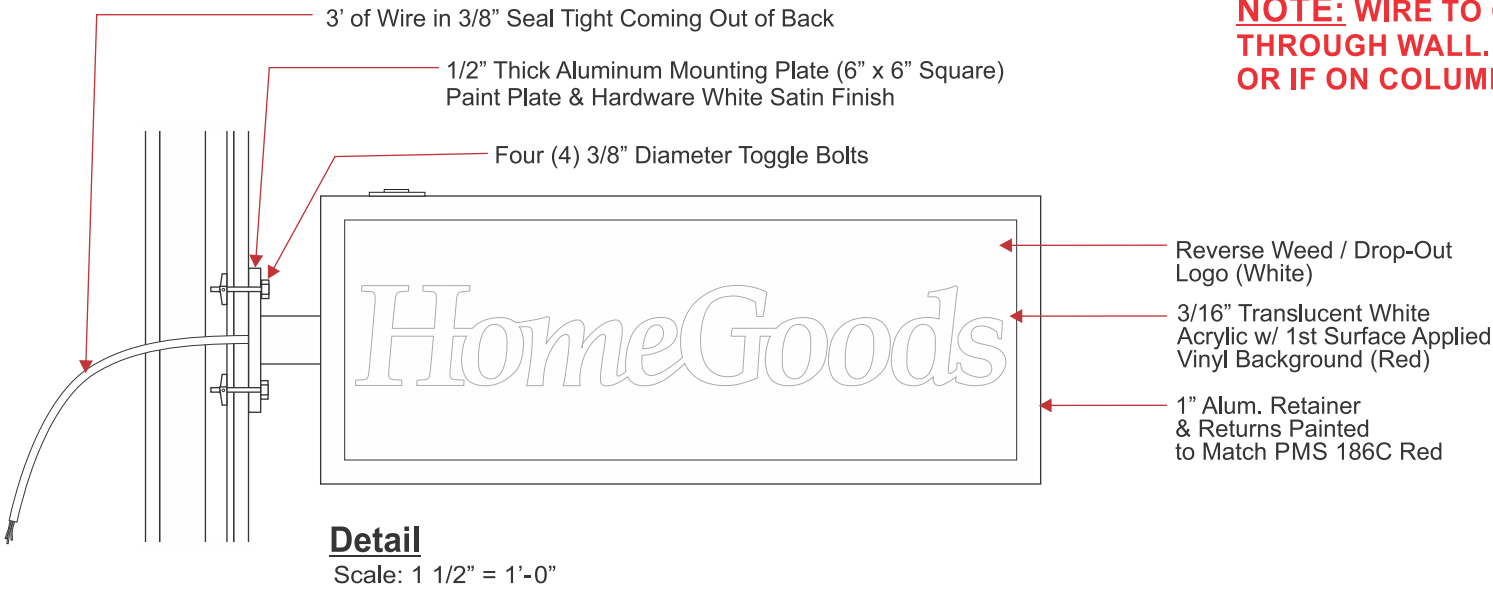
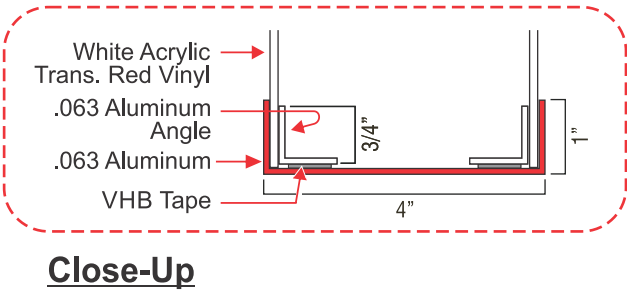
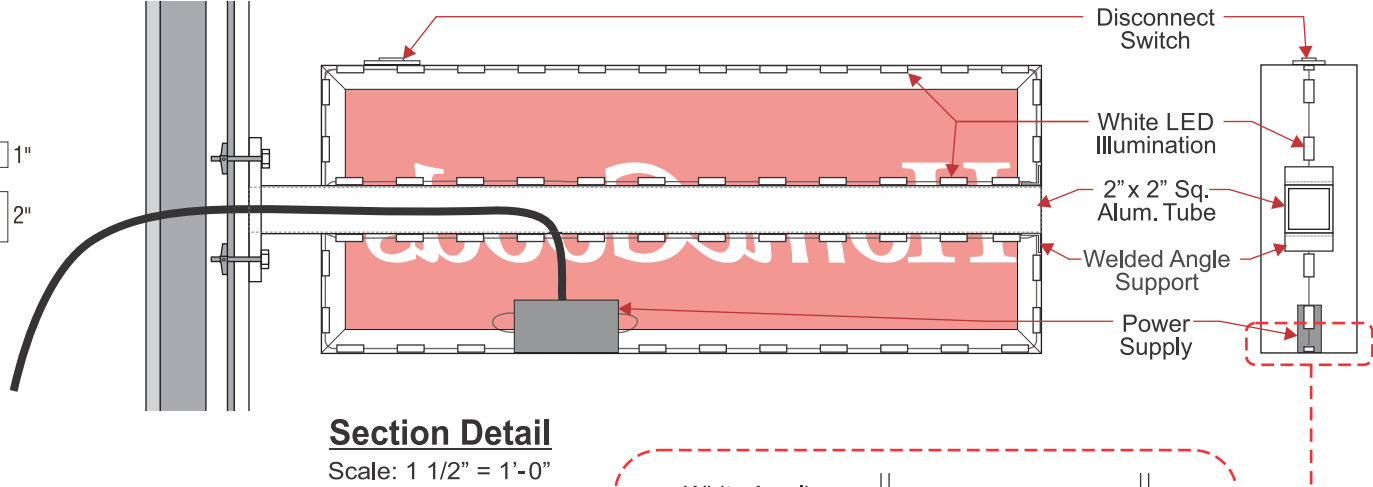
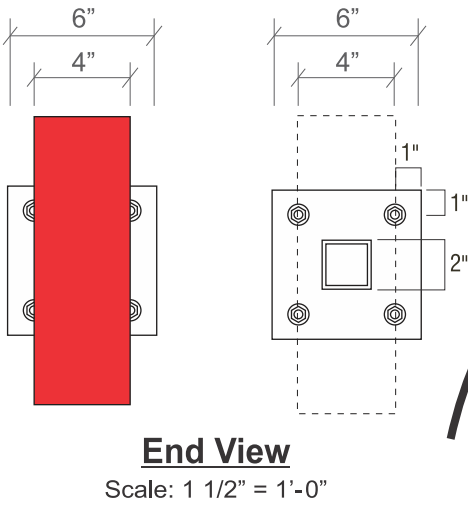
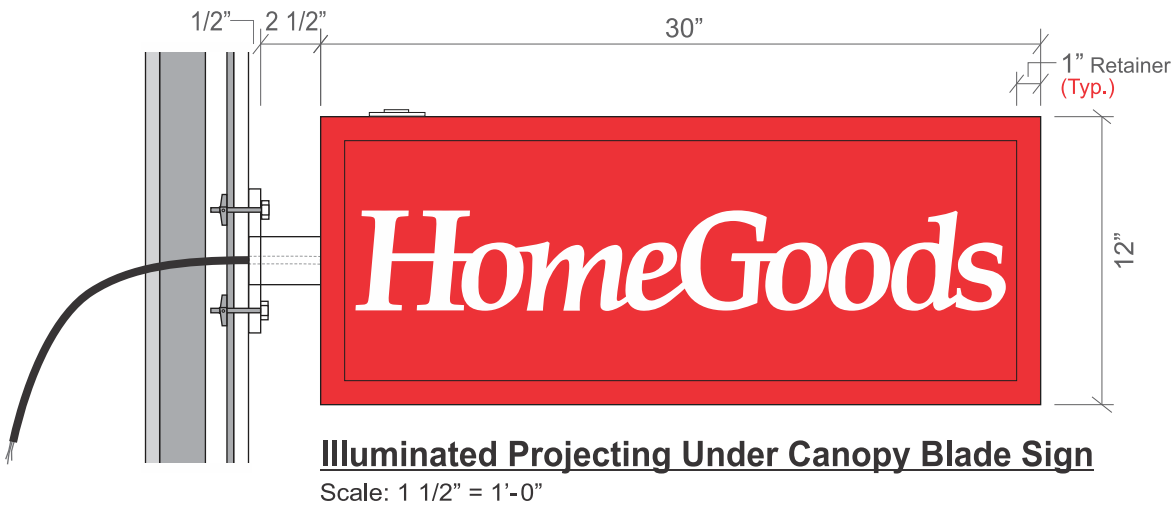
ALL CONDITIONS MUST BE FIELD VERIFIED

	JOB #: 293183_R3 WANT DATE: 10.29.00 DESIGNER: JM SALES REP: House PROJ MGR: L HAWKINS	REQUIRED: <input type="checkbox"/> FIELD SURVEY <input type="checkbox"/> PAINT COLOR <input type="checkbox"/> FONTS <input type="checkbox"/> VECTOR ARTWORK <input type="checkbox"/> CLIENT PMS COLOR <input type="checkbox"/> ENGINEERING OTHER: <div></div>	LANDLORD APPROVAL DATE		ADDRESS: 32ND AVE & MANAWA CENTER DRIVE COUNCIL BLUFFS, IA 51501	SHEET NUMBER 6.0
			CLIENT APPROVAL DATE			

BL.1 D/F ILLUMINATED BLADE SIGN (Qty 1)

Square Footage: 2.5

NOTE: UNDER CANOPY SIGNS ARE NOT ALLOWED PER SITE SPECIFIC DEVELOPMENT PLAN.
BLADE SIGNS ARE PERMITTED IN AN MCR AND PC DISTRICT, SUBJECT TO AN APPROVED AMENDED DEVELOPMENT PLAN
NOTE: PLACEMENT TBD BY TJX PM ALLOWABLE SQ FT THIS ELEVATION: TBD



NOTE: WIRE TO COME OUT END OF POLE THROUGH WALL. MAY BE VISIBLE INSIDE STORE OR IF ON COLUMN MAY NOT BE REACHABLE.

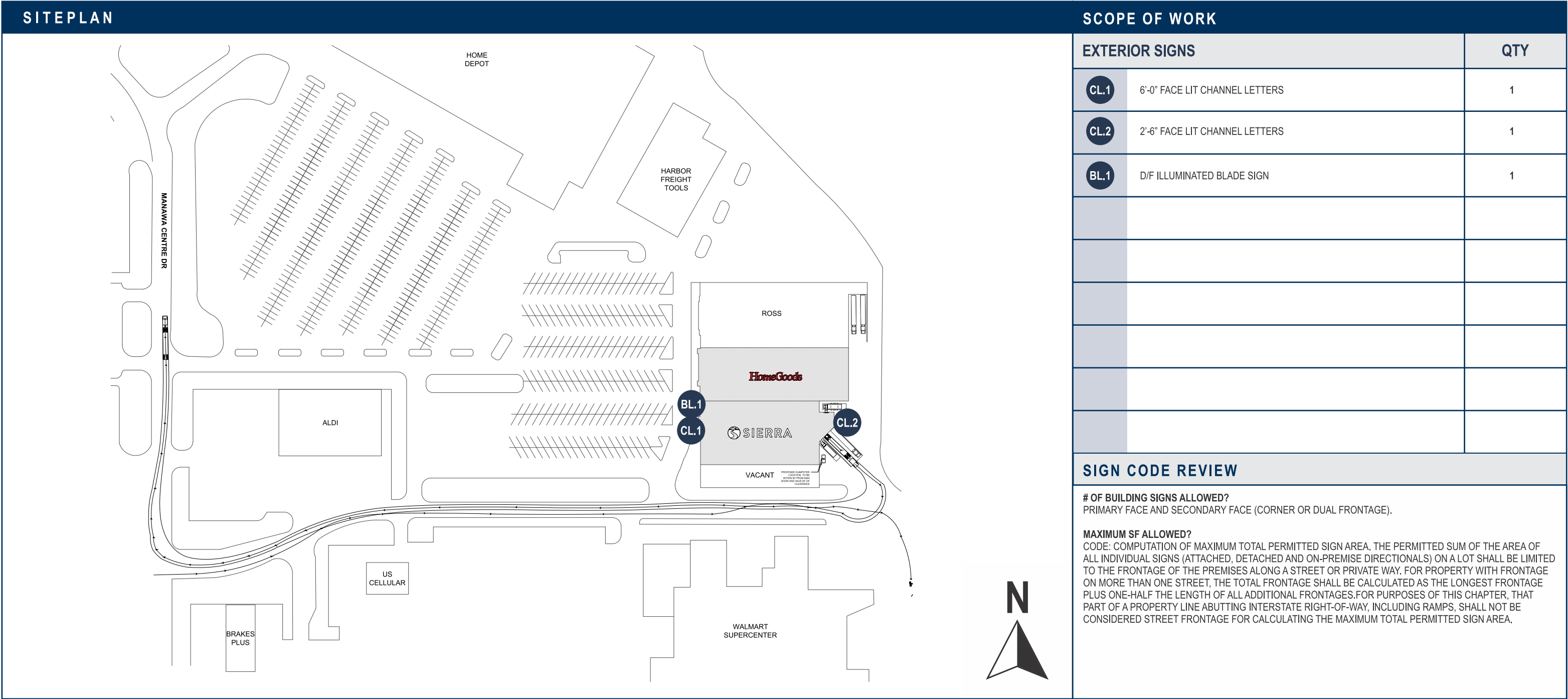
SPECIFICATIONS:	COLORS / FINISHES:
1. 3/16" WHITE ACRYLIC FACES	<div></div> V-1 3M #3630-33 RED
2. 1ST SURFACE VINYL APPLIED V-1	<div></div> P-2 MP RED ENAMEL PAINT TO MATCH 3M #3630-33 RED VINYL
3. CABINET & RETURNS PAINTED TO MATCH P-2	<div></div> P-3 MP WHITE ENAMEL (SATIN FINISH)
4. HORIZONTAL SUPPORT PAINTED TO MATCH P-3	
5. BRIGHT WHITE LED ILLUMINATION	
6. POWER SUPPLY (60 WATT) (120 VOLT)	

ALL CONDITIONS MUST BE FIELD VERIFIED

LEAVE BLANK FOR CITY STAMP

REMOVE COPY AND DASHED LINE BEFORE MAKING PDF

JONES SIGN Your Vision. Accomplished. <small>A MORTENSEN COMPANY</small>	JOB #: 293183_R3 WANT DATE: 10.29.00 DESIGNER: JM SALES REP: House PROJ MGR: L HAWKINS	REQUIRED: <input type="checkbox"/> FIELD SURVEY <input type="checkbox"/> PAINT COLOR <input type="checkbox"/> FONTS <input type="checkbox"/> VECTOR ARTWORK <input type="checkbox"/> CLIENT PMS COLOR <input type="checkbox"/> ENGINEERING OTHER:	LANDLORD APPROVAL DATE		ADDRESS: 32ND AVE & MANAWA CENTER DRIVE COUNCIL BLUFFS, IA 51501	SHEET NUMBER 7.0
			CLIENT APPROVAL DATE			



SCALE: NTS

JONES SIGN

Your Vision. Accomplished.

A MORTENSEN COMPANY

JOB #: 293185_R4_WANT

DATE: 10.22.2024

DESIGNER: A. GREENSLADE

SALES REP: J. GEHRT

PROJ MGR: L. HAWKINS

REQUIRED:

☐ FIELD SURVEY

☐ PAINT COLOR

☐ FONTS

☐ VECTOR ARTWORK

☐ CLIENT PMS COLOR

☐ ENGINEERING

OTHER:

LANDLORD APPROVAL

DATE

CLIENT APPROVAL

DATE

SIERRA

SIERRA

32ND AVE & MANAWA CENTER DR

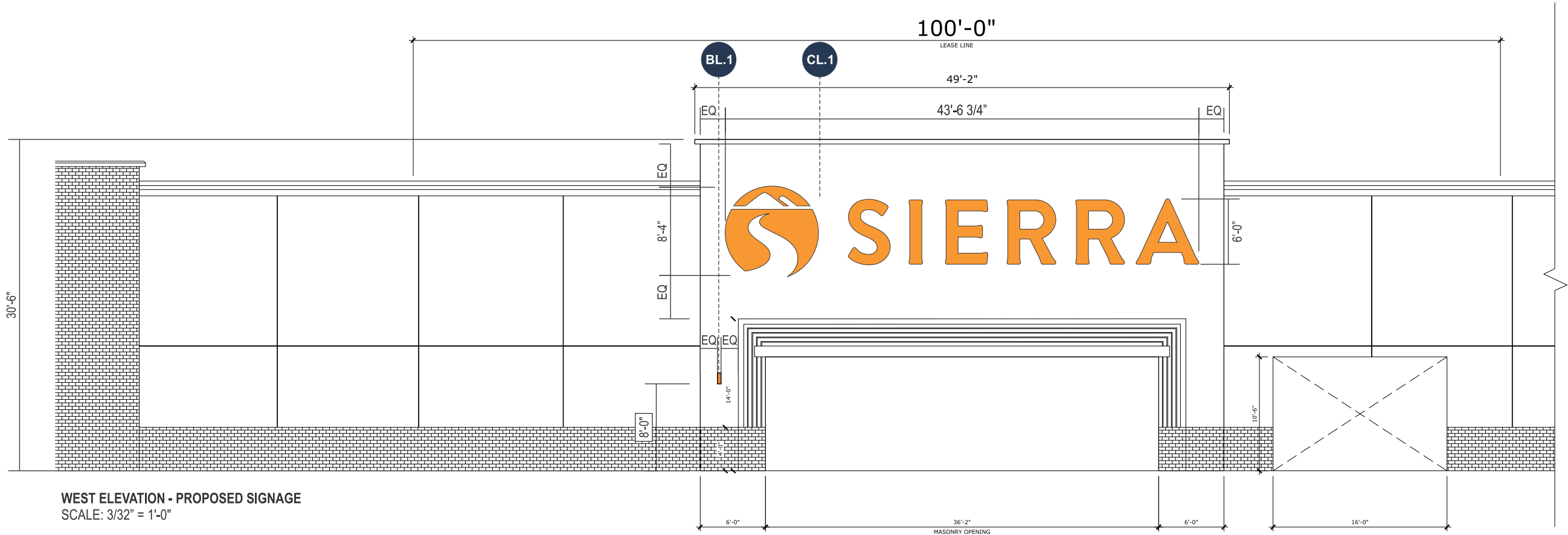
COUNCIL BLUFFS, IA 51501

SHEET NUMBER

1.0

WEST ELEVATION

Allowable Square Footage this Elevation:	TBD
Boxed Square Footage this Elevation:	363.02
Actual Square Footage this Elevation:	265.87

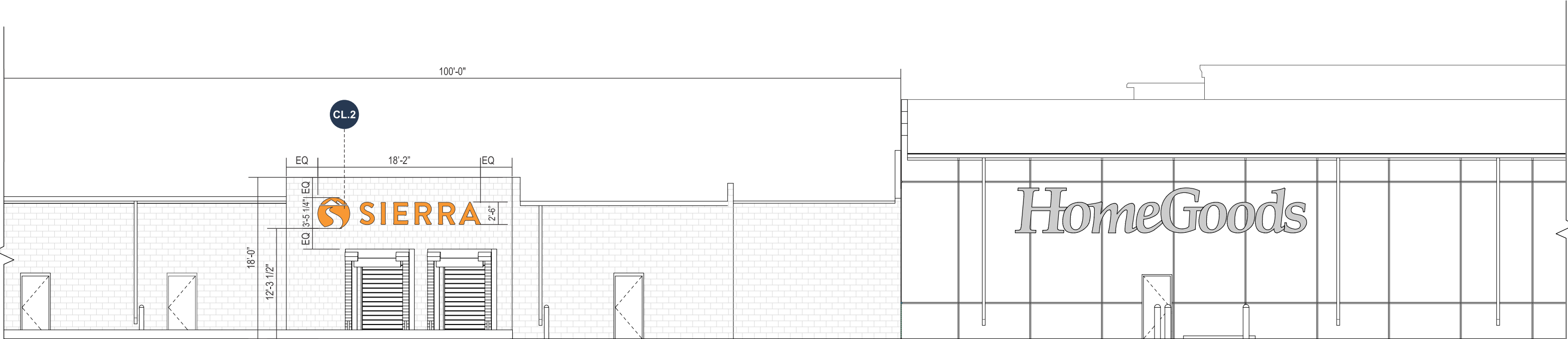


<div>JONES SIGN</div> <div>Your Vision. Accomplished.</div> <div>A MORTENSEN COMPANY</div>	<div>JOB #: 293185_R4_WANT</div> <div>DATE: 10.22.2024</div> <div>DESIGNER: A. GREENSLADE</div> <div>SALES REP: J. GEHRT</div> <div>PROJ MGR: L. HAWKINS</div>	<div>REQUIRED:</div> <div><div><input type="checkbox"/> FIELD SURVEY</div><div><input type="checkbox"/> VECTOR ARTWORK</div></div> <div><div><input type="checkbox"/> PAINT COLOR</div><div><input type="checkbox"/> CLIENT PMS COLOR</div></div> <div><div><input type="checkbox"/> FONTS</div><div><input type="checkbox"/> ENGINEERING</div></div>
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OTHER:

EAST ELEVATION

Allowable Square Footage this Elevation:	TBD
Boxed Square Footage this Elevation:	62.66
Actual Square Footage this Elevation:	45.89



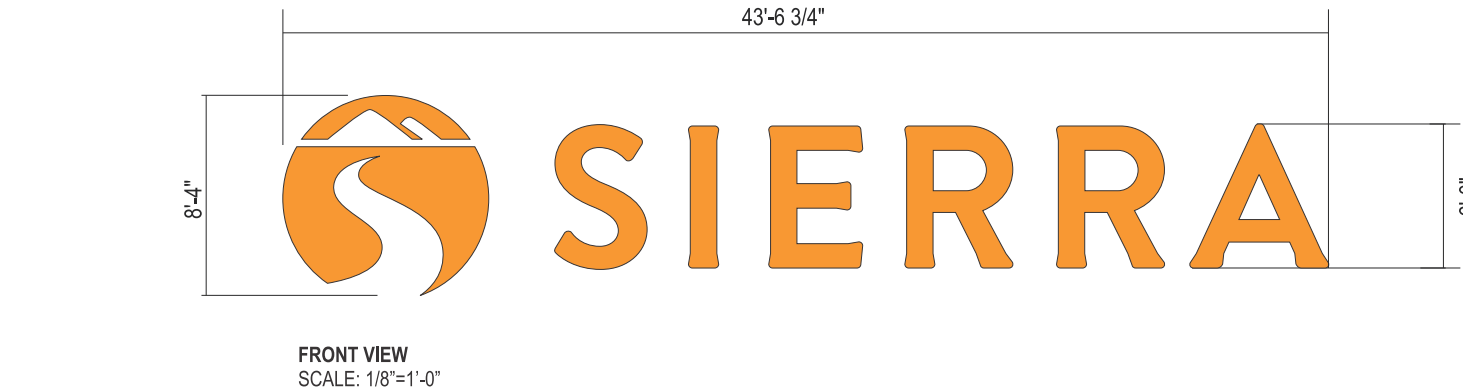
EAST ELEVATION - PROPOSED SIGNAGE
SCALE: 3/32" = 1'-0"

<div>JONES SIGN</div> <div>Your Vision. Accomplished.</div> <div>A MORTENSEN COMPANY</div>	<div>JOB #: 293185_R4_WANT</div> <div>DATE: 10.22.2024</div> <div>DESIGNER: A. GREENSLADE</div> <div>SALES REP: J. GEHRT</div> <div>PROJ MGR: L. HAWKINS</div>	<div>REQUIRED:</div> <div><div><input type="checkbox"/> FIELD SURVEY</div><div><input type="checkbox"/> VECTOR ARTWORK</div></div> <div><div><input type="checkbox"/> PAINT COLOR</div><div><input type="checkbox"/> CLIENT PMS COLOR</div></div> <div><div><input type="checkbox"/> FONTS</div><div><input type="checkbox"/> ENGINEERING</div></div>
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OTHER:

CL.1 72" ORANGE FACE LIT CHANNEL LETTERS (Qty 1)

Allowable Square Footage this Elevation:	TBD
Boxed Square Footage this Elevation:	363.02
Actual Square Footage this Elevation:	265.87



BOXED SQUARE FOOTAGE - 363.02

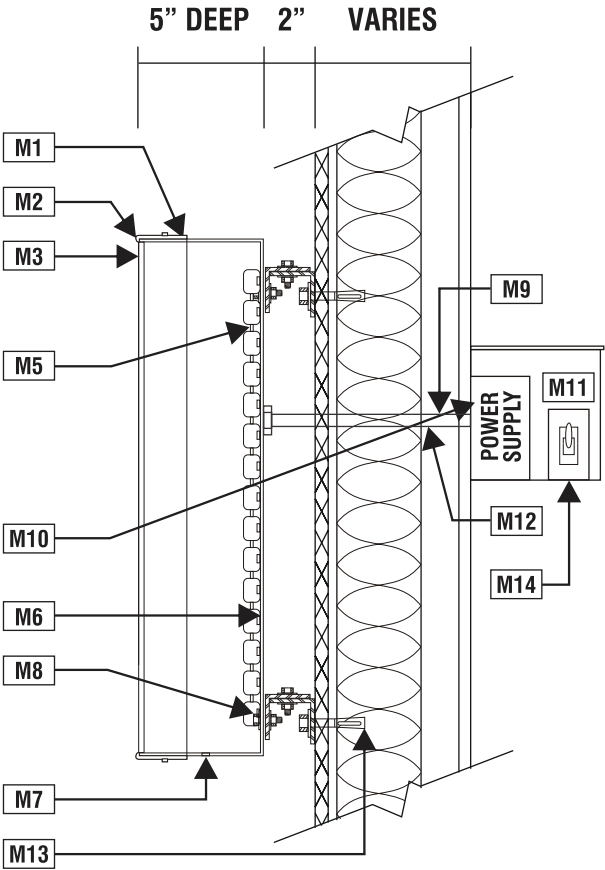
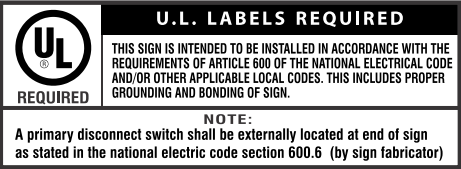


ACTUAL SQUARE FOOTAGE - 265.87



ELECTRICAL NOTES:

- U.L. LISTED
- ALL ELECTRICAL WORK SHALL BE PERFORMED IN ACCORDANCE WITH "NEC" REF. SECTION 600 TO MEET LOCAL CODE.
- ALL ELECTRICAL SIGN SECTIONS TO HAVE U.L. LABELS IN ACCORDANCE WITH "NEC" 600.3 AND MANUFACTURERS LABEL LOCATED NEXT TO DISCONNECT SWITCH
- ALL NON-CURR/BWENT CARR/BWYING METAL PARTS OF SIGN SHALL BE GROUNDED & BONDED IN ACCORDANCE WITH "NEC" 250
- SPlicing OF CONDUCTORS SHALL BE MADE IN JUNCTION BOXES OR SIMILAR METAL ENCLOSURES
- AT THE POINT THAT ELECTRICAL CABLE PASSES THRU THE SIGN BOX, IT SHALL PASS THRU A U.L. LISTED GROMMET.
- FINAL PRIMARY HOOK-UP BY SIGN INSTALLER WHERE ALLOWED BY CODE.



- M1** .040 ALUMINUM RETURNS. EXTERIOR FINISH TO BE BRONZE. .063 ALUMINUM BACKS HELIARC-WELDED TO RETURNS WITH CONTINUOUS CAULK @ INSIDE SEAM. LETTER INTERIORS TO BE SPRAY-PAINTED GLOSS WHITE
- M2** 2" WIDE WHITE TRIMCAP MATERIAL
- M3** 3/16" THICK #7328 WHITE TRANSLUCENT ACRYLIC PLASTIC LETTER FACES
- M5** INTER-CONNECT CABLES BETWEEN L.E.D. MODULES
- M6** GE TETRA LEDS TO BE MOUNTED TO INSIDE-BACKS OF CHANNEL LETTERS WITH 3M V.H.B. TAPE AND TO BE MECHANICALLY FASTENED WITH RIVETS AT THE BEGINNING AND END OF EACH STRIP, EVERY 18" ON CENTER
- M7** 1/4" WEEP HOLES AS REQUIRED IN LOWEST SPOT OF LETTERS (NO WEEP HOLES FOR INTERIOR MALL/STORE SIGNS)
- M8** 2" (x) 2" (x) 3/16" GALVANIZED STEEL CLIPS WITH MOUNTING HARDWARE (TYPE, DEPENDING UPON WALL CONSTRUCTION MATERIALS)
- M9** 1/2" DIAMETER EMT CONDUIT AND CONNECTORS WITH WATER-TIGHT CAULK
- M10** (120 VOLT) L.E.D. (60 WATT) POWER SUPPLIES (REMOVEDLY LOCATED ON LETTERS 5'-0" TALL AND SMALLER) SELF-CONTAINED OVER 5'-0" TALL (QUANTITY TO BE DETERMINED BY SIZE)
- M11** (20 AMP) (120 VOLT) POWER DISCONNECT SWITCH ON OUTSIDE OF LETTERS
- M12** PRIMARY ELECTRICAL LEADS. POWER TO LETTERS TO BE SUPPLIED BY OTHERS
- M13** 1/4" DIAMETER TOGGLE BOLT ATTACHMENTS (MINIMUM FOUR (4) PER LETTER)
- M14** RACEWAY BEHIND WALL HOUSES POWER SUPPLY(S) WITH DISCONNECT SWITCH

SPECIFICATIONS:

1. FABRICATE FACE-LIT CHANNEL LETTERS **M-1** W/ VINYL APPLIED FIRST SURFACE **V-1**
2. 5" RETURNS PAINTED TO MATCH **P-1**
3. INTERIOR PAINTED TO MATCH **P-2** FOR INCREASED ILLUMINATION
4. TRIMCAP: 2" WHITE JEWELITE
5. LED'S: GE TETRA GEMXPO-W1 BRIGHT ORANGE

COLORS / FINISHES:

- M-1** #7328 WHITE ACRYLIC
- V-1** 3M #3630-74 KUMQUAT
- P-1** AUTUMN BROWN BRONZE ALUMINUM COIL
- P-2** MP WHITE GLOSS

GENERAL NOTES:

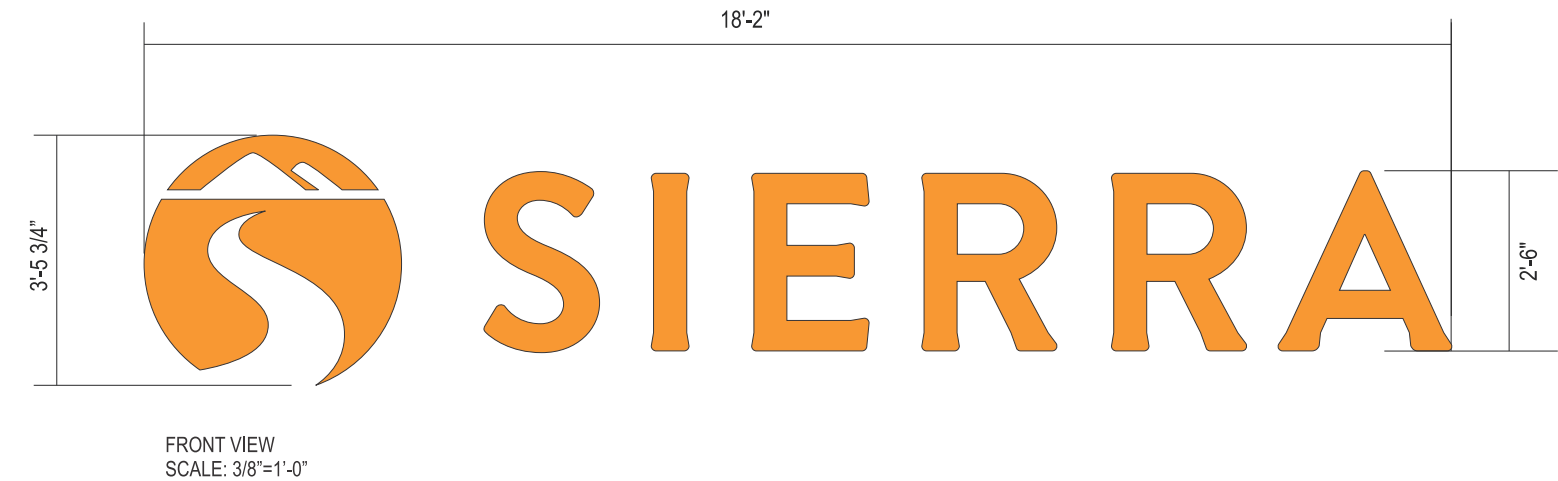
- NO EXPOSED FASTENERS TO BE USED. IF EXPOSED FASTENERS MUST BE USED THEN THEY MUST BE COUNTER SUNK AND PAINTED TO MATCH ADJACENT FINISH, UNLESS NOTED OTHERWISE.
- ALL HARDWARE TO BE NON CORR/BWOSIVE.
- ALL VISIBLE EDGES TO BE FILLED AND FINISHED.
- ALL WELDS TO BE GROUND SMOOTH.
- SIGNAGE TO CONTAIN BAFFLES AND DRAIN HOLES AS NEEDED.
- INSTALL TEMPLATE TO BE INCLUDED WITH LETTER BY FABRICATOR.



JONES SIGN Your Vision. Accomplished. <small>A MORTENSEN COMPANY</small>	JOB #: 293185_R4_WANT DATE: 10.22.2024 DESIGNER: A. GREENSLADE SALES REP: J. GEHRT PROJ MGR: L. HAWKINS	REQUIRED: <input type="checkbox"/> FIELD SURVEY <input type="checkbox"/> PAINT COLOR <input type="checkbox"/> FONTS <input type="checkbox"/> VECTOR ARTWORK <input type="checkbox"/> CLIENT PMS COLOR <input type="checkbox"/> ENGINEERING OTHER:	LANDLORD APPROVAL DATE		SIERRA 32ND AVE & MANAWA CENTER DR COUNCIL BLUFFS, IA 51501	SHEET NUMBER 4.0
			CLIENT APPROVAL DATE			

CL.2 30" ORANGE FACE LIT CHANNEL LETTERS (Qty 1)

Allowable Square Footage this Elevation:	TBD
Boxed Square Footage this Elevation:	62.66
Actual Square Footage this Elevation:	45.89



BOXED SQUARE FOOTAGE - 62.66

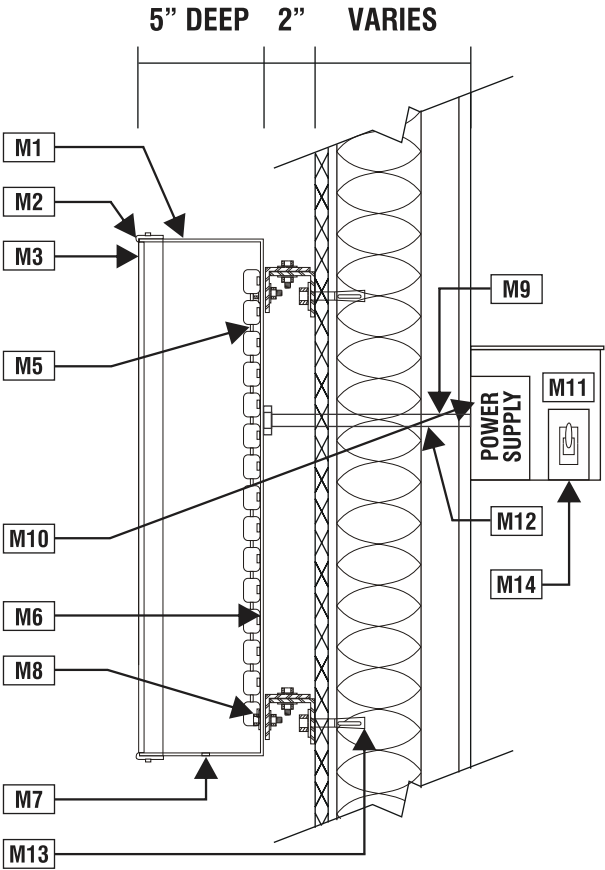
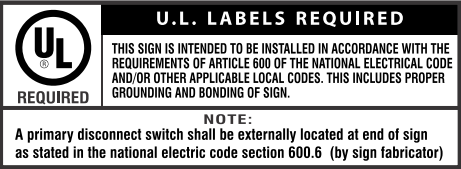


ACTUAL SQUARE FOOTAGE - 45.89



ELECTRICAL NOTES:

- U.L. LISTED
- ALL ELECTRICAL WORK SHALL BE PERFORMED IN ACCORDANCE WITH "NEC" REF. SECTION 600 TO MEET LOCAL CODE.
- ALL ELECTRICAL SIGN SECTIONS TO HAVE U.L. LABELS IN ACCORDANCE WITH "NEC" 600.3 AND MANUFACTURERS LABEL LOCATED NEXT TO DISCONNECT SWITCH
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- FINAL PRIMARY HOOK-UP BY SIGN INSTALLER WHERE ALLOWED BY CODE.



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- M2** 1" WIDE WHITE TRIMCAP MATERIAL
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SPECIFICATIONS:

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2. 5" RETURNS PAINTED TO MATCH **P-1**
3. INTERIOR PAINTED TO MATCH **P-2** FOR INCREASED ILLUMINATION
4. TRIMCAP: 1" WHITE JEWELITE
5. LED'S: GE TETRA GEMXPO-W1 BRIGHT ORANGE

COLORS / FINISHES:

- M-1** #7328 WHITE ACRYLIC
- V-1** 3M #3630-74 KUMQUAT
- P-1** AUTUMN BROWN BRONZE ALUMINUM COIL
- P-2** MP WHITE GLOSS

GENERAL NOTES:

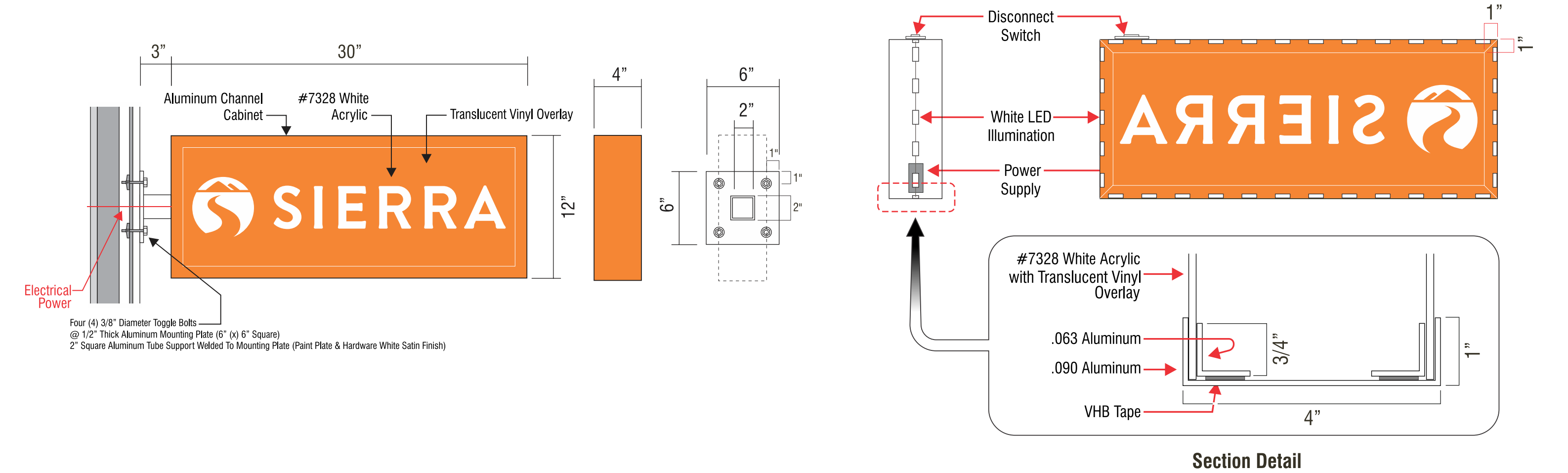
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- ALL WELDS TO BE GROUND SMOOTH.
- SIGNAGE TO CONTAIN BAFFLES AND DRAIN HOLES AS NEEDED.
- INSTALL TEMPLATE TO BE INCLUDED WITH LETTER BY FABRICATOR.



JONES SIGN Your Vision. Accomplished. <small>A MORTENSEN COMPANY</small>	JOB #: 293185_R4_WANT DATE: 10.22.2024 DESIGNER: A. GREENSLADE SALES REP: J. GEHRT PROJ MGR: L. HAWKINS	REQUIRED: <input type="checkbox"/> FIELD SURVEY <input type="checkbox"/> PAINT COLOR <input type="checkbox"/> FONTS <input type="checkbox"/> VECTOR ARTWORK <input type="checkbox"/> CLIENT PMS COLOR <input type="checkbox"/> ENGINEERING OTHER:	LANDLORD APPROVAL DATE		SIERRA 32ND AVE & MANAWA CENTER DR COUNCIL BLUFFS, IA 51501	SHEET NUMBER 5.0
			CLIENT APPROVAL DATE			

BL.1 D/F ILLUMINATED BLADE SIGN (Qty 1)

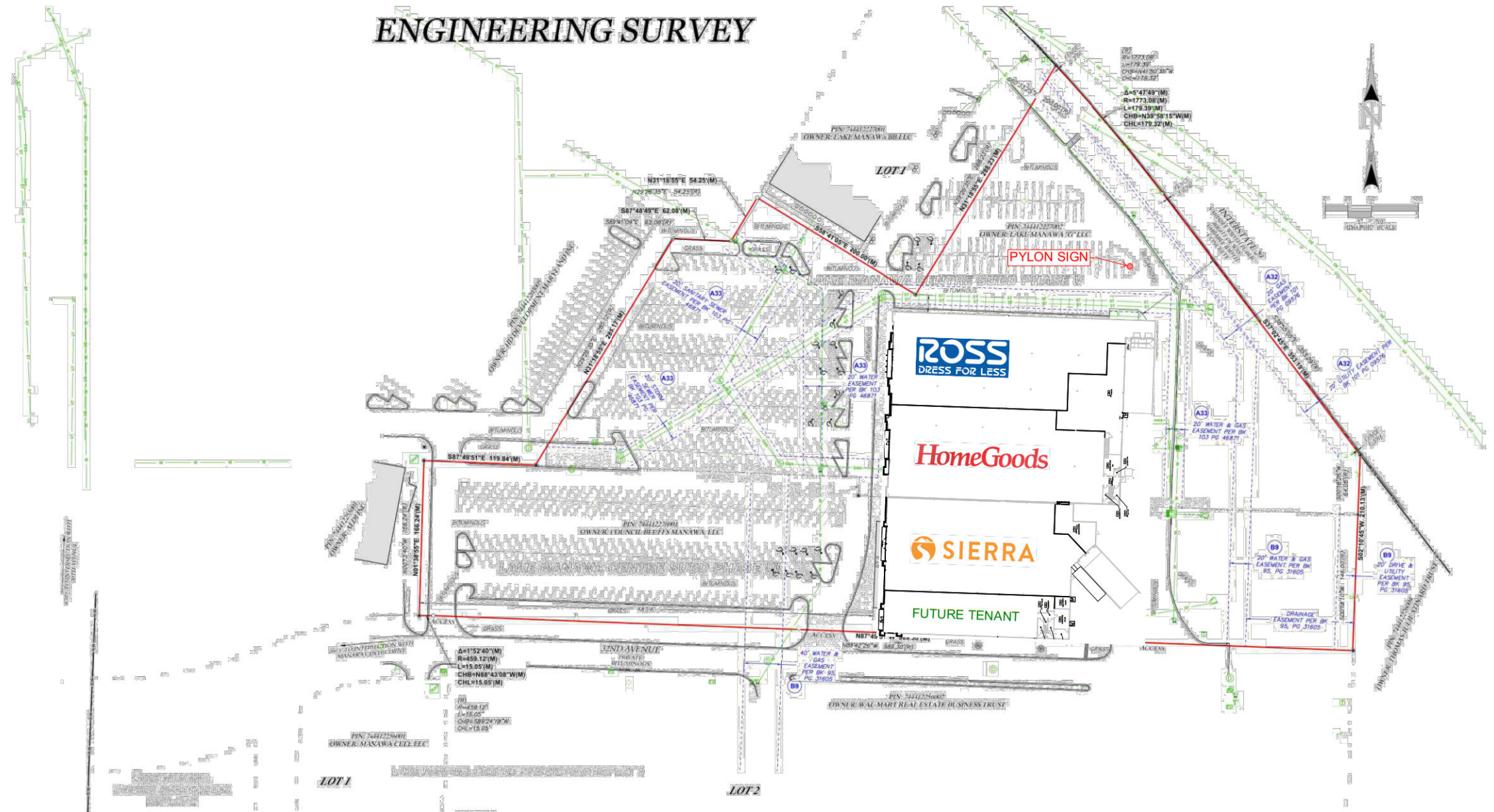
SQUARE FOOTAGE: BOX: 2.5



SPECIFICATIONS:	COLORS / FINISHES:
<ul style="list-style-type: none">• Sign Faces: #7328 Translucent White Acrylic Plastic Faces• Vinyl Overlay: 3m 3630-74 Kumquat Orange• Paint Sign Cabinet: To Match PMS #151 Orange• Paint Vertical Supports: Matthews White (Satin Finish)• Sign Illumination: Bright White LED Internal Illumination• LED Type: Sloan V-Series Bright White L.E.D. Modules• Power Supply (60 Watt) (120 Volt) <p>(OR)</p> <ul style="list-style-type: none">• Vinyl Logo Overlay: Digitally Printed Vinyl Overlay• Paint Sign Cabinet: orange PMS 151• Paint Vertical Supports: Matthews White (Satin Finish)	<div><div></div><div>V-1</div>3M #3630-74 KUMQUAT</div> <div><div></div><div>P-3</div>MP TO MATCH PMS #151-C ORANGE</div> <div><div></div><div>P-4</div>MP WHITE-SATIN FINISH</div>

<div>JONES SIGN</div> <div>Your Vision. Accomplished.</div> <div>A MORTENSEN COMPANY</div>	<div>JOB #: 293185_R4_WANT</div> <div>DATE: 10.22.2024</div> <div>DESIGNER: A. GREENSLADE</div> <div>SALES REP: J. GEHRT</div> <div>PROJ MGR: L. HAWKINS</div>	<div>REQUIRED:</div> <div><div><input type="checkbox"/> FIELD SURVEY</div><div><input type="checkbox"/> PAINT COLOR</div><div><input type="checkbox"/> FONTS</div><div><input type="checkbox"/> VECTOR ARTWORK</div><div><input type="checkbox"/> CLIENT PMS COLOR</div><div><input type="checkbox"/> ENGINEERING</div></div> <div>OTHER:</div>	LANDLORD APPROVAL	DATE	<div></div> <div>SIERRA</div>	<div>SIERRA</div> <div>32ND AVE & MANAWA CENTER DR</div> <div>COUNCIL BLUFFS, IA 51501</div>	<div>SHEET NUMBER</div> <div>6.0</div>
			CLIENT APPROVAL	DATE			

ENGINEERING SURVEY



- LEGEND**
- PROPERTY LINE
 - ADJACENT PROPERTY LINE
 - INTERNAL LOT LINE
 - PARCEL LINE
 - BUILDING SETBACK LINE
 - EASEMENT LINE
 - TIGHT-OF-WAY LINE
 - BUILDING FEATURE
 - BUILDING
 - MISC. FENCE
 - CHAINLINK FENCE
 - WALL
 - DOOR LINE
 - PIPE LINE
 - SEWER LINE
 - WATER LINE
 - UNDERGROUND TELEPHONE LINE
 - UNDERGROUND ELECTRIC LINE
 - FLUID MONUMENT (AS NOTED)
 - SETBACK (AS NOTED)
 - DISCREPANCY NUMBER
 - DISCREPANCY OBSERVATION LETTER
 - MANHOLE (SEWER, DRAINAGE)
 - FIRE HYDRANT
 - WATER VALVE
 - TRANSFORMER
 - CONCRETE SURFACE
 - MAINTENANCE VALVE
 - POST AND RAIL
 - POST AND RAIL
 - POINT OF BEGINNING
 - POINT OF COMMENCEMENT
 - BUILDING HEIGHT LOCATION
 - MEASURED (AS NOTED)
 - SQUARE FOOT
 - BACK OF CURB
 - CONCRETE SURFACE

[REVISIONS]		DATE	DESCRIPTION	BY	DATE

XCEL
Consultants

1201 10TH AVENUE EAST, SUITE 2
MILWAUKEE, WI 53244
(414) 333-7874
(414) 333-7875
(414) 333-7876
XCEL@XCELCONSULTANTSINC.COM

DATE	BY	DATE	BY
BCH	DJK		
XCEL JOB NUMBER			
245062			
DRAWING NUMBER			
2 OF 3			

100%
CONSTRUCTION
DOCUMENTS

SCHEMMER
Design with Purpose. Build with Confidence.

1044 NORTH 115TH STREET SUITE 300, OMAHA NEBRASKA
CA0666


ACCESS COMMERCIAL, LLC
MANAWA RETAIL - CORE & SHELL
3125 MANAWA CENTRE DR
COUNCIL BLUFFS, IA 51501
ENGINEERING SURVEY
(FOR REFERENCE ONLY)

PROJECT NO.: 09366.001

C002

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

Legend

 PC-25-001 Subject Properties

0 120 240



1 inch = 178 feet

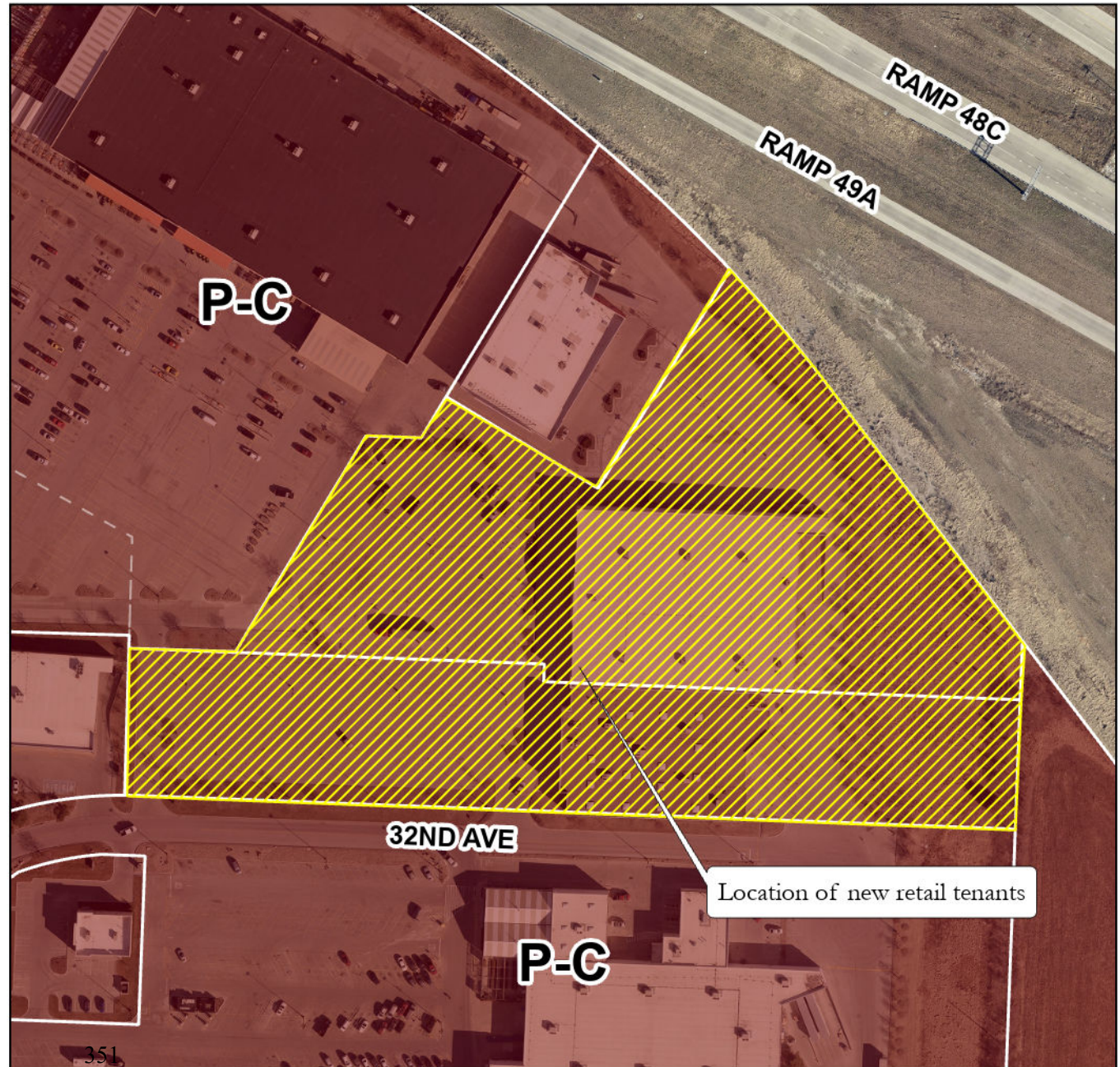


Last Amended: 2/13/2025



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

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



RESOLUTION NO. 25-87 _____

A RESOLUTION TO AMEND THE ADOPTED PLANNED COMMERCIAL DEVELOPMENT PLAN RELATIVE TO SIGNAGE, FOR PROPERTIES LEGALLY DESCRIBED AS LOT 2, LAKE MANAWA CENTRE SUBDIVISION PHASE V AND LOT 19, LAKE MANAWA CENTRE SUBDIVISION PHASE 3, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, H&S Council Bluffs 3125, LLC and H&S Council Bluffs 3145, LLC, have submitted this request to amend the adopted planned commercial development plan on property located at 3125 and 3145 Manawa Centre Drive; and

WHEREAS, The standards that shall apply are set forth in the Planning Commission Communication attached hereto; and

WHEREAS, The Community Development Department recommends approval of the request to amend the adopted planned commercial development plan for property legally described as Lot 2, Lake Manawa Centre Subdivision Phase V and Lot 19, Lake Manawa Centre Subdivision Phase 3, City of Council Bluffs, Pottawattamie County, Iowa, as follows:

- A. The total combined signage allotment for all attached and detached signage shall be limited to a maximum of 1,900 square feet total for both properties;
- B. One, 60-foot tall pole sign shared between the two properties limited to a maximum of 280 square feet, per sign face, shall be allowed to be utilized by only the tenants of the subject properties;
- C. In order to maintain visibility to the tenant spaces, a maximum of 50 percent of the storefront windows shall remain unobstructed by signage and shall allow for clear visibility into stores for public safety purposes.

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

That the request to amend the adopted planned commercial development plan, relative to signage, for properties legally described as Lot 2, Lake Manawa Centre Subdivision Phase V and Lot 19, Lake Manawa Centre Subdivision Phase 3, City of Council Bluffs, Pottawattamie County, Iowa, is hereby approved, subject to all comments and conditions stated above.

ADOPTED AND APPROVED

March 24, 2025.

ROGER C. SANDAU

Mayor Pro Tem

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

Department: Community
Development
Case/Project No.: MIS-25-002
Submitted by: Christopher
Gibbons, AICP, Planning Manager

Resolution 25-88
ITEM 7.G.

Council Action: 3/24/2025

Description

Resolution authorizing the mayor to execute an agreement for the consent to subdivision and petition for voluntary annexation of land legally described as the SE1/4 NE1/4 of Section 15-75-43, Garner Township, Pottawattamie County, Iowa. Location: 19638 225th Street, along with the undeveloped 36.62 acres of land to the immediate west. MIS-25-002

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/14/2025
Attachment A – Legal descriptions	Legal Description	3/14/2025
Attachment B – Plat of survey showing lot line adjustment	Other	3/14/2025
Attachment C – Location map	Map	3/14/2025
Attachment D - Proposed voluntary annexation agreement	Agreement	3/14/2025
Attachment E – Voluntary annexation petition	Other	3/14/2025
Resolution 25-88	Resolution	3/20/2025

City Council Communication

<p>Department: Community Development</p> <p>Case #MIS-25-002</p> <p>Applicants: City of Council Bluffs 209 Pearl Street Council Bluffs, Iowa 51503</p> <p>Lyle W. Ditmars 19475 225th Street Council Bluffs, Iowa 51503</p> <p>Lyle W. Ditmars (Self Directed IRA) 233 Pearl Street Council Bluffs, Iowa 51503</p>	<p>Resolution No. _____</p>	<p>City Council: 3/24/2025</p>
---	-----------------------------	--------------------------------

Subject/Title

Request: Resolution authorizing the Mayor to execute an agreement for the consent to subdivision and petition for voluntary annexation of land legally described as the SE1/4 NE1/4 of Section 15-75-43, Garner Township, Pottawattamie County, Iowa.

Location: 19638 225th Street, Council Bluffs, Iowa along with the undeveloped 36.62 acres of land to the immediate west.

Background/Discussion

The applicants, Lyle Ditmars and Lyle Ditmars (Self Directed IRA), are requesting approval to execute an agreement with the City for the consent to subdivision and petition for voluntary annexation of two parcels that are collectively described as the SE ¼ NE ¼ of Section 15-75-43, Garner Township, Pottawattamie County, Iowa (see Attachment A). The purpose of this request is to allow Lyle Ditmars and Lyle Ditmars (Self Directed IRA) to execute a lot line adjustment for expanding the acreage of property at 19638 225th Street, Council Bluffs, Iowa from 2.38 acres to 6.09 acres for estate planning purposes (see Attachment B). All properties included in this request are located within the City's two-mile extraterritorial limits and are designated as a City Growth Area 2.

The property at 19638 225th Street, Council Bluffs, Iowa is an existing residential property that is comprised of 2.38 acres, as per the Pottawattamie County Assessor's office, and is owned by Lyle Ditmars. This parcel was once part of the broader 40 acres tract that is legally described as the SE1/4 NE1/4 of Section 15-75-43, Garner Township, Pottawattamie County, Iowa. The remaining 36.62 acres of the SE1/4 NE1/4 of Section 15-75-43, Garner Township, Pottawattamie County, Iowa is owned by Lyle Ditmars (Self Directed IRA) and is currently being farmed. Lyle Ditmars is requesting to complete a lot line adjustment that would increase the size of the residential property at 19638 225th Street from 2.38 acres to 6.09 acres for the purpose of complying with the taxation laws that govern the 36.62 acres that are owned by Lyle Ditmars (Self-Directed IRA). This request does not result in the creation of a new buildable lot.

As per the adopted Joint City-County Land Use Study/28E agreement, the City Growth Area 2 is described as *"land located within the three-mile study area that lies between areas that will likely be developed to urban densities and areas that will remain rural in character. It is possible that some areas may be serviced to the extent that urban densities could be achieved, but the timing of*

extension of services is uncertain and a level of development should still be allowed in the transitional time. In specific instances development could occur prior to the extension of services provided an agreement is reached that ensures connection would be made when available. Areas should be developed to City standards, such that annexation and absorption into the City is possible in the future as infrastructure arrives and becomes adjacent to City limits. Upon annexation, property would be reclassified into the appropriate City zoning district. This area may also be suitable for transitional areas where some level of development is possible, provided it does not hinder the full development of the parcel at a later date". Lot line adjustments are allowed within a City Growth Area 2 upon the property owner(s) either immediately annexing into the City or entering into a voluntary annexation agreement, if immediate annexation is not practicable at the time of the request. At this time, immediate annexation is not practicable as the subject properties are located approximately 3,000 feet from the nearest point of the City's municipal boundary (see Attachment C). For this reason, the City and the applicants negotiated an agreement that allows the lot line adjustment to be approved in exchange for their cooperation for voluntary annexation at a future date and in compliance with the terms of the agreement (see Attachments D & E). The agreement is applicable to the current landowners and all future successor's and/or assigns associated with the subject properties. Once the agreement is signed by all parties, the City will record the document with Pottawattamie County Recorder's office so that it follows the chain of title for all properties in perpetuity.

As part of the negotiations, the applicant requested a clause be included in the agreement that allows the annexation agreement to automatically become null and void in the event the properties are ever reclassified from City Growth Area 2 to County Development. This request was made because the City is in the process of completing a sanitary sewer study of their two-mile area and the results may indicate the extension of utilities into this specific area are not practicable due to existing sewer capacities and/or financially feasible due to the return on investment from anticipated development. The requested clause is included in the annexation agreement. The results of sewer study are expected to be released later this year by the City's Public Works Department.

Recommendation

The Community Development Department recommends approval to execute an agreement for the consent to subdivision and petition for voluntary annexation of property legally described as the SE1/4 NE1/4 of Section 15-75-43, Garner Township, Pottawattamie County, Iowa, subject to the terms of the agreement and petition stated in Attachments 'D' and 'E'.

Attachments

Attachment A – Legal descriptions
Attachment B – Plat of survey showing lot line adjustment
Attachment C – Location map
Attachment D - Proposed voluntary annexation agreement
Attachment E – Voluntary annexation petition

Prepared by: Christopher Gibbons, AICP, Planning Manager

The Southeast Quarter of the Northeast Quarter of Section 15, Township 75 North, Range 43 West of the Fifth Principal Meridian, Pottawattamie County, Iowa, more particularly described as follows:

EXCEPT Parcel "A" described as:

Commencing at the Southeast Corner of said Southeast Quarter of the Northeast Quarter; thence North 0°00'00" East, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 375.13 feet to the Point of Beginning; thence continuing North 0°00'00" East, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 352.19 feet; thence South 90°00'00" West a distance of 427.11 feet; thence South 31°39'14" East a distance of 128.52 feet; thence South 5°32'19" East a distance of 171.00 feet; thence South 78°03'23" East a distance of 350.75 feet to the Point of Beginning. Said parcel contains 2.647 acres, more or less. Said parcel is subject to an Easement for 225th Street Right of Way. Said Easement contains 0.264 of an acre, more or less.

Said exception is also, subject to an Easement for Ingress and Egress. Said Easement is located in part of the Southeast Quarter of the Northeast Quarter of Section 15, Township 75 North, Range 43 West of the Fifth Principal Meridian, Pottawattamie County, Iowa, more particularly described as follows:

Commencing at the Southeast Corner of said Southeast Quarter of the Northeast Quarter; thence North 00°00'00" East, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 375.13 feet to the Point of Beginning; thence continuing North 0°00'00" East, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 50.00 feet; thence North 78°03'23" West a distance of 83.73 feet; thence South 00°00'00" West a distance of 50.00 feet; thence South 78°03'23" East a distance of 83.73 feet to the Point of Beginning.

Note: The east line of said Southeast Quarter of the Northeast Quarter is assumed to bear North 0°00'00 East for this description.



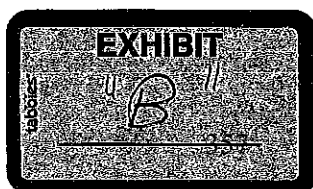
A parcel of land located in part of the Southeast Quarter of the Northeast Quarter of Section 15, Township 75 North, Range 43 West of the Fifth Principal Meridian, Pottawattamie County, Iowa, more particularly described as follows:

Commencing at the Southeast Corner of said Southeast Quarter of the Northeast Quarter; thence North 0°00'00" East, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 375.13 feet to the Point of Beginning; thence continuing North 0°00'00" East, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 352.19 feet; thence South 90°00'00" West a distance of 427.11 feet; thence South 31°39'14" East a distance of 128.52 feet; thence South 5°32'19" East a distance of 171.00 feet; thence South 78°03'23" East a distance of 350.75 feet to the Point of Beginning. Said parcel contains 2.647 acres, more or less. Said parcel is subject to an Easement for 225th Street Right of Way. Said Easement contains 0.264 of an acre, more or less.

Said parcel is also, subject to an Easement for Ingress and Egress. Said Easement is located in part of the Southeast Quarter of the Northeast Quarter of Section 15, Township 75 North, Range 43 West of the Fifth Principal Meridian, Pottawattamie County, Iowa, more particularly described as follows:

Commencing at the Southeast Corner of said Southeast Quarter of the Northeast Quarter; thence North 00°00'00" East, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 375.13 feet to the Point of Beginning; thence continuing North 0°00'00" East, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 50.00 feet; thence North 78°03'23" West a distance of 83.73 feet; thence South 00°00'00" West a distance of 50.00 feet; thence South 78°03'23" East a distance of 83.73 feet to the Point of Beginning.

Note: The east line of said Southeast Quarter of the Northeast Quarter is assumed to bear North 0°00'00" East for this description.



INDEX LEGEND	Attachment B
DATE OF SURVEY: 1/23/2025	
SURVEYOR: Dean A. Wilke, PLS #17048	
COUNTY: Pottawattamie	
SECTION: 15 TOWNSHIP: 75N RANGE: 43W	
ALIQUOT PART: SE1/4 NE1/4	
PARCEL DESIGNATION(S): Parcel #25006 & Parcel #25007	
SITE ADDRESS: 19638 225th Street Council Bluffs, IA 51503	
PROPRIETOR(S): Lyle W. Ditmars	
REQUESTED BY: Lyle Ditmars	
WILKE LAND SURVEYING INC. — 401 1800TH ST. PANAMA, IOWA 51562 — PHONE (712)489-2898 CELL (712)579-0551	

PLAT OF SURVEY
PARCEL #25006 AND PARCEL #25007 OF THE SE1/4 OF THE NE1/4 OF
SECTION 15, T75N, R43W OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA

PAGE 1 OF 3
JOB #2025029

PROPERTY DESCRIPTION: PARCEL #25006 (INTERIM PARCEL)


A parcel of land containing part of the Southeast Quarter of the Northeast Quarter of Section 15, Township 75 North, Range 43 West of the 5th Principal Meridian, Pottawattamie County, Iowa, described as follows:

Beginning at the Southeast Corner of the Northeast Quarter of said Section 15; thence North 00°20'55" West (Assumed Bearing) along a portion of the East line of said Northeast Quarter a distance of 375.10 feet to the Southeast Corner of Parcel A of said Southeast Quarter of the Northeast Quarter as described on a survey of record as Inst. No. 2012-19708 at the Pottawattamie County Recorder's Office; thence North 78°24'29" West along the South line of said Parcel A a distance of 350.83 feet to the Southwest Corner of said Parcel A; thence South 89°49'04" West a distance of 87.76 feet; thence South 03°47'12" East a distance of 447.57 feet to the South line of said Northeast Quarter; thence North 89°49'04" East along said South line a distance of 404.16 feet to the point of beginning. Said parcel contains 4.000 acres, more or less, including 0.287 acre of county road right-of-way along the East side thereof, and is subject to any and all easements apparent or of record.

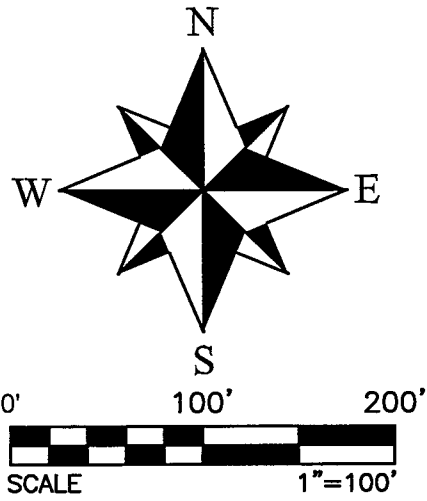
PROPERTY DESCRIPTION: PARCEL #25007 (FINAL PARCEL)

A parcel of land containing part of the Southeast Quarter of the Northeast Quarter and all of Parcel A of said Southeast Quarter of the Northeast Quarter, all in Section 15, Township 75 North, Range 43 West of the 5th Principal Meridian, Pottawattamie County, Iowa, described as follows:

Beginning at the Southeast Corner of the Northeast Quarter of said Section 15; thence North 00°20'55" West (Assumed Bearing) along a portion of the East line of said Northeast Quarter a distance of 727.32 feet to the Northeast Corner of said Parcel A of said Southeast Quarter of the Northeast Quarter as described on a survey of record as Inst. No. 2012-19708 at the Pottawattamie County Recorder's Office; thence South 89°38'53" West along the North line of said Parcel A a distance of 427.12 feet to the Northwest Corner of said Parcel A; thence Southerly along the West line of said Parcel A the following two (2) courses: 1) thence South 31°59'47" East a distance of 128.48 feet; 2) thence South 05°52'27" East a distance of 171.02 feet to the Southwest Corner of said Parcel A; thence South 89°49'04" West a distance of 87.76 feet; thence South 03°47'12" East a distance of 447.57 feet to the South line of said Northeast Quarter; thence North 89°49'04" East along said South line a distance of 404.16 feet to the point of beginning. Said parcel contains 6.647 acres, more or less, including 0.551 acre of county road right-of-way along the East side thereof, and is subject to any and all easements apparent or of record.

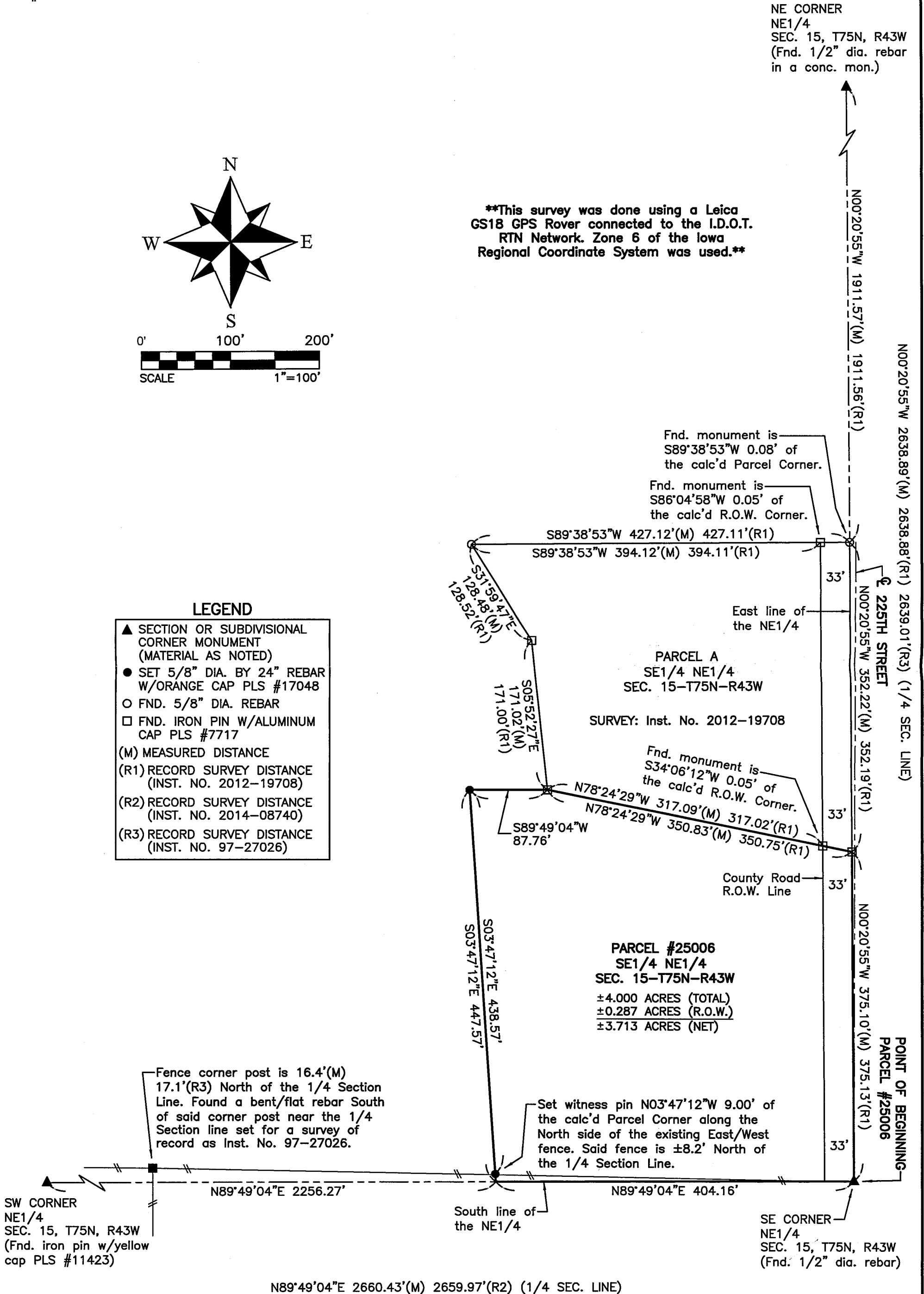
	<p>I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.</p> <p><i>Dean A. Wilke</i> <u>2/03/25</u> Dean A. Wilke Date</p> <p>License number 17048 My license renewal date is December 31, 2025 Pages or sheets covered by this seal: <u>Pages 1-3 of this document.</u></p>
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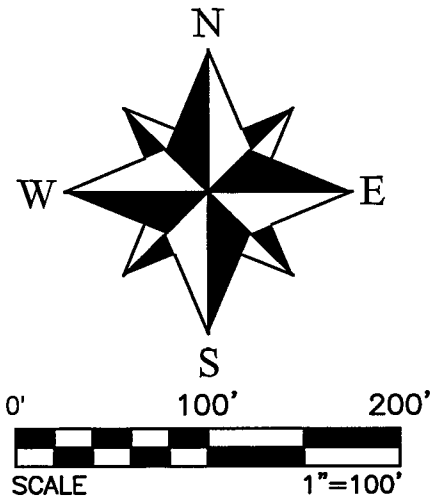
INTERIM PARCEL PLAT OF SURVEY



****This survey was done using a Leica GS18 GPS Rover connected to the I.D.O.T. RTN Network. Zone 6 of the Iowa Regional Coordinate System was used.****

LEGEND	
▲	SECTION OR SUBDIVISIONAL CORNER MONUMENT (MATERIAL AS NOTED)
●	SET 5/8" DIA. BY 24" REBAR W/ORANGE CAP PLS #17048
○	FND. 5/8" DIA. REBAR
□	FND. IRON PIN W/ALUMINUM CAP PLS #7717
(M)	MEASURED DISTANCE
(R1)	RECORD SURVEY DISTANCE (INST. NO. 2012-19708)
(R2)	RECORD SURVEY DISTANCE (INST. NO. 2014-08740)
(R3)	RECORD SURVEY DISTANCE (INST. NO. 97-27026)



FINAL PARCEL PLAT OF SURVEY

****This survey was done using a Leica GS18 GPS Rover connected to the I.D.O.T. RTN Network. Zone 6 of the Iowa Regional Coordinate System was used.****

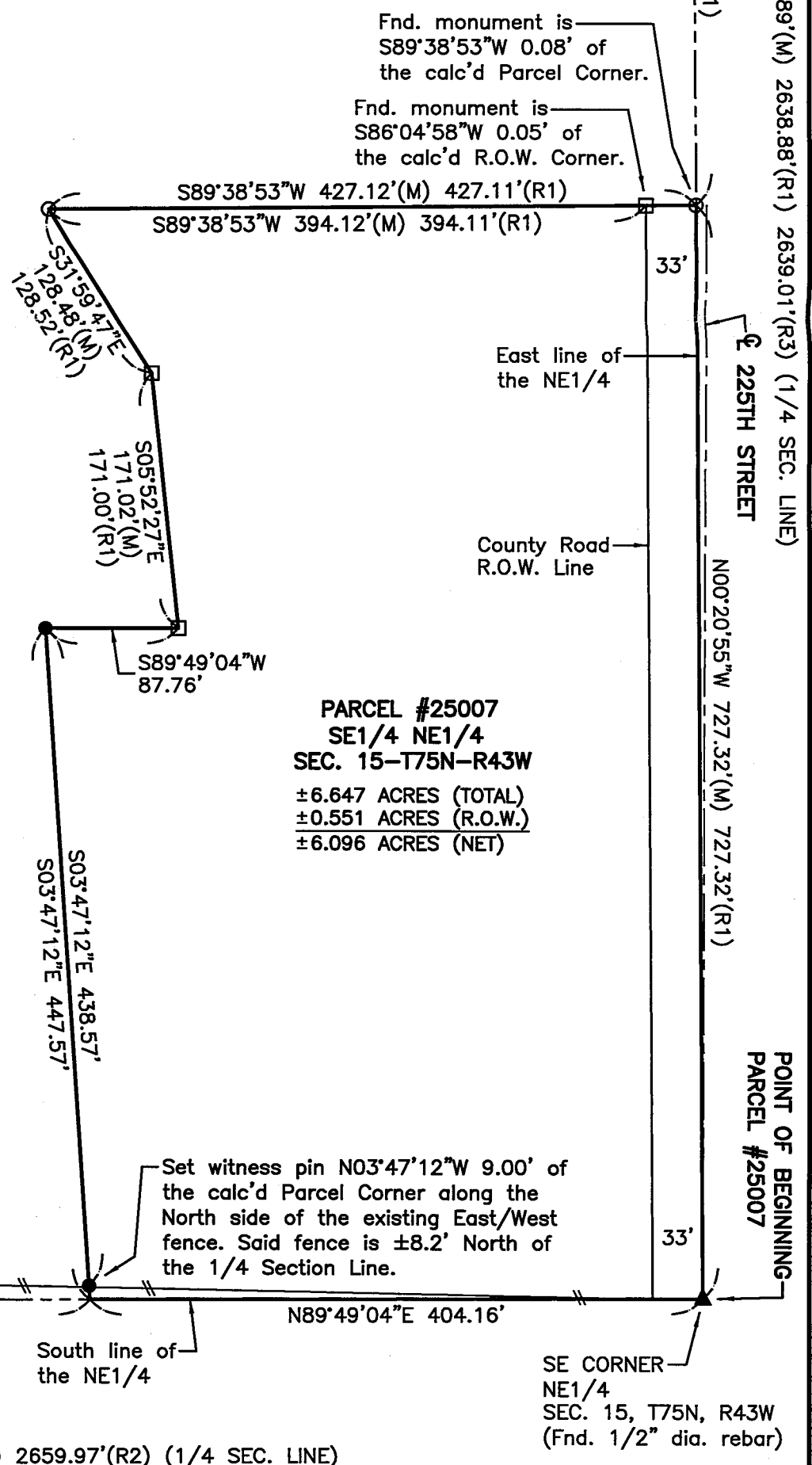
NE CORNER
NE1/4
SEC. 15, T75N, R43W
(Fnd. 1/2" dia. rebar
in a conc. mon.)

LEGEND

- ▲ SECTION OR SUBDIVISIONAL CORNER MONUMENT (MATERIAL AS NOTED)
- SET 5/8" DIA. BY 24" REBAR W/ORANGE CAP PLS #17048
- FND. 5/8" DIA. REBAR
- FND. IRON PIN W/ALUMINUM CAP PLS #7717
- (M) MEASURED DISTANCE
- (R1) RECORD SURVEY DISTANCE (INST. NO. 2012-19708)
- (R2) RECORD SURVEY DISTANCE (INST. NO. 2014-08740)
- (R3) RECORD SURVEY DISTANCE (INST. NO. 97-27026)

Fence corner post is 16.4'(M)
17.1'(R3) North of the 1/4 Section
Line. Found a bent/flat rebar South
of said corner post near the 1/4
Section line set for a survey of
record as Inst. No. 97-27026.







SW CORNER
NE1/4
SEC. 15, T75N, R43W
(Fnd. iron pin w/yellow
cap PLS #11423)



CITY OF COUNCIL BLUFFS - CITY COUNCIL CASE #MIS-25-002 LOCATION MAP

Attachment C

Legend

-  MIS-25-002 Subject Properties
-  City of Council Bluffs Boundary
-  City Growth Area IA
-  City Growth Area IB
-  City Growth Area II
-  County Development Area

0 650 1,300
1 Inch = 1,300 Feet

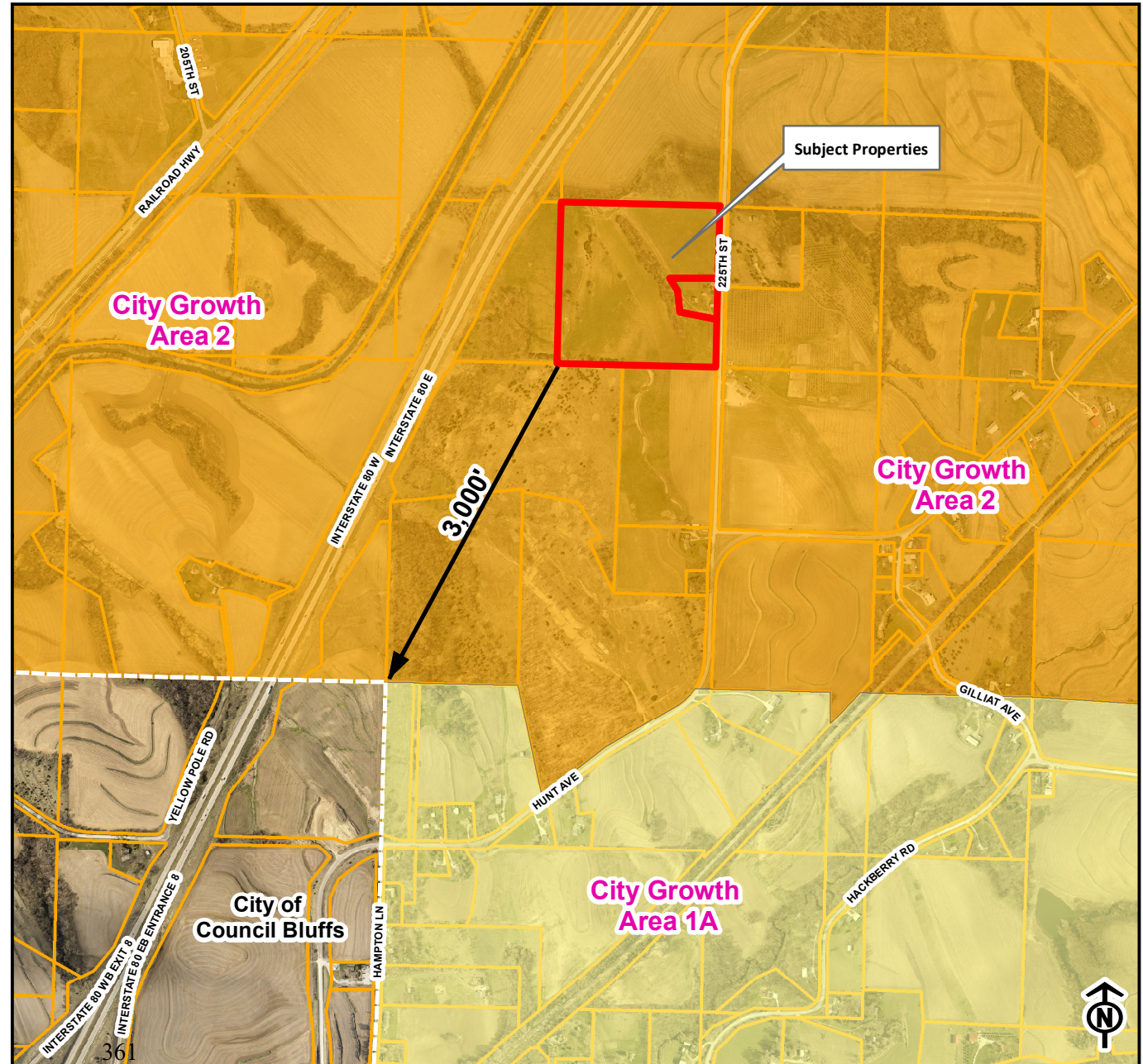


Last Amended: 3/13/25



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

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



PRE-ANNEXATION AGREEMENT

THIS AGREEMENT, by and between the City of Council Bluffs, Iowa, an incorporated municipality ("City"), Security National Bank, Trustee of the Lyle W. Ditmars Self-Directed IRA ("Security"), and Lyle W. Ditmars ("Ditmars"), is hereby entered into this _____ day of _____, 2025.

WHEREAS; Security is the legal owner of real estate legal described and as shown in Exhibit A, which is attached hereto and incorporated herein by reference;

WHEREAS; Ditmars is the legal owner of real estate legal described and as shown in Exhibit B, which is attached hereto and incorporated herein by reference;

WHEREAS; Exhibits "A" and "B" shall be referred to collectively as the "Property" for the purposes of this Agreement;

WHEREAS; Security and Ditmars shall be referred to collectively as the "Owners" for the purposes of this Agreement;

WHEREAS; Owners intend to facilitate a lot line adjustment within the Property as shown on Exhibit C, which is attached hereto and incorporated herein by reference;

WHEREAS; as of the date of this Agreement, the Property is not contiguous to the corporate city limits of the City, but is located within two (2) miles of the corporate city limits of City and constitutes territory which may be annexed by City as provided in Iowa Code 368;

WHEREAS; it is the intent of the Owners to have the Property annexed by City upon certain terms and conditions as hereinafter set forth;

WHEREAS; notice of the proposed annexation shall be given to the parties legally required to be notified pursuant to Iowa Code 368 at the time the Property becomes contiguous to City or as required upon the annexation of the Property at City's discretion;

WHEREAS; This Agreement is made pursuant to and in accordance with the Provisions of Iowa Code 368, with the foregoing preambles and recitations made a part of this agreement.

NOW, THEREFORE, in consideration of the foregoing and the mutual agreements set forth below, the parties hereto agree as follows:

1. **Term** - The Term of this Agreement shall commence on the date written above and shall continue until such time as the annexation of the Property into City is final.
2. **Requirement to Annex** - The Owners hereby agree to immediately and voluntarily annex the Property into the City or at such time as the City, in its sole and absolute discretion, is prepared to move the voluntary annexation forward.
3. **Petition** – Owners shall submit to the City Clerk a Petition for Annexation of the Property by City. The City Clerk shall submit the Petition to the City Council for consideration at such time and under such circumstances as the City deems appropriate. Pursuant to Iowa Code 368.7(e), upon the execution of this Agreement, Owners hereby waive the right to withdraw or rescind the Petition and hereby waives the right to withdraw their consent to the Petition and hereby waives the right to object to the annexation.
4. **Fees and Costs** - The City agrees to pay the administrative costs associated with the annexation of the Property, including filing, recording and publication of notice costs. Any independent counsel retained by the Owners shall be at the Owner's expense.
5. **Sewer Systems** – Owners shall be responsible for the design, permitting, and construction of all improvements necessary for connection to the City's public sanitary sewer system when directed to do so by the City. All construction proposed to occur within any City owned right-of-way shall comply with all City standards. Any and all plans related to the construction of the sewer system herein, including any applicable plan review fees, shall be submitted to the City for review and approval, with no such work on the sewer system to be commenced until City issued permits are approved. Owners agree to disconnect all private sewer disposal systems and promptly connect all units to the newly constructed public sewer at Owners' expense. Owners shall own and operate said sewer systems, up to and including the point of connection to the public sanitary sewer system. Owners shall pay service charges for the discharge of sanitary sewer in accordance with City Municipal Code Chapter 2.08 and Chapter 5.22 as a user outside City limits. Owners further agree that all private sanitary system(s) will be removed from service in accordance with local and state law. No additional users shall be allowed to

connect to the sanitary sewer extension herein without prior permission from the City, with such connections requiring immediate annexation by all parties.

6. **Additional Annexation** – Owners shall not contest the City’s use of this voluntary annexation for any additional annexation(s) the City may pursue as allowed by the State of Iowa.
7. **Subdivision Prohibited** – Owners shall not subdivide or modify the size, shape or square footage Property without written consent from the City, with such changes requiring immediate annexation.
8. **City Code Compliance** – Any new development constructed on the Property, regardless of annexation status, shall conform to City Municipal Code Chapters 4, 5, 6, 12, 13, 14, 15 and 17, as well as any other applicable City Code. Owners shall submit all plans and specifications of new development to a third party inspector approved by the City and cause such inspector to certify that any new development is designed and constructed in a manner is consistent with the City Code as stated herein. Owners hereby agree that any new development shall conform to the R-1E zoning requirements as outlined in Council Bluffs Municipal Code 15.08A.
9. **Assignment** - Except as provided below, this Agreement may not be assigned by any party without the express written permission of the other parties.
10. **Successors and Assigns** - The rights, duties, and obligations of the parties as contained in this Agreement shall run with the Property and be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, successors, legal representatives, and permitted assigns. Nothing in this Agreement, express or implied, is intended to confer upon any party other than the parties hereto, and their respective heirs, successors, legal representatives and permitted assigns, any rights, remedies, liabilities or obligations under or by reason of this Agreement. In order to ensure proper notice to all successors and assigns, a copy of this Agreement shall be filed with the Pottawattamie County Recorder.
11. **Governing Law** - All rights and obligations arising out of or related to this Agreement, and the application and interpretation hereof, shall be governed by and construed in accordance with the laws of the State of Iowa.

12. **Entire Agreement** - This Agreement, the exhibits attached and the documents delivered and recorded pursuant hereto, constitute the entire agreement and understanding among the parties and supersede and revoke any prior agreements or understandings relating to the subject matter of this Agreement.
13. **Severability** - In the event any provisions of this Agreement is held invalid, illegal, or unenforceable, in whole or in part, the remaining provisions of this Agreement shall not be affected thereby and shall continue to be valid, legal, and enforceable. In the event any provision of this Agreement is held to be invalid, illegal, or unenforceable as written, but valid, legal, and enforceable if modified, then such provision shall be deemed to be amended to such extent as shall be necessary for such provision to be valid, legal, and enforceable and it shall be enforced to that extent. Any finding of invalidity, illegality, or unenforceability in any jurisdiction shall not invalidate or render unenforceable such provision in any other jurisdiction.
14. **County Development Area Designation** – In the event that the Property shall, in the sole discretion of the City, be designated as “County Development Area” as defined in the Joint City/County Land Use Study (“Study”), and any revisions thereto, this Agreement shall be deemed null and void by the parties. A map referencing the current land designations in the Study is provided in Exhibit D, which is attached hereto and incorporated herein by reference;
15. **Attorney Fees and Costs** - Should legal action be required to enforce the terms of this Agreement, the prevailing party shall be entitled to recover all costs, including reasonable attorney, paralegal, and expert fees.
16. **Council Approval** – This Agreement is subject to final approval of the City Council in its sole discretion.

Courtney Harter, Director of Comm. Dev.
City of Council Bluffs (“City”)

Lyle W. Ditmars (Ditmars”)

Security National Bank, Trustee of
the Lyle W. Ditmars Self-Directed IRA
("Security")

By:_____

Title:_____

State of _____, County of _____; ss.

This record was acknowledged before me this_____ day of _____, 2025, by
Courtney Harter.

Notary Public

State of _____, County of _____; ss.

This record was acknowledged before me this_____ day of _____, 2025, by
Lyle W. Ditmars.

Notary Public

State of _____, County of _____; ss.

This record was acknowledged before me this_____ day of _____, 2025, by
_____.

Notary Public

The Southeast Quarter of the Northeast Quarter of Section 15, Township 75 North, Range 43 West of the Fifth Principal Meridian, Pottawattamie County, Iowa, more particularly described as follows:

EXCEPT Parcel "A" described as:

Commencing at the Southeast Corner of said Southeast Quarter of the Northeast Quarter; thence North 0°00'00" East, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 375.13 feet to the Point of Beginning; thence continuing North 0°00'00" East, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 352.19 feet; thence South 90°00'00" West a distance of 427.11 feet; thence South 31°39'14" East a distance of 128.52 feet; thence South 5°32'19" East a distance of 171.00 feet; thence South 78°03'23" East a distance of 350.75 feet to the Point of Beginning. Said parcel contains 2.647 acres, more or less. Said parcel is subject to an Easement for 225th Street Right of Way. Said Easement contains 0.264 of an acre, more or less.

Said exception is also, subject to an Easement for Ingress and Egress. Said Easement is located in part of the Southeast Quarter of the Northeast Quarter of Section 15, Township 75 North, Range 43 West of the Fifth Principal Meridian, Pottawattamie County, Iowa, more particularly described as follows:

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Note: The east line of said Southeast Quarter of the Northeast Quarter is assumed to bear North 0°00'00 East for this description.



A parcel of land located in part of the Southeast Quarter of the Northeast Quarter of Section 15, Township 75 North, Range 43 West of the Fifth Principal Meridian, Pottawattamie County, Iowa, more particularly described as follows:

Commencing at the Southeast Corner of said Southeast Quarter of the Northeast Quarter; thence North 0°00'00" East, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 375.13 feet to the Point of Beginning; thence continuing North 0°00'00" East, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 352.19 feet; thence South 90°00'00" West a distance of 427.11 feet; thence South 31°39'14" East a distance of 128.52 feet; thence South 5°32'19" East a distance of 171.00 feet; thence South 78°03'23" East a distance of 350.75 feet to the Point of Beginning. Said parcel contains 2.647 acres, more or less. Said parcel is subject to an Easement for 225th Street Right of Way. Said Easement contains 0.264 of an acre, more or less.

Said parcel is also, subject to an Easement for Ingress and Egress. Said Easement is located in part of the Southeast Quarter of the Northeast Quarter of Section 15, Township 75 North, Range 43 West of the Fifth Principal Meridian, Pottawattamie County, Iowa, more particularly described as follows:

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INDEX LEGEND		Exhibit C	
DATE OF SURVEY: 1/23/2025			
SURVEYOR: Dean A. Wilke, PLS #17048			
COUNTY: Pottawattamie			
SECTION: 15 TOWNSHIP: 75N RANGE: 43W			
ALIQUOT PART: SE1/4 NE1/4			
PARCEL DESIGNATION(S): Parcel #25006 & Parcel #25007			
SITE ADDRESS: 19638 225th Street Council Bluffs, IA 51503			
PROPRIETOR(S): Lyle W. Ditmars			
REQUESTED BY: Lyle Ditmars			
WILKE LAND SURVEYING INC. - 401 1800TH ST. PANAMA, IOWA 51562 - PHONE (712)489-2898 CELL (712)579-0551			

PAGE 1 OF 3
JOB #2025029

PLAT OF SURVEY
PARCEL #25006 AND PARCEL #25007 OF THE SE1/4 OF THE NE1/4 OF
SECTION 15, T75N, R43W OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA

PROPERTY DESCRIPTION: PARCEL #25006 (INTERIM PARCEL)

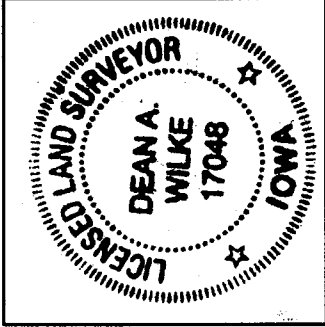
A parcel of land containing part of the Southeast Quarter of the Northeast Quarter of Section 15, Township 75 North, Range 43 West of the 5th Principal Meridian, Pottawattamie County, Iowa, described as follows:

Beginning at the Southeast Corner of the Northeast Quarter of said Section 15; thence North 00°20'55" West (Assumed Bearing) along a portion of the East line of said Northeast Quarter a distance of 375.10 feet to the Southeast Corner of Parcel A of said Southeast Quarter of the Northeast Quarter as described on a survey of record as Inst. No. 2012-19708 at the Pottawattamie County Recorder's Office; thence North 78°24'29" West along the South line of said Parcel A a distance of 350.83 feet to the Southwest Corner of said Parcel A; thence South 89°49'04" West a distance of 87.76 feet; thence South 03°47'12" East a distance of 447.57 feet to the South line of said Northeast Quarter; thence North 89°49'04" East along said South line a distance of 404.16 feet to the point of beginning. Said parcel contains 4.000 acres, more or less, including 0.287 acre of county road right-of-way along the East side thereof, and is subject to any and all easements apparent or of record.

PROPERTY DESCRIPTION: PARCEL #25007 (FINAL PARCEL)

A parcel of land containing part of the Southeast Quarter of the Northeast Quarter and all of Parcel A of said Southeast Quarter of the Northeast Quarter, all in Section 15, Township 75 North, Range 43 West of the 5th Principal Meridian, Pottawattamie County, Iowa, described as follows:

Beginning at the Southeast Corner of the Northeast Quarter of said Section 15; thence North 00°20'55" West (Assumed Bearing) along a portion of the East line of said Northeast Quarter a distance of 727.32 feet to the Northeast Corner of said Parcel A of said Southeast Quarter of the Northeast Quarter as described on a survey of record as Inst. No. 2012-19708 at the Pottawattamie County Recorder's Office; thence South 89°38'53" West along the North line of said Parcel A a distance of 427.12 feet to the Northwest Corner of said Parcel A; thence Southerly along the West line of said Parcel A the following two (2) courses: 1) thence South 31°59'47" East a distance of 128.48 feet; 2) thence South 05°52'27" East a distance of 171.02 feet to the Southwest Corner of said Parcel A; thence South 89°49'04" West a distance of 87.76 feet; thence South 03°47'12" East a distance of 447.57 feet to the South line of said Northeast Quarter; thence North 89°49'04" East along said South line a distance of 404.16 feet to the point of beginning. Said parcel contains 6.647 acres, more or less, including 0.551 acre of county road right-of-way along the East side thereof, and is subject to any and all easements apparent or of record.



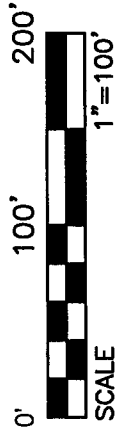
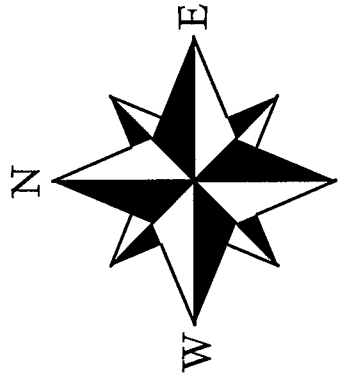
I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Dean A. Wilke 2/03/25
Dean A. Wilke Date

License number 17048
My license renewal date is December 31, 2025
Pages or sheets covered by this seal: Pages 1-3 of this document.

INTERIM PARCEL PLAT OF SURVEY

NE CORNER
NE1/4
SEC. 15, T75N, R43W
(Fnd. 1/2" dia. rebar
in a conc. mon.)



****This survey was done using a Leica
GS18 GPS Rover connected to the I.D.O.T.
RTN Network. Zone 6 of the Iowa
Regional Coordinate System was used.****

N00°20'55"W 2638.89'(M) 2638.88'(R1) 2639.01'(R3) (1/4 SEC. LINE)

POINT OF BEGINNING
PARCEL #25006

N00°20'55"W 1911.57'(M) 1911.56'(R1)

225TH STREET
N00°20'55"W 352.22'(M) 352.19'(R1)

N00°20'55"W 375.10'(M) 375.13'(R1)

Fnd. monument is
S89°38'53"W 0.08' of
the calc'd Parcel Corner.

Fnd. monument is
S86°04'58"W 0.05' of
the calc'd R.O.W. Corner.

S89°38'53"W 427.12'(M) 427.11'(R1)
S89°38'53"W 394.12'(M) 394.11'(R1)

East line of
the NE1/4

PARCEL A
SE1/4 NE1/4
SEC. 15-T75N-R43W

SURVEY: Inst. No. 2012-19708

Fnd. monument is
S34°06'12"W 0.05' of
the calc'd R.O.W. Corner.

N78°24'29"W 317.09'(M) 317.02'(R1)
N78°24'29"W 350.83'(M) 350.75'(R1)
S89°49'04"W 87.76'

County Road
R.O.W. Line

PARCEL #25006
SE1/4 NE1/4
SEC. 15-T75N-R43W
±4.000 ACRES (TOTAL)
±0.287 ACRES (R.O.W.)
±3.713 ACRES (NET)

Set witness pin N03°47'12"W 9.00' of
the calc'd Parcel Corner along the
North side of the existing East/West
fence. Said fence is ±8.2' North of
the 1/4 Section Line.

South line of
the NE1/4

SE CORNER
NE1/4
SEC. 15, T75N, R43W
(Fnd. 1/2" dia. rebar)

SW CORNER
NE1/4
SEC. 15, T75N, R43W
(Fnd. iron pin w/yellow
cap PLS #11423)

N89°49'04"E 2256.27'

N89°49'04"E 404.16'

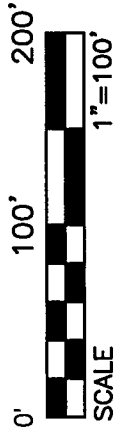
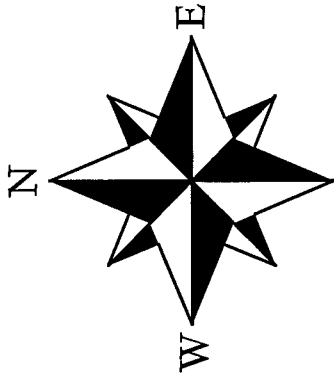
Fence corner post is 16.4'(M)
17.1'(R3) North of the 1/4 Section
Line. Found a bent/flat rebar South
of said corner post near the 1/4
Section line set for a survey of
record as Inst. No. 97-27026.

N89°49'04"E 2660.43'(M) 2659.97'(R2) (1/4 SEC. LINE)

LEGEND

- ▲ SECTION OR SUBDIVISIONAL CORNER MONUMENT (MATERIAL AS NOTED)
- SET 5/8" DIA. BY 24" REBAR W/ORANGE CAP PLS #17048
- FND. 5/8" DIA. REBAR
- FND. IRON PIN W/ALUMINUM CAP PLS #7717
- (M) MEASURED DISTANCE
- (R1) RECORD SURVEY DISTANCE (INST. NO. 2012-19708)
- (R2) RECORD SURVEY DISTANCE (INST. NO. 2014-08740)
- (R3) RECORD SURVEY DISTANCE (INST. NO. 97-27026)

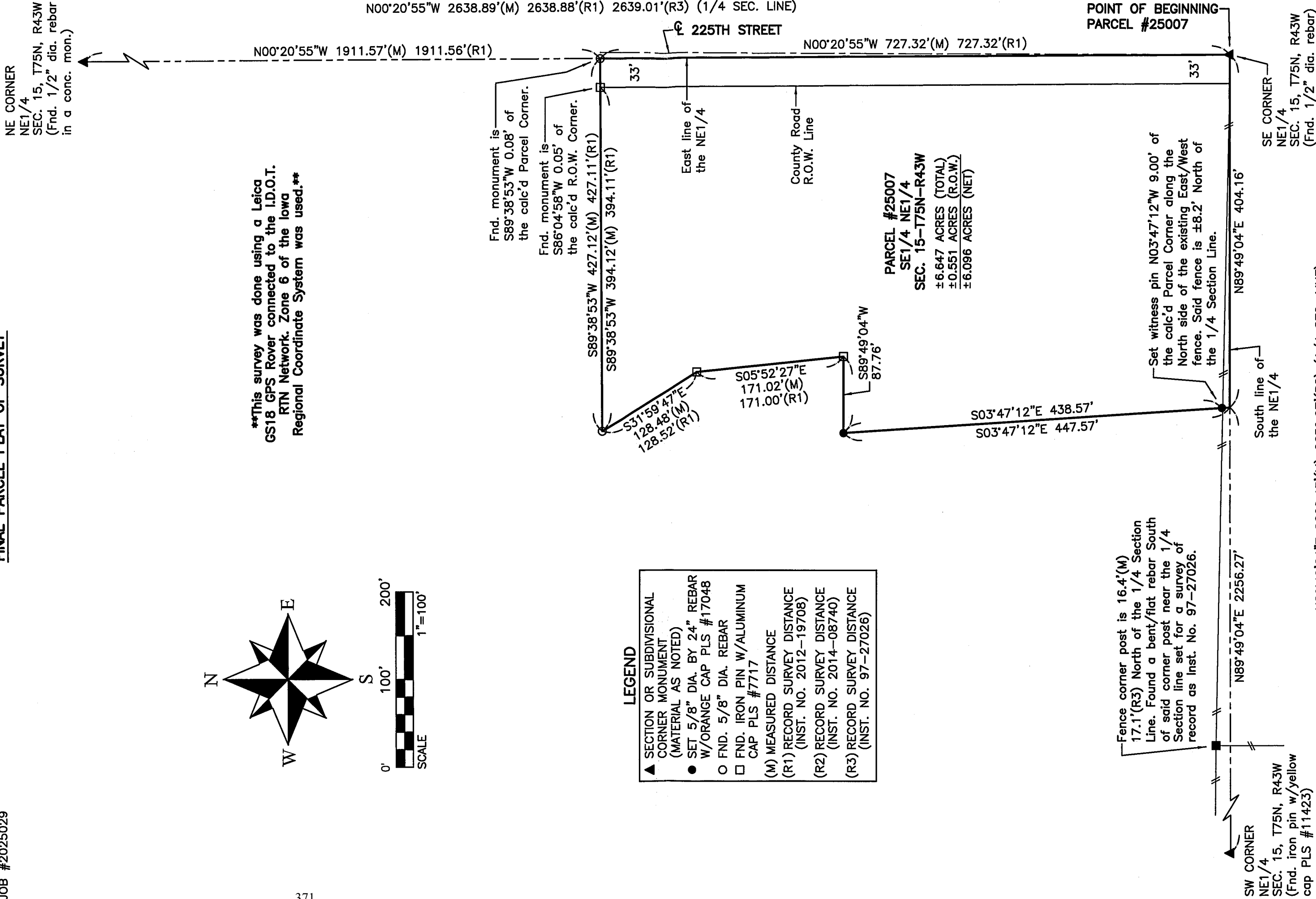
FINAL PARCEL PLAT OF SURVEY



****This survey was done using a Leica
GS18 GPS Rover connected to the I.D.O.T.
RTN Network. Zone 6 of the Iowa
Regional Coordinate System was used.****

LEGEND

- ▲ SECTION OR SUBDIVISIONAL CORNER MONUMENT (MATERIAL AS NOTED)
 - SET 5/8" DIA. BY 24" REBAR W/ORANGE CAP PLS #17048
 - FND. 5/8" DIA. REBAR
 - FND. IRON PIN W/ALUMINUM CAP PLS #7717
- (M) MEASURED DISTANCE
- (R1) RECORD SURVEY DISTANCE (INST. NO. 2012-19708)
- (R2) RECORD SURVEY DISTANCE (INST. NO. 2014-08740)
- (R3) RECORD SURVEY DISTANCE (INST. NO. 97-27026)

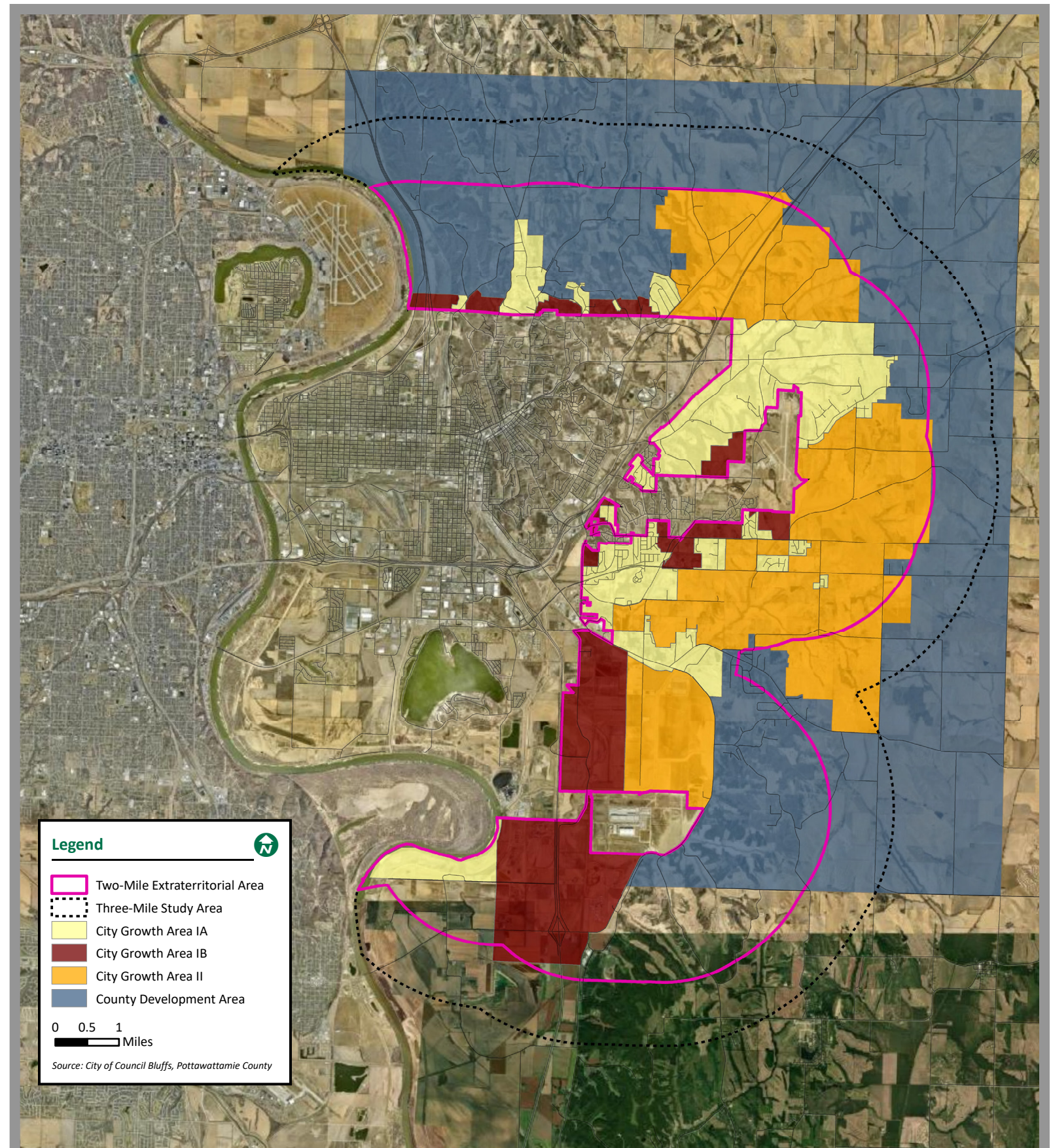


SERVICE AREAS

The study area has been classified into four categories for the purpose of establishing goals, policy statements, and implementation strategies to ensure the orderly and sustainable growth and development of the area. For the purpose of this study, the areas are identified as **City Growth Area IA**, **City Growth Area IB**, **City Growth Area II**, and **County Development Area**. The uses discussed in this section are meant to be future uses and not the existing and/or interim uses.

The following definitions are intended to provide clarity to terms that were specifically created for the purpose of this adopted policy:

1. Development shall mean the subdividing of land for the purpose of providing a buildable lot(s) for any new commercial, industrial, and/or residential land use(s) and/or structure(s).
2. City development standards shall mean all land development, building, and construction regulations, as specified below:
 - Iowa Statewide Urban Design and Specifications (SUDAS), as administered by the Council Bluffs Public Works Department;
 - Title 12: Council Bluffs Fire Code, of the Council Bluffs Municipal Code, as administered by the Council Bluffs Fire Department;
 - Title 13: Buildings and Construction, of the Council Bluffs Municipal Code, as administered by the Council Bluffs Permits and Inspections Division; and
 - Title 14: Subdivisions of the Council Bluffs Municipal Code, as administered by the Council Bluffs Community Development Department.
3. Homestead parcel split shall be the dividing of a parcel or tract of land that contains one habitable residential unit into two parcels in which the “homestead” parcel (i.e., the parcel retaining the residential unit) contains no more than 4 acres, and the remainder of the parcel to be split is 20 acres or greater.
4. Parent parcel shall mean the existing parcel(s) or tract(s) of land, according to the Pottawattamie County Assessor’s Office as of the first adoption date of this study. Parent Parcel excludes lots that are within a platted subdivision that was formally reviewed and approved by the Pottawattamie County Board of Supervisors as of the first adoption date of this study.
5. A map of major roads in the three-mile study area is shown in Figure 12 of the Appendix.



SERVICE AREA CATEGORIES MAP

Attachment E

Prepared by:
Return to:

City of Council Bluffs Legal Department, 209 Pearl Street, Council Bluffs, Iowa 51503 (712) 328-4620
City of Council Bluffs Legal Department, 209 Pearl Street, Council Bluffs, Iowa 51503 (712) 328-4620

PETITION FOR VOLUNTARY ANNEXATION

COMES NOW THE UNDERSIGNED OWNERS OF LAND and hereby Petition the City Council of the City of Council Bluffs, Iowa to voluntarily annex the land described in the “Exhibit A” and Exhibit “B” attached to this Petition to the City of Council Bluffs (“City”) and state as followed:

1.

Security National Bank, Trustee of the Lyle W. Ditmars Self-Directed IRA (“Security”) is the owner of land described in the attached Exhibit “A” which is incorporated into this Petition by reference.
2.

Lyle W. Ditmars (“Ditmars”) is the owner of land described in the attached Exhibit “B” which is incorporated into this Petition by reference.
3.

The voluntary annexation of the land described in the attached Exhibits “A” and “B” shall be subject to the City not taking any action on this Petition for a period of 10 years after the execution of the same unless otherwise requested by the owner or their assigns, or at such time as the City, in its sole discretion, is prepared to move the voluntary annexation forward.
4.

The land described in the attached Exhibits “A” and “B” when annexed will be contiguous with the corporate limits of the City of Council Bluffs, all pursuant to Iowa Code 368.7.

Matt Walsh
Mayor
209 Pearl St.
Council Bluffs, IA 51503
 (“City”)

Lyle W. Ditmars (“Ditmars”)

Security National Bank, Trustee of the Lyle
W. Ditmars Self-Directed IRA (“Security”)

By:_____

Title:_____

The Southeast Quarter of the Northeast Quarter of Section 15, Township 75 North, Range 43 West of the Fifth Principal Meridian, Pottawattamie County, Iowa, more particularly described as follows:

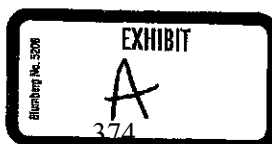
EXCEPT Parcel "A" described as:

Commencing at the Southeast Corner of said Southeast Quarter of the Northeast Quarter; thence North 0°00'00" East, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 375.13 feet to the Point of Beginning; thence continuing North 0°00'00" East, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 352.19 feet; thence South 90°00'00" West a distance of 427.11 feet; thence South 31°39'14" East a distance of 128.52 feet; thence South 5°32'19" East a distance of 171.00 feet; thence South 78°03'23" East a distance of 350.75 feet to the Point of Beginning. Said parcel contains 2.647 acres, more or less. Said parcel is subject to an Easement for 225th Street Right of Way. Said Easement contains 0.264 of an acre, more or less.

Said exception is also, subject to an Easement for Ingress and Egress. Said Easement is located in part of the Southeast Quarter of the Northeast Quarter of Section 15, Township 75 North, Range 43 West of the Fifth Principal Meridian, Pottawattamie County, Iowa, more particularly described as follows:

Commencing at the Southeast Corner of said Southeast Quarter of the Northeast Quarter; thence North 00°00'00" East, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 375.13 feet to the Point of Beginning; thence continuing North 0°00'00" East, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 50.00 feet; thence North 78°03'23" West a distance of 83.73 feet; thence South 00°00'00" West a distance of 50.00 feet; thence South 78°03'23" East a distance of 83.73 feet to the Point of Beginning.

Note: The east line of said Southeast Quarter of the Northeast Quarter is assumed to bear North 0°00'00 East for this description.



A parcel of land located in part of the Southeast Quarter of the Northeast Quarter of Section 15, Township 75 North, Range 43 West of the Fifth Principal Meridian, Pottawattamie County, Iowa, more particularly described as follows:

Commencing at the Southeast Corner of said Southeast Quarter of the Northeast Quarter; thence North 0°00'00" East, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 375.13 feet to the Point of Beginning; thence continuing North 0°00'00" East, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 352.19 feet; thence South 90°00'00" West a distance of 427.11 feet; thence South 31°39'14" East a distance of 128.52 feet; thence South 5°32'19" East a distance of 171.00 feet; thence South 78°03'23" East a distance of 350.75 feet to the Point of Beginning. Said parcel contains 2.647 acres, more or less. Said parcel is subject to an Easement for 225th Street Right of Way. Said Easement contains 0.264 of an acre, more or less.

Said parcel is also, subject to an Easement for Ingress and Egress. Said Easement is located in part of the Southeast Quarter of the Northeast Quarter of Section 15, Township 75 North, Range 43 West of the Fifth Principal Meridian, Pottawattamie County, Iowa, more particularly described as follows:

Commencing at the Southeast Corner of said Southeast Quarter of the Northeast Quarter; thence North 00°00'00" East, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 375.13 feet to the Point of Beginning; thence continuing North 0°00'00" East, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 50.00 feet; thence North 78°03'23" West a distance of 83.73 feet; thence South 00°00'00" West a distance of 50.00 feet; thence South 78°03'23" East a distance of 83.73 feet to the Point of Beginning.

Note: The east line of said Southeast Quarter of the Northeast Quarter is assumed to bear North 0°00'00" East for this description.



RESOLUTION NO. 25-88

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR THE CONSENT TO SUBDIVISION AND PETITION FOR VOLUNTARY ANNEXATION OF LAND LEGALLY DESCRIBED AS THE SE1/4 NE1/4 OF SECTION 15-75-43, GARNER TOWNSHIP, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, Lyle Ditmars and Lyle Ditmars (Self Directed IRA) is requesting this approval to execute an agreement on property located at 19638 225th Street, Council Bluffs, Iowa along with the undeveloped 36.62 acres of land to the immediate west; and

WHEREAS, The purpose of this request is to allow applicant to execute a lot line adjustment for expanding the acreage of property at 19638 225th Street, Council Bluffs, Iowa from 2.38 acres to 6.09 acres for estate planning purposes (see City Council Communication-Attachment B); and

WHEREAS, All properties included in this request are located within the City's two-mile extraterritorial limits and are designated as a City Growth Area 2; and

WHEREAS, The Community Development Department recommends approval to execute an agreement for the consent to subdivision and petition for voluntary annexation of property legally described as the SE1/4 NE1/4 of Section 15-75-43, Garner Township, Pottawattamie County, Iowa, subject to the terms of the agreement and petition stated in City Council Communication report-Attachments 'D' and 'E'.

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

That the request for the Mayor to execute an agreement for the consent to subdivision and petition for voluntary annexation of land legally described as the SE1/4 NE1/4 of Section 15-75-43, Garner Township, Pottawattamie County, Iowa, is hereby approved.

ADOPTED
AND
APPROVED

March 24, 2025.

ROGER C. SANDAU

Mayor Pro Tem

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

Department: City Clerk

Case/Project No.:

Submitted by: Brenda Norton, HR
Director

Resolution 25-89
ITEM 7.H.

Council Action: 3/24/2025

Description

Resolution approving the tentative agreement reached between the City of Council Bluffs and the Council Bluffs Association of Professional Firefighters, Local 15, for the period of July 1, 2025 through June 30, 2028

Background/Discussion

This tentative agreement provides for a 4.4% across the board wage increase for Fiscal Year 2026. The agreement allows to reopen for the bargaining of base wages only for two additional years. There are several miscellaneous small changes in the agreement as well.

Recommendation

Approval of Resolution

ATTACHMENTS:

Description	Type	Upload Date
Redline Contract	Agreement	3/20/2025
Clean Contract	Agreement	3/20/2025
Resolution 25-89	Resolution	3/20/2025

City of Council Bluffs
Fifth proposal to the CB Professional Firefighters Local 15
February 18th, 2025

** Throughout the document, both parties agree to amend all pronouns to the gender-neutral "they/their."

** Throughout the document, both parties agree to amend all references to a specific vendor such as "Nationwide" to the term "the City's plan provider."

Local 15	City	
RS	BG	Preamble: Current Contract, no changes
RS	BG	Article 1: Local 15 Initial Proposal
RS	BG	Article 2: Mutually agreed to Local 15 proposal
RS	BG	Article 3: Local 15's Initial Proposal, except in line 5 as follows: <ul style="list-style-type: none"> 5: <i>The city reserves the right to discipline or discharge for proper cause.</i>
RS	BG	Article 4: Current Contract, no changes
RS	BG	Article 5: Amend to comply with CBFD Standard Operating Procedure #114.
RS	BG	Article 6: Current Contract, no changes
RS	BG	Article 7: Mutually agreed to Local 15 initial proposal
RS	BG	Article 8: Current Contract, no changes
RS	BG	Article 9: Current Contract, no changes
RS	BG	Article 10: <ul style="list-style-type: none"> Section 1: Current Contract Section 2: Local 15's February 18th proposal: <i>"Employees shall be eligible to apply for tuition reimbursement in accordance with the City personnel policy implemented on 8/26/2024. (Appendix H)"</i>
RS	BG	Article 11: Current contract, no changes
RS	BG	Article 12: Local 15's January 27th Proposal <ul style="list-style-type: none"> Section 1A: Current Contract Section 1B: <i>When an employee is summoned to provide testimony before any court of law, administrative agency, or other governmental body as a result of work related incident, leave shall be granted to the employee of the employee shall be compensated at the applicable rate. It is the responsibility of the employee to notify the chief or the assistant chief in writing, immediately upon receipt of such summons to be eligible for this benefit. Every effort shall be made to schedule this during the employees working time. If it is not possible, the employee shall be paid their overtime rate for the time spent or shall be paid a minimum of two and a half hours at the employees overtime rate.</i> Section 1C and 1D: Current Contract Section 2: Current Contract
RS	BG	Article 13: Current Contract but add City language regarding "estate or personal representative" in Section 16
RS	BG	Article 14: amend Current Contract as follows: <ul style="list-style-type: none"> Section 3: Paragraph 2 to read: <i>Employees hired on or after July 1, 2024 will be credited with 360 hours of sick leave upon employment and will accrue sick leave at the rate of twenty-four (24) hours of sick leave per month worked, to a maximum of 1440 hours of sick leave and shall be subject to the provisions made in the above paragraph.</i> Section 5: Paragraph 1 modified to allow up to 72 hours sick leave (or up to 32 hours sick leave for employees assigned to a 40 hour work week) for illness or injury in the immediately family. Paragraph 2 modified to allow 56 hour employees to be eligible for an additional 72 hours of sick leave designated for paternity leave/bonding time and 40 hour employees to be eligible for an additional 40 hours of sick leave designated for paternity leave/bonding time. After these 144 hours (for 56 hour employees) or 72 hours (for 40 hour employees) are exhausted, the employee is eligible to take vacation leave. Section 12: Last sentence in Part 1 to read: <i>No payment will be made upon termination under this section except in the case of medical disability or death. Part 2 added to read: Upon Regular Retirement (not a disability retirement) an employee shall receive a contribution into their PEHP account equal their accumulated sick leave balance in excess of 965 hours (700 hours for 40 hour employees) multiplied by .20 (20%) of the employee's contractual hourly rate at the date of retirement. Maximum hours available shall be 475 for 56 hour employees and 340 for 40 hour employees. Employees who receive this benefit upon retirement shall not be entitled to the contribution under Part 1 for the year of their retirement.</i> "Section 14 - Pregnancy" should be Section 13 (fix typo).
RS	BG	Article 15: Current Contract, no changes
RS	BG	Article 16: Current Contract, no changes
RS	BG	Article 17: Current Contract, no changes
RS	BG	Article 18: Local 15's Initial Proposal
RS	BG	Article 19: Current Contract, no changes
RS	BG	Article 20: New City proposal: Current Contract and add Section 8 as follows: <ul style="list-style-type: none"> Section 8: <i>"Bilingual Pay" Employees who are bi-lingual in either (1) English and Spanish; or (2) English and American Sign Language will be compensated at the rate of \$25 bi-weekly provided that the employee is serving the department in that capacity. To be considered bi-lingual the employee must be able to communicate easily and naturally in both languages with equal or nearly equal fluency.</i>
RS	BG	Article 21: Current Contract, no changes

RS	BG	Article 22: No changes to Local 15 initial proposal except, delete work shorts from Local 15's initial proposal; add language as follows: Once the employee is issued the Class A uniform, the employee shall be responsible for all maintenance and alterations to the Class A uniform. Any employees currently making payments on Class A uniforms shall cease effective July 1, 2025.
RS	BG	Article 23: Current Contract, no changes
RS	BG	Article 24: Change Local 15 initial proposal with City language regarding replacing "his" with "their"
RS	BG	Article 25: Current Contract, no changes
RS	BG	Article 26: Current Contract, no changes
RS	BG	Article 27: Current Contract, no changes
RS	BG	Article 28: Current Contract, no changes
RS	BG	Article 29: Current Contract no changes
RS	BG	Article 30: Current Contract, no changes
RS	BG	Article 31: City proposal, as follows: <i>Effective 7-1-2025, employees will be paid in accordance to the pay plan as shown in Appendix A of the contract which reflects an increase of 4.4%.</i>
RS	BG	Article 32: Current Contract, no changes
RS	BG	Article 33: Current Contract, no changes
RS	BG	Article 34: Current Contract, no changes
RS	BG	Article 35: Current Contract
RS	BG	Article 36: Current Contract, no changes
RS	BG	Article 37: Current Contract, no changes
RS	BG	Article 38: City Proposal, as follows: <ul style="list-style-type: none"> • <i>Effective on 07-01-2025 the current 22 year step shall be enacted at a 14 year step</i> • <i>Effective on 07-01-2025 the current 18 year step shall be enacted at a 10 year step</i> • <i>Add to payscales and remove "Article 38" from contract.</i>
RS	BG	Article 39: Initial City proposal: Current Contract (exclude Article)
RS	BG	Article 40: Renumber to Article 38. Accept Local 15 proposal 1/27/2025 except change "regular" hourly rate to "base" hourly rate with the language as follows: <ul style="list-style-type: none"> • <i>Section 1: Call Out Pay Employees who accept an assignment to a specialty position understand that they may be placed on an availability list for call outs. Employees who are placed on an availability list, and can decline to report for unscheduled work, are not considered "on-call" and will not receive any additional compensation. However, if an employee assigned to a specialty position works an unscheduled work assignment, they will be compensated for the actual work time at a rate of one and one half (1 1/2) times his/her base hourly rate for all time actually worked, but shall be guaranteed a minimum of two and one half (2 1/2) hours of overtime pay.</i> • <i>Section 2: "On Call" Pay Employees who are directed by their command staff to be available for, and capable of responding to, an on-call assignment within a specific period of time shall be compensated at the rate of one hour of straight time pay per day for week day assignments and two hours of straight time pay per day for weekends and holidays. If an employee is required to return to work while on-call, they will be compensated for the actual work time at a rate of one and one half (1 1/2) times his/her base hourly rate with a minimum of two and one half (2 1/2) hours of overtime pay.</i> • <i>No employee shall be required to be "On Call" during approved vacation.</i>
RS	BG	Article 41: Initial City proposal: Current Contract (exclude Article)
RS	BG	Article 42 (rename to Article 39): A three-year contract, with only base hourly wages open to negotiation for FY27 and FY28.

AGREEMENT BETWEEN THE

COUNCIL BLUFFS ASSOCIATION OF PROFESSIONAL

FIREFIGHTERS LOCAL 15

AND THE

CITY OF COUNCIL BLUFFS

July 1, 2025 through June 30, 2028

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Numbers
will
likely
change

PREAMBLE

WHEREAS, The City of Council Bluffs, by authorization of the laws of the State of Iowa, is a municipal corporation, and

WHEREAS, The Union and the City ascribe to and recognize that the mission and purpose of the City of Council Bluffs is to provide quality and economic municipal services to the citizens we serve.

THEREFORE

This contract is entered into as of July 1, ~~2020~~2025 between the City of Council Bluffs, hereinafter referred to as the City, and the Council Bluffs Association of Professional Firefighters, Local 15, hereinafter referred to as the Union.

It is the intent and purpose of this contract to assure sound and mutually beneficial working and economic relations between the parties hereto, to provide an orderly and peaceful means of resolving any misunderstandings or differences which may arise, and to set forth herein the basic and full agreement between the parties concerning rates of pay, wages, hours of employment, and other conditions of employment.

Nothing in this contract shall be construed as waiving rights that have historically, traditionally, and by past practice been enjoyed by sworn firefighters in regard to matters which are mandatory subjects of bargaining, with the understanding that none will interfere with the performance of duties.

ARTICLE 1

RECOGNITION

The City recognizes the Union as the exclusive bargaining representative for public employees within the following unit:

Permanent, full-time members of the Fire Department, excluding Fire Chief, Assistant Fire Chiefs, civilian employees, casual employees, temporary employees, and those employees identified under the provisions of Section 4 of the Public Employment Relations Act and PERB Case No.218 in 1975.

ARTICLE 2

UNION ACTIVITY

Section 1 - There shall be no discrimination, interference, restraints, or coercion by the employer against any employee for their activity on behalf of the members of the bargaining unit, or membership in the Union, nor will the City encourage membership in another union.

Section 2 - The Union recognizes its responsibility as the exclusive bargaining agent and agrees to represent all employees in the bargaining unit without discrimination, interference, restraint, or coercion.

ARTICLE 3

MANAGEMENT RIGHTS

Except where limited by express provisions elsewhere in this agreement, nothing in this agreement shall be construed to restrict, limit, or impair the rights, powers, and the authority of the City as granted to it under the laws of the State of Iowa and the City's ordinances. These rights, powers, and authority include, but are not limited to, the following:

1. Union recognizes the prerogative of the City to operate and manage its affairs in all respects in accordance with its responsibilities and the powers or authority which the City has not officially abridged, delegated, or modified by this agreement are retained by the City.
2. The Union recognizes the exclusive right of the City to establish reasonable work rules, except as limited by or is in conflict with this agreement.
3. The City has the right to schedule overtime work as required in a manner most advantageous to the

City and consistent with the requirement of municipal employment and the public interest, as long as such scheduling complies with FLSA and is consistent with the specific provisions of this contract.

4. It is understood by the parties that every incidental duty connected with operations enumerated in job descriptions is not always specifically described. Nevertheless, it is intended that all such duties be performed by the employee.

5. The City reserves the right to discipline or discharge for proper cause.

6. The City reserves the right to lay off for lack of work or funds, or the occurrence of conditions beyond the control of the City or where such continuation of work would be wasteful or unproductive.

7. City shall have the right to determine reasonable schedules of work and to establish the methods and processes by which such work is performed, consistent with the FLSA and this agreement.

8. The Union recognizes that the City has statutory rights and obligations in contracting for matters relating to municipal operations. The right of contracting is vested by the City. 9. The right to contract or subcontract shall not be used for the purpose or intention of undermining the Union nor to discriminate against any of its members.

10. The City retains the right to classify jobs and to allocate individual employees to appropriate classifications based upon duty assignments. The City will not abolish or change any bargaining unit classifications for the purpose of depriving the bargaining unit employees of their benefits under this contract.

11. The location, establishment and organization of new departments, divisions, subdivisions, or facilities thereof, and the relocation of departments, divisions, subdivisions, locations and the closing and discontinuance of same are rights vested in the City.

12. The City shall have the right to establish, implement, change, modify, adjust and discontinue any process, technique, method, means of providing public service or distribution of the same and the type of machinery or equipment to be used or operated by the City or any contractor or subcontractor.

13. The City shall have the right to adopt, modify, change, enforce, or discontinue any existing rules, regulations, procedures, and policies which are not in direct conflict with any provision of the agreement.

14. The City shall have the right to create, establish, change, modify, and discontinue any City function, operation and department.

15. The City reserves the right to establish, implement, modify and change financial policies, accounting procedures, prices of goods or services, public relations, and procedures and policies for the safety, health and protection of City property and personnel.

16. The City reserves the right to determine, establish, set, and implement policies for the selection, training, and promotion of employees, consistent with the provisions in this agreement.

17. The right to determine, effectuate, and implement the objectives and goals of the City vests in the City.

ARTICLE 4

HOURS

1. The work schedule is a regular reoccurring cycle of nine (9) consecutive twenty-four (24) hour periods. It may begin on any day of the week and need not be the same for all shifts and all employees. Once established, an employee's work cycle may not be changed unless the change is intended to be permanent, except as otherwise provided in Section 7 of this article.

2. Hours worked include all time any employee is required to be on duty or on the employer's premises, or at a prescribed work place and all time during which he is required to work.

3. Twenty-four (24) consecutive hours on duty shall constitute a duty tour. Employees scheduled to work on a regular duty tour shall have a regular starting and quitting time.

4. Twenty-four (24) hour tours of duty commencing at:

7:00 a.m. - 7:00 a.m. Day one - shift one works

7:00 a.m. - 7:00 a.m. Day two - shift one off duty

7:00 a.m. - 7:00 a.m. Day three - shift one works

7:00 a.m. - 7:00 a.m. Day four - shift one off duty

7:00 a.m. - 7:00 a.m. Day five - shift one works

7:00 a.m. - 7:00 a.m. Day six - shift one off duty

7:00 a.m. - 7:00 a.m. Day seven - shift one off duty

7:00 a.m. - 7:00 a.m. Day eight - shift one off duty

7:00 a.m. - 7:00 a.m. Day nine - shift one off duty

Repeating schedule, averages 56 hours a week over the year.

5. The work schedule for employees assigned to a forty (40) hour work week shall be established by the Fire Chief. A 30-minute paid, working lunch period shall be established at the Chief's discretion.

6. For employees assigned to the 24-hour work day, the employee's hourly rate of pay for purposes of overtime compensation and the calculation of benefits paid on an hourly basis shall be computed by dividing the bi-weekly wage by 106. The City's hourly rate of pay for employees working a forty (40) hour per week work schedule shall be computed based on a forty (40) hour work week.

7. One firefighter (with least seniority) shall be assigned to the position of roving firefighter. This position has the duties and responsibilities of a firefighter and is differentiated by the work hours assigned. A firefighter assigned to the roving position shall not have a permanent work cycle, but said schedule shall be assigned by the Fire Chief or his designated representative. Shift changes shall be presented to the roving firefighter five days prior to assignment. The rover assignment will continue for as long as the number of positions assigned to the firefighter rank is not evenly divisible by three (3).

ARTICLE 5

OVERTIME

Old paragraph deleted.

The parties recognize the overtime standards of the FLSA are different from this contractual provision. Examples of how the FLSA is applied to Fire Union employees is contained in Appendix B of this contract.

Both Same Day Overtime and Prior Notice Overtime will be issued in accordance with Council Bluffs Fire Department Standard Operating Procedure (SOP) #114. See Appendix C.

*Old sentence deleted.
Overtime Call Out deleted
Overtime Call back deleted*

ARTICLE 6

ACCESS TO RECORDS

Employees shall have access to their own personnel records upon request during normal City Hall working hours.

Old paragraph deleted

ARTICLE 7

SENIORITY

The seniority of employees covered by this agreement is set forth under the provisions of Section 400.12 of the Iowa Code.

Old paragraphs deleted

ARTICLE 8

BULLETIN BOARDS

The City agrees to provide space in the fire house and administration building for Union bulletin boards which shall be properly maintained by the Union and used for the following notices:

- A. Union Meetings
- B. Union Elections
- C. Reports of Union Committees
- D. Rulings or policies of the International Union
- E. Recreational and Social Affairs of the Union

The Union agrees that there shall be no other general distribution or posting by the Union or employees upon City property provided, however, the Fire Chief may permit other material not provided for above at his discretion to be posted or distributed. The material posted shall not contain anything political, or anything reflecting upon the City, any of its employees, or any other labor organization of City employees.

ARTICLE 9

WORK STOPPAGES

Section 1. The Union agrees that neither it nor any of its officers or agents will instigate, condone, authorize, or participate in any work stoppage, strike, slowdown, picketing, boycott, limitation of production or any other action which will interrupt or interfere with the operations of the City.

Section 2. The City agrees that it will not engage in any lockout of its employees as a result of a labor dispute with the Union.

Section 3. In the event an employee or employees covered by this agreement cause, instigate, or participate in any work stoppage, strike, slowdown, picketing, boycott, or any other action of the City, the Union agrees that it shall take immediate affirmative steps with the employee or employees involved to bring about an immediate resumption of normal operations of the City.

ARTICLE 10

EDUCATIONAL BENEFIT

Section 1 - College Incentive Pay

For employees hired on or before June 30, 1999, the following benefit shall apply:

The City will pay one (1) dollar per semester credit hour, per month, for all satisfactorily completed credit grades of "C" and above, and in excess of 12 semester credits to a maximum of \$110 per month. The City will pay for courses only within City approved programs. All individuals having between 13-18 semester credits shall relinquish the educational benefit after two (2) years if they haven't satisfactorily continued in an approved program and completed in excess of 18 semester credits.

Employees hired after June 30, 1999, shall not be eligible for the benefit provided in the section. These employees shall be eligible only for tuition Reimbursement as provided in Section 2 of this article.

Section 2 - Tuition Reimbursement

Employees shall be eligible to apply for tuition reimbursement in accordance with the City's Personnel Policy on Tuition Reimbursement **implemented on 08/26/2024 (appendix H)**. Such reimbursement shall be limited to courses approved by the Fire Chief, which are applicable to the City's Emergency Medical Services Fire Technology and other degrees related to the fire service. No reimbursement will be provided for courses eligible for payment under Section 1 above.

Employees who are receiving payment under Section 1, College Incentive Pay, can request approval for tuition reimbursement for hours that would be eligible under Section 1. However, once such a request is approved, the employee shall no longer be eligible for any additional payment under Section 1 over and above the payment being received as of the date approval of such a request is given. The employee shall be eligible to continue any payment in effect at the time the approval is made.

In addition to the tuition reimbursement described in this section the cost of required books shall also be eligible for reimbursement.

ARTICLE 11

SUBSTITUTING TIME

Up to a maximum of fifteen (15) times per contract year, employees may be permitted to secure an employee with the same qualifications to substitute for them subject to the approval of their immediate supervisors. Additional trades shall be granted for the purpose of accommodating the educational activities, required union activities, civic duties, and family illness or injury with the understanding that such trades will not interfere with the proper training of fire personnel.

The employee substituting shall be responsible to work the scheduled day. If the substituting employee is unable to work the trade day for any reason, the substituting employee shall be responsible for reimbursing the City the full overtime wage cost incurred by the City in obtaining a replacement for him. Should the employee who requested the trade be unable to work the agreed repayment trade day, this employee shall be responsible for reimbursing the City the full overtime wage cost incurred by the City in obtaining a replacement for him. However, an employee whose trade time is scheduled for less than an entire work day will not be relieved from duty until the employee who has agreed to substitute arrives to work the trade time.

Any such request for substitution shall be signed by both employees and shall be turned into their immediate supervisor a minimum of four hours prior to the trade time taking place. The request shall be approved by the company officer and the shift Assistant Chief of the employee requesting trade time. The trading of time is done for the convenience of the employees. The employer is in no way liable for any increase in cost which may result from any such trade.

ARTICLE 12

MISCELLANEOUS LEAVES

Section 1 - Court Leave

- A. An employee who is required to serve as a witness or juror in Federal, State, County, or City court or as a litigant in a case resulting directly from the discharge of his duties as an employee shall be granted court leave with full pay to serve in that capacity. However, when the employee is testifying in other litigation to which the employee is a part, the employee shall not be granted court leave, but may use vacation time, trade time, or be granted leave without pay for the length of such service.
- B. When an employee is summoned to provide testimony before any Court of law, administrative Agency, or other governmental body as a result of a work-related incident, leave shall be granted to the employee or the employee shall be compensated for the time spent at the applicable rate. It is the responsibility of the employee to notify the Chief or Assistant Chief in writing, immediately upon receipt of such summons to be eligible for this benefit. Every effort shall be made to schedule this during the employee's working time. If it is not possible, the employee shall be paid their overtime rate for the time spent or shall be paid a minimum of two and one-half (2 ½) hours at the employee's overtime rate.
- C. Procedure: An employee who is called for witness or jury duty shall present to his/her supervisor the original summons or subpoena from the court, and, at the conclusion of such duty, a signed statement from the Clerk of Court, or other evidence, showing the actual time in attendance at court.
- D. Fees: No employee shall receive witness fees paid from his employer's funds.

Section 2 - Union Business

- A. Members of the Union selected by the Union to participate in any other union activity may be granted a leave of absence, without pay, at the request of the Union. A leave of absence for such union activity shall not exceed one (1) month, but it may be renewed or extended for a similar period at any time upon the request of the Union.
- B. Up to four (4) members of Local #15 will be paid for contract negotiations with the City when negotiations are held during the member's normal duty schedule.
- C. One (1) member of Local #15 will be allowed time-off up to three (3) duty tours with pay to attend the International Association of Firefighters bi-annual convention.
- D. Up to two (2) members of Local #15 will be allowed time-off up to two (2) duty tours each, with pay, to attend the Iowa Association of Professional Firefighters annual convention.
- E. The Fire Chief shall be notified in writing no less than ten (10) days prior to the anticipated absence for items C and D above.

F. Up to two (2) members of Local #15 shall be allowed up to two hours each with pay, per session, to represent members of the bargaining unit for Civil Service meetings, Civil Service hearings and grievance procedures.

Section 3 - Emergency Leave

In the case of an emergency, as determined by the shift supervisor, an employee may be granted up to two (2) hours off duty with pay.

Section 4 - Military Leave and Vote Time

Military Leave shall be provided as set forth in the Personnel Policies, 707:1. Vote Time is governed by the Code of Iowa, Chapter 49.109.

ARTICLE 13

VACATION

Section 1 - Eligibility and Allowance

All eligible employees shall accrue an annual paid vacation according to the following schedule:

<u>Service Period</u>	<u>Accrual Rate</u>	<u>Maximum Accrual</u>	<u>Cash-out Maximum</u>
0 to 6 years	144 hours per year	288 hours	288
6 to 13 years	216 hours per year	432 hours	360
13 to 19 years	288 hours per year	504 hours	432
Over 19 years	360 hours per year	576 hours	504

Employees assigned to a 40 hour work week shall accrue an annual paid vacation according to the following schedule:

<u>Service Period</u>	<u>Accrual Rate</u>	<u>Maximum Accrual</u>	<u>Cash-out Maximum</u>
0 to 6 years	80 hours per year	160 hours	160
6 to 13 years	120 hours per year	240 hours	200
13 to 19 years	160 hours per year	280 hours	240
Over 19 years	200 hours per year	320 hours	280

Employees shall be eligible to use vacation only after completion of the probationary period (12 months).

Section 2 - Adjustment for Change in Work Schedule

Any employee who is transferred from a 56 hour work schedule to a 40 hour work schedule shall have their vacation accumulation adjusted by dividing their 56 hour accumulation by 72 and multiplying the result of this calculation by 40. In the case of an employee transferred from a 40 hour work schedule to a 56 hour schedule, the vacation accumulation shall be adjusted by dividing the 40 hour accumulation by 40 and multiplying the result of this calculation by 72.

Section 3 - Pay

The rate of vacation pay shall be the employee's regular straight time rate of pay in effect for the employees' regular job on the date immediately preceding the employee's vacation period.

Section 4 - Vacation Choice (56 Hours Personnel)

Vacation periods are to be granted and scheduled by each Assistant Chief, taking into consideration the shift's work units, workload, and the employee's request and seniority. By December 1, the Assistant Chiefs shall begin contacting members of their respective shifts, in order of seniority, for the purpose of selecting their vacation choices. Each employee, in order of seniority, shall denote his/her choice of vacation period to the Assistant Chief. The Assistant Chief shall contact the next ranking employee by seniority until all have denoted their choices. Employees can select one day or up to their full annual accrual amount as long as they are taken consecutively. Consecutive vacation selections, regardless of the number of days, will count as one vacation selection. All employees must have made their choices by December 15, or forfeit their seniority rights for the purpose of choosing vacation periods. The employee can commit any portion of their accrued leave up to their total annual accrual during this process. An employee who has bid a vacation period may decide not to utilize this vacation pick (including optional vacation day provided for in Section 5) by notifying the Chief in writing by the middle day of the previous set in which the vacation is going to occur.

Section 5 - Optional Vacation Day

After completing the process in section 4, the Assistant Chief will once again contact members of their respective shifts, by seniority, for the purpose of selecting an optional vacation day. Employees who have or can be expected to have accrued vacation may choose a work tour as an optional vacation day provided that the selection will not result in more than five (5) employees on vacation. An employee who does not wish to utilize the original optional vacation day choice may change it to another day provided that it does not result in more than five (5) employees on vacation that day.

Section 6 - Use of Accrued Vacation

During the year, employees may use accrued vacation in 24 increments starting at 7:00 a.m. or in 12 hour increments starting at either 7:00 a.m. or 7:00 p.m. provided that, at the time of selection, there was an opening in one of the first four vacation slots. The request must be submitted to the Chief by the middle day of the previous set in which the vacation is going to occur.

In cases where two absence requests are received the same day, preference will be given to the most senior employee based on seniority.

Section 7 - Vacation "Sell Back"

An employee who has accrued 50% of the employee's total accrual limitation by October 1 and/or April 1 of each year shall have the option to "sell back" up to 72 hours of their vacation accumulation. Reimbursement will be made on an hour for hour basis and payment shall be made on the first pay day in December and/or the first pay day in June

Forms will be provided at each station and the completed form must be submitted to the Fire Chief no later than 5:00 p.m., October, 15 and/or 5:00 p.m. April 15. It shall be the sole responsibility of the employee requesting reimbursement to submit the request form in a timely manner.

Section 8 - Posting

By January 1 the vacation schedule for the upcoming vacation period shall be posted.

Section 9 - Notice Upon Termination

An employee who leaves the employment of the City in good standing, after having given two (2) weeks' notice of such termination of employment, shall be compensated for vacation leave earned and accrued to the date of separation.

Section 10 - Shift Transfer

Employees transferred from one shift to another shall have their vacation rescheduled as close as possible to the original date selected. Employees transferring from a 40 hour assignment to a 56 hour assignment shall be allowed to pick vacation from the dates available on the shift to which they are being assigned at the time of the transfer. The employee shall be allowed to pick an optional day at the time of the vacation pick. An employee whose transfer is approved but not effective prior to November 1 shall be allowed to pick vacation with the employee's prospective 56 hour shift.

Section 11 - Schedule Change

If a vacation time is left open after all vacations, including the optional vacation day, have been picked, an employee shall be granted a vacation change in order to take advantage of the opening by submitting a written request to the Assistant Chief. Vacation openings created by the operation of this section shall be posted and filled by seniority among those requesting such time.

Section 12 - Vacation Grant

Vacation periods are to be granted and scheduled by the City so that at least four (4) employees may be on vacation during each vacation period during the year. Vacation leave must be charged as used. All vacation leave must be approved by the Department Head in advance of the leave, and filed in the prescribed manner on a City absence report and leave request.

No more than three employees being paid as a paramedic will normally be allowed vacation time off at the same time. If the number of employees with paramedic certification is 13 per shift, up to four paramedics will be allowed to take vacation on the same day.

Section 13 - Accrual Limitations

Total accrued but unused vacation for an employee shall not at any time exceed the Maximum Accrual as shown in Section 1 of this article. Once an employee's total accrued vacation is equal to the employee's accrual limit, accrual of vacation will stop. Vacation accrual will resume when the employee has utilized enough accrued vacation to allow for vacation accrual at their regular rate of accrual. Any vacation accruals lost to the employee because of this section are not recoverable by the employee.

Upon separation the maximum number of vacation hours that will be paid upon termination is shown in Section 1, Cash-Out Maximum.

The above provision notwithstanding, all employees hired on or before December 31, 2001 shall be considered "grandfathered" and allowed to accumulate twice their accrual rate in all service periods and cash-out up to twice their annual accrual rate.

Section 14 - Vacation Utilization

Employees will only be allowed to take a vacation when, at the time of the leave, they have adequate accrued vacation to cover the duration of the leave. Vacation picks notwithstanding, no vacation leave request will be approved if it will result in the employee utilizing more vacation than the employee has accrued at the time of the leave.

Should an instance occur where an employee has inadvertently received more vacation leave than the employee has accrued, the amount of vacation used in excess of that accrued will be charged to future accruals. If the employee is terminating, the value of the vacation leave in excess of accruals will be deducted by the City from the employee's final paycheck.

Section 15 - Seniority

Seniority as used in this article shall be based on the total length of service as a sworn firefighter.

Section 16 – Vacation payout

In the event of an employee's death, the employee's accrued vacation hours must be paid to the employee's estate or personal representative, or in accordance with state law.

↑
deleted and added language here

ARTICLE 14

SICK LEAVE

Section 1 - Definition

Sick leave is leave granted for non-service connected injury or illness which prevents an employee from performing his/her duties. No such leave shall be granted for injuries or illness connected with service for another employer, when that service was within the coverage of such an employer's worker's compensation.

Section 2 - Eligibility

Permanent full-time employees shall be eligible to use sick leave beginning the first day of employment.

Section 3 - Utilization

Employees will accrue sick leave at the rate of twenty-four (24) hours of sick leave per month worked and sixteen (16) hours per month for 40 hr employees. Unused sick leave will be permitted to carry over from one year to the next; however, at no time shall total accumulated sick leave exceed 1440 hours for 56 hr employees and 1040 for 40 hr employees except as provided in Section 5.

Employees hired on or after July 1, 20022024, will be credited with 72 360 hours of sick leave upon employment and will accrue sick leave at the rate of twenty-four (24) hours of sick leave per month worked to a maximum of 1440 hours of sick leave and shall be subject to the provisions made in the above paragraph.

At the discretion of the Fire Chief, vacation or other paid leave may be used in the event of illness only after all sick leave has been used.

Section 4 – Alternative Duty Assignments

An employee whose illness or injury renders them unable to perform their regular duties may be assigned to a temporary alternative duty assignment if such assignment can be safely performed within the employee's limitations. The City reserves the right to change an employee's regular work schedule to accommodate a temporary alternative duty assignment.

The procedures for administering alternative duty are contained in the Fire Department's SOP manual, SOP #119. No changes will be made to this SOP without mutual agreement by the Fire Department and union.

Section 5 - Family Illness

Employees shall be granted up to 36 72 hours sick leave (or up to 46 32 hours of sick leave for employees assigned to a 40 hour work week) for illness or injury in the immediate family unless extended by the Fire Chief. Immediate family shall mean the employee's spouse, parents, grandparents, children, brother or sister, step parents, and step children.

56 hour employees are eligible for an additional (36) (72) hours of sick leave designated for paternity leave/bonding time. ~~The employee has the option to choose between designating the initial 36 hours as paternity leave or family illness.~~ After these 72 144 hours of leave are exhausted, the employee is eligible to take vacation leave. 40 hour employees are eligible for an additional 46 40 hours of sick leave designated for paternity leave/bonding time.

Section 6 - Catastrophic Family Illness

In the event that an employee has been approved for a leave of absence under the Family Medical Leave Act for the purpose of providing medical care to the employee's child, spouse or parent, the following provisions for obtaining paid leave for some or all of the approved leave shall apply:

1. The employee will be required to utilize up to 100% of his their accumulated vacation leave. The restrictions on vacation usage in Article 14, Sections 4, 5, 6, 11, and 12 shall not apply.
2. An employee who utilizes all of his their vacation accumulation may request to use hour's accumulated Perfect Attendance pay as paid leave.
3. After the paid leaves described above have been utilized an employee may use trade time. If necessary, the 15 tour trade limitation provided in Article 12 shall be waived.
4. Other union employees may, on a voluntary basis, contribute vacation leave to the employee on leave on an hour for hour basis to allow the employee to be absent with pay. The total of such contributions shall be limited to the same number of hours of trade time utilized in number 3 above. If this option is utilized it shall be the responsibility of the union to provide the City with a list of employees whose vacation accumulations will be debited, the dates of leave for which each contribution is intended, and written authorization from each employee contributing such vacation leave.

Section 7 - Reporting of Sick Leave

The employee or a member of the employee's household shall notify the officer on duty in charge of the employee's assigned unit prior to the scheduled reporting time. No sick leave shall be granted to an employee who fails to notify the supervisor prior to the beginning of the work shift. Immediately upon return to work, the employees shall submit a leave form to his supervisor.

Section 8 - Medical Statement

An employee may be required to furnish a medical statement, at the employee's cost, from the attending physician for any absence chargeable to sick leave:

- a. For the purpose of verifying illness or injury, or
- b. Certifying the employee as able to return to work in the position held prior to the illness or injury.

Section 9 - Medical Examination

The employer may require a medical examination by a City physician. If the employee's treating physician who has indicated the employee is fit to return to duty and the City's physician disagree on the employee's capability of returning to normal duty the physician retained by the City is obligated to confer with the employee's treating physician in an attempt to reach consensus about an employee's ability to return to work. In the event that after such conference the City refuses to return the employee to normal duty based on the advice of its physician the Union may file a grievance under article 24 of this agreement, and the arbitrator will be allowed to determine whether a preponderance of the medical evidence establishes that the employee is or is not capable of returning to normal duty.

Section 10 - Abuse or Fraud

Abuse of sick leave or fraudulent use of sick leave shall be cause for disciplinary action.

Section 11 - Perfect Attendance Bonus Pay

After the completion of six (6) months continuous employment, an employee shall be eligible for 12 hours pay at the 56 hour rate for each calendar quarter for which the employee records perfect attendance, (exclusive of absence due to on-the-job injuries, jury duty and funeral of immediate family members). Payment shall be made on the last payday in July. Employees assigned to the 40 hour work schedule shall be paid for this benefit at the rate of 8 hours pay at the 40 hour rate for each calendar quarter of perfect attendance as defined above.

Section 12 - Sick Leave Accumulation Converted to PEHP Contribution

Part 1

Employees who reach their maximum sick leave accumulation (1440 for 56 hour employees and 1040 for 40 hour employees) will be allowed to accrue additional sick leave. The City will convert this additional sick leave accumulation to a cash amount that will be contributed to ~~Nationwide's~~ ^{theirs} PEHP plan for Health Insurance Premium Reimbursement on the employee's behalf. This contribution will be made no later than January 31 of each year.

The amount that the city will contribute to this plan shall be calculated as follows:

1. From each employee's sick leave accumulation as of the ending date of the second payroll in December the normal sick leave maximum will be subtracted (1440 for 56 hr employees and 1040 for 40 hour employees).
2. The remaining hours from step 1 will be multiplied by 0.25 (25%) of the employee's contractual hourly rate as of the ending date of this payroll. If the employee voluntarily participates in the WFA program, the PEHP contribution increases to 0.30 (30%).
3. The City shall provide each employee an electronic statement of the total amount deposited into the PEHP account in January after the deposits have been made.

No payment will be made upon termination except in the case of medical disability, retirement, or death.

Part 2

under this section

the proposal deletes this word

Upon Regular Retirement, not a disability retirement, an employee shall receive a contribution into their PEHP account equal to their accumulated sick leave balance in excess of 965 hours (700 hours for 40-hour employees) multiplied by 0.20 (20%) of the employee's contractual hourly rate at the date of retirement. Maximum hours available shall be 475 for 56-hour employees and 340 for 40-hour employees. Employees who receive this benefit upon retirement shall not be entitled to the contribution under Part 1 for the year of their retirement.

Section 13- Pregnancy

Time off due to an employee's inability to perform her regular duties due to pregnancy and recuperation from delivery shall be treated under all contractual articles and applicable Personnel Policies the same as any other illness or injury from which the employee is expected to recuperate and return to full duty (Sick Leave, Leave of Absence Without Pay, Family Medical Leave Act).

However, consistent with the Medical Requirements for Firefighters and information for Fire Department Physicians, Section 9.18 an employee who is pregnant will, upon the employee's request, be voluntarily reassigned to an alternative 40 hour position involving duties that are non hazardous. Such temporary assignment shall continue until the earlier of (1) the date of delivery; or (2) the date the employee is certified by her physician as unfit to continue in such assignment; or (3) the date the employee elects to discontinue such assignment. At the time the request for reassignment is made a doctor's certificate verifying the pregnancy and providing the employee's projected due date shall be required.

We did not agree to strike this language in my notes.

FUNERAL LEAVE

Keep "and"
delete comma

In the event of a death in the immediate family of an employee or an employee's spouse (mother, father, sister, brother, spouse, son, daughter, step parents, half-brother, half-sister, or step-children, grandparents, and grandchildren), the employee shall be granted up to 48 hours absence with full pay to make household adjustments, arrange for services, or attend funeral services.

The Chief may grant 24 additional hours off for any of the family listed in the paragraph above. If the employee granted such additional leave has accumulated sick leave, such accumulation shall be charged on an hour for hour basis for the additional hours off. If the employee has not accumulated sick leave, then the additional leave shall be charged to accumulated vacation or shall be without pay.

The Chief may grant 24 hours of vacation leave for the death of a loved one not listed in the first paragraph.

Employees assigned to a 40 hour work schedule shall be eligible for up to three (3) days funeral leave under the conditions set forth in this article. The Chief may grant up to two (2) additional days off.

If the employee granted such leave has accumulated sick leave, such accumulation shall be charged on an hour for hour basis for this purpose. If the employee has no accumulated sick leave, then the additional leave shall be charged to accumulated vacation or shall be without pay.

ARTICLE 16

HOLIDAYS

The City shall allow each eligible employee (after completion of the probationary period) working a regular 24-hour shift paid holidays, totaling 120 hours, provided an employee shall have worked 75% of the number of hours available, exclusive of time off resulting from on-the-job injury or catastrophic illness to them during the contract year. An additional 12 hours of holiday pay (for a total of 132 hours) will be provided to employees in lieu of receiving a casual day. Holiday routine shall be recognized for those City holidays as identified below:

New Year's Day

President's Day

Memorial Day

Independence Day

Labor Day

Veteran's Day (November 11)

Thanksgiving Day

Friday after Thanksgiving

Christmas Eve*

Christmas Day

And any specially designated holiday given to other City employees.

No change

Payment shall be made the last payday of June of each year at the employee's regular hourly rate.

In lieu of the above provision, employees assigned to a 40 hour work week shall be granted one day's holiday leave with pay for each holiday observed by the Fire Department 40 hour administrative staff. The number of hours of leave given shall be commensurate with the number hours worked during their currently assigned work day. When a holiday falls on the employee's regular day off, another day immediately before or after as determined by the Chief will be considered the holiday for that employee. If called back to work on such a holiday, the employee shall be paid two (2) times the regular hourly rate for all hours worked.

* When Christmas Eve falls on a Monday, Tuesday, Wednesday or Thursday, it will be observed as a holiday. When Christmas Eve falls on Friday, Saturday, or Sunday eligible employees shall receive a floating holiday in lieu of the Christmas Eve holiday. The floating holiday must be taken in the same fiscal year it is earned.

ARTICLE 17

LEAVE OF ABSENCE WITHOUT PAY

Leave without pay may be granted to an employee for any good cause when it is in the best interest of the City service to do so. The employee's interests shall be considered when his record of employment shows him/her to be of more than average value, and it is desirable to retain the employee even at the expense of some sacrifice on the part of the City. Leaves of absence without pay, except in the case of disciplinary leaves, should be considered as a privilege, and the best interest of the department and the City service must be the determining factors in whether such a leave is granted. The Mayor may grant an employee leave without pay for a specified time not to exceed one (1) year and may extend the period of leave if it would be in the best interests of the City to do so. Any appointment made to a position vacated temporarily by an employee on leave without pay shall be conditional upon the return of the employee on leave.

Leave without pay shall be subject to the following provisions:

1. At the expiration of leave without pay, the employee shall return to the classification held prior to the leave.
2. Vacation credits shall not be earned during leave without pay.
3. A leave without pay shall not constitute a break in service, but time off will not be credited towards retirement (or merit increases if in excess of thirty (30) calendar days).
4. Leave without pay for more than thirty (30) days during the probationary period shall not be counted as part of that period, but the employee to whom such leave has been granted shall be allowed to complete his probationary period on his return from leave.
5. Failure to report promptly at the expiration of a leave of absence shall be considered a resignation.
6. A formal request shall be submitted to the Mayor through the Fire Department when a leave without pay is desired.
7. For a leave in excess of thirty (30) calendar days, the employee shall be responsible for the full payments necessary to continue any benefits. Such payments shall be made in advance and arrangements be made through the Finance Director.

ARTICLE 18

INSURANCE

Section 1 - Health Insurance

The City shall maintain a group health insurance plan for eligible employees with the City paying the entire accrual rate established by the plan administrator except for the amount specified as the employee contributions.

EMPLOYEE CONTRIBUTION FOR HEALTH INSURANCE

Effective July 1, 2020 2025	Effective July 1, 2021 2026	Effective July 1, 2022 2027
All levels of coverage 10% Accrual Rate in effect 6-30- 2020 2025	All levels of coverage 10% Accrual Rate in effect 6-30- 2021 2026	All levels of coverage 10% Accrual Rate in effect 6-30- 2022 2027

The accrual rate will remain 10% through the end of this contract on June 30, 2028

The out-of-pocket maximum on health insurance shall be \$1,250/\$2,500.

All other health benefits shall be paid in accordance with the Comprehensive Medical Benefits plan. An overview of medical benefits is provided in Appendix E.

Before any new group health insurance plan is implemented, proposals based on essentially equivalent specifications are to be secured. Specifications are to be set by the City. The Union may participate with the City in establishing the specifications.

If an employee or his/her dependents do not enroll in the City provided health plan at the time of appointment, or if coverage is terminated by the employee, subsequent enrollment or re-enrollment may be denied by the health insurance carrier on the basis of underwriting policy. The terms of any contract or policy issued by an insurance carrier shall be controlling in all matters pertaining to benefits there under.

A prescription drug card will be provided under the health plan with the following co-payments:

- a. \$ 0.00 co-payment for a 30-day generic prescription (tier 1)
- b. \$15.00 co-payment for a 30-day preferred brand prescription (tier 2)
- c. \$ 30.00 co-payment for a 30-day non-preferred brand prescription (tier 3)
- d. Specialty drugs will be provided through the drug card program with an \$85 co-payment for a 30 day prescription.
- e. Employees purchasing prescription drugs through the mail order program will pay the applicable co-payment listed above multiplied by 2 for a 90-day supply.

Section 2 - Life Insurance

All eligible employees shall receive after thirty (30) days of employment, a \$50,000 Double Indemnity Life Insurance policy carried by and through the City.

Section 3 - Dental Insurance

The City shall maintain a group dental insurance plan and shall pay 100% of the premium cost for employee and dependent coverage.

Specifications are to be set by the City. The union may participate with the City in establishing the specifications. The terms of any contract or policy issued or administered by the insurance carrier shall be controlling in all matters pertaining to benefits there under. If an employee or his dependents do not enroll in the City provided dental plan at the time it is offered or the time of appointment, or if coverage is terminated by the employee, subsequent enrollment or re-enrollment may be denied by the dental carrier on the basis of underwriting policy.

Section 4 - Eye Care

The City shall maintain a group eye care plan and shall pay 100% of the premium cost for employee or family coverage. Specifications are to be set by the City. The union may participate with the City in establishing the specifications. The terms of any contract or policy issued or administered by the insurance carrier shall be controlling in all matters pertaining to benefits there under.

Section 5 - Benefits Committee

The City agrees to form a Public Safety Benefits Committee that shall be comprised of two (2) members from the Fire Union, two (2) members from the Police Union, and the Director of Human Resources, whose purpose will be to evaluate and analyze various available health insurance (medical, dental, vision, and life insurance, and prescription drugs) options. The Benefits Committee will meet during the second or third week of January to review proposals and recommendations on an annual basis. The Committee will meet again to make a decision before the end of February. Benefits will remain unchanged unless a consensus is reached among the committee members to make a change.

The Public Safety Benefits Committee may designate a person to attend the IGHCP annual board meeting along with the Director of Human Resources. That person, if scheduled to be on duty, will be given time off to attend the one-day annual IGHCP meeting.

ARTICLE 19

PHYSICAL EXAMS

The City shall schedule physical examinations for approximately 1/2 of all firefighting personnel annually. Physicals shall include items prescribed by physicians designated by the City plus items that are mutually agreed upon by Union/Management.

Results of these physical exams shall be reported to the Fire Chief by the City physician in accordance with current edition of NFPA 1582, Standard on Medical Requirements for Firefighters and Information for Fire Department Physicians.

The City shall review the pricing and services at least every five (5) years, utilizing the City's policies and procedures for purchasing of services.

ARTICLE 20

RATES OF PAY

Section 1. Acting Pay

An employee who is required to act in a position within the bargaining unit with a higher pay range than the position ~~he~~ **they** normally holds (engineer, captain), shall be paid at the employee's current pay step in the pay grade established for the higher level position. Such employee shall be paid for all hours worked in the acting position. In the event that the employee's current pay step does not correspond to a rate in the higher grade, the employee shall be paid at the lowest hourly rate established for the position. Calculation of the hourly rate for employees working a 40 hour work week shall be the bi-weekly rate established in the contract divided by 80.

Section 2. Acting pay for Assignments to the Assistant Fire Chief Position

An employee who is required to act as an Assistant Fire Chief shall be paid at the applicable hourly rate corresponding to the Fire Supervisory pay plan Grade 07, Step 1 for 56 hour employees and Grade 08, Step 1 for 40 hour employees for all hours worked.

The hourly rate for employees acting as a line Asst. Fire Chief (56 hour work week) shall be calculated as the bi-weekly wage established in the pay plan divided by 112.

Section 3. Calculation of bi-weekly Pay

For paycheck calculation purposes, the employee's annual pay shall be divided by 26.1 for each of the bi-weekly pay periods.

Section 4. Additional Pay for employees with special certifications

Employees in the rank of fire fighter, engineer, or captain who are certified by the state of Iowa as an EMT, AEMT, or paramedic will be paid in accordance with the attached pay scale subject to the following provisions:

1. Employees must submit proof of these certifications to the Fire Chief. The pay increase related to the certification will be effective on the beginning date of the next following FLSA 28 day period.
2. Employees who receive pay for these certifications must be willing and able to perform work that utilizes these additional skills, including overtime working assignments.
3. An employee will not receive the additional pay associated with EMT, AEMT or paramedic certifications in the following circumstances:
 - A. The employee does not maintain the necessary skills and certification required.
 - B. The medical director has determined that the employee's performance is not adequate.
 - C. The employee no longer desires to be used in the EMT, AEMT, or paramedic capacity.

Section 5. Additional Pay for Employees Assigned to Hazmat Team

The provisions in this section are contingent on the establishment and existence of a regional hazmat team. The payment described below shall become effective on the first full pay period following the execution and initial payment of the regional hazmat contract that calls for service from the Council Bluffs Fire Department.

Employees officially designated as part of the Fire Department hazmat team shall be a stipend of \$500.00 per year. Such payment shall be made on a bi-weekly basis.

Section 6 – Squad Stipend

All personnel serving on a medic unit as the driver or Paramedic Specialist shall receive a stipend of 5% of an employee's base salary per hour.

Section 7 – Senior Firefighter Stipend

Employees in the ranks of Firefighter and Firefighter/Paramedic will be paid a stipend of \$1,000.00 per year to be paid on a biweekly basis starting the first pay period after reaching 22 years' employment.

Section 8 - Bilingual Pay

Employees who are bilingual in either (1) English and Spanish, or (2) English and American Sign Language will be compensated at the rate of \$25.00 biweekly provided that the employee is serving the department in that capacity. To be considered bilingual, the employee must be able to communicate easily and naturally in both languages with equal or nearly-equal fluency.

ARTICLE 21

LONGEVITY

In addition to the approved pay plan, eligible employees shall receive longevity pay according to the following schedule:

After five (5) years continuous service	\$20.00 bi-weekly
After ten (10) years continuous service	\$30.00 bi-weekly
After fourteen (14) years continuous service	\$40.00 bi-weekly
After eighteen (18) years continuous service	\$50.00 bi-weekly
After twenty-two (22) years continuous service	\$60.00 bi-weekly
After twenty-six (26) years continuous service	\$70.00 bi-weekly

ARTICLE 22

UNIFORMS

The City will provide each new firefighter with the required firefighter uniform. The uniform shall consist of the following:

Jacket - (1)	Stocking cap (1)
Jacket liner - (1)	Belt - (1)
Long sleeve shirts - (3)	Tie - (1)
Short sleeve shirts - (3)	Short sleeve coveralls - (1)
Work pants - (3)	Long sleeve coveralls - (1)
Pair of socks - (3)	Required patches, badge, insignias,
Pair of shoes - (1)	Braids
Job Shirt - (1)	Class A Uniform (1)
Sweatshirts - (3)	Any other required items
T-shirts - (3)	

Replacement of the above equipment will be by the City upon the Chief's determination of need.

The City will contribute \$100 per year to each employee toward the cost of uniform maintenance, which shall be paid on the last payday in July.

The City agrees to purchase Class 'A' Uniforms for ~~all employees. up to 30 employees per year from July 1, 2017 through June 30, 2020.~~ Said uniforms must be American and/or union made. Once the

Class A uniform is issued, the employee shall be responsible for all maintenance and alterations to the Class A uniform. For any employees currently making payments on Class A uniforms, such payments will cease effective July 1, 2025.

All employees hired on or after July 1, 2017, will be required to purchase a Class 'A' Uniform within two (2) years of their hire date. The City will set up an option for these employees to pay for the Class 'A' uniform via payroll deduction for up to 12 months.

The City will provide the badge and hat device for the Class A uniform.

The Union will purchase the custom buttons and patch for dues paying members.

Employees being paid as an EMT-P shall be reimbursed by the City up to \$100 every two (2) years toward the purchase of a stethoscope for use on the job.

The employee shall be responsible for cleaning and making minor repairs. Upon leaving employment with the City, the employee shall be required to turn in all uniform items provided by the City.

The City shall also furnish and replace eye glass brackets for S.C.B.A. masks, bunker gear, helmets, boots and gloves. Employees may be reimbursed for approved claims in an amount determined by the Fire Chief for the repair or replacement of personal property damaged in the performance of duty, such as eyeglasses, watches, watchbands, flashlights, etc.

ARTICLE 23

SEVERANCE

Upon termination, eligible employees shall be paid severance pay in the following amounts based on the employee's regular hourly rate of pay in effect at the date of termination, provided that employees who voluntarily resign or are discharged for cause shall not be eligible for this benefit. In the case of a service retirement, employees shall be required to provide two weeks written notice prior to the effective date of the termination to be eligible for severance. Employees hired on or after July 1, 2017, will not be eligible for severance pay if they voluntarily resign, are discharged for cause, or choose a service retirement.

	(For 56 Hour Employee)	(For 40 Hour Employee)
<u>YEARS OF SERVICE</u>	<u># HOURS PAID</u>	<u># HOURS PAID</u>
More than five (5) and less than ten (10)	112 hours	80 hours
More than ten (10) and less than fifteen (15)	168 hours	120 hours
More than fifteen (15)	224 hours	160 hours

ARTICLE 24

SETTLEMENT OF DISPUTES

Section 1 - Definition

A grievance shall be defined as a dispute or disagreement raised by an employee or by the union involving the interpretation or application of the specific provisions of this agreement. It is specifically understood that any matter governed by the Civil Service Commission or Civil Service statutory provisions shall not be subject to the grievance procedure herein.

The employee shall have the right to union representation at all steps of the grievance procedure.

Section 2 - Procedure (reference to "days" shall mean calendar days)

Step 1 An employee ~~or the Local, with or without a representative from the union,~~ who has a grievance shall present ~~his~~ grievance in writing to his supervisor within fourteen (14) days of the occurrence or the date on which it first became known to the employee. The supervisor shall respond within fourteen (14) days in writing.

Step 2 Within ten (10) days after the decision in Step 1, or if no timely decision has been made, the ~~Local~~ ~~or the~~ employee shall then present the written grievance to the Fire Chief. The Chief, or ~~his~~ designated representative, shall respond in writing ten (10) days.

Step 3 Within ten (10) days after the decision in Step 2, or if no timely decision has been made, the ~~Local~~ ~~or the~~ employee shall then present the written grievance to the Mayor. The Mayor, or their designated representative, shall respond in writing within ten (10) days.

Step 4 Should the response of the Mayor not be satisfactory, the ~~Local or the~~ employee shall, within ten (10) days of the date that the Mayor's response was due, present a written request for arbitration to the Mayor. The parties shall promptly meet to agree on an arbitrator.

Step 5 Should the parties fail to agree, they will jointly request that the Iowa Public Employment Relations Board submit to the parties a list of seven (7) arbitrators, and by alternately striking names (a coin toss shall determine who shall strike the first name) an arbitrator will be selected.

Step 6 Expenses for the arbitrator's services and the proceedings, excluding transcript costs, shall be borne equally by the employer and the Union and/or employee. Each party shall be responsible for compensation to its own representatives and witnesses. If either party desires a transcript, it shall be at that party's expense.

Step 7 Failure by an employee and/or the Union to comply with the time limitation set out in Step 1 of the grievance procedure shall be a bar to the filing of any grievance.

Section 3 - Authority of Arbitrator

The arbitrator shall have no power to add to, subtract from, or change the terms of this agreement. The written decision of the arbitrator resulting from any arbitration of grievances hereunder shall be final and binding upon the parties.

The arbitrator shall limit his decision strictly to the grievances submitted to him which have been properly processed through the grievance procedure outlined in this article.

All time limits contained in this article may be extended by mutual agreement.

ARTICLE 25

PRINTING OF CONTRACT

The City and Union will sign off on two master copies of the labor agreement. Each party will keep a master contract from which copies can be printed and distributed as each party sees fit. The City shall make a copy of the contract available on the City's web site.

ARTICLE 26

UNION MANAGEMENT COMMITTEE

At the request of either party, a committee comprised of up to four (4) representatives of the employer (including the Chief) and four (4) representatives of the Union (including the President) shall meet at a mutually agreeable time to discuss procedures for avoiding future grievances, and to discuss health and safety matters in the Fire Department. In addition, the committee may discuss other issues which would improve the relationship between the parties. However, no items shall be discussed that have not been pursued through the proper chain of command and/or through the proper department procedure.

ARTICLE 27

PERFORMANCE EVALUATION

Before the employer implements a formal performance evaluation, it is agreed that the Union will be offered an opportunity to negotiate regarding procedures for such a system to the extent provided under Chapter 20.9.

ARTICLE 28

PERFORMANCE STANDARDS

Recognizing the wage and benefit increases provided for in this agreement are of substantial nature, the Union hereby pledges for itself and all its members, the employees of the City, that they will perform their work effectively and efficiently to the best of their ability, and will cooperate in the introduction of

purpose of better and more effective operation to the end that the City Fire Department may increase the quality and efficiency of operation. It is further recognized that all articles of this agreement will remain contingent upon performance standards or norms that may be established and/or revised, notwithstanding the existence of prior performance levels, norms or standards and that such standards shall be developed by usual work measurement procedures and may be used to determine acceptable performance levels, prepare work schedules and to measure the performance of each employee or group of employees, and those employees who work at less than acceptable levels of performance may be subject to disciplinary measures in accordance with City and departmental rules and regulations.

ARTICLE 29

JOB CLASSIFICATION

For the term of this contract, the City agrees that it will make no change in the job classifications which will have the effect of reducing the wages or fringe benefits of any employee whose basic duties are not substantially changed.

ARTICLE 30

SAVINGS CLAUSE

If any provision of this Agreement, or the application of such provision, shall be rendered or declared invalid by any court action or by any reason of an existing or subsequently enacted legislation, the remaining parts of this Agreement shall remain in full force and effect.

ARTICLE 31

WAGES

Effective 07/01/2025, employees will be paid in accordance with the pay plan as shown in Appendix A of the contract, which reflects an increase of 4.4%.

Employees assigned to a position that requires them to work a forty (40) hour per week work schedule shall be paid at a rate 5% higher than the base pay for their pay grade and pay step.

ARTICLE 32

CLARIFICATION OF NEGOTIATED LANGUAGE

In the event a dispute arises between the parties regarding the intent of language negotiated at the bargaining table, both parties agree that the Mayor or his/her designated representative and the appropriate union officials will meet to work out clarification, within seven (7) days of the date either party contacts the other of its desire to achieve a letter of clarification.

ARTICLE 33

DRUG TESTING

The employer shall have the right to conduct drug testing consistent with state and federal laws.

ARTICLE 34

TRANSFER PRIVILEGES

Employees will have the opportunity to request a transfer to a shift position vacated due to separation from employment, transfer to a 40-hour position, or promotion. The request must be in writing within the fourteen (14) day posting period and shall state the shift, station and apparatus assignment the employee requests to be assigned to.

Two (2) subsequent openings caused by awarding a requested transfer to an open position will also be posted but no more than three (3) openings will be posted per separation, transfer, or promotion. The position will be posted in each station for a period of fourteen (14) calendar days and will state the shift, station, and apparatus vacancy. If two (2) or more employees apply for the same opening, selection will be made by greatest time in rank of employees who first meet any required special certifications or training for the position. Once the open position is filled, all remaining transfer requests related to that position shall be invalid.

Any employee's request for a transfer may be denied based on the position requiring a special certification or training. Examples of special certifications or training would include but not limited to Paramedic (PM), hazmat technician, and specialized rescue training or certification.

Vacant positions may be temporarily filled by the Fire Chief by transfer or reassignment of personnel with least time in rank until the open position is posted and bid upon, including those transfers needed to equally distribute employees between the three (3) shifts.

Vacant forty hour Captain, Engineer, and Firefighter positions will be posted for employees to express, in writing, an interest in the position. The Fire Chief will give consideration to employees requesting a transfer to a forty-hour position, but reserves the right to place employees in the position other than those requesting a transfer, if the employee does not meet the requirements listed on the posting. If a forty-hour position needs to be filled and no request is received, personnel with the least time in rank shall be involuntarily transferred to that position for no longer than one (1) year. The involuntary transfer will be limited to personnel who have not previously worked in the position.

If the Chief is unable to grant a transfer request he shall provide the employee with a written reason explaining why the transfer is denied.

Involuntary transfers for all ranks shall be based on qualifications and least time in rank regardless of whether the member has bid into their position or not. Bid positions are not immune from movement as shown in example in number 4 below.

Examples of reasons where a transfer request might not be approved include, but are not limited to:

1. Any employee's request for a transfer may be denied based on the position requiring a special certification or training. Examples of special certifications or training would include but not limited to Paramedic (PM), haz mat technician, and specialized rescue training or certification
2. To implement staffing changes related to squad rotations and to meet ALS staffing requirements for day to day operations.
3. To separate relatives desiring to work in the same station and/or apparatus.
4. Where in order for a member to be awarded a bid request, there is not an equally qualified employee with less seniority available to move into the bidding employee's position. Voluntary and involuntary forced movement will not occur to any employee senior to the employee requesting the transfer, provided they are in the same rank. However, a higher ranked employee with less seniority may displace a lesser ranked employee with more seniority through the bid process. An approved bid request may result in an employee being displaced from a previous bid position where the employee has less seniority, in order to satisfy the senior employee's bidding request.

ARTICLE 35

POST EMPLOYMENT HEALTH PLAN

The City shall maintain a Post-Employment Health Plan (PEHP) for employees through the City's plan provider. The City contribution to this plan shall be \$40.00 per month.

Effective 07/01/2023, employees who complete the Wellness Fitness Assessment (WFA), see Article 37, will have an additional \$10.00 per month contributed to the PEHP. It is the responsibility of the Fire Department to provide the City of Council Bluffs a list of employees who complete the WFA by June 30 of each year.

ARTICLE 36

ON-THE-JOB INJURY OR ILLNESS

An employee whose on-the-job illness or injury renders them unable to perform their regular duties may be assigned to a temporary alternative duty assignment if such assignment can be safely performed within the employee's limitations. The City reserves the right to change an employee's regular work schedule to accommodate a temporary alternative duty assignment.

The procedures for administering alternative duty assignments are contained in the Fire Department's SOP manual; SOP #119. No changes will be made to this SOP without mutual agreement by the Fire Department and the Union.

In the event an employee is deployed on an Urban Search and Rescue (USAR) mission or call out and suffers an accidental injury or illness in the course of performing functions in the scope of that deployment, it is understood that said employee is an agent of the City of Council Bluffs, IA while under orders for said deployment.

ARTICLE 37

WELLNESS FITNESS ASSESSMENT (WFA)

The WFA offered to the employees on a voluntary basis, and mandatory for return to work as spelled out in the SOP covered by this agreement shall be done in accordance with this article and Fire Department Standard Operating Procedure #309 "Wellness Fitness Assessment". No revisions to SOP #309 shall be made without both parties to this agreement signing off approving any revision.

ARTICLE 38

ON CALL COMPENSATION

Section 1. Employees who accept an assignment to a specialty position understand that they may be placed on an availability list for call outs. Employees who are placed on an availability list, and can decline to report for unscheduled work, are not considered "on call" and will not receive any additional compensation. However if an employee assigned to a specialty position works an unscheduled work assignment, they will be compensated for the actual work time at a rate of One and One-half (1 ½) times their ^{base} regular hourly rate for all the time actually worked, and shall be guaranteed a minimum of Two and One-half (2 ½) hours of overtime pay.

Section 2. Employees who are directed by their command staff to be available for, and capable of responding to, an on-call assignment within a specific period of time shall be compensated at the rate of one (1) hour of straight time pay per day for weekday assignments and two (2) hours of straight time pay per day for weekends and holidays. If an employee is required to return to work while on call, they will be compensated for the actual work time at a rate of one and one-half (1 ½) times their ^{regular} hourly rate, and shall be guaranteed a ^{base} minimum of two and one-half (2 ½) hours of overtime pay.

-ARTICLE 39

LENGTH OF AGREEMENT

A three-year contract (3) with only base hourly wages open to negotiation for FY 27 and FY28.

APPENDIX A

Effective July 1, 2025

56 HOUR

Grade 01	EMTB	Step	Annual	Hourly	OT
	Entry	4	\$ 61,708.91	\$ 22.3050	\$ 33.4574
	6 months	5	\$ 63,868.89	\$ 23.0857	\$ 34.6285
	1 year	6	\$ 66,104.89	\$ 23.8939	\$ 35.8409
	2 years	7	\$ 70,469.81	\$ 25.4716	\$ 38.2074
	3 years	8	\$ 72,937.97	\$ 26.3637	\$ 39.5456
	4 years	9	\$ 75,489.78	\$ 27.2861	\$ 40.9291
	5 years	10	\$ 78,132.61	\$ 28.2413	\$ 42.3620
	6 years	11	\$ 81,021.76	\$ 29.2857	\$ 43.9285
	10 years	14	\$ 82,641.67	\$ 29.8712	\$ 44.8069
	14 years	16	\$ 83,881.20	\$ 30.3192	\$ 45.4788

Grade 02	EMTP	Step	Annual	Hourly	OT
	Entry	5	\$ 63,868.89	\$ 23.0857	\$ 34.6285
	6 months	6	\$ 66,104.89	\$ 23.8939	\$ 35.8409
	1 year	7	\$ 70,469.81	\$ 25.4716	\$ 38.2074
	2 years	8	\$ 72,937.97	\$ 26.3637	\$ 39.5456
	3 years	9	\$ 75,489.78	\$ 27.2861	\$ 40.9291
	4 years	10	\$ 78,132.61	\$ 28.2413	\$ 42.3620
	5 years	11	\$ 81,021.76	\$ 29.2857	\$ 43.9285
	6 years	12	\$ 83,856.95	\$ 30.3105	\$ 45.4657
	10 years	15	\$ 85,534.37	\$ 30.9168	\$ 46.3752
	14 years	17	\$ 86,817.21	\$ 31.3804	\$ 47.0707

Grade 03	EMTB	EMTP	Step	Annual	Hourly	OT
	1 year	6 months	6	\$ 71,074.18	\$ 25.6901	\$ 38.5352
	2 years	1 year	7	\$ 75,767.72	\$ 27.3866	\$ 41.0799
	3 years	2 years	8	\$ 78,420.35	\$ 28.3454	\$ 42.5182
	4 years	3 years	9	\$ 81,165.35	\$ 29.3375	\$ 44.0063
	5 years	4 years	10	\$ 84,006.27	\$ 30.3644	\$ 45.5466
	6 years	5 years	11	\$ 87,111.50	\$ 31.4868	\$ 47.2302
	N/A	6 years	12	\$ 90,161.15	\$ 32.5892	\$ 48.8838
	10 years	N/A	14	\$ 88,854.85	\$ 32.1170	\$ 48.1755
	N/A	10 years	15	\$ 91,964.16	\$ 33.2409	\$ 49.8613
	14 years	N/A	16	\$ 90,187.57	\$ 32.5987	\$ 48.8980
	N/A	14 years	17	\$ 93,343.20	\$ 33.7394	\$ 50.6090

Grade 05	EMTB	EMTP	Step	Annual	Hourly	OT
	1 year	6 months	6	\$ 78,029.89	\$ 28.2043	\$ 42.3064
	2 years	1 year	7	\$ 83,183.10	\$ 30.0669	\$ 45.1003
	3 years	2 years	8	\$ 86,095.68	\$ 31.1197	\$ 46.6795
	4 years	3 years	9	\$ 89,108.80	\$ 32.2088	\$ 48.3131
	5 years	4 years	10	\$ 92,228.20	\$ 33.3363	\$ 50.0044
	6 years	5 years	11	\$ 95,638.34	\$ 34.5689	\$ 51.8534
	N/A	6 years			\$ 35.7789	\$ 53.6684
	10 years	N/A			\$ 35.2603	\$ 52.8904
	N/A	10 years			\$ 36.4945	\$ 54.7417
	14 years	N/A			\$ 35.7892	\$ 53.6837
	N/A	14 years			\$ 37.0419	\$ 55.5628

40 HOUR

Grade 01	EMTB	Step	Annual	Hourly	OT
	Entry	4	\$ 64,794.78	\$ 31.0320	\$ 46.5479
	6 months	5	\$ 67,063.22	\$ 32.1185	\$ 48.1777
	1 year	6	\$ 69,409.58	\$ 33.2421	\$ 49.8632
	2 years	7	\$ 73,993.30	\$ 35.4374	\$ 53.1561
	3 years	8	\$ 76,584.08	\$ 36.6782	\$ 55.0173
	4 years	9	\$ 79,263.96	\$ 37.9617	\$ 56.9426
	5 years	10	\$ 82,038.94	\$ 39.2906	\$ 58.9359
	6 years	11	\$ 85,072.23	\$ 40.7435	\$ 61.1152
	10 years	14	\$ 86,773.62	\$ 41.5582	\$ 62.3373
	14 years	16	\$ 88,075.00	\$ 42.1816	\$ 63.2724

Grade 02	EMTP	Step	Annual	Hourly	OT
	Entry	5	\$ 67,063.22	\$ 32.1185	\$ 48.1777
	6 months	6	\$ 69,409.58	\$ 33.2421	\$ 49.8632
	1 year	7	\$ 73,993.30	\$ 35.4374	\$ 53.1561
	2 years	8	\$ 76,584.08	\$ 36.6782	\$ 55.0173
	3 years	9	\$ 79,263.96	\$ 37.9617	\$ 56.9426
	4 years	10	\$ 82,038.94	\$ 39.2906	\$ 58.9359
	5 years	11	\$ 85,072.23	\$ 40.7435	\$ 61.1152
	6 years	12	\$ 88,049.94	\$ 42.1696	\$ 63.2543
	10 years	15	\$ 89,811.27	\$ 43.0131	\$ 64.5197
	14 years	17	\$ 91,158.44	\$ 43.6582	\$ 65.4873

Grade 03	EMTB	EMTP	Step	Annual	Hourly	OT
	1 year	6 months	6	\$ 74,627.65	\$ 35.7412	\$ 53.6119
	2 years	1 year	7	\$ 79,556.34	\$ 38.1017	\$ 57.1526
	3 years	2 years	8	\$ 82,341.94	\$ 39.4357	\$ 59.1536
	4 years	3 years	9	\$ 85,223.46	\$ 40.8158	\$ 61.2237
	5 years	4 years	10	\$ 88,206.61	\$ 42.2445	\$ 63.3668
	6 years	5 years	11	\$ 91,467.70	\$ 43.8063	\$ 65.7095
	N/A	6 years	12	\$ 94,668.57	\$ 45.3394	\$ 68.0090
	10 years	N/A	14	\$ 93,297.98	\$ 44.6829	\$ 67.0243
	N/A	10 years	15	\$ 96,562.34	\$ 46.2463	\$ 69.3694
	14 years	N/A	16	\$ 94,697.45	\$ 45.3531	\$ 68.0297
	N/A	14 years	17	\$ 98,010.58	\$ 46.9399	\$ 70.4099

Grade 05	EMTB	EMTP	Step	Annual	Hourly	OT
	1 year	6 months	6	\$ 81,931.86	\$ 39.2394	\$ 58.8590
	2 years	1 year	7	\$ 87,342.29	\$ 41.8306	\$ 62.7459
	3 years	2 years	8	\$ 90,400.93	\$ 43.2954	\$ 64.9431
	4 years	3 years	9	\$ 93,565.01	\$ 44.8109	\$ 67.2163
	5 years	4 years	10	\$ 96,839.73	\$ 46.3792	\$ 69.5688
	6 years	5 years	11	\$ 100,419.61	\$ 48.0936	\$ 72.1405
	N/A	6 years			\$ 49.7776	\$ 74.6664
	10 years	N/A			\$ 49.0560	\$ 73.5840
	N/A	10 years			\$ 50.7733	\$ 76.1599
	14 years	N/A			\$ 49.7918	\$ 74.6877
	N/A	14 years			\$ 51.5349	\$ 77.3023

APPENDIX B – FLSA Explanation

APPENDIX C

City Personnel Policy 502

Educational Assistance

APPENDIX D – Medical benefit overview

APPENDIX E – Life insurance overview

AGREEMENT BETWEEN THE
COUNCIL BLUFFS ASSOCIATION OF PROFESSIONAL
FIREFIGHTERS LOCAL 15
AND THE
CITY OF COUNCIL BLUFFS

July 1, 2025 through June 30, 2028

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PREAMBLE

WHEREAS, The City of Council Bluffs, by authorization of the laws of the State of Iowa, is a municipal corporation, and

WHEREAS, The Union and the City ascribe to and recognize that the mission and purpose of the City of Council Bluffs is to provide quality and economic municipal services to the citizens we serve.

THEREFORE

This contract is entered into as of July 1, 2025 between the City of Council Bluffs, hereinafter referred to as the City, and the Council Bluffs Association of Professional Firefighters, Local 15, hereinafter referred to as the Union.

It is the intent and purpose of this contract to assure sound and mutually beneficial working and economic relations between the parties hereto, to provide an orderly and peaceful means of resolving any misunderstandings or differences which may arise, and to set forth herein the basic and full agreement between the parties concerning rates of pay, wages, hours of employment, and other conditions of employment.

Nothing in this contract shall be construed as waiving rights that have historically, traditionally, and by past practice been enjoyed by sworn firefighters in regard to matters which are mandatory subjects of bargaining, with the understanding that none will interfere with the performance of duties.

ARTICLE 1

RECOGNITION

The City recognizes the Union as the exclusive bargaining representative for public employees within the following unit:

Permanent, full-time members of the Fire Department, excluding Fire Chief, Assistant Fire Chiefs, civilian employees, casual employees, temporary employees, and those employees identified under the provisions of Section 4 of the Public Employment Relations Act and PERB Case Number 218 in 1975.

ARTICLE 2

UNION ACTIVITY

Section 1 – There shall be no discrimination, interference, restraints, or coercion by the employer against any employee for their activity on behalf of the members of the bargaining unit, or membership in the Union, nor will the City encourage membership in another union.

Section 2 – The Union recognizes its responsibility as the exclusive bargaining agent and agrees to represent all employees in the bargaining unit without discrimination, interference, restraint, or coercion.

ARTICLE 3

MANAGEMENT RIGHTS

Except where limited by express provisions elsewhere in this agreement, nothing in this agreement shall be construed to restrict, limit, or impair the rights, powers, and the authority of the City as granted to it under the laws of the State of Iowa and the City's ordinances. These rights, powers, and authority include, but are not limited to, the following:

1. Union recognizes the prerogative of the City to operate and manage its affairs in all respects in accordance with its responsibilities and the powers or authority which the City has not officially abridged, delegated, or modified by this agreement are retained by the City.
2. The Union recognizes the exclusive right of the City to establish reasonable work rules, except as limited by or is in conflict with this agreement.
3. The City has the right to schedule overtime work as required in a manner most advantageous to the City and consistent with the requirement of municipal employment and the public interest, as long as such scheduling complies with FLSA and is consistent with the specific provisions of this contract.

4. It is understood by the parties that every incidental duty connected with operations enumerated in job descriptions is not always specifically described. Nevertheless, it is intended that all such duties be performed by the employee.
5. The City reserves the right to discipline or discharge for proper cause.
6. The City reserves the right to lay off for lack of work or funds, or the occurrence of conditions beyond the control of the City or where such continuation of work would be wasteful or unproductive.
7. City shall have the right to determine reasonable schedules of work and to establish the methods and processes by which such work is performed, consistent with the FLSA and this agreement.
8. The Union recognizes that the City has statutory rights and obligations in contracting for matters relating to municipal operations. The right of contracting is vested by the City.
9. The right to contract or subcontract shall not be used for the purpose or intention of undermining the Union nor to discriminate against any of its members.
10. The City retains the right to classify jobs and to allocate individual employees to appropriate classifications based upon duty assignments. The City will not abolish or change any bargaining unit classifications for the purpose of depriving the bargaining unit employees of their benefits under this contract.
11. The location, establishment and organization of new departments, divisions, subdivisions, or facilities thereof, and the relocation of departments, divisions, subdivisions, locations and the closing and discontinuance of same are rights vested in the City.
12. The City shall have the right to establish, implement, change, modify, adjust and discontinue any process, technique, method, means of providing public service or distribution of the same and the type of machinery or equipment to be used or operated by the City or any contractor or subcontractor.
13. The City shall have the right to adopt, modify, change, enforce, or discontinue any existing rules, regulations, procedures, and policies which are not in direct conflict with any provision of the agreement.
14. The City shall have the right to create, establish, change, modify, and discontinue any City function, operation and department.

15. The City reserves the right to establish, implement, modify and change financial policies, accounting procedures, prices of goods or services, public relations, and procedures and policies for the safety, health and protection of City property and personnel.
16. The City reserves the right to determine, establish, set, and implement policies for the selection, training, and promotion of employees, consistent with the provisions in this agreement.
17. The right to determine, effectuate, and implement the objectives and goals of the City vests in the City.

ARTICLE 4

HOURS

1. The work schedule is a regular reoccurring cycle of nine (9) consecutive twenty-four (24) hour periods. It may begin on any day of the week and need not be the same for all shifts and all employees. Once established, an employee's work cycle may not be changed unless the change is intended to be permanent, except as otherwise provided in Section 7 of this article.
2. Hours worked include all time any employee is required to be on duty or on the employer's premises, or at a prescribed workplace and all time during which he is required to work.
3. Twenty-four (24) consecutive hours on duty shall constitute a duty tour. Employees scheduled to work on a regular duty tour shall have a regular starting and quitting time.
4. Twenty-four (24) hour tours of duty commencing at:

7:00 a.m. – 7:00 a.m. Day one – shift one works
7:00 a.m. – 7:00 a.m. Day two – shift one off duty
7:00 a.m. – 7:00 a.m. Day three – shift one works
7:00 a.m. – 7:00 a.m. Day four – shift one off duty
7:00 a.m. – 7:00 a.m. Day five – shift one works
7:00 a.m. – 7:00 a.m. Day six – shift one off duty
7:00 a.m. – 7:00 a.m. Day seven – shift one off duty
7:00 a.m. – 7:00 a.m. Day eight – shift one off duty
7:00 a.m. – 7:00 a.m. Day nine – shift one off duty

Repeating schedule, averages 56 hours a week over the year.

5. The work schedule for employees assigned to a forty (40) hour work week shall be established by the Fire Chief. A 30-minute paid, working lunch period shall be established at the Chief's discretion.
6. For employees assigned to the 24-hour workday, the employee's hourly rate of pay for purposes of overtime compensation and the calculation of benefits paid on an hourly basis shall be computed by dividing the bi-weekly wage by 106. The City's hourly rate of pay for employees working a forty (40) hour per week work schedule shall be computed based on a forty (40) hour work week.
7. One firefighter (with least seniority) shall be assigned to the position of roving firefighter. This position has the duties and responsibilities of a firefighter and is differentiated by the work hours assigned. A firefighter assigned to the roving position shall not have a permanent work cycle, but said schedule shall be assigned by the Fire Chief or their designated representative. Shift changes shall be presented to the roving firefighter five days prior to assignment. The rover assignment will continue for as long as the number of positions assigned to the firefighter rank is not evenly divisible by three (3).

ARTICLE 5

OVERTIME

The parties recognize the overtime standards of the FLSA are different from this contractual provision. Examples of how the FLSA is applied to Fire Union employees is contained in Appendix B of this contract.

Both Same Day Overtime and Prior Notice Overtime will be issued in accordance with Council Bluffs Fire Department Standard Operating Procedure (SOP) #114. See Appendix C.

ARTICLE 6

ACCESS TO RECORDS

Employees shall have access to their own personnel records upon request during normal City Hall working hours.

ARTICLE 7

SENIORITY

The seniority of employees covered by this agreement is set forth under the provisions of Section 400.12 of the Iowa Code.

ARTICLE 8

BULLETIN BOARDS

The City agrees to provide space in the firehouse and administration building for Union bulletin boards which shall be properly maintained by the Union and used for the following notices:

- Union Meetings
- Union Elections
- Reports of Union Committees
- Rulings or policies of the International Union
- Recreational and Social Affairs of the Union

The Union agrees that there shall be no other general distribution or posting by the Union or employees upon City property provided, however, the Fire Chief may permit other material not provided for above at his discretion to be posted or distributed. The material posted shall not contain anything political, or anything reflecting upon the City, any of its employees, or any other labor organization of City employees.

ARTICLE 9

WORK STOPPAGES

Section 1.

The Union agrees that neither it nor any of its officers or agents will instigate, condone, authorize, or participate in any work stoppage, strike, slowdown, picketing, boycott, limitation of production or any other action which will interrupt or interfere with the operations of the City.

Section 2.

The City agrees that it will not engage in any lockout of its employees as a result of a labor dispute with the Union.

Section 3.

In the event an employee or employees covered by this agreement cause, instigate, or participate in any work stoppage, strike, slowdown, picketing, boycott, or any other action of the City, the Union agrees that it shall take immediate affirmative steps with the employee or employees involved to bring about an immediate resumption of normal operations of the City.

ARTICLE 10

EDUCATIONAL BENEFIT

Section 1 – College Incentive Pay

For employees hired on or before June 30, 1999, the following benefit shall apply:

The City will pay one (1) dollar per semester credit hour, per month, for all satisfactorily completed credit grades of “C” and above, and in excess of 12 semester credits to a maximum of \$110 per month. The City will pay for courses only within City approved programs. All individuals having between 13-18 semester credits shall relinquish the educational benefit after two (2) years if they haven’t satisfactorily continued in an approved program and completed in excess of 18 semester credits.

Employees hired after June 30, 1999, shall not be eligible for the benefit provided in the section. These employees shall be eligible only for tuition Reimbursement as provided in Section 2 of this article.

Section 2 – Tuition Reimbursement

Employees shall be eligible to apply for tuition reimbursement in accordance with the City’s Personnel Policy on Tuition Reimbursement implemented on 08/26/2024 (appendix D). Such reimbursement shall be limited to courses approved by the Fire Chief, which are applicable to the City’s Emergency Medical Services Fire Technology and other degrees related to the fire service. No reimbursement will be provided for courses eligible for payment under Section 1 above.

Employees who are receiving payment under Section 1, College Incentive Pay, can request approval for tuition reimbursement for hours that would be eligible under Section 1. However, once such a request is approved, the employee shall no longer be eligible for any additional payment under Section 1 over and above the payment being received as of the date approval of such a request is given. The employee shall be eligible to continue any payment in effect at the time the approval is made.

In addition to the tuition reimbursement described in this section the cost of required books shall also be eligible for reimbursement.

ARTICLE 11

SUBSTITUTING TIME

Up to a maximum of fifteen (15) times per contract year, employees may be permitted to secure an employee with the same qualifications to substitute for them subject to the approval of their immediate supervisors. Additional trades shall be granted for the purpose of accommodating the educational activities, required union activities, civic duties, and family illness or injury with the understanding that such trades will not interfere with the proper training of fire personnel.

The employee substituting shall be responsible to work the scheduled day. If the substituting employee is unable to work the trade day for any reason, the substituting employee shall be responsible for reimbursing the City the full overtime wage cost incurred by the City in obtaining a replacement for them. Should the employee who requested the trade be unable to work the agreed repayment trade day, this employee shall be responsible for reimbursing the City the full overtime wage cost incurred by the City in obtaining a replacement for them. However, an employee whose trade time is scheduled for less than an entire work day will not be relieved from duty until the employee who has agreed to substitute arrives to work the trade time.

Any such request for substitution shall be signed by both employees and shall be turned into their immediate supervisor a minimum of four hours prior to the trade time taking place. The request shall be approved by the company officer and the shift Assistant Chief of the employee requesting trade time. The trading of time is done for the convenience of the employees. The employer is in no way liable for any increase in cost which may result from any such trade.

ARTICLE 12

MISCELLANEOUS LEAVES

Section 1 – Court Leave

- A. An employee who is required to serve as a witness or juror in Federal, State, County, or City court or as a litigant in a case resulting directly from the discharge of his duties as an employee shall be granted court leave with full pay to serve in that capacity. However, when the employee is testifying in other litigation to which the employee is a part, the employee shall not be granted court leave, but may use vacation time, trade time, or be granted leave without pay for the length of such service.
- B. When an employee is summoned to provide testimony before any Court of law, administrative Agency, or other governmental body as a result of a work-related incident, leave shall be granted to the employee, or the employee shall be compensated for the time spent at the applicable rate. It is the responsibility of the employee to notify the Chief or Assistant Chief in writing, immediately upon receipt of such summons to be eligible for this benefit. Every effort shall be made to schedule this during the employee's working time. If it is not possible, the employee shall be paid their overtime

rate for the time spent or shall be paid a minimum of two and one-half (2 ½) hours at the employee's overtime rate.

- C. Procedure: An employee who is called for witness or jury duty shall present to their supervisor the original summons or subpoena from the court, and, at the conclusion of such duty, a signed statement from the Clerk of Court, or other evidence, showing the actual time in attendance at court.
- D. Fees: No employee shall receive witness fees paid from their employer's funds.

Section 2 – Union Business

- A. Members of the Union selected by the Union to participate in any other union activity may be granted a leave of absence, without pay, at the request of the Union. A leave of absence for such union activity shall not exceed one (1) month, but it may be renewed or extended for a similar period at any time upon the request of the Union.
- B. Up to four (4) members of Local #15 will be paid for contract negotiations with the City when negotiations are held during the member's normal duty schedule.
- C. One (1) member of Local #15 will be allowed time-off up to three (3) duty tours with pay to attend the International Association of Firefighters bi-annual convention.
- D. Up to two (2) members of Local #15 will be allowed time-off up to two (2) duty tours each, with pay, to attend the Iowa Association of Professional Firefighters annual convention.
- E. The Fire Chief shall be notified in writing no less than ten (10) days prior to the anticipated absence for items C and D above.
- F. Up to two (2) members of Local #15 shall be allowed up to two hours each with pay, per session, to represent members of the bargaining unit for Civil Service meetings, Civil Service hearings and grievance procedures.

Section 3 – Emergency Leave

In the case of an emergency, as determined by the shift supervisor, an employee may be granted up to two (2) hours off duty with pay.

Section 4 – Military Leave and Vote Time

Military Leave shall be provided as set forth in the Personnel Policies, 707:1. Vote Time is governed by the Code of Iowa, Chapter 49.109.

ARTICLE 13

VACATION

Section 1 – Eligibility and Allowance

All eligible employees shall accrue annual paid vacation according to the following schedule:

<u>Service Period</u>	<u>Accrual Rate</u>	<u>Maximum Accrual</u>	<u>Cash-out Maximum</u>
0 to 6 years	144 hours per year	288 hours	288
6 to 13 years	216 hours per year	432 hours	360
13 to 19 years	288 hours per year	504 hours	432
Over 19 years	360 hours per year	576 hours	504

Employees assigned to a 40-hour work week shall accrue annual paid vacation according to the following schedule:

<u>Service Period</u>	<u>Accrual Rate</u>	<u>Maximum Accrual</u>	<u>Cash-out Maximum</u>
0 to 6 years	80 hours per year	160 hours	160
6 to 13 years	120 hours per year	240 hours	200
13 to 19 years	160 hours per year	280 hours	240
Over 19 years	200 hours per year	320 hours	280

Employees shall be eligible to use vacation only after completion of the probationary period (12 months).

Section 2 – Adjustment for Change in Work Schedule

Any employee who is transferred from a 56-hour work schedule to a 40-hour work schedule shall have their vacation accumulation adjusted by dividing their 56-hour accumulation by 72 and multiplying the result of this calculation by 40. In the case of an employee transferred from a 40-hour work schedule to a 56-hour schedule, the vacation accumulation shall be adjusted by dividing the 40-hour accumulation by 40 and multiplying the result of this calculation by 72.

Section 3 – Pay

The rate of vacation pay shall be the employee's regular straight time rate of pay in effect for the employees' regular job on the date immediately preceding the employee's vacation period.

Section 4 – Vacation Choice (56 Hours Personnel)

Vacation periods are to be granted and scheduled by each Assistant Chief, taking into consideration the shift's work units, workload, and the employee's request and seniority. By December 1, the Assistant

Chiefs shall begin contacting members of their respective shifts, in order of seniority, for the purpose of selecting their vacation choices. Each employee, in order of seniority, shall denote their choice of vacation period to the Assistant Chief. The Assistant Chief shall contact the next ranking employee by seniority until all have denoted their choices. Employees can select one day or up to their full annual accrual amount as long as they are taken consecutively. Consecutive vacation selections, regardless of the number of days, will count as one vacation selection. All employees must have made their choices by December 15, or forfeit their seniority rights for the purpose of choosing vacation periods. The employee can commit any portion of their accrued leave up to their total annual accrual during this process. An employee who has bid a vacation period may decide not to utilize this vacation pick (including optional vacation day provided for in Section 5) by notifying the Chief in writing by the middle day of the previous set in which the vacation is going to occur.

Section 5 – Optional Vacation Day

After completing the process in section 4, the Assistant Chief will once again contact members of their respective shifts, by seniority, for the purpose of selecting an optional vacation day. Employees who have or can be expected to have accrued vacation may choose a work tour as an optional vacation day provided that the selection will not result in more than five (5) employees on vacation. An employee who does not wish to utilize the original optional vacation day choice may change it to another day provided that it does not result in more than five (5) employees on vacation that day.

Section 6 – Use of Accrued Vacation

During the year, employees may use accrued vacation in 24 increments starting at 7:00 a.m. or in 12-hour increments starting at either 7:00 a.m. or 7:00 p.m. provided that, at the time of selection, there was an opening in one of the first four vacation slots. The request must be submitted to the Chief by the middle day of the previous set in which the vacation is going to occur.

In cases where two absence requests are received the same day, preference will be given to the most senior employee based on seniority.

Section 7 – Vacation “Sell Back”

An employee who has accrued 50% of the employee’s total accrual limitation by October 1 and/or April 1 of each year shall have the option to “sell back” up to 72 hours of their vacation accumulation. Reimbursement will be made on an hour for hour basis and payment shall be made on the first pay day in December and/or the first pay day in June.

Forms will be provided at each station and the completed form must be submitted to the Fire Chief no later than 5:00 p.m., October, 15 and/or 5:00 p.m. April 15. It shall be the sole responsibility of the employee requesting reimbursement to submit the request form in a timely manner.

Section 8 – Posting

By January 1 the vacation schedule for the upcoming vacation period shall be posted.

Section 9 – Notice Upon Termination

An employee who leaves the employment of the City in good standing, after having given two (2) weeks' notice of such termination of employment, shall be compensated for vacation leave earned and accrued to the date of separation.

Section 10 – Shift Transfer

Employees transferred from one shift to another shall have their vacation rescheduled as close as possible to the original date selected. Employees transferring from a 40-hour assignment to a 56-hour assignment shall be allowed to pick vacation from the dates available on the shift to which they are being assigned at the time of the transfer. The employee shall be allowed to pick an optional day at the time of the vacation pick. An employee whose transfer is approved but not effective prior to November 1 shall be allowed to pick vacation with the employee's prospective 56-hour shift.

Section 11 – Schedule Change

If vacation time is left open after all vacations, including the optional vacation day, have been picked, an employee shall be granted a vacation change in order to take advantage of the opening by submitting a written request to the Assistant Chief. Vacation openings created by the operation of this section shall be posted and filled by seniority among those requesting such time.

Section 12 – Vacation Grant

Vacation periods are to be granted and scheduled by the City so that at least four (4) employees may be on vacation during each vacation period during the year. Vacation leave must be charged as used. All vacation leave must be approved by the Department Head in advance of the leave and filed in the prescribed manner on a City absence report and leave request.

No more than three employees being paid as a paramedic will normally be allowed vacation time off at the same time. If the number of employees with paramedic certification is 13 per shift, up to four paramedics will be allowed to take vacation on the same day.

Section 13 – Accrual Limitations

Total accrued but unused vacation for an employee shall not at any time exceed the Maximum Accrual as shown in Section 1 of this article. Once an employee's total accrued vacation is equal to the employee's accrual limit, accrual of vacation will stop. Vacation accrual will resume when the employee has utilized enough accrued vacation to allow for vacation accrual at their regular rate of accrual. Any vacation accruals lost to the employee because of this section are not recoverable by the employee.

Upon separation the maximum number of vacation hours that will be paid upon termination is shown in Section 1, Cash-Out Maximum.

The above provision notwithstanding, all employees hired on or before December 31, 2001 shall be considered “grandfathered” and allowed to accumulate twice their accrual rate in all service periods and cash-out up to twice their annual accrual rate.

Section 14 – Vacation Utilization

Employees will only be allowed to take a vacation when, at the time of the leave, they have adequate accrued vacation to cover the duration of the leave. Vacation picks notwithstanding, no vacation leave request will be approved if it will result in the employee utilizing more vacation than the employee has accrued at the time of the leave.

Should an instance occur where an employee has inadvertently received more vacation leave than the employee has accrued, the amount of vacation used in excess of that accrued will be charged to future accruals. If the employee is terminating, the value of the vacation leave in excess of accruals will be deducted by the City from the employee’s final paycheck.

Section 15 – Seniority

Seniority as used in this article shall be based on the total length of service as a sworn firefighter.

Section 16 – Vacation payout

In the event of an employee’s death, the employee’s accrued vacation hours must be paid to the employee’s estate or personal representative, or in accordance with state law.

ARTICLE 14

SICK LEAVE

Section 1 – Definition

Sick leave is leave granted for non-service-connected injury or illness which prevents an employee from performing their duties. No such leave shall be granted for injuries or illness connected with service for another employer, when that service was within the coverage of such an employer’s worker’s compensation.

Section 2 – Eligibility

Permanent full-time employees shall be eligible to use sick leave beginning the first day of employment.

Section 3 – Utilization

Employees will accrue sick leave at the rate of twenty-four (24) hours of sick leave per month worked and sixteen (16) hours per month for 40-hour employees. Unused sick leave will be permitted to carry

over from one year to the next; however, at no time shall total accumulated sick leave exceed 1440 hours for 56-hour employees and 1040 for 40-hour employees except as provided in Section 5.

Employees hired on or after July 1, 2024, will be credited with 360 hours of sick leave upon employment and will accrue sick leave at the rate of twenty-four (24) hours of sick leave per month worked to a maximum of 1440 hours of sick leave and shall be subject to the provisions made in the above paragraph.

At the discretion of the Fire Chief, vacation or other paid leave may be used in the event of illness only after all sick leave has been used.

Section 4 – Alternative Duty Assignments

An employee whose illness or injury renders them unable to perform their regular duties may be assigned to a temporary alternative duty assignment if such assignment can be safely performed within the employee's limitations. The City reserves the right to change an employee's regular work schedule to accommodate a temporary alternative duty assignment.

The procedures for administering alternative duty are contained in the Fire Department's SOP manual, SOP #119. No changes will be made to this SOP without mutual agreement by the Fire Department and union.

Section 5 – Family Illness

Employees shall be granted up to 72 hours sick leave (or up to 32 hours of sick leave for employees assigned to a 40-hour work week) for illness or injury in the immediate family unless extended by the Fire Chief. Immediate family shall mean the employee's spouse, parents, grandparents, children, brother or sister, step parents, and step children.

56-hour employees are eligible for an additional (72) hours of sick leave designated for paternity leave/bonding time. After these 144 hours of leave are exhausted, the employee is eligible to take vacation leave. 40-hour employees are eligible for an additional 40 hours of sick leave designated for paternity leave/bonding time.

Section 6 – Catastrophic Family Illness

In the event that an employee has been approved for a leave of absence under the Family Medical Leave Act for the purpose of providing medical care to the employee's child, spouse or parent, the following provisions for obtaining paid leave for some or all of the approved leave shall apply:

1. The employee will be required to utilize up to 100% of their accumulated vacation leave. The restrictions on vacation usage in Article 14, Sections 4, 5, 6, 11, and 12 shall not apply.
2. An employee who utilizes all their vacation accumulation may request to use hours accumulated Perfect Attendance pay as paid leave.

3. After the paid leaves described above have been utilized an employee may use trade time. If necessary, the 15-tour trade limitation provided in Article 12 shall be waived.
4. Other union employees may, on a voluntary basis, contribute vacation leave to the employee on leave on an hour for hour basis to allow the employee to be absent with pay. The total of such contributions shall be limited to the same number of hours of trade time utilized in number 3 above. If this option is utilized it shall be the responsibility of the union to provide the City with a list of employees whose vacation accumulations will be debited, the dates of leave for which each contribution is intended, and written authorization from each employee contributing such vacation leave.

Section 7 – Reporting of Sick Leave

The employee or a member of the employee's household shall notify the officer on duty in charge of the employee's assigned unit prior to the scheduled reporting time. No sick leave shall be granted to an employee who fails to notify the supervisor prior to the beginning of the work shift. Immediately upon return to work, the employee shall submit a leave form to their supervisor.

Section 8 – Medical Statement

An employee may be required to furnish a medical statement, at the employee's cost, from the attending physician for any absence chargeable to sick leave:

- a. For the purpose of verifying illness or injury, or
- b. Certifying the employee as able to return to work in the position held prior to the illness or injury.

Section 9 – Medical Examination

The employer may require a medical examination from a City physician. If the employee's treating physician who has indicated the employee is fit to return to duty and the City's physician disagree on the employee's capability of returning to normal duty the physician retained by the City is obligated to confer with the employee's treating physician in an attempt to reach consensus about an employee's ability to return to work. In the event that after such conference the City refuses to return the employee to normal duty based on the advice of its physician the Union may file a grievance under article 24 of this agreement, and the arbitrator will be allowed to determine whether a preponderance of the medical evidence establishes that the employee is or is not capable of returning to normal duty.

Section 10 – Abuse or Fraud

Abuse of sick leave or fraudulent use of sick leave shall be cause for disciplinary action.

Section 11 – Perfect Attendance Bonus Pay

After the completion of six (6) months continuous employment, an employee shall be eligible for 12 hours pay at the 56-hour rate for each calendar quarter for which the employee records perfect attendance, (exclusive of absence due to on-the-job injuries, jury duty and funeral of immediate family members). Payment shall be made on the last payday in July. Employees assigned to the 40-hour work schedule shall be paid for this benefit at the rate of 8 hours pay at the 40 hour rate for each calendar quarter of perfect attendance as defined above.

Section 12 – Sick Leave Accumulation Converted to PEHP Contribution

Part 1:

Employees who reach their maximum sick leave accumulation (1440 for 56-hour employees and 1040 for 40-hour employees) will be allowed to accrue additional sick leave. The City will convert this additional sick leave accumulation to a cash amount that will be contributed to their PEHP plan for Health Insurance Premium Reimbursement on the employee's behalf. This contribution will be made no later than January 31 of each year.

The amount that the city will contribute to this plan shall be calculated as follows:

1. From each employee's sick leave accumulation as of the ending date of the second payroll in December the normal sick leave maximum will be subtracted (1440 for 56-hour employees and 1040 for 40-hour employees).
2. The remaining hours from step 1 will be multiplied by 0.25 (25%) of the employee's contractual hourly rate as of the ending date of this payroll. If the employee voluntarily participates in the WFA program, the PEHP contribution increases to 0.30 (30%).
3. The City shall provide each employee with an electronic statement of the total amount deposited into the PEHP account in January after the deposits have been made.

No payment will be made upon termination under this section, except in the case of medical disability or death.

Part 2:

Upon Regular Retirement, not a disability retirement, an employee shall receive a contribution into their PEHP account equal to their accumulated sick leave balance more than 965 hours (700 hours for 40-hour employees) multiplied by 0.20 (20%) of the employee's contractual hourly rate at the date of retirement. Maximum hours available shall be 475 for 56-hour employees and 340 for 40-hour employees. Employees who receive this benefit upon retirement shall not be entitled to the contribution under Part 1 for the year of their retirement.

Section 13– Pregnancy

Time off due to an employee's inability to perform her regular duties due to pregnancy and recuperation from delivery shall be treated under all contractual articles and applicable Personnel Policies the same as any other illness or injury from which the employee is expected to recuperate and return to full duty (Sick Leave, Leave of Absence Without Pay, Family Medical Leave Act).

However, consistent with the Medical Requirements for Firefighters and information for Fire Department Physicians, Section 9.18 an employee who is pregnant will, upon the employee's request, be voluntarily reassigned to an alternative 40-hour position involving duties that are non-hazardous. Such temporary assignment shall continue until the earlier of (1) the date of delivery; or (2) the date the employee is certified by her physician as unfit to continue in such assignment; or (3) the date the employee elects to discontinue such assignment. At the time the request for reassignment is made a doctor's certificate verifying the pregnancy and providing the employee's projected due date shall be required.

ARTICLE 15

FUNERAL LEAVE

In the event of a death in the immediate family of an employee or an employee's spouse (mother, father, sister, brother, spouse, son, daughter, step parents, half-brother, half-sister, or step-children, grandparents, and grandchildren), the employee shall be granted up to 48 hours absence with full pay to make household adjustments, arrange for services, or attend funeral services.

The Chief may grant 24 additional hours off for any of the family listed in the paragraph above. If the employee granted such additional leave has accumulated sick leave, such accumulation shall be charged on an hour for hour basis for the additional hours off. If the employee has not accumulated sick leave, then the additional leave shall be charged to accumulated vacation or shall be without pay.

The Chief may grant 24 hours of vacation leave for the death of a loved one not listed in the first paragraph.

Employees assigned to a 40-hour work schedule shall be eligible for up to three (3) days of funeral leave under the conditions set forth in this article. The Chief may grant up to two (2) additional days off.

If the employee granted such leave has accumulated sick leave, such accumulation shall be charged on an hour for hour basis for this purpose. If the employee has no accumulated sick leave, then the additional leave shall be charged to accumulated vacation or shall be without pay.

ARTICLE 16

HOLIDAYS

The City shall allow each eligible employee (after completion of the probationary period) working a regular 24-hour shift paid holidays, totaling 120 hours, provided an employee shall have worked 75% of the number of hours available, exclusive of time off resulting from on-the-job injury or catastrophic illness to them during the contract year. An additional 12 hours of holiday pay (for a total of 132 hours) will be provided to employees in lieu of receiving a casual day. Holiday routine shall be recognized for those City holidays as identified below:

New Year's Day

President's Day

Memorial Day

Independence Day

Labor Day

Veteran's Day (November 11)

Thanksgiving Day

Friday after Thanksgiving

Christmas Eve*

Christmas Day

And any specially designated holiday given to other City employees.

Payment shall be made on the last payday of June of each year at the employee's regular hourly rate.

In lieu of the above provision, employees assigned to a 40-hour work week shall be granted one day's holiday leave with pay for each holiday observed by the Fire Department 40-hour administrative staff. The number of hours of leave given shall be commensurate with the number of hours worked during their currently assigned workday. When a holiday falls on the employee's regular day off, another day immediately before or after as determined by the Chief will be considered the holiday for that employee. If called back to work on such a holiday, the employee shall be paid two (2) times the regular hourly rate for all hours worked.

* When Christmas Eve falls on a Monday, Tuesday, Wednesday or Thursday, it will be observed as a holiday. When Christmas Eve falls on Friday, Saturday, or Sunday eligible employees shall receive a floating holiday in lieu of the Christmas Eve holiday. The floating holiday must be taken in the same fiscal year it is earned.

ARTICLE 17

LEAVE OF ABSENCE WITHOUT PAY

Leave without pay may be granted to an employee for any good cause when it is in the best interest of the City service to do so. The employee's interests shall be considered when their record of employment

shows them to be of more than average value, and it is desirable to retain the employee even at the expense of some sacrifice on the part of the City. Leaves of absence without pay, except in the case of disciplinary leaves, should be considered as a privilege, and the best interest of the department and the City service must be the determining factors in whether such a leave is granted. The Mayor may grant an employee leave without pay for a specified time not to exceed one (1) year and may extend the period of leave if it would be in the best interests of the City to do so. Any appointment made to a position vacated temporarily by an employee on leave without pay shall be conditional upon the return of the employee on leave.

Leave without pay shall be subject to the following provisions:

1. At the expiration of leave without pay, the employee shall return to the classification held prior to the leave.
2. Vacation credits shall not be earned during leave without pay.
3. Leave without pay shall not constitute a break in service, but time off will not be credited towards retirement (or merit increases if in excess of thirty (30) calendar days).
4. Leave without pay for more than thirty (30) days during the probationary period shall not be counted as part of that period, but the employee to whom such leave has been granted shall be allowed to complete their probationary period on their return from leave.
5. Failure to report promptly at the expiration of a leave of absence shall be considered a resignation.
6. A formal request shall be submitted to the Mayor through the Fire Department when a leave without pay is desired.
7. For a leave of more than thirty (30) calendar days, the employee shall be responsible for the full payments necessary to continue any benefits. Such payments shall be made in advance and arrangements be made through the Finance Director.

ARTICLE 18

INSURANCE

Section 1 – Health Insurance

The City shall maintain a group health insurance plan for eligible employees with the City paying the entire accrual rate established by the plan administrator except for the amount specified as the employee contributions.

EMPLOYEE CONTRIBUTION FOR HEALTH INSURANCE

Effective July 1, 2025	Effective July 1, 2026	Effective July 1, 2027
All levels of coverage 10% Accrual Rate in effect 6-30-2025	All levels of coverage 10% Accrual Rate in effect 6-30-2026	All levels of coverage 10% Accrual Rate in effect 6-30-2027

The accrual rate will remain 10% through the end of this contract on June 30, 2028.

The out-of-pocket maximum on health insurance shall be \$1,250/\$2,500.

All other health benefits shall be paid in accordance with the Comprehensive Medical Benefits plan. An overview of medical benefits is provided in Appendix E.

Before any new group health insurance plan is implemented, proposals based on essentially equivalent specifications are to be secured. Specifications are to be set by the City. The Union may participate with the City in establishing the specifications.

If an employee or their dependents do not enroll in the City provided health plan at the time of appointment, or if coverage is terminated by the employee, subsequent enrollment or re-enrollment may be denied by the health insurance carrier on the basis of underwriting policy. The terms of any contract or policy issued by an insurance carrier shall be controlling in all matters pertaining to benefits thereunder.

A prescription drug card will be provided under the health plan with the following co-payments:

- a. \$ 0.00 co-payment for a 30-day generic prescription (tier 1)
- b. \$15.00 co-payment for a 30-day preferred brand prescription (tier 2)
- c. \$ 30.00 co-payment for a 30-day non-preferred brand prescription (tier 3)
- d. Specialty drugs will be provided through the drug card program with an \$85 copayment for a 30-day prescription.

- e. Employees purchasing prescription drugs through the mail order program will pay the applicable copayment listed above multiplied by 2 for a 90-day supply.

Section 2 – Life Insurance

All eligible employees shall receive after thirty (30) days of employment, a \$50,000 Double Indemnity Life Insurance policy carried by and through the City.

Section 3 – Dental Insurance

The City shall maintain a group dental insurance plan and shall pay 100% of the premium cost for employee and dependent coverage.

Specifications are to be set by the City. The union may participate with the City in establishing the specifications. The terms of any contract or policy issued or administered by the insurance carrier shall be controlling in all matters pertaining to benefits there under. If an employee or their dependents do not enroll in the City provided dental plan at the time it is offered or the time of appointment, or if coverage is terminated by the employee, subsequent enrollment or re-enrollment may be denied by the dental carrier on the basis of underwriting policy.

Section 4 – Eye Care

The City shall maintain a group eye care plan and shall pay 100% of the premium cost for employee or family coverage. Specifications are to be set by the City. The union may participate with the City in establishing the specifications. The terms of any contract or policy issued or administered by the insurance carrier shall be controlling in all matters pertaining to benefits there under.

Section 5 – Benefits Committee

The City agrees to form a Public Safety Benefits Committee that shall be comprised of two (2) members from the Fire Union, two (2) members from the Police Union, and the Director of Human Resources, whose purpose will be to evaluate and analyze various available health insurance (medical, dental, vision, and life insurance, and prescription drugs) options. The Benefits Committee will meet during the second or third week of January to review proposals and recommendations on an annual basis. The Committee will meet again to decide before the end of February. Benefits will remain unchanged unless a consensus is reached among the committee members to make a change.

The Public Safety Benefits Committee may designate a person to attend the IGHCP annual board meeting along with the Director of Human Resources. That person, if scheduled to be on duty, will be given time off to attend the one-day annual IGHCP meeting.

ARTICLE 19

PHYSICAL EXAMS

The City shall schedule physical examinations for approximately 1/2 of all firefighting personnel annually. Physicals shall include items prescribed by physicians designated by the City plus items that are mutually agreed upon by Union/Management.

Results of these physical exams shall be reported to the Fire Chief by the City physician in accordance with current edition of NFPA 1582, Standard on Medical Requirements for Firefighters and Information for Fire Department Physicians.

The City shall review the pricing and services at least every five (5) years, utilizing the City's policies and procedures for purchasing services.

ARTICLE 20

RATES OF PAY

Section 1. Acting Pay

An employee who is required to act in a position within the bargaining unit with a higher pay range than the position they normally hold (engineer, captain), shall be paid at the employee's current pay step in the pay grade established for the higher-level position. Such an employee shall be paid for all hours worked in the acting position. If the employee's current pay step does not correspond to a rate in the higher grade, the employee shall be paid at the lowest hourly rate established for the position. The calculation of the hourly rate for employees working a 40-hour work week shall be the bi-weekly rate established in the contract divided by 80.

Section 2. Acting pay for Assignments to the Assistant Fire Chief Position

An employee who is required to act as an Assistant Fire Chief shall be paid at the applicable hourly rate corresponding to the Fire Supervisory pay plan Grade 07, Step 1 for 56-hour employees and Grade 08, Step 1 for 40-hour employees for all hours worked.

The hourly rate for employees acting as a line Asst. Fire Chief (56-hour work week) shall be calculated as the bi-weekly wage established in the pay plan divided by 112.

Section 3. Calculation of bi-weekly Pay

For paycheck calculation purposes, the employee's annual pay shall be divided by 26.1 for each of the bi-weekly pay periods.

Section 4. Additional Pay for employees with special certifications

Employees in the rank of fire fighter, engineer, or captain who are certified by the state of Iowa as an EMT, AEMT, or paramedic will be paid in accordance with the attached pay scale subject to the following provisions:

1. Employees must submit proof of these certifications to the Fire Chief. The pay increase related to the certification will be effective at the beginning date of the next following FLSA 28-day period.
2. Employees who receive pay for these certifications must be willing and able to perform work that utilizes these additional skills, including overtime working assignments.
3. An employee will not receive the additional pay associated with EMT, AEMT or paramedic certifications in the following circumstances:
 - A. The employee does not maintain the necessary skills and certification required.
 - B. The medical director has determined that the employee's performance is not adequate.
 - C. The employee no longer desires to be used in the EMT, AEMT, or paramedic capacity.

Section 5. Additional Pay for Employees Assigned to Hazmat Team

The provisions in this section are contingent on the establishment and existence of a regional hazmat team. The payment described below shall become effective on the first full pay period following the execution and initial payment of the regional hazmat contract that calls for service from the Council Bluffs Fire Department.

Employees officially designated as part of the Fire Department hazmat team shall be a stipend of \$500.00 per year. Such payment shall be made on a bi-weekly basis.

Section 6 – Squad Stipend

All personnel serving a medic unit as the driver or Paramedic Specialist shall receive a stipend of 5% of the employee's base salary per hour.

Section 7 – Senior Firefighter Stipend

Employees in the ranks of Firefighter and Firefighter/Paramedic will be paid a stipend of \$1,000.00 per year to be paid on a biweekly basis starting the first pay period after reaching 22 years of employment.

Section 8 – Bilingual Pay

Employees who are bilingual in either (1) English and Spanish, or (2) English and American Sign Language will be compensated at the rate of \$25.00 biweekly provided that the employee is serving the

department in that capacity. To be considered bilingual, the employee must be able to communicate easily and naturally in both languages with equal or nearly-equal fluency.

ARTICLE 21

LONGEVITY

In addition to the approved pay plan, eligible employees shall receive longevity pay according to the following schedule:

After five (5) years of continuous service	\$20.00 bi-weekly
After ten (10) years of continuous service	\$30.00 bi-weekly
After fourteen (14) years of continuous service	\$40.00 bi-weekly
After eighteen (18) years of continuous service	\$50.00 bi-weekly
After twenty-two (22) years of continuous service	\$60.00 bi-weekly
After twenty-six (26) years of continuous service	\$70.00 bi-weekly

ARTICLE 22

UNIFORMS

The City will provide each new firefighter with the required firefighter uniform. The uniform shall consist of the following:

Jacket – (1)	Stocking cap (1)
Jacket liner – (1)	Belt – (1)
Long sleeve shirts – (3)	Tie – (1)
Short sleeve shirts – (3)	Short sleeve coveralls – (1)
Work pants – (3)	Long sleeve coveralls – (1)
Pair of socks – (3)	Required patches, badge, insignias,
Pair of shoes – (1)	Braids
Job Shirt – (1)	Class A Uniform (1)
Sweatshirts – (3)	Any other required items
T-shirts – (3)	

Replacement of the above equipment will be by the City upon the Chief's determination of need.

The City will contribute \$100 per year to each employee toward the cost of uniform maintenance, which shall be paid on the last payday in July.

The City agrees to purchase Class 'A' Uniforms for all employees. Said uniforms must be American and/or union made. Once the Class A uniform is issued, the employee shall be responsible for all maintenance and alterations to the Class A uniform. For any employees currently making payments on Class A uniforms, such payments will cease effective July 1, 2025.

The Union will purchase the custom buttons and patch for dues paying members.

Employees being paid as an EMT-P shall be reimbursed by the City up to \$100 every two (2) years toward the purchase of a stethoscope for use on the job.

The employee shall be responsible for cleaning and making minor repairs. Upon leaving employment with the City, the employee shall be required to turn in all uniform items provided by the City.

The City shall also furnish and replace eye glass brackets for S.C.B.A. masks, bunker gear, helmets, boots and gloves. Employees may be reimbursed for approved claims in an amount determined by the Fire Chief for the repair or replacement of personal property damaged in the performance of duty, such as eyeglasses, watchbands, flashlights, etc.

ARTICLE 23

SEVERANCE

Upon termination, eligible employees shall be paid severance pay in the following amounts based on the employee's regular hourly rate of pay in effect at the date of termination, provided that employees who voluntarily resign or are discharged for cause shall not be eligible for this benefit. In the case of a service retirement, employees shall be required to provide two weeks written notice prior to the effective date of the termination to be eligible for severance. Employees hired on or after July 1, 2017, will not be eligible for severance pay if they voluntarily resign, are discharged for cause, or choose a service retirement.

	(For 56 Hour Employee)	(For 40 Hour Employee)
<u>YEARS OF SERVICE</u>	<u># HOURS PAID</u>	<u># HOURS PAID</u>
More than five (5) and less than ten (10)	112 hours	80 hours
More than ten (10) and less than fifteen (15)	168 hours	120 hours
More than fifteen (15)	224 hours	160 hours

ARTICLE 24

SETTLEMENT OF DISPUTES

Section 1 – Definition

A grievance shall be defined as a dispute or disagreement raised by an employee or by the union involving the interpretation or application of the specific provisions of this agreement. It is specifically understood that any matter governed by the Civil Service Commission or Civil Service statutory provisions shall not be subject to the grievance procedure herein.

The employee shall have the right to union representation at all steps of the grievance procedure.

Section 2 – Procedure (reference to “days” shall mean calendar days)

Step 1: An employee or the Local, who has a grievance shall present their grievance in writing to their supervisor within fourteen (14) days of the occurrence or the date on which it first became known to the employee. The supervisor shall respond within fourteen (14) days in writing.

Step 2: Within ten (10) days after the decision in Step 1, or if no timely decision has been made, the Local or the employee shall then present the written grievance to the Fire Chief. The Chief, or their designated representative, shall respond in writing ten (10) days.

Step 3: Within ten (10) days after the decision in Step 2, or if no timely decision has been made, the Local or the employee shall then present the written grievance to the Mayor. The Mayor, or their designated representative, shall respond in writing within ten (10) days.

Step 4: Should the response of the Mayor not be satisfactory, the Local or the employee shall, within ten (10) days of the date that the Mayor's response was due, present a written request for arbitration to the Mayor. The parties shall promptly meet to agree on an arbitrator.

Step 5: Should the parties fail to agree, they will jointly request that the Iowa Public Employment Relations Board submit to the parties a list of seven (7) arbitrators, and by alternately striking names (a coin toss shall determine who shall strike the first name) an arbitrator will be selected.

Step 6: Expenses for the arbitrator's services and the proceedings, excluding transcript costs, shall be borne equally by the employer and the Union and/or employee. Each party shall be responsible for compensation to its own representatives and witnesses. If either party desires a transcript, it shall be at that party's expense.

Step 7: Failure by an employee and/or the Union to comply with the time limitation set out in Step 1 of the grievance procedure shall be a bar to the filing of any grievance.

Section 3 – Authority of Arbitrator

The arbitrator shall have no power to add to, subtract from, or change the terms of this agreement. The written decision of the arbitrator resulting from any arbitration of grievances hereunder shall be final and binding upon the parties.

The arbitrator shall limit their decision strictly to the grievances submitted to them, which have been properly processed through the grievance procedure outlined in this article.

All time limits contained in this article may be extended by mutual agreement.

ARTICLE 25

PRINTING OF CONTRACT

The City and Union will sign off on two master copies of the labor agreement. Each party will keep a master contract from which copies can be printed and distributed as each party sees fit. The City shall make a copy of the contract available on the City's web site.

ARTICLE 26

UNION MANAGEMENT COMMITTEE

At the request of either party, a committee comprised of up to four (4) representatives of the employer (including the Chief) and four (4) representatives of the Union (including the President) shall meet at a mutually agreeable time to discuss procedures for avoiding future grievances, and to discuss health and safety matters in the Fire Department. In addition, the committee may discuss other issues

which would improve the relationship between the parties. However, no items shall be discussed that have not been pursued through the proper chain of command and/or through the proper department procedure.

ARTICLE 27

PERFORMANCE EVALUATION

Before the employer implements a formal performance evaluation, it is agreed that the Union will be offered an opportunity to negotiate regarding procedures for such a system to the extent provided under Chapter 20.9.

ARTICLE 28

PERFORMANCE STANDARDS

Recognizing the wage and benefit increases provided for in this agreement are of substantial nature, the Union hereby pledges for itself and all its members, the employees of the City, that they will perform their work effectively and efficiently to the best of their ability, and will cooperate in the introduction of such methods, techniques, and procedures of operation as the City may introduce or put into effect for the purpose of better and more effective operation to the end that the City Fire Department may increase the quality and efficiency of operation. It is further recognized that all articles of this agreement will remain contingent upon performance standards or norms that may be established and/or revised, notwithstanding the existence of prior performance levels, norms or standards and that such standards shall be developed by usual work measurement procedures and may be used to determine acceptable performance levels, prepare work schedules and to measure the performance of each employee or group of employees, and those employees who work at less than acceptable levels of performance may be subject to disciplinary measures in accordance with City and departmental rules and regulations.

ARTICLE 29

JOB CLASSIFICATION

For the term of this contract, the City agrees that it will make no change in the job classifications which will have the effect of reducing the wages or fringe benefits of any employee whose basic duties are not substantially changed.

ARTICLE 30

SAVINGS CLAUSE

If any provision of this Agreement, or the application of such provision, shall be rendered or declared invalid by any court action or by any reason of an existing or subsequently enacted legislation, the remaining parts of this Agreement shall remain in full force and effect.

ARTICLE 31

WAGES

Effective 07/01/2025, employees will be paid in accordance with the pay plan as shown in Appendix A of the contract, which reflects an increase of 4.4%.

Employees assigned to a position that requires them to work a forty (40) hour per week work schedule shall be paid at a rate 5% higher than the base pay for their pay grade and pay step.

ARTICLE 32

CLARIFICATION OF NEGOTIATED LANGUAGE

In the event a dispute arises between the parties regarding the intent of language negotiated at the bargaining table, both parties agree that the Mayor or their designated representative and the appropriate union officials will meet to work out clarification, within seven (7) days of the date either party contacts the other of its desire to achieve a letter of clarification.

ARTICLE 33

DRUG TESTING

The employer shall have the right to conduct drug testing consistent with state and federal laws.

ARTICLE 34

TRANSFER PRIVILEGES

Employees will have the opportunity to request a transfer to a shift position vacated due to separation from employment, transfer to a 40-hour position, or promotion. The request must be in writing within the fourteen (14) day posting period and shall state the shift, station and apparatus assignment the employee requests to be assigned to.

Two (2) subsequent openings caused by awarding a requested transfer to an open position will also be posted but no more than three (3) openings will be posted per separation, transfer, or promotion.

The position will be posted in each station for a period of fourteen (14) calendar days and will state the shift, station, and apparatus vacancy. If two (2) or more employees apply for the same opening, selection will be made by greatest time in rank of employees who first meet any required special certifications or training for the position. Once the open position is filled, all remaining transfer requests related to that position shall be invalid.

Any employee's request for a transfer may be denied based on the position requiring a special certification or training. Examples of special certifications or training would include but not limited to Paramedic (PM), hazmat technician, and specialized rescue training or certification.

Vacant positions may be temporarily filled by the Fire Chief by transfer or reassignment of personnel with least time in rank until the open position is posted and bid upon, including those transfers needed to equally distribute employees between the three (3) shifts.

Vacant forty-hour Captain, Engineer, and Firefighter positions will be posted for employees to express, in writing, an interest in the position. The Fire Chief will give consideration to employees requesting a transfer to a forty-hour position but reserves the right to place employees in the position other than those requesting a transfer, if the employee does not meet the requirements listed on the posting. If a forty-hour position needs to be filled and no request is received, personnel with the least time in rank shall be involuntarily transferred to that position for no longer than one (1) year. The involuntary transfer will be limited to personnel who have not previously worked in the position.

If the Chief is unable to grant a transfer request, they shall provide the employee with a written reason explaining why the transfer is denied.

Involuntary transfers for all ranks shall be based on qualifications and least time in rank regardless of whether the member has bid into their position or not. Bid positions are not immune from movement as shown in example in number 4 below.

Examples of reasons where a transfer request might not be approved include, but are not limited to:

1. Any employee's request for a transfer may be denied based on the position requiring a special certification or training. Examples of special certifications or training would include but not limited to Paramedic (PM), haz mat technician, and specialized rescue training or certification
2. To implement staffing changes related to squad rotations and to meet ALS staffing requirements for day-to-day operations.
3. To separate relatives that desire to work in the same station and/or apparatus.
4. Where necessary for a member to be awarded a bid request, there is not an equally qualified employee with less seniority available to move into the bidding employee's position. Voluntary

and involuntary forced movement will not occur to any employee senior to the employee requesting the transfer, provided they are in the same rank. However, a higher ranked employee with less seniority may displace a lesser ranked employee with more seniority through the bid process. An approved bid request may result in an employee being displaced from a previous bid position where the employee has less seniority, to satisfy the senior employee's bidding request.

ARTICLE 35

POST EMPLOYMENT HEALTH PLAN

The City shall maintain a Post-Employment Health Plan (PEHP) for employees through the City's plan provider. The City contribution to this plan shall be \$40.00 per month.

Effective 07/01/2023, employees who complete the Wellness Fitness Assessment (WFA), see Article 37, will have an additional \$10.00 per month contributed to the PEHP. It is the responsibility of the Fire Department to provide the City of Council Bluffs a list of employees who complete the WFA by June 30 of each year.

ARTICLE 36

ON-THE-JOB INJURY OR ILLNESS

An employee whose on-the-job illness or injury renders them unable to perform their regular duties may be assigned to a temporary alternative duty assignment if such an assignment can be safely performed within the employee's limitations. The City reserves the right to change an employee's regular work schedule to accommodate a temporary alternative duty assignment.

The procedures for administering alternative duty assignments are contained in the Fire Department's SOP manual; SOP #119. No changes will be made to this SOP without mutual agreement by the Fire Department and the Union.

In the event an employee is deployed on an Urban Search and Rescue (USAR) mission or call out and suffers an accidental injury or illness in the course of performing functions in the scope of that deployment, it is understood that said employee is an agent of the City of Council Bluffs, IA while under orders for said deployment.

ARTICLE 37

WELLNESS FITNESS ASSESSMENT (WFA)

The WFA offered to the employees on a voluntary basis, and mandatory for return to work as spelled out in the SOP covered by this agreement shall be done in accordance with this article and Fire Department Standard Operating Procedure #309 "Wellness Fitness Assessment". No revisions to SOP #309 shall be made without both parties to this agreement signing off approving any revision.

ARTICLE 38

ON CALL COMPENSATION

Section 1

Employees who accept an assignment to a specialty position understand that they may be placed on an availability list for call outs. Employees who are placed on an availability list, and can decline to report for unscheduled work, are not considered "on call" and will not receive any additional compensation. However, if an employee assigned to a specialty position works an unscheduled work assignment, they will be compensated for the actual work time at a rate of One and One-half (1 ½) times their base hourly rate for all the time actually worked and shall be guaranteed a minimum of Two and One-half (2 ½) hours of overtime pay.

Section 2

Employees who are directed by their command staff to be available for, and capable of responding to, an on-call assignment within a specific period shall be compensated at the rate of one (1) hour of straight time pay per day for weekday assignments and two (2) hours of straight time pay per day for weekends and holidays. If an employee is required to return to work while on call, they will be compensated for the actual work time at a rate of one and one-half (1 ½) times their base hourly rate and shall be guaranteed a minimum of two and one-half (2 ½) hours of overtime pay.

ARTICLE 39

LENGTH OF AGREEMENT

A three-year contract (3) with only base hourly wages open to negotiation for FY27/28 and FY28/29.

AGREEMENT

THIS AGREEMENT SHALL CONTINUE IN FORCE TO AND INCLUDING JUNE 30, 2028.

In witness whereof, the parties have caused this agreement to be signed by their respective representatives, and their signatures places thereon, all on this _____ day of _____, 2025.

CITY OF COUNCIL BLUFFS, IOWA

COUNCIL BLUFFS ASSOCIATION OF
PROFESSIONAL FIREFIGHTERS, LOCAL 15

BY: _____
Brenda Norton
Director, Human Resources

BY: _____
Randall Schroeder
President

Matt Walsh
Mayor

APPENDIX A

Effective July 1, 2025

56 HOUR

<u>Grade 01</u>	<u>EMTB</u>	<u>Step</u>	<u>Annual</u>	<u>Hourly</u>	<u>OT</u>
	Entry	4	\$ 61,708.91	\$ 22.3050	\$ 33.4574
	6 months	5	\$ 63,868.89	\$ 23.0857	\$ 34.6285
	1 year	6	\$ 66,104.89	\$ 23.8939	\$ 35.8409
	2 years	7	\$ 70,469.81	\$ 25.4716	\$ 38.2074
	3 years	8	\$ 72,937.97	\$ 26.3637	\$ 39.5456
	4 years	9	\$ 75,489.78	\$ 27.2861	\$ 40.9291
	5 years	10	\$ 78,132.61	\$ 28.2413	\$ 42.3620
	6 years	11	\$ 81,021.76	\$ 29.2857	\$ 43.9285
	10 years	14	\$ 82,641.67	\$ 29.8712	\$ 44.8069
	14 years	16	\$ 83,881.20	\$ 30.3192	\$ 45.4788

<u>Grade 02</u>	<u>EMTP</u>	<u>Step</u>	<u>Annual</u>	<u>Hourly</u>	<u>OT</u>
	Entry	5	\$ 63,868.89	\$ 23.0857	\$ 34.6285
	6 months	6	\$ 66,104.89	\$ 23.8939	\$ 35.8409
	1 year	7	\$ 70,469.81	\$ 25.4716	\$ 38.2074
	2 years	8	\$ 72,937.97	\$ 26.3637	\$ 39.5456
	3 years	9	\$ 75,489.78	\$ 27.2861	\$ 40.9291
	4 years	10	\$ 78,132.61	\$ 28.2413	\$ 42.3620
	5 years	11	\$ 81,021.76	\$ 29.2857	\$ 43.9285
	6 years	12	\$ 83,856.95	\$ 30.3105	\$ 45.4657
	10 years	15	\$ 85,534.37	\$ 30.9168	\$ 46.3752
	14 years	17	\$ 86,817.21	\$ 31.3804	\$ 47.0707

<u>Grade 03</u>	<u>EMTB</u>	<u>EMTP</u>	<u>Step</u>	<u>Annual</u>	<u>Hourly</u>	<u>OT</u>
	1 year	6 months	6	\$ 71,074.18	\$ 25.6901	\$ 38.5352
	2 years	1 year	7	\$ 75,767.72	\$ 27.3866	\$ 41.0799
	3 years	2 years	8	\$ 78,420.35	\$ 28.3454	\$ 42.5182
	4 years	3 years	9	\$ 81,165.35	\$ 29.3375	\$ 44.0063
	5 years	4 years	10	\$ 84,006.27	\$ 30.3644	\$ 45.5466
	6 years	5 years	11	\$ 87,111.50	\$ 31.4868	\$ 47.2302
	N/A	6 years	12	\$ 90,161.15	\$ 32.5892	\$ 48.8838
	10 years	N/A	14	\$ 88,854.85	\$ 32.1170	\$ 48.1755
	N/A	10 years	15	\$ 91,964.16	\$ 33.2409	\$ 49.8613
	14 years	N/A	16	\$ 90,187.57	\$ 32.5987	\$ 48.8980
	N/A	14 years	17	\$ 93,343.20	\$ 33.7394	\$ 50.6090

<u>Grade 05</u>	<u>EMTB</u>	<u>EMTP</u>	<u>Step</u>	<u>Annual</u>	<u>Hourly</u>	<u>OT</u>
	1 year	6 months	6	\$ 78,029.89	\$ 28.2043	\$ 42.3064
	2 years	1 year	7	\$ 83,183.10	\$ 30.0669	\$ 45.1003
	3 years	2 years	8	\$ 86,095.68	\$ 31.1197	\$ 46.6795
	4 years	3 years	9	\$ 89,108.80	\$ 32.2088	\$ 48.3131
	5 years	4 years	10	\$ 92,228.20	\$ 33.3363	\$ 50.0044
	6 years	5 years	11	\$ 95,638.34	\$ 34.5689	\$ 51.8534
	N/A	6 years			\$ 35.7789	\$ 53.6684
	10 years	N/A			\$ 35.2603	\$ 52.8904
	N/A	10 years			\$ 36.4945	\$ 54.7417
	14 years	N/A			\$ 35.7892	\$ 53.6837
	N/A	14 years			\$ 37.0419	\$ 55.5628

40 HOUR

<u>Grade 01</u>	<u>EMTB</u>	<u>Step</u>	<u>Annual</u>	<u>Hourly</u>	<u>OT</u>
	Entry	4	\$ 64,794.78	\$ 31.0320	\$ 46.5479
	6 months	5	\$ 67,063.22	\$ 32.1185	\$ 48.1777
	1 year	6	\$ 69,409.58	\$ 33.2421	\$ 49.8632
	2 years	7	\$ 73,993.30	\$ 35.4374	\$ 53.1561
	3 years	8	\$ 76,584.08	\$ 36.6782	\$ 55.0173
	4 years	9	\$ 79,263.96	\$ 37.9617	\$ 56.9426
	5 years	10	\$ 82,038.94	\$ 39.2906	\$ 58.9359
	6 years	11	\$ 85,072.23	\$ 40.7435	\$ 61.1152
	10 years	14	\$ 86,773.62	\$ 41.5582	\$ 62.3373
	14 years	16	\$ 88,075.00	\$ 42.1816	\$ 63.2724

<u>Grade 02</u>	<u>EMTP</u>	<u>Step</u>	<u>Annual</u>	<u>Hourly</u>	<u>OT</u>
	Entry	5	\$ 67,063.22	\$ 32.1185	\$ 48.1777
	6 months	6	\$ 69,409.58	\$ 33.2421	\$ 49.8632
	1 year	7	\$ 73,993.30	\$ 35.4374	\$ 53.1561
	2 years	8	\$ 76,584.08	\$ 36.6782	\$ 55.0173
	3 years	9	\$ 79,263.96	\$ 37.9617	\$ 56.9426
	4 years	10	\$ 82,038.94	\$ 39.2906	\$ 58.9359
	5 years	11	\$ 85,072.23	\$ 40.7435	\$ 61.1152
	6 years	12	\$ 88,049.94	\$ 42.1696	\$ 63.2543
	10 years	15	\$ 89,811.27	\$ 43.0131	\$ 64.5197
	14 years	17	\$ 91,158.44	\$ 43.6582	\$ 65.4873

<u>Grade 03</u>	<u>EMTB</u>	<u>EMTP</u>	<u>Step</u>	<u>Annual</u>	<u>Hourly</u>	<u>OT</u>
	1 year	6 months	6	\$ 74,627.65	\$ 35.7412	\$ 53.6119
	2 years	1 year	7	\$ 79,556.34	\$ 38.1017	\$ 57.1526
	3 years	2 years	8	\$ 82,341.94	\$ 39.4357	\$ 59.1536
	4 years	3 years	9	\$ 85,223.46	\$ 40.8158	\$ 61.2237
	5 years	4 years	10	\$ 88,206.61	\$ 42.2445	\$ 63.3668
	6 years	5 years	11	\$ 91,467.70	\$ 43.8063	\$ 65.7095
	N/A	6 years	12	\$ 94,668.57	\$ 45.3394	\$ 68.0090
	10 years	N/A	14	\$ 93,297.98	\$ 44.6829	\$ 67.0243
	N/A	10 years	15	\$ 96,562.34	\$ 46.2463	\$ 69.3694
	14 years	N/A	16	\$ 94,697.45	\$ 45.3531	\$ 68.0297
	N/A	14 years	17	\$ 98,010.58	\$ 46.9399	\$ 70.4099

<u>Grade 05</u>	<u>EMTB</u>	<u>EMTP</u>	<u>Step</u>	<u>Annual</u>	<u>Hourly</u>	<u>OT</u>
	1 year	6 months	6\$	81,931.86	\$ 39.2394	\$ 58.8590
	2 years	1 year	7\$	87,342.29	\$ 41.8306	\$ 62.7459
	3 years	2 years	8\$	90,400.93	\$ 43.2954	\$ 64.9431
	4 years	3 years	9\$	93,565.01	\$ 44.8109	\$ 67.2163
	5 years	4 years	10\$	96,839.73	\$ 46.3792	\$ 69.5688
	6 years	5 years	11\$	100,419.61	\$ 48.0936	\$ 72.1405
	N/A	6 years	\$		\$ 49.7776	\$ 74.6664
	10 years	N/A	\$		\$ 49.0560	\$ 73.5840
	N/A	10 years	\$		\$ 50.7733	\$ 76.1599
	14 years	N/A	\$		\$ 49.7918	\$ 74.6877
	N/A	14 years	\$		\$ 51.5349	\$ 77.3023

FAIR LABOR STANDARDS ACT AFFECT ON FIREFIGHTERS

The Fair Labor Standards Act (FLSA) became applicable to cities on April 5, 1986. Prior to this time the City had a labor contract with employees which spelled out the regular hours of work, the pay employees would receive for their regular hours of work, and payment for contractual overtime hours. The following is an outline of the information provided to all affected employees explaining how FLSA would affect the contractual provisions. The examples used have been updated to reflect current pay rates and current contractual provisions. The intent of this summary information is to help employees understand pay calculations; it is not intended to make any changes in how pay is calculated.

1. Provisions of the FLSA
 - A. Minimum Wage
 - B. Child Labor laws
 - C. Overtime Compensation
2. "7k" Exemption for firefighters
 - A. Allows cities to establish a work period that is at least 7 and no more than 28 days
 - B. FLSA sets a 53 hour work week standard
 - C. Council Bluffs Fire Department has established a 28 day work period beginning Saturday at 7:00 a.m. on April 5, 1986
 - D. FLSA overtime provisions for firefighters: time and one-half the "regular rate" for all hours worked over 212 in the 28 day work period.
3. In some respects the City's contractual policies on overtime are better than FLSA.
 - A. Overtime is earned for all hours beyond regular shift
 - B. City contract counts paid leave as hours worked, but FLSA only counts the actual hours worked.
4. In some respects the City's benefits are less than FLSA.
 - A. The City's overtime threshold is an average of 56 hours a week; the FLSA is 53 hours per week.
 - B. FLSA includes certain forms of compensation as part of the regular rate that the City rate does not include (i.e. longevity, educational benefit, acting pay).
5. What is the "FLSA regular rate?"
 - A. It is the true average hourly rate based on the contractual provisions agreed to by the City and Union.
 - B. It is not the same as the City's contractual rate.
 - C. It is calculated each work period.
 - D. The calculation looks like this:

Total compensation paid to the employee ÷ hours worked = FLSA regular hourly rate

6. The FLSA provides that some forms of compensation can be excluded from the FLSA regular rate of pay
 - A. Overtime premiums paid pursuant to a collective bargaining provision

Appendix D (page 2 of 5)

- B. Pay for non-work hours (i.e. holiday, sick, and vacation pay).
- C. Premium pay for working on a holiday or call-in pay
- D. Health, life, and retirement benefits.

7. In a 28 day period, an employee will normally work either 9 tours or 10 tours . The liability under FLSA is illustrated below:

<u>Hours Worked</u>		<u>FLSA OT Threshold</u>		<u>OT in Regular Schedule</u>
9 Tours = 216	-	212	=	4
10 Tours = 240	-	212	=	28

The City's compensation is considered to be straight time compensation for 216 or 240 hours. An additional half time is owed for all hours worked above 212 in the 28 day period.

8. The City's biweekly wage is payment for working a schedule that averages 56 hours per week. The City and union have agreed to an (artificial) contractual hourly rate that is calculated by dividing the biweekly wage by 106 hours.

The FLSA "regular Rate" is calculated using the actual hours worked so it fluctuates. The examples below used an employee whose total compensation is \$1,000 bi-weekly.

<u>28 Day Compensation</u>		<u>Hours Worked</u>		<u>FLSA Regular Rate</u>
\$2,000	÷	216	=	9.26
\$2,000	÷	240	=	8.33

The City's contractual hourly rate would be a constant 9.43 per hour ($1000 \div 106$). Note that it is higher than the FLSA rate because it is based on working 53 hours when employees actually work 56 hours.

9. The following illustrations are based on the wage and benefit scenario below:

Employee "A" is an engineer, grade F2 step 8. His contractual bi-weekly rates are as follows:

Base Pay:	\$1243.15	Hourly:	\$11.73	Overtime:	\$17.59
Longevity	\$ 9.23				
College	<u>\$ 11.54</u>				
	\$1263.92				

Acting Pay .80/per hour

The normal FLSA compensation he would receive in a 28 day period would be:

$\$1263.92 * 2 \text{ biweekly periods or } \$2,527.84$

Appendix D (page 3 of 5)

Illustration #1 - Employee works regular schedule with no City overtime

Situation 1 - "A" works 216 hours (9 tours)

The City pays "A" \$2,527.84 for working 216 hours and \$11.70 is the "regular rate" under FLSA. The \$2,527.84 is considered to be the straight time payment for the 216 hours. An additional half time payment is owed for all hours above 212. The calculation of the additional overtime liability would look like this:

$$216 \text{ hrs worked} - 212 = 4 \text{ hours FLSA OT @ } 11.70 * .5 = \$23.40$$

FLSA would require us to pay \$2551.24 to "A" which means the City will have to pay an additional \$23.40 to comply with the law.

\$2,551.24	-	\$2,527.84	=	\$23.40
Required by FLSA		Required by City contract		Additional amount owed by City

Situation 2 - "A" works 240 hours (10 tours)

The City pays "A" \$2,527.84 for 240 hours work and 10.53 is the "regular rate" under FLSA. The \$2527.84 is considered the straight time payment for the 240 hours. An additional half time payment is owed for all hours above 212. The calculation of the additional overtime liability would look like this:

$$240 \text{ hours worked} - 212 = 28 \text{ hours FLSA OT @ } 10.53 * .5 = \$147.42$$

FLSA would require us to pay \$2,675.26 to "A" which means the City will have to pay an additional \$147.42 to comply with the law.

\$2,675.26	-	\$2,527.84	=	\$147.42
Required by FLSA		Required by City contract		Additional amount owed by City

Note: in both situations 1 and 2 the employee did not work any overtime under the City contract, so there is no credit towards overtime that can be claimed.

Situation 3 - "A" works 240 hours but is working and paid Captain rank for 120 hours

The City pays \$2527.84 plus acting pay of \$96.00. Since acting pay is included in the FLSA regular rate, the total compensation is \$2,623.84 or 10.93 per hour.

$$28 \text{ hours FLSA OT @ } 10.93 * .5 = \$153.02 \text{ (additional amount owed)}$$

Appendix D (page 4 of 5)

Illustration #2: Employee works regular schedule plus 24 hours City overtime

Using the same wages and benefits, if "A" works his regular schedule plus 24 hours City overtime his compensation would be as follows:

Base pay, longevity, & college for 2 bi-weekly periods	\$ 2,527.84
Overtime @ straight time rate (excludes premium OT pay of 140.76)	<u>281.52</u>
	\$ 2,809.36

Situation 1 - "A" works 216 regular hours + 24 City overtime hours

The City pays "A" \$2,809.36 for 240 hours work and 11.71 is the "regular rate" under FLSA. The \$2809.36 is straight time compensation for 240 hours. An additional half time is owed for all hours above 212. The calculation of liability under FLSA would look like this:

$$240 - 212 = 28 \text{ hours} * 11.71 * .5 = \$163.94$$

The city can take credit for the premium overtime pay of 24 hours @ 11.73 *.5 or 140.76 that it paid under the union contract. This means the employee gets an additional \$23.18 as a result of the requirements of the FLSA. This is the difference between the \$163.94 owed under FLSA and the \$140.76 owed under City contract.)

Situation 2 - "A" works 240 regular hour + 24 hours City overtime

The City pays "A" \$2809.36 for 264 hours work and \$10.64 per hour is the "regular rate" under FLSA. The 2809.36 is straight time for 264 hours. An additional half time is owed for all hours above 212. The calculation of liability under FLSA would look like this.

$$264 - 212 = 52 \text{ hours} @ 10.64 * .5 \text{ or } \$276.64$$

The City can take credit for the premium overtime pay of 24 hours * 11.73 * .5 or \$140.76. This means the employee gets an additional \$135.88 as a result of the FLSA. This is the difference between the \$276.64 owed under FLSA and the \$140.76 paid under City contract.

Appendix D (page 5 of 5)

Illustration C: Effect of Paid Leave on Overtime

Situation 1

"A" is scheduled to work 216 hours in the period, but is on paid leave for 24 hours. Since he only works 192 hours no liability under FLSA occurs. The 24 hours of paid leave are not counted as work time.

Situation 2

If "A" is scheduled to work 240 regular hours but is on paid leave 24 hours. The compensation would be:

Base pay, longevity, education benefit for 2 bi-weekly periods	\$ 2,527.84
Exclusion of pay for non-working time (24 * 11.73)	- 281.52
	2,246.32

The "regular rate" under FLSA would be 10.40 per hour ($\$2246.32 \div 216$ hrs worked)

The OT liability is 4 hours @ $10.40 * .5 = \$20.80$

Situation 3

If "A" is scheduled to work 216 hours and is sick one tour but also is called in to work 24 hours of City overtime, liability is calculated as follows:

Base pay, longevity, educational benefit for 2 bi-weekly periods	\$ 2,527.84
Overtime @ straight time (24 * 11.73)	+ 281.52
Exclusion of pay for non-work hours (24 * 11.73)	- 281.52
	\$ 2,527.84

In this example, the City contract would require the City to pay overtime 20 hours sooner than FLSA, so no additional FLSA liability exists.

<u>Owed under FLSA</u>	<u>Owed Under City Contract</u>	<u>Additional FLSA owed</u>
$4 * 11.70 * .5 = \$46.80$	$24 * 11.73 * .5 = \$140.76$	0


COUNCIL BLUFFS FIRE DEPARTMENT
Standard Operating Procedure
"Overtime Callback" Article 5 CBA
SOP # 114
Pages: 6

Issue Date: March 28, 2020

Revised: March 15, 2025

I. DEFINITIONS:

- A. **Same Day Overtime:** Overtime callback made for the shift day (tour) being worked.
- B. **Prior Notice Overtime:** Overtime callback made for a shift's next three work days.

II. PROCEDURES:
A. Overtime Callback Procedures:

1. The Chief, Assistant Chief or their designee are the only persons authorized to call personnel for overtime duty.
2. The Fire Department administration shall maintain a separate overtime list for the rank of Firefighter, Engineer, and Captain with names and EMS certification levels.
3. The callback lists shall be called in order, continually repeating the list of names and listing whether they worked, refused, did not answer, etc.
 - a) The exception to the list rotation shall be that an employee's name shall not move on the list when an employee is called to work overtime for 8 hours or less. The assignment shall be deleted from the overtime list and the employee will be first called for the next applicable overtime assignment.
4. The first called, for both same day and prior notice overtime, shall be notified that he/she is the first called and if the remainder of the list is called and no one else agrees to work the overtime, the first name shall be called again and required to work. Personnel who are first called on a list, turn down the overtime and are notified that they are first up shall be subject to disciplinary action if they fail to answer a return call.
5. Personnel called back for overtime and who do not report by the designated time shall be considered late for duty.
6. Personnel shall be called back for the position that creates the vacancy, i.e. Captain for Captain, Captain for Acting Captain, rank for rank for vacancies that meet the following:
 - a) The vacancy takes the shift below the established minimum manning level and;
 - b) If qualified personnel are available, vacancies created by a vacation day or days, personnel will be placed into acting positions to allow for the development of future Engineers and Captains.



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- c) Overtime will be filled utilizing the Captain, Engineer and Firefighter overtime lists under the position for position provision. Personnel on an overtime list who are not qualified for an overtime assignment shall be passed over and noted as not qualified.
- d) While calling overtime for a Paramedic vacancy, all ranked lists shall be utilized in order to fill the vacancy. Once one rank's list of medics have all been forced, the ranks above will be called and forced prior to forcing the lower ranks a 2nd time.
7. Overtime assignments shall be made in such a way that personnel shall have at least 12 hours off duty before the overtime assignment and 12 hours off duty before reporting for their regular duty or another overtime assignment. Personnel working trade time are subject to the same 12 hours off duty conditions, i.e. personnel could not work trade time and overtime back to back that would result in a work period of more than 24 hours. In the event no other personnel are reachable, voluntary exceptions to this rule may be made to ensure minimum staffing. These exceptions shall not exceed an employee working 36 hours on shift. This requirement shall not apply to personnel being held over until an overtime replacement reports for duty, to personnel assigned training or prevention duties or to emergency callback.
8. Personnel shall be paid only for actual overtime hours worked, except in the event an employee is sent home early, prior to the 2½ hour rule, in this case the employee shall be compensated for the full 2 ½ hours.
9. Using the department's computer network, personnel shall be able to access "read only" copies of the overtime callback lists from each station in order to determine their standing on the overtime call lists. Accessing and changing the overtime lists by unauthorized personnel shall result in disciplinary action.
10. When a person is called, the time, date, action taken and the reporting time if working, shall be logged in the Overtime Call Lists or automated system.
11. Personnel shall list at minimum one contact phone number on the list for Overtime Callback.
12. In order to track personnel working overtime and to prevent conflicts on the call back of personnel already working overtime, a staffing board shall be kept in the Assistant Chief's office. Each Assistant or Acting Assistant Chief shall note on the board any personnel working overtime, the hours the person is working, and which apparatus they are working on.



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13. Personnel who are called for an overtime assignment shall be responsible for notifying the Assistant Chief that they cannot work the overtime assignment if they have worked trade time or overtime the previous day or are scheduled for overtime or trade time the day after which would place them in conflict with the 12 hours off duty requirement.
14. Until a positive six (6) month evaluation is received by the Fire Chief, probationary personnel shall not be available for overtime during their probationary period, except for emergency call back.
15. Personnel shall notify the shift Assistant Chief of the amount of overtime worked to ensure that the time and dates on the Daily Roster are consistent with the department's staffing software.
16. The Chief or his designated representative shall have the authority to order any employee to work when required to ensure the provisions of necessary service.

B. Prior Notice Overtime Callback:

1. Where it can reasonably be assumed that a shift will be below minimum manning on that shift's next three (3) work periods (three 24 hour tours), the overtime (prior notice) will be filled using the following process:
 - a) On the last day of a shift's three (3) day set, the shift Assistant Chief who needs overtime filled for their next three (3) shift days shall ensure that the overtime is documented in the Department's Staffing Software and listed on the master board in the Shift Commander's Office.
 - b) The shift Assistant Chief whose shift personnel will fill the overtime positions will call on the appropriate overtime list during duty hours.
 - c) Overtime calls shall start as soon after 1700 hours of the middle day of the set as possible.
 - d) Personnel working the overtime will be noted in the Department's Staffing Software.
 - e) If an employee on the overtime list is on vacation, an attempt shall be made to contact them using the number on the overtime list.

(1) Example:

Date	Shift	
July 2	A	A Shift's A.C. fills out overtime needed, needs a Firefighter for each of A Shifts next three work days.



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July 3	B	B Shift A.C. calls down the B Shift Firefighters overtime list, filling position for 24 hours on July 7 th and first 12 hours on July 9 th .
July 4	C	C Shift A.C. calls down the C Shift Firefighters overtime list, filling position for second 12 hours on July 9 th and 24 hours on July 11 th .



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2. Ranked Medic personnel will not be moved to fill medic vacancies on apparatus unless it is done to maintain ALS staffing on same day overtime. Same day overtime for a vacancy on a medic unit shall be called using the position for position rule.
3. Personnel accepting prior notice overtime, including personnel forced to work, shall report for duty by 0700 hours. Personnel called in for the second 12 hours of a split shift shall report for duty at 1900 hours. Personnel who accept prior notice overtime shall not be allowed to cancel or change their overtime obligation.
4. Personnel who are called for prior notice overtime and then are not needed shall be notified by the Assistant Chief working that day. The Firefighter called and not needed shall have the information on the Overtime List deleted and shall be the next called for overtime within that rank.

C. Same Day Overtime Callback:

1. Calls to personnel for same day overtime callback will be started between the hours of 0600 and 0700 except when a shift falls below minimum manning during the shift work period.
2. Personnel called for same day overtime, including personnel forced to work, shall be given at least one (1) hour to report for duty. The Assistant Chief or Acting Assistant Chief shall designate a start time that gives the overtime personnel at least one (1) hour to report for duty. Start times shall be made in one-quarter (1/4) hour increments.
 - a) Example: A Shift's Assistant Chief calls back a firefighter for a Monday tour. The Firefighter is called 0635 and accepts the overtime and is told to report for duty at 0745, thus giving a minimum of one hours' time to report to work and keeping the start time at a one quarter hour increment.
3. The one hour rule to report for duty shall not apply to members of the Fire Investigation Team (FIT). Members of the FIT will respond as soon as reasonably possible when called out for a fire investigation.
4. The House Captain of personnel held over to man a position until an overtime personnel reports for duty shall be notified of whom the replacement is and what time he/she will report for duty.



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5. During same day overtime callback, if a list has been called and no one answers, the Assistant Chief shall move personnel from his/her shift into an acting position, if capable personnel are available to move into the position. The next lower list shall then be activated and called to fill the staffing need. If a Firefighter is needed and the Firefighter's list has been called with no answers, the Engineer's list shall be activated and called.

D. Overtime Protection and Forced Overtime:

1. Personnel shall be allowed to protect twenty (20) days off between work sets per calendar year. This shall be in addition to the protection of vacation periods. This will be completed by filling out a Days off Protection on the departments scheduling software by 1700 hours of the middle day of the set preceding the scheduled four (4) days off.
2. In addition to the protections listed above, Personnel will be given protections from being forced on to overtime in the event they are participating in approved Department Training and Union Business.
3. Once an employee has been forced to work overtime, their name shall be protected from being forced again until everyone on their appropriate list has been forced to work overtime.
4. In the event that the only available employees on the overtime list have already been forced prior and the remainder of the said overtime list are protected, the City shall call the next higher ranked list to fill the overtime. Upon calling the next higher list the overtime will be offered but the higher ranks will not be forced to work the overtime. In the event no one on a higher list accepts the overtime, the employee on the initial list shall be forced again.
5. If an employee accepts overtime in a four (4) day period, the employee will not be forced for any additional overtime in the same four (4) day period.
6. Employees shall not be forced to work overtime for Special Events.

E. Special Event Overtime Call Out:

1. Employees who desire to work Special Event overtime shall make contact with the Department's EMS Officer and request to be added to the Special Event Overtime List.
2. Special Event overtime shall be filled by utilizing the department's staffing software and offered to all ranks on the list equally.
3. Personnel who accept Special Event overtime shall be allowed to accept line overtime if needed to ensure minimum manning in place of their special event duties.



City Personnel Policy

EDUCATIONAL ASSISTANCE

POLICY: 502

Council approval: 08/26/2024

Pages: 3

POLICY:

It is the policy of the City to provide educational assistance to its employees to encourage employees toward continued self-development.

APPLICABILITY:

All regular full-time employees, except for those covered by The Council Bluffs Association of Professional Firefighters Local 15 Labor Agreement. These employees will be covered by the prior Educational Assistance Policy 502 dated March 29, 2010.

PROCEDURE:

1. **Tuition Reimbursement.** (Does not apply to Police sworn personnel below the rank of Chief and Fire Sworn Personnel receiving College Incentive Pay under section 2 below.)
 - A. To be eligible for educational assistance, employees must have regular full-time status and at least one year of service.
 - B. Eligible employees may be reimbursed only for courses of study which the Department Head determines are related to the employee's present job; and, which will enhance the employee's potential for advancement to a position within the City and, to which the individual has a reasonable expectation of advancing. In addition, courses or programs to be eligible for reimbursement must be offered by accredited institutions of learning.
 - C. Employees who want educational assistance are encouraged to have prior written approval by the Mayor as soon as possible preferably 30 days before enrollment. Such approval will not be granted without a positive recommendation by the employee's Department Head. Department Heads must identify funding for the assistance before making a positive recommendation. Approval for tuition assistance must be requested for each course to be taken. Approval for one or more courses should in no way be considered a guarantee of continuing assistance.
 - D. The Mayor and Department Heads will normally consider the following factors in evaluating requests for educational assistance:
 - (1) The nature and purpose of the course of study;

- (2) The benefits to be derived by the employee and the City;
- (3) The employee's level of responsibility and length of service;
- (4) The estimated cost and availability of funds;
- (5) Any potential lost time or productivity while the employee attends the program.

- E. Employees may be reimbursed for books and tuition at time of repayment.
- F. Employees will be reimbursed the maximum of \$5,250.00 or the Internal Revenue Service tax-free benefit limitation, whichever is less, for the calendar year.
- G. Employee reimbursement for eligible educational assistance will be based upon the grade received for the course, as follows: For a grade of 'A', or 'B', 100% of reimbursable costs.

For a grade of 'C', 50% of reimbursable costs.

Reimbursable costs will be made for passing a 'pass-fail' course at 75%.

Employees receiving reimbursement from any outside sources, such as the Veteran's Administration or scholarships, must deduct the amount of these rewards and then subsequently use the above formula.

- H. Employees seeking reimbursement for qualified educational expenses must submit to the Human Resources Department a certified transcript or grade slip and receipt for the expenses incurred within 60 days of the completion of the course. The City will then reimburse to the employee the applicable percentage of the cost of tuition. However, employees who take courses at the specific request or direction of management may be reimbursed for applicable costs in advance.
- I. Employees who are terminated during enrollment because of a reduction in force or elimination of their job will be reimbursed for the applicable amount of the costs incurred up to the date of termination or transfer. Employees who, prior to completing the approved course, voluntarily leave the City or are terminated for reasons other than those listed above will not be reimbursed for the expenses associated with the course.
- J. Employees seeking reimbursement for educational expenses must agree in writing to repay the City if they leave the City voluntarily or are terminated within three years from the date of reimbursement. Repayment will be in accordance with the following schedule:

Within one (1) year of reimbursement	100%
Within two (2) years of reimbursement	75%
Within three (3) years of reimbursement	50%
After three (3) years of reimbursement	0%

- K. Employees are expected to schedule class attendance and the completion of study assignments outside of their regular work hours and is considered non compensable time. It is expected that educational activities will not interfere with the employee's work, and unsatisfactory job performance during enrollment may result in forfeiture of educational assistance and termination of employment.
2. **College Incentive Pay.** (Applies to Police sworn personnel below the rank of Chief and Fire sworn personnel below the rank of Chief who were hired before July 1, 1999 and have not applied and been granted any benefit described in section 1 of this policy).

The City will pay \$1.00 per semester credit hour per month for all satisfactorily completed credit grades of 'C' and above and in excess of 12 semester credits to a maximum payment of \$110 per month. The City will pay for courses only within City approved programs. All individuals having between 13 and 18 semester credits shall relinquish the educational incentive program assistance after two (2) years if they have not continued satisfactorily in an approved program and completed in excess of 18 semester credits. Quarter credits shall be converted to semester credits according to the following formula: one quarter credit equals two-thirds of a semester credit. The City shall not pay for any of the basic 12 minimum credit.

For more information

Please refer to your plan documents.

MEDICAL

Unless otherwise noted, benefits are per insured person and after deductible.

Plan name		Wellmark Blue Choice
Provider		Wellmark BCBS of Iowa
Network provider		Blue Choice
Benefit		In-Network
WELLMARK PLAN → Claims will process to these levels first		
Deductible	Individual	\$5,000
	Family	\$10,000
Out of Pocket Max	Individual	\$7,350
	Family	\$14,700
Coinsurance	In Network	70% / 30%
	Out of Network	60% / 40%
EBS SELF-FUNDED → Claims will re-process to these levels		
Deductible	Individual	\$100
	Family	\$300
Out of Pocket Max	Individual	\$1,250
	Family	\$2,500
Coinsurance	In Network	90% / 10%
	Out of Network	90% / 10%
PHYSICIAN SERVICES		
Preventative		Covered 100%
Primary Care Physician visit		\$15 copay*
Specialist visit		\$15 copay
Telemedicine		\$0 copay
HOSPITAL MEDICAL SERVICES		
Inpatient Hospital		10% after deductible
Outpatient Surgery		10% after deductible
Urgent Care		\$15 copay
Emergency		\$100 copay plus coinsurance
Ambulance Services		10% after deductible
PRESCRIPTION DRUGS		
Tier 1 / Tier 2 / Tier 3 / Tier 4		\$0 copay / \$15 copay / \$30 copay / \$30 copay
Specialty		\$85 copay**
MAIL ORDER PRESCRIPTION		
Mail Order (excludes specialty drugs)		2 copays for 3-month supply

*Members are eligible for a \$5 discount when they see their designated PCP.

**Some specialty drugs are eligible for a \$0 copay due to a partnership with PrudentRx. Members will be contacted directly if their medication is eligible.

This guide is subject to periodic review and modification. Each plan is governed by an official Summary Plan Description (SPD) document. If there is any conflict between this benefits guide and the SPD official document, the SPD plan document is the final authority. As an enrollee, your actual SPD will be provided under separate cover by your health carrier or your employer.



R E S O L U T I O N
NO 25-89

**RESOLUTION APPROVING THE TENTATIVE AGREEMENT REACHED BETWEEN
THE CITY OF COUNCIL BLUFFS AND THE COUNCIL BLUFFS ASSOCIATION OF
PROFESSIONAL FIREFIGHTERS, LOCAL 15, FOR THE PERIOD OF JULY 1, 2025
THROUGH JUNE 30, 2028.**

WHEREAS, the City and the Union have bargained in good faith and reached a tentative agreement; and,

WHEREAS, the tentative agreement is consistent with the direction provided by the City Council; and

WHEREAS, the changes in the agreement are deemed to be in the best interest 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 Council approves the proposed tentative agreement reached between the City of Council Bluffs and the Council Bluffs Association of Professional Firefighters, Local 15.

ADOPTED AND APPROVED

March 24, 2025

Roger C. Sandau, Mayor Pro Tem

ATTEST:

Jodi Quakenbush, City Clerk